

**NETWORK OF COMMUNITY OPTIONS, INC**  
**PERSONNEL POLICIES**

ISSUE DATE: August 1993  
(Revised April 2021)

## TABLE OF CONTENTS

<b>NO.</b>	<b>POLICY TITLE</b>	<b>PAGE</b>
------------	---------------------	-------------

---

### **INTRODUCTION**

20	Welcome to New Employees	5
40	Introductory Statements	6

### **EMPLOYMENT**

101	Nature of Employment	7
102	Employee Relations	8
103	Equal Employment Opportunity	9
105	Hiring of Relatives	10
106	Employee Medical Examinations	11
107	Immigration Law Compliance	12
108	Conflicts of Interest	13
109	False Claim Recovery Policy	14
110	Direct Care Employment Requirements	15
111	Outside Employment	16
112	Non-Disclosure	17
113	GINA / GIWA	18

### **EMPLOYMENT STATUS AND RECORDS**

201	Employment Categories	19
202	Access to Personnel Files	21
203	Employment Reference Checks	22
204	Personnel Data Changes	23
205	Introductory Period	24
206	Staff Development Requirements	25
207	Job Descriptions	26
208	Employment Applications	27
209	Performance Evaluations	28

## **EMPLOYEE BENEFIT PROGRAMS**

301	Employee Benefits	29
303	Paid Time Off Benefits	31
304	Child Care Benefits	32
305	Holidays	33
306	Workers' Compensation Insurance	34
307	Sick Leave Benefits	35
308	Time Off to Vote	36
311	Jury Duty	37
312	Witness Duty	38
313	COBRA (Benefits Continuation)	39

## **TIMEKEEPING/PAYROLL**

401	Timekeeping	40
403	Paydays	41
405	Employment Termination	42
407	Severance Pay	43
408	Pay Advances	44
409	Administrative Pay Corrections	45
410	Pay Deductions and Setoffs	46

## **WORK CONDITIONS AND HOURS**

501	Safety	47
502	Work Schedules	48
504	Use of Phone and Mail System	49
505	Smoking	50
506	Rest Periods	51
507	Overtime	52
508	Use of Equipment and Vehicles	53
510	Emergency Closing	54
511	Business Related Dues or Fees	55
512	Business Travel Expenses	56

## **LEAVE OF ABSENCE**

601	FMLA	58
603	Personal Leave	61
607	Pregnancy-Related Absences	62

## **EMPLOYEE CONDUCT AND DISCIPLINARY ACTION**

701	Employee Conduct and Work Rules	63
702	Drug and Alcohol Use	64
703	Sexual and Other Unlawful Harassment or Abuse	65
704	Attendance and Punctuality	66
705	Personal Appearance	67
706	Return of Property	68
707	Grievance Issues	69
708	Resignation	71
709	Security Inspections	72
712	Solicitation	73
713	Drug Testing	74

## **MISCELLANEOUS**

800	Life-Threatening Illness	75
801	Recycling	76
	Addendum: Substance Abuse	77

## **FORMS**

Employee Grievance I&II

## **20 Welcome New Employee!**

On behalf of your colleagues, I welcome you to Network of Community Options, Inc. and wish you every success here.

We believe that each employee contributes directly to NCO's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbooks, as soon as possible, for it will answer many questions about employment with NCO.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Jennie Lee Stobaugh  
Executive Director

## **40      INTRODUCTORY STATEMENT**

This handbook is designed to acquaint you with NCO and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by NCO to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As NCO continues to grow, the need may arise and NCO reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or NCO to end our relationship for any reason at any time. Employees will, of course, be notified of such changes in the handbook as they occur.

## **101 NATURE OF EMPLOYMENT**

Employment with NCO is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, NCO may terminate the employment relationship at will at any time, with or without notice or cause.

Policies set forth in this handbook are not intended to create a contract. The provisions of the handbook have been developed at the discretion of the management, and except for its policy of employment-at-will, may be amended or cancelled at any time, at NCO's sole discretion.

These provisions will supersede all existing policies and practices and may not be amended or added to without the express written approval of the NCO Board.

Development and revision of this manual is the responsibility of the Executive Director or designee and is subject to the reviews by the NCO Board Policy Committee. Policy changes are subject to approval by the NCO Board of Directors.

## **102 EMPLOYEE RELATIONS**

NCO believes that the working conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about working conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can have an even flow, communications can be clear, and attitudes can be positive. We believe that NCO amply demonstrates its commitment to employees by responding to employee concerns.



## **103 EQUAL EMPLOYMENT OPPORTUNITY**

In order to provide equal opportunity employment and advancement opportunities to all individuals, employment decisions at NCO will be based on merit, qualifications and abilities. NCO does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender (including pregnancy), national origin, age, mental or physical disability, genetic characteristic, or any other characteristic protected by law.

NCO will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training. An employee who requires an accommodation to perform the essential functions of the job should contact the Human Resources Manager and request an accommodation. The individual with the disability should specify what accommodations he or she needs to perform the job. NCO will then conduct an investigation to identify barriers for the employee to performing the job, and possible accommodations, if any, which will help resolve the limitations. If the accommodation is reasonable and will not impose an undue hardship, NCO will make the accommodation.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, NCO has established an affirmative action program to promote opportunities for all individuals in certain protected classes throughout the organization.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Human Resource Manager, or the Executive Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## 105 HIRING OF RELATIVES

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by NCO may be hired only if they will not be working directly for or supervising a relative. NCO employees cannot be transferred into such a reporting relationship.

If the relative relationship is established after employment the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, management will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or termination from employment.

For the purposes of this policy, relatives are defined to include spouses, parents, children, brothers, and sisters, brothers-and-sisters-in-law, fathers-and-mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

## **106 EMPLOYEE MEDICAL EXAMINATIONS**

To help assure that employees are able to perform their duties safely, medical examinations may be required.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

## 107 IMMIGRATION LAW COMPLIANCE

NCO is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must complete the form if they have not completed an I-9 with NCO within the past three years, or if their previous I-9 is no longer retained or valid. Employees who are unable to complete the I-9 and provide supporting documentation will be terminated.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resource Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## 108 CONFLICTS OF INTEREST

Employees have an obligation to conduct business within the guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which NCO wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Executive Director for more information or questions about conflict of interest.

