



**FAIRBANKS NATIVE**  
**ASSOCIATION**

# **Personnel Policies and Procedures Manual**

*Effective May 19, 2020  
Updated December 6, 2021*

**Fairbanks Native Association, 3830 South Cushman, Suite 100, Fairbanks AK 99701  
Tel: (907) 452-1648 \* Fax: (907) 456-4148**

# Fairbanks Native Association Fairbanks, Alaska

## Personnel Policies and Procedures Manual

The purpose of this Personnel Policies and Procedures Manual (Manual) is to communicate relevant information regarding employment at Fairbanks Native Association (FNA) to all employees. This Manual is intended to increase employee understanding of FNA's expectations and help promote consistency throughout FNA. This Manual is subject to modification and further development. FNA reserves the right to make changes to the policies, procedures, and other statements made in this Manual at any time because of organizational needs or because of changes in federal or state laws.

**The Manual is a set of guidelines and not all-inclusive. It is not to be considered a contract of employment, an offer to enter into a contract of employment, or a promise of specific treatment in specific situations.**

**FNA is an "at-will" employer and operates on the basis that employees have the right to resign their position at any time, with or without notice, and with or without cause. FNA, as the employer, has similar rights to terminate the employment relationship at any time, with or without notice, and with or without cause. The at-will relationship is not modified by anything in this Manual.**

FNA

- Is an equal opportunity employer
- Strongly supports and enforces a smoke-free environment
- Strongly enforces a drug-free environment
- Is committed to the fair treatment of all employees

This Manual supersedes all manuals or handbooks dated prior to the date this Manual becomes effective as well as all earlier updates and additions.

# TABLE OF CONTENTS

Sectional Table of Contents .....	3
Alphabetical Table of Contents .....	5
Introduction.....	8
<b>Section I: General Provisions</b> .....	9
<a href="#">Policy I-1</a> : Code of Ethics and Business Conduct .....	10
<a href="#">Policy I-2</a> : Consumer Confidentiality .....	11
<a href="#">Policy I-3</a> : Rewards, Favors, Gifts .....	13
<a href="#">Policy I-4</a> : Political Activity, Seeking Elective Office .....	14
<a href="#">Policy I-5</a> : Dress and Appearance.....	15
<a href="#">Policy I-6</a> : Work Hours.....	16
<a href="#">Policy I-7</a> : Attendance & Punctuality .....	17
<a href="#">Policy I-8</a> : Breaks .....	18
<a href="#">Policy I-9</a> : Smoking and Tobacco Use .....	19
<a href="#">Policy I-10</a> : Alcohol and Drug Use & Testing .....	20
<a href="#">Policy I-11</a> : Use of FNA Property .....	26
(Letterhead, Photocopier, Telephone, Fax, Computers, etc.)	
<a href="#">Policy I-12</a> : Internet and E-mail Use .....	27
<a href="#">Policy I-13</a> : Use of FNA Cellular Phones.....	29
<a href="#">Policy I-14</a> : Use of Personal Possessions .....	30
<a href="#">Policy I-15</a> : Keys, Phone and Computer Passwords.....	31
<a href="#">Policy I-16</a> : Insurability .....	32
<a href="#">Policy I-17</a> : Use of FNA Vehicles and Private Vehicles .....	33
<a href="#">Policy I-18</a> : Vehicle Accidents While on FNA Business .....	35
<a href="#">Policy I-19</a> : Workplace Safety .....	36
<a href="#">Policy I-20</a> : Weapons and Violence in the Workplace .....	37
<a href="#">Policy I-21</a> : Theft of FNA Property .....	38
<a href="#">Policy I-22</a> : Fraternalization with Consumers .....	39
<a href="#">Policy I-23</a> : Inclement Weather and Emergency Closings .....	40
<a href="#">Policy I-24</a> : Chain of Command .....	41
<a href="#">Policy I-25</a> : Security Inspections .....	42
<a href="#">Policy I-26</a> : Personal Phone Calls, Texting, and Visits .....	43
<a href="#">Policy I-27</a> : Social Media .....	44
<a href="#">Policy I-28</a> : Subpoena, Court Order, Legal Action .....	46
<b>Section II: Employment Policies</b>	
<a href="#">Policy II-1</a> : Affirmative Action, Equal Employment Opportunity .....	48
<a href="#">Policy II-2</a> : Nondiscrimination .....	49
<a href="#">Policy II-3</a> : Sexual Harassment .....	50
<a href="#">Policy II-4</a> : Job Descriptions .....	52
<a href="#">Policy II-5</a> : Classes of Employees .....	53
<a href="#">Policy II-6</a> : Exempt and Nonexempt Employees .....	54
<a href="#">Policy II-7</a> : Recruitment .....	55
<a href="#">Policy II-8</a> : Internal Hire Process .....	56
<a href="#">Policy II-9</a> : Employment Eligibility and Continuity Verification .....	57
<a href="#">Policy II-10</a> : Job Offer/Appointment.....	60
<a href="#">Policy II-11</a> : Orientation .....	61
<a href="#">Policy II-12</a> : Outside Employment .....	62

<a href="#">Policy II-13:</a>	Employment Records .....	63
<a href="#">Policy II-14:</a>	Release of Job References .....	64
<a href="#">Policy II-15:</a>	Interns, Practicum Students .....	65
<a href="#">Policy II-16:</a>	Outside Volunteers .....	66
<a href="#">Policy II-17:</a>	Intra-FNA Transfer .....	67
<a href="#">Policy II-18:</a>	Child Care Licensing Variance for Current Employees .....	68
<a href="#">Policy II-19:</a>	Performance Evaluations .....	69
<a href="#">Policy II-20:</a>	New Employee Evaluation Period.....	71
<a href="#">Policy II-21:</a>	Performance Improvement Plans.....	72
<a href="#">Policy II-22:</a>	Corrective or Disciplinary Action .....	73
<a href="#">Policy II-23:</a>	Termination of Employment .....	74
<a href="#">Policy II-24:</a>	Remote Work .....	76
<b>Section III: Compensation Policies</b>		
<a href="#">Policy III-1:</a>	Pay .....	78
<a href="#">Policy III-2:</a>	Timesheets.....	79
<a href="#">Policy III-3:</a>	Overtime.....	80
<a href="#">Policy III-4:</a>	Holiday Pay .....	81
<a href="#">Policy III-5:</a>	Workers' Compensation .....	82
<a href="#">Policy III-6:</a>	Employee Injured on Non-FNA Job .....	83
<a href="#">Policy III-7:</a>	Relocation Expenses .....	84
<a href="#">Policy III-8:</a>	Membership