Transactions with outside firms must be conducted within the framework established and controlled by the executive level of NCO. Business dealing with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could reasonably be interpreted to involve unusual gain require specific executive-level approval.

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 as a result of NCO's business dealing. 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.

The mere existence of a relationship with outside firms does not, by itself, create a conflict of interest. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to an officer of NCO, as soon as possible, that existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. NCO reserves the right to determine what constitutes a conflict of interest.

Personal gain may result not only in cases where an employee or relative has a significant ownership on a in a firm with which NCO does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealing involving NCO.

The materials, products, designs, plans, and data of NCO are the property of NCO and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible termination of employment and legal action.

## **109 FALSE CLAIM RECOVERY POLICY**

The purpose of this policy is to ensure compliance with all applicable Federal and State Laws/regulations regarding the education of false claims recovery to employees. NCO encourages its employees to report improper activities in the workplace and will protect employees from retaliation for making any such report in good faith.

### Employee/whistleblower rights:

Employees have the right to report, without suffering retaliation, any activity by NCO or any of our employees that the employee reasonably believes: 1) violates any state or federal law; 2) violates or amounts to noncompliance with a state or federal rule or regulation; or 3) violates fiduciary responsibilities by a nonprofit corporation. Applicable laws and regulations are: Deficit Reduction Act section 6032 and section 1902 (A) (68) of the Social Security Act, Deficit Reduction Act of 2005, and section 142.800 (A) (1) of the Arkansas Medicaid Provider Manual.

In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation.

Employees are also protected from retaliation for having exercised any of these rights in any former employment. The whistleblower protection laws do not entitle employees to violate a confidential privilege of NCO (such as the attorney-client privilege) or improperly disclose trade-secret information.

### Where to report:

Employees have the duty to comply with all applicable laws and to assist NCO to ensure legal compliance. An employee who suspects a problem with legal compliance is required to report the situation(s) to the Executive Director or Chair of the Board of Directors if the complaint involves the Executive Director.

Employees may also report information regarding possible unlawful activity to an appropriate government or law enforcement agency.

### Protection from Retaliation:

Any employee who believes that they have been retaliated against for whistleblowing may file a complaint with the Chair of the Board of Directors. This false claim policy shall be made available in an electronic or paper format and circulated to all employees, contractors, or agents. The false claim policy shall be addressed at new hire orientation training.

## **110 DIRECT CARE EMPLOYMENT REQUIREMENTS**

Direct care staff with periodic responsibility of providing direct care services to individuals served by NCO must:

1. Meet current liability insurance requirements,
2. Possess a valid current Arkansas driver's license,
3. Meet state and federal wage and hour, health and/or licensure requirements and have required certificates, and
4. Meet First Aid/CPR and other training requirements as per state guidelines.

## **111 OUTSIDE EMPLOYMENT**

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with NCO. All Employees will be judged by the same performance standards and will be subject to NCO's scheduling demands, regardless of any existing outside work requirements.

If NCO determines that an employee's outside work interferes with job performance or the ability to meet the requirements of NCO as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with NCO.

Outside employment is prohibited where it creates a conflict of interest if it otherwise has an adverse impact on NCO.



## 112 NON-DISCLOSURE

The protection of confidential information about individuals served and confidential business records is of vital interest to the success of NCO. Such confidential information includes, but is not limited to the following examples:

1. All files containing information about individuals served by NCO.
2. All personnel files.
3. All medical records relating to personnel.
4. Other information designated by NCO as “confidential”.

All employees will be required to sign a non-disclosure agreement as a condition of employment. Any employee who discloses confidential information about individuals served or confidential business information will be subject to disciplinary action, up to and including possible termination of employment and legal action, even if he or she does not actually benefit from the disclosed information.

## 113 GINA / GIWA

Network of Community Options, Inc complies with the Genetics Information Nondiscrimination Act (GINA) and the Genetic Information in the Workplace (GIWA). GINA and GIWA prohibit employers and other entities covered by these laws from requesting or requiring the disclosure of genetic information of an employee or family member of an employee, except as specifically allowed by this law. To comply with these laws, employees should **not**, directly or indirectly disclose any genetic information to NCO, Inc. ***at any time***. “Genetic information” includes an employee’s family medical history, the results of an employee’s or family member’s genetic tests, that fact that an employee or an employee’s family member sought or received genetic services, and genetic information of a fetus carried by an employee or an employee’s family member of an embryo lawfully held by an employee of family member receiving assistive reproductive services.

## **201 EMPLOYMENT CATAGORIES**

It is the intent of NCO to define employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment and/or benefits for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and NCO.

Each employee is designated as either NONEXEMPT OR EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. While exempt employees are expected to adhere to regular schedules to ensure effective work flow, the number of hours actually worked in a given week may vary. An exempt employee is paid a salary which does not, except in limited circumstances authorized by law, change based on the number hours worked. Employees in exempt positions are not entitled to overtime pay. Exempt employees are always paid in full-day increments, although they must use the appropriate paid leave, if available, for absences for personal reasons of more than two hours. An employee's NONEXEMPT OR EXEMPT classification may be changed only upon written permission by NCO management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work NCO's full-time schedule. Generally, they are eligible for NCO's benefit package, subject to terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. While temporary employees receive all legally-mandated benefits (such as Worker's Compensation Insurance and Social Security) they are ineligible for all of NCO's provided benefits programs.

## **201 EMPLOYMENT CATAGORIES- continued**

PER DIEM employees are those who routinely work either a full-time or a part-time schedule and who accept additional compensation in lieu of participation in all but legally mandated benefit programs. NCO offers this category in limited classification and to limited numbers of employees. Service in this category cannot be credited in any way towards any benefit program, even if the employee is later assigned to a benefit-eligible category. A change to or from this category can be accomplished only with the written consent of NCO.

CASUAL employees are those who have established an employment relationship with NCO but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits, such as Worker's Compensation Insurance and Social Security, they are ineligible for all other NCO benefit programs.

## **202 ACCESS TO PERSONNEL FILES**

NCO maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, documentation of performance appraisals, salary increases, and other employment records.

Personnel files are the property of NCO, and access to the information they contain is restricted. In general, only supervisors and management personnel of NCO who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Human Resources Manager in writing. With reasonable advance notice, employees may review their own personnel files in NCO's offices and in the presence of Human Resource Staff.

It is up to the discretion of NCO as to whether or not current, or former employees, may obtain copies of documents within their personnel/training/medical files. The cost per copy is \$0.35 per page for current and former employees.

Access sheets will be kept in front of each file to be signed, dated and with purpose entered by those seeking access to the file.

Information on an employee's medical condition or history, as well as training documentation, will be kept separate from the personnel files but will meet the same level of confidentiality as the personnel files.

## **203 EMPLOYMENT REFERENCE CHECKS**

To ensure that individuals who join NCO are well qualified and have a strong potential to be productive and successful, it is the policy of NCO to check the employment references of all applicants.

The Human Resource Manager will respond to all reference check inquiries from other employers. Responses to such inquiries as a general rule will address length of employment, job title, and re-hire status.

## **204 PERSONNEL DATE CHANGES**

It is the sole responsibility of each employee to promptly notify NCO of any changes in personnel data. Personal mailing addresses, cell phone/telephone numbers, e-mail addresses, number and names of dependants, emergency contact information, educational/training accomplishments and other such status reports should be kept current at all times. If any personnel data has changed, notify the Human Resources Manager.

## **205 INTRODUCTORY PERIOD**

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level performance and to determine whether the new position meets their expectations. NCO uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or NCO may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If NCO determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.



## **206 STAFF DEVELOPMENT REQUIREMENTS**

Each employee will be required to complete all training or staff development required by state or federal rules, licensure requirements/regulations, or by NCO. Employees will receive paid compensation during the three day orientation process, at the rate of pay that equals the current minimum wage. Whenever possible this will be completed during normal working hours, but on occasion as dictated by conflicting work schedules, training and/or staff development may be conducted outside of normal work hours.

## **207 JOB DESCRIPTIONS**

NCO requires a written job description that describes the duties, responsibilities and qualifications of each staff position.

Each job description will:

1. Identify immediate supervisor and personnel to be supervised by the position title;
2. Be written in terms of tasks and responsibilities;
3. Contain a description of training and experience that would be acceptable indicators of knowledge, skills, and abilities;
4. Be available to the public upon request;
5. Be placed in each personnel file and be signed and dated by employee, and direct supervisor;
6. Be reviewed and/or updated annually at evaluation time with the input of the employee.

## **208 EMPLOYMENT APPLICATIONS**

NCO relies upon the accuracy of information contained in the employment applications, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in NCO's exclusion of the individual from further consideration for employment, or if the person has been hired, termination of employment.

The employment application will be completed by the applicant prior to employment. The current application form requirements, which NCO may change at any time, include:

1. Qualifications and experience for the position sought;
2. References with a signed reference check release;
3. Prior conviction statement;
4. Declaration of truth statement; and
5. Emergency contact information.

## **209 PERFORMANCE EVALUATION**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal written performance evaluation will be conducted at the end of an employee's initial twelve (12) months period of hire. Additional formal performance reviews are conducted to provide supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Performance evaluations are scheduled approximately every 12 months, coinciding generally with the anniversary of the employee's original date of hire. The results of the annual performance evaluations will be communicated in writing to the employee and placed in the personnel file. The evaluations must be signed and dated by the supervisor listed on the job description and by the employee.

NCO awards merit-based pay adjustments in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process. Increases are not guaranteed as they are dependent on a variety of factors, including the availability of NCO funding.

## 301 EMPLOYEE BENEFITS

Eligible employees at NCO are provided a wide range of benefits. A number of the programs (such as Social Security, Worker's Compensation, State Disability, and Unemployment Insurance.) cover all employees in the manner prescribed by law.

This handbook provides brief summaries of the key features of the benefits program but does not restate all of the features of these benefit programs. Additional terms, conditions, and limitations regarding program eligibility and benefit entitlement often exist. For that reason, every employee should consult the official plan documents for complete information regarding each benefit program. In case of an actual or apparent conflict between the benefit summaries set forth in the handbook and the terms of the plan documents, the provisions of the official plan documents shall control.

Per the requirements under the ACA (Affordable Care Act), as of April 2015, employees who work 30+ hrs consistently per week will be eligible to participate in NCO, Inc. employee health care plan, *but the health care plan only*. To be able to participate in the full benefits plan, i.e., paid time off, etc., an employee must work a consistent 35 hrs per week.

In addition, while it is NCO's present intention to continue these benefits, NCO reserves the right to modify, curtail, reduce or eliminate any benefit, in whole or in part, either with or without notice. We recognize our responsibility to provide you reasonable notice of all material changes that may affect you.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Auto Mileage
- Employee Health Program
- Flextime Scheduling
- Holidays
- Jury Duty Leave
- Life Insurance
- Major Medical Insurance

### **301 EMPLOYEE BENEFITS – continued**

- Medical Insurance
- Pension Plan
- Tax-Sheltered Annuities
- Travel Allowances
- Paid Time Off

Some benefit programs require contributions from employees, but most are fully paid by NCO. The benefit package for regular full-time employees represents an additional cost to NCO of approximately 34 percent of the wages.

### 303 PAID TIME OFF BENEFITS

Paid time off is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to accrue and use vacation time as described in this policy.

Regular full-time employees (35+ hours a week)

The amounts of paid time off employees receive each year increases with the length of their employment as shown in the following schedule:

Accrual hour's calculation base on a 40 hr. work week per pay period:

- 0-1 yr.  $3.6922 \times 26 = 96$  hrs.
- 1-2 yrs.  $6.1538 \times 26 = 160$  hrs.
- 3 yrs.  $6.7691 \times 26 = 176$  hrs.
- 4-5 yrs.  $7.6921 \times 26 = 200$  hrs.
- 6-9 yrs.  $9.2307 \times 26 = 240$  hrs.
- 10+ yrs.  $10.7691 \times 26 = 280$  hrs.

## **304 CHILDCARE BENEFITS**

NCO provides childcare assistance to all eligible employees as a benefit of employment. Eligible employee classifications are:

All employees

Given below is a brief description of childcare assistance that may be provided when feasible. For more detailed information, please contact the HR Manager.

1. **FLEXTIME SCHEDULING:** Employees may request the opportunity to vary their work schedules (within employer-defined limits) to better accommodate childcare responsibilities.
2. **CHILDCARE CENTER:** Employees may request childcare at agency owned childcare center(s) at employee's own expense.



## 305 HOLIDAYS

NCO will grant holiday time off to all employees on the holidays listed below.

- New Year's Day (January 1<sup>st</sup>)
- Good Friday (Friday before Easter)
- Memorial Day (Last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (First Monday in September)
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Day after Thanksgiving
- Christmas Eve (December 24<sup>th</sup>)
- Christmas Day (December 25<sup>th</sup>)
- New Year's Eve (December 31<sup>st</sup>)

### Eligible employee classification

#### **Regular full-time employees**

Because of residential scheduling in order to remain open, direct care staff will observe different non-working days as specified on their schedule.

According to applicable restrictions, NCO will grant paid holiday time off to all eligible, nonexempt employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employees straight-time pay (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

## **306 WORKERS' COMPENSATION**

NCO provides a comprehensive Workers' Compensation Insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements. Workers' Compensation Insurance provides benefits after a short waiting period or if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither NCO nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by NCO.

### **307 LEAVE BENEFITS**

NCO provides paid time off, unpaid medical leave or FMLA for all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

Regular full-time employees (35 + hours a week)

### **308 TIME OFF TO VOTE**

NCO encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, NCO will grant up to two hours of unpaid time off to vote.

Employees should request off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule.

### **310 JURY DUTY**

NCO encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request up to one week of paid jury duty leave over any one year period.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of the absence. Employee classification(s) that qualify for paid jury duty leave:

Regular full-time employees (35 + hours a week)

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible, so that the supervisor may make arrangements to accommodate their absence. Employees are expected to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Either NCO or the employee may request an excuse from jury duty if, in NCO's judgment the employee's absence would create serious operational difficulties.

NCO will continue to provide health insurance benefits for the full term of the jury duty absence.

Paid time off will continue to accrue during unpaid jury duty leave.

## **312 WITNESS DUTY**

NCO encourages employees to appear in court for witness duty when subpoenaed to do so.

IF NCO has subpoenaed employees as witness, they will receive regular pay for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than NCO. Employees are free to use any available paid time off to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received, so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### **313 BENEFITS CONTINUATION (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under NCO's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at NCO's group rates plus an administration fee.

NCO provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under NCO's health insurance plan. The notice contains important information about the employee's right and obligations.

## **401 TIMEKEEPING**

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and State laws require NCO to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record; the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action up to and including termination of employment.

It is the employee's responsibility to verify his or her time record to certify the accuracy of all time recorded. The supervisor will review and verify the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.



### **403 PAYDAYS**

All payroll distribution is done every other Friday, twice a month. Each paycheck will include earning for all work performed and documented through the end of the present payroll period.

Employees will have pay directly deposited into their bank account upon advance written authorization to NCO. Upon request, employees may receive an itemized statement of wages when NCO makes direct deposits.

## 405 EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated.

**RESIGNATION:** Voluntary employment termination initiated by an employee.

**DISCHARGE:** Involuntary employment termination initiated by the organization.

**LAYOFF:** Involuntary employment termination initiated by the organization for non-disciplinary reasons.

NCO will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversation privileges, repayment of outstanding debts to NCO, or return of NCO-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with NCO is based on mutual consent, both the employee and NCO have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay within 7 days of termination of employment. (In accordance with AR State law).

Employee benefits will be affected by employment termination in the following manner:

- All accrued, vested benefits that are due and payable at termination will be paid.
- Some benefits may be continued at the employee's expense if the employee chooses.
- The employee will be notified in writing of the benefits that may be continued and the terms, conditions, and limitations of such continuance.

#### **407 SEVERANCE PAY**

NCO does not grant severance pay to employees whose employment is terminated. However, NCO reserves the right to make exceptions to this policy in its sole and absolute discretion.

## **408 PAY ADVANCES**

Neither pay advances nor extensions of credit on unearned wages can be provided to employees.

## **409 ADMINISTRATIVE PAY CORRECTIONS**

NCO takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that all employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Direct Supervisor so that corrections can be made as quickly as possible.

Once underpayments are identified, they will be corrected in the next regular paycheck, unless this presents an undue burden to the employer.

Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, NCO will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

## **410 PAY DEDUCTIONS AND SETOFFS**

The law requires that NCO make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. NCO also must deduct Social Security taxes on each employee's earning up to a specified limit that is called the Social Security "wage base." NCO matches the amount of Social Security taxes paid by each employee.

NCO offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participations in these programs.

Pay setoffs are pay deductions taken by NCO, usually to help pay off a debt or obligation to NCO or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your direct supervisor can assist in answering your questions.

## **501 SAFETY**

To assist in providing a safe and healthy work environment for employees, customers, and visitors, NCO has established a workplace safety program. This program is a top priority for NCO. The Executive Director, or the Human Resource Manager, has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

NCO provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meeting, bulletin board posting, memos, or other written communications. These issues can also be addressed via NCO's company web site.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvements ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, the Human Resource Manager, or bring them to the attention of the Executive Director. Reports and concerns about the workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify Direct Supervisor, or the Human Resource Manager. Such reports are necessary to comply with laws and initiate insurance and Worker's Compensation benefits procedure.

## **502 WORK SCHEDULES**

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flextime scheduling is available in some cases to allow employees to vary their starting and ending times each day within established limits. Employees should consult their supervisors for the details of this program.



## **504 USE OF PHONE AND MAIL SYSTEMS**

Personal use of telephone for long-distance and toll calls is not permitted. Employees should practice discretion in using company telephones when making local personal calls and may be required to reimburse NCO for any charges resulting from their personnel use of the telephone.

The use of NCO-paid postage for personal correspondence is not permitted.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

## **505 SMOKING**

In keeping with NCO's intent to provide a safe and healthy work environment, smoking is prohibited throughout the workplace.

**This policy applies to all employees and visitors.**

**Individuals served by NCO will be able to smoke in designated areas on NCO grounds.**

## **506 REST PERIODS**

Each workday, full-time nonexempt employees are provided with one rest period of ten minutes in length. To the extent possible, rest periods will be provided in the middle of work place periods. Since this time is counted and paid time worked, employees must not be absent from their workstations beyond the allotted rest period time.

## 507 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wages and hour restrictions. Overtime pay is based on actual hours worked at the following rate(s):

One and one-half times straight-time rate for all hours over 40 in a workweek.

Paid time off will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

## **508 USE OF EQUIPMENT AND VEHICLES**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using NCO property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The personal use or the improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary actions, up to and including termination of employment.

## **510 EMERGENCY CLOSING**

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notifications of the closing.

When operations are officially closed due to emergency conditions, nonexempt employees will not be paid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay plus a bonus.

Residential operations continue regardless of weather conditions, such as snow and ice storms. All employees are expected to report to their workstations as usual. Under extreme travel conditions, tardiness will be excused and not counted against leave, if, in the opinion of the administrator and the direct supervisor (as applicable) the employee made an effort to arrive when conditions allowed.

Meals, sleeping accommodations and emergency transportation may be provided for affected employees, where appropriate at residential facilities, to assure adequate direct care coverage.

## **511 BUSINESS RELATED DUES OR FEES**

Professional staff members are strongly encouraged to become an active member of their state and federal professional organization. Where membership is for the purpose of officially representing the agency, payment of dues will be made by the agency. Other professional membership may be paid by the agency, if they are job essential and approved in advance by the Executive Director.

Printed materials received as a result of professional society dues or membership fees paid by NCO are the property of NCO. Professionals attending meeting at the expense of NCO are expected to share information upon return with other appropriate staff members.

## 512 BUSINESS TRAVEL EXPENSES

NCO will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. The Executive Director must approve all business travel in advance. Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by NCO. Employees are expected to limit expenses to reasonable amounts.

Meals for employees may be reimbursed with a receipt, within NCO maximum limits if:

- The employee is assisting individuals in a planned program activity that includes dining out.
- (Group home direct care only) A crowded program agenda for the day does not allow for time to prepare a proper meal in the home and all must use the “drive through window”. In this case, NCO will pay for individuals and employee food since it will come out of the Facility Food Budget. Use petty cash when available.
- Taking individuals for a re-enforcer to get yogurt, coke, popcorn, etc is not considered a reimbursable expense for the employee’s food, unless the food consumed by the employee serves as an allowable (reimbursable) meal for that employee and a meal wasn’t available at the residence.
- Expenses incurred for an allowable activity, i.e., movie, circus, skating, sporting event, if the employee is assisting an individual in an approved program activity.
- Breakfast reimbursement may be claimed only if the employee is on assignment away from home station in a travel status overnight, or leaves home in an assigned travel status before 6:00 a.m. Dinner reimbursement may be claimed only if the employee is on assignment away from home station in a travel status overnight, or remains in a travel status until after 7:00 p.m.



## **Business Travel Expenses- Continued**

Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or lowest available fare.
- Car rental fees, only for compact or mid-sized cars.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Taxi fares, only where there is no less expensive alternative.
- Mileage costs for use of personal cars, only when less expensive transportation is not available.
- Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodging.
- Costs of meals, no more lavish than would be eaten at the employees own expense.
- Tips not exceeding 15% of the total cost of a meal or 10% of a taxi fare.
- Charges for telephone calls, fax, and similar services required for business purposes.
- Charges for one personal telephone call each day.
- Charges for laundry and valet services, only on trips of five or more business days.  
(Personal entertainment and personal care items are not reimbursed.)

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by NCO may not be used for personal use without prior approval.

With prior approval, a family member or friend may accompany employees on business travel, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel, as long as time away from work is approved. Additional expenses arising from each non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports within 30 days. Receipts for all individual expenses should accompany reports.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

## 601 FAMILY MEDICAL LEAVE ACT/FMLA

NCO fully complies with the federal Family Medical Leave Act (FMLA), which requires our agency to grant eligible employees leaves of absence for specified purposes, including leave associated with military service. To the extent permitted by law, all federal and state mandated leaves will run concurrently.

In accordance with the FMLA of 1993 an employee who: (I) has worked for his/her employer for 12 months or more; (II) has worked at least 1,250 hours over the previous 12 months; (III) works at a facility of the employer where at least 50 employees are employed within 75 miles will be eligible for up to a total of twelve workweeks of unpaid leave, unless otherwise designated as paid leave in accordance with the Act, during any 12-month period, measured forward from the date the employers first Act leave begins, for one or more of the following reasons:

1. For the birth or placement of a child for adoption or foster care;
2. To care for an immediate family member (spouse, child, or parent) with a serious health condition; or
3. To take medical leave when the employee is unable to work due to a serious health condition. "Serious health condition" means an illness, injury, impairment, or physical mental condition that involves:
  - (a) Any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical-care facility;
  - (b) Continuing treatment by (or under the supervision of) health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in period of incapacity or more than three calendar days or prenatal care.

Spouses are jointly entitled to a combined total of 12 weeks of family leave for the birth or placement of a parent (but not a parent-in-law) who has a serious health condition.

Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement of the child

## **FMLA – Continued**

Under some circumstances, an employee may take Act leave intermittently which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule. Intermittent leave is available for the following reasons:

1. If Act leave is for the birth or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.
2. Act Leave may be taken intermittently whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work.

The employer will maintain group health insurance coverage for an employee on Act leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee continued to work. During the leave, the employee will be required to continue to pay his or her share of the group health insurance premiums which had been paid by the employee prior to the leave while on leave.

When taking leave from work for any reasons, the employee must explain the reasons for the needed leave in order to allow the employer to determine whether the leave qualifies under the Act. If the employee fails to explain the reasons, leave may be denied. Provided an employee has paid leave available such as accrued vacation days, sick days, or personal days, the employee may substitute the paid leave for unpaid leave. This paid leave will not be counted against the employee's 12 week leave entitlement under the Act.

Employees seeking to use Act leave will be required to provide:

1. Thirty days advance notice of the need to take Act leave when the need is foreseeable;
2. Medical certifications supporting that the need for leave is due to a serious health condition affecting the employee or an immediate family member; and
3. Periodic reports during the Act leave regarding the employee's status and intent to return to work.

When the leave is needed to care for an immediate family member or for the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operations

## **FMLA – Continued**

Return from leave: Before returning to work from leave of absence for his/her own medical condition, an employee must provide a health care provider's statement that indicates that he or she is able to return to work, with or without restrictions. The employee will be provided with a medical certification form and a copy of his/her job description so that the health care provider can certify the employee's ability to perform the essential functions of the job, and what work restrictions, if any exist. It is recommended that such certification be sent by the employee to the Human Resources Manager at least one week prior to the expiration of the Family and Medical Leave. If there are any work restrictions, the Human Resource Manager will contact the employee and discuss whether or not the restrictions can be accommodated.

Failure to Return from Leave: NCO may consider employees who fail to return to work the next workday following the expiration of a leave to have voluntarily resigned. An employee also may be considered to have resigned if he or she accepts employment from another company, or engages in self-employment while on leave, or falsifies the reason or need for a leave. Should the employee fail to return from leave, NCO may recover the premiums paid on the employee's behalf, unless the employee's reason for failing to return is either the employee's serious health condition or circumstances beyond the employee's control.

Any employee having questions concerning his/her leave rights under the FMLA of 1993 should talk with his/her supervisor.

## **603 PERSONAL LEAVE**

NCO provides leave of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy.

Regular full-time employees (35 + hours a week)

As soon as eligible employees become aware of the need for a personal leave absence, they should request a leave form from their supervisor.

Personal unpaid leave may be granted for a period of up to 7 calendar days once a year. With the supervisor's approval, an employee may take any available paid time off as part of the approved period of leave.

Requests for personal leave, paid or unpaid, will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, NCO will continue to provide health insurance benefits for the full period of the approved personal leave.

Paid time off will continue to accrue during the approved personal leave period.

When personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, NCO cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, NCO will assume the employee has resigned.

Requests for paid time off will be granted based on a number of factors, including anticipated workload requirements and staffing considerations.

## **607 PREGNANCY-RELATED ABSENCES**

NCO will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy. Such leave requests will be made and evaluated in accordance with the medical leave policy provisions outlined in this handbook and in accordance with all federal and state laws.

Requests for time off associated with pregnancy and/or childbirth (apart from medical disabilities associated with these conditions) will be considered in the same manner as any other request for an unpaid personal leave.

## 701 EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, NCO expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property.
- Falsification of timekeeping records.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer—owner vehicles or equipment.
- Physical violence or the verbal threat of violence in the workplace.
- Negligence or improper conduct leading to damage of employer-owned or client-owned property.
- Insubordination or other disrespectful conduct.
- Violation of safety or health rules.
- Smoking in prohibited areas.
- Excessive personal use of cell phones, including texting, during work hours.
- Sexual or other unlawful or unwelcome harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- Excessive absenteeism or any absence without notice.
- Unauthorized use of telephone, mail systems, or other employee-owned equipment.
- Unauthorized disclosure of business “secrets” or confidential information.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.

Employment with NCO is at the mutual consent of NCO and the employee (Employment-At-Will), and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

## 702 DRUG AND ALCOHOL POLICY

It is NCO's desire to provide a drug-free, healthy, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on NCO premises and while conducting business-related activities off NCO premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or engage in the unlawful manufacturing, distributing, dispensing, possessing, or using of illegal drugs.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. The selling, or illegal distribution of prescription drugs is also prohibited and is subject to disciplinary action up to and including termination of employment.

To inform employees about important provisions in this policy, NCO has established a drug-free awareness program. The program provides information on the dangers of the effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Human Resource Manager to receive assistance or referrals to appropriate resources in the community.

Employees with a drug or alcohol problem that have not resulted in and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in a rehabilitative or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all NCO policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause NCO any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify NCO of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction. Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise concerns with their supervisor, the Human Resources Manager, or the Executive Director without fear of reprisal.



## **703 SEXUAL AND OTHER UNLAWFUL HARASSMENT AND MENTAL OR PHYSICAL ABUSE**

NCO is committed to providing a work environment for employees and a service environment for individuals receiving services that are free of discrimination, mental or physical abuse (including neglect) and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, disability, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited. State and federal laws and regulations and NCO policy prohibit mental or physical abuse or neglect of individuals served.

Any employee who wants to report an incident of sexual or other unlawful harassment or mental or physical abuse or neglect, should promptly contact his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact his or her supervisor, the employee should immediately contact the Human Resources Manager or the Executive Director. Employees can raise concerns without fear of reprisal.

Any supervisor, or manager who becomes aware of possible sexual or other unlawful harassment, mental, physical abuse or neglect should promptly advise the Executive Director, who will handle the matter in a timely and confidential manner.

Any employee engaging in sexual or other unlawful harassment, mental, or physical abuse or neglect will be subject to disciplinary action up to and including termination of employment.

The State of Arkansas Department of Human Services has adopted a policy and procedure which covers suspected abuse and neglect of individuals receiving services. The policy outlines definitions, reporting and investigating steps, disciplinary actions to be taken and an appeals process. A copy of this policy is given to each new employee at the time of employment. Updates are distributed to each employee, with a copy of the distribution retained in the personnel file.

## **704 ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, NCO expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness places a burden on other employees and on NCO. In rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their direct supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary actions, up to and including termination of employment.

## **705 PERSONNEL APPEARANCE**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image NCO presents to clients, families, and visitors.

Whether on site or working in the community, during business hours employees are expected to present a professional and tasteful appearance when representing NCO. We understand that what is tasteful for one person may be inappropriate to another. If your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult with your supervisor to clarify what constitutes appropriate appearance in the current work environment.

## **706 RETURN OF PROPERTY**

Employees are responsible for items issued to them by NCO or in their possession or control such as the following:

- Credit cards
- Gift cards
- Equipment
- Computer laptops
- Identification badges
- Keys
- Manuals
- Protective equipment
- Security passes, i.e., computer passwords
- Tools
- Uniforms
- Vehicles
- Written materials

All NCO property must be returned by employees on or before their last day of work. Where permitted by applicable laws, NCO may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. NCO may also take all actions deemed appropriate to recover or protect its property.

## 707 GRIEVANCE ISSUES

Any employee who believes that NCO, or any of its employees, have acted, or failed to act, in a manner constituting a violation of an employee's constitutional or statutory rights, may file a grievance using this policy.

Employees who believe that NCO, or any of its employees, have acted, or failed to act, in a manner constituting a violation of an employee's constitutional or statutory rights, do not have to file a grievance using this policy, although they are encouraged to do so.

NCO has appointed an EEO/Grievance Officer at the Central Office. The officer will assist employees in the implementation of this policy. This officer will also help any employee who requests such assistance. Any Manager, Supervisor or Personnel Officer can provide the employee with the name, address and phone number of the nearest EEO/Grievance Officer.

### **Grievance process:**

#### **STEP 1**

*Verbal Discussion:* The employee has fifteen (15) calendar days from the time of knowledge of a violation of his/her constitutional or statutory rights to start this step by contacting the Executive Director. The Executive Director will arrange an informal discussion with involved personnel and within seven (7) calendar days will give a written decision to the employee. If the employee is not satisfied, a written grievance may be filed.

#### **STEP 2**

*Written Grievance:* The employee has five (5) calendar days from the time of receipt of the written decision in Step 1 to file a written grievance (NCO form #1 should be used.) with the EEO/Grievance Officer. The EEO/Grievance Officer will notify the Personnel Committee within one (1) day of receipt of the written grievance.

**GRIEVANCE ISSUES – continued**

The Personnel Committee or a committee appointed by the NCO Board Chair will have fourteen (14) calendar days to complete its investigation and present a written report (which may contain recommendations) to the Board President and the employee. (The Committee may appoint an investigator [who may be the EEO/Grievance Officer] to assist in the investigation.) The EEO/Grievance Officer may make written recommendations within the fourteen (14) day period to the Board President and the employee. The Board President will make a decision in writing and send it to the employee within three (3) calendar days.

STEP 3

If an employee is not satisfied with the action taken by the Board President, a complaint may be made to the EEOC, or the employee may take further action to protect his/her constitutional rights.

**708 RESIGNATION**

Resignation is a voluntary act initiated by the employee to terminate employment with NCO. Although advance notice is not required, NCO requests at least two (2) weeks' written resignation from all employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

**710 SECURITY INSPECTIONS**

NCO wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, NCO prohibits the possession, transfer, sale or use of such materials in its premises. NCO requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of NCO. Accordingly, they, as well as any articles found within them, can be inspected by an agent or representative of NCO at any time, either with or without prior notice.



**712 SOLICITATION**

In an effort to assure a productive and harmonious work environment, persons not employed by NCO may not solicit or distribute literature in the workplace at any time for any purpose.

NCO recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during work time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- The circulation of petitions.
- The distribution of literature not approved by the employer.

In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Affirmative action statements
- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notices
- Worker's Compensation Insurance information
- State disability insurance/unemployment insurance information

If employees have a message of interest to the workplace, they may submit it to the Executive Director for approval. All approved messages will be posted by the Executive Director.

## 714 DRUG TESTING

NCO is committed to providing a safe, efficient, and productive work environment for all employees. In keeping with this commitment, employees and job applicants may be asked to provide body substance samples (e.g., blood, urine, hair) to determine the illicit use of drugs. NCO will attempt to protect the confidentiality of all drug test results. Drug tests may be conducted in any of the following situations:

**RANDOM TESTING:** Employees holding safety-sensitive positions may be subject to testing at any time on a random basis.

In cases where a positive drug test is confirmed, considerations will be given to available rehabilitation where appropriate.

An employee who tests positive and who successfully completes rehabilitation will be subject to unscheduled testing for a twelve-month period following reinstatement.

Questions concerning this policy or its administration should be directed to the Executive Director.

## **800 LIFE-THREATENING ILLNESS IN THE WORKPLACE**

Employees with life-threatening illness, such as cancer, heart disease, AIDS, etc. often wish to continue their normal pursuits, including work, to the extent allowed by their condition. NCO supports these endeavors as long as employees are able to meet acceptable performance standards, as well as state and federal required licensure or operating standards. As in the case of other disabilities, NCO will make reasonable accommodations with all legal requirements to allow qualified employees with a life-threatening illness to perform the essential functions of their job.

Medical information on individual employees is treated confidentially. NCO will take reasonable precautions to protect such information from inappropriate disclosure. Supervisors and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illness are encouraged to contact the Executive Director, Human Resources Manager, or NCO's Employee Assistance Program for information and referral to appropriate services and resources.

**800 RECYCLING**

NCO supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at NCO:

- Newspaper
- Aluminum

This simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be part of this solution.

NCO encourages reducing and when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- Posting memos,
- Two-sided photocopies,
- Eliminating fax cover sheets,
- Reusing paper-clips, folders, and binders, and
- Turning off lights when not in use.

Whenever possible, employees of NCO are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

By recycling, NCO is helping to solve trash disposal and control problems facing all of us today.

## NETWORK OF COMMUNITY OPTIONS, INC

---

SUBJECT: Substance Abuse

ISSUED & APPROVED BY: NCO, Inc. Board of Directors

REVIEWED BY: Drug Policy Committee

DISTRIBUTION: All employees – Addendum to personnel manual

ORIGINAL DATE EFFECTIVE: 3/14/96

---

### DRUG TESTING/ABUSE POLICY

Network of Community Options, Inc (hereafter referred to as NCO) is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any NCO employee illegally uses drugs and alcohol in the work place. Therefore, NCO has established the following policy:

1. No employee shall possess, sell, trade, buy, or offer for sale illegal drugs or otherwise engage in the illegal use of drugs on the job. Such drugs include but are not limited to: heroine, marijuana, cocaine, PCP, “crack”, “meth”, opiates, and amphetamines.
2. No employee shall report to work under the influence of illegal drugs or alcohol.
3. No employee shall use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications) Drivers taking prescription medication must provide a doctor’s statement to their supervisor that it is safe to drive the vehicle while taking the medication.
4. Employees shall ensure that no alcohol is present in any vehicle on the behalf of the agency-this includes an unopened can of beer or a bottle of mouthwash containing alcohol. It is a violation of the federal Highway Administration to have such items present in the vehicles.
5. Violators of this policy are subject to disciplinary action up to and including termination.

### DRUG TESTING OF APPLICANTS

Guidelines for testing of applicants are established and kept within the Administrative Offices.

1. All applicants will be informed of NCO’s Substance Abuse Program via their initial application for employment.

**DRUG TESTING/ABUSE POLICY – continued**

2. All applicants who have been made a conditional offer of employment will be drug-tested via a urine analysis.
3. All applicants who test positive will be ineligible for employment for one year.

**DRUG TESTING OF EMPLOYEES**

NCO has adopted, as a condition of employment, testing practices to identify employees who use illegal drugs either on or off the job. Employees may receive upon request a true and accurate copy of the drug test at no charge.

1. For-Cause Testing: Current employee may be asked to submit to a drug test if cause exists to indicate that their health or ability to perform work may be impaired. Factors which could establish cause include, but are not limited to:
  - a) Sudden change in work performance,
  - b) Repeated failure to follow instructions or procedures,
  - c) Violation of company safety procedures,
  - d) Involvement in accident or near accident,
  - e) Discovery or presence of substances in an employee's possession or near the employee's workspace,
  - f) Odor of alcohol and/or residual odor peculiar to some chemical or controlled substance,
  - g) Unexplained or frequent absenteeism,
  - h) Personality changes or disorientation, and
  - i) Arrest or conviction for violation of a criminal drug statute.
2. Post-Accident Training: All employees involved in a reportable job-related accident must be drug-tested for the use of controlled substances within 32 hours after the reportable accident or where the testing is required by law. Any employee who is seriously injured and cannot provide a specimen at the time of the accident shall provide the necessary authorization for obtaining hospital records and other documents that would indicate whether there was any controlled substance in the employee's system.

**DRUG ABUSE/TESTING POLICY – continued**

Post-accident alcohol tests are required within 2 hours, but not later than 8 hours after the accident. After 8 hours, efforts to secure a breath alcohol test must cease and reason(s) must be documented why it could not be done. Although blood tests are not allowed, it must be documented whether (and where) blood testing was available. In post-accident situations, the driver shall not use alcohol within 8 hours following the accident or until he or she undergoes a post-accident test, whichever occurs first. Law enforcement tests are permissible in this instance.

Although not a violation of the DOT regulations, an employee who tests between .02 and .0399 must have a confirmation test within 30 minutes. If the second test result is below .02, the employee may drive. If not, he/she shall be removed from the safety-sensitive function for 24 hours and may not drive the CDL vehicle until after a negative Return to Duty drug test is obtained.

3. Random testing: Each quarter, a random sampling of employees will be selected by a third party to be tested for use of illegal drugs.

Random drug testing for employees with a CDL must be performed on 50% of the drivers and random alcohol testing for employees with a CDL must be performed on 25% of the drivers. Alcohol testing may be in conjunction with the 50% random drug tests.

Pre-employment Testing Procedures:

All candidates, upon conditional offer of employment, will be screened for the presence of controlled substances and alcohol as part of the pre-employment medical screening. Individuals who test positive for the presence of a controlled substance will be denied employment and offers of employment rescinded.

## **DRUG ABUSE/TESTING POLICY – continued**

For-Cause: If a supervisor or other member of management believes that cause exists, the following action should be taken:

1. Advise the employee, in private, that he/she will be required to submit to testing and will be suspended, pending discharge and without pay, pending the results of the lab test. Inform the employee that if the results are negative, he/she will be reimbursed for lost time.
2. As soon as possible, document the observations and behavior responsible for initiating the test.
3. Depending on the time and day of the incident, contact either the designated physician or the Emergency Room. Escort the employee to either area, and remain until the collection process is completed.
  - (a) A substance abuse test must be performed on a DOT approved Evidential Breath Test (EBT) machine by a trained and certified Breath Alcohol Technician (BAT)
4. After specimen collection is completed, the employee should leave the collection area, and is suspended pending discharge.
  - (a) If the employee's condition requires assistance, transportation should be arranged by the supervisor or member of management.
  - (b) A record of disciplinary action must be provided to the administrative offices by the next day.
5. When test results are positive, the designated physician will provide the employee with a copy of the test results, and at his/her option and expense, have a second conformation made on the test result.
6. Strict confidentiality will be maintained during any phase of intervention, assessment, testing, and follow-up, where appropriate. Specific information and results must be retained for 1-5 years and will be audited annually by the Federal Highway Administration.

### **POSITIVE DRUG TEST RESULTS:**

Employees who test positive for drug(s), or whose test reveals alcohol levels beyond legal limits at the work place or during normal working hours will be suspended immediately. The employee may request a second test if he/she disagrees with the results of the first test; however, the second test is at the employee's expense and must be sent to a federally accredited lab.



**DRUG ABUSE/TESTING POLICY – continued**

If the employee produces evidence that he/she is actively participating in a rehabilitation program, he/she may use at his/her option any available paid time off while in the rehabilitation program and furnishing evidence of same to NCO, will be eligible to return to work. He/she would be subject to testing for illegal drug or alcohol use upon request of NCO management, should he/she test positive for illegal drug and alcohol use a second time, he/she will be subject to immediate dismissal.

It is a violation of the regulations to have an alcohol concentration of .04 or greater while driving, or immediately prior to or after driving a commercial vehicle, or to drive while using alcohol or within 4 hours after using alcohol. It is also a violation to refuse to submit to a test. The driver must be relieved of duty for 24 hours and be referred to an Employee Assistance Program (EAP). The driver cannot drive until a negative Return to Duty test result is obtained. Follow-up tests are required (up to 60 months as the EAP requires, but no less than 6 during the first 12 months)

NCO recommends an EAP benefit for employees and their dependents, who test positive for the use of illegal drugs at the expense of the employee. An EAP provides confidential assessment, referral, and short-term counseling for employees who need or request it. If an EAP referral to a treatment provider outside the EAP is necessary, costs may be covered by the employee's medical insurance, but the cost of such outside services will be employee's responsibility.

It is the responsibility of the NCO supervisors to counsel employees whenever they see changes in performance or behavior that suggests an employee has a drug or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisors should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who may have a drug or alcohol problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, drug-free, and alcohol-free environment. The intent of this policy is to offer help to those who need it, while sending a clear message that illegal use of drugs and alcohol is incompatible with employment at NCO.

EMPLOYEE GRIEVANCE FORM  
FORM I

This set of forms is for filing a formal grievance and is documentation for the grievance process. All supporting documentation should be attached to these forms. (Please note: If the employee complaint concerns sexual harassment or any kind of illegal discrimination, the employee should follow NCO policy by bringing these issues directly to the Executive Director or the Human Resource Manager).

Grievant Name: \_\_\_\_\_

Title: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Work Location: \_\_\_\_\_

GRIEVANCE STATEMENT:

The following information must be filled in so that the grievance can be processed. Additional pages may be used.

1. State the date & circumstances concerning the grievance. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What have you done to try to resolve the situation? What were the results of your actions? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. How would you like to see this situation resolved? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Grievant's Signature \_\_\_\_\_ Date \_\_\_\_\_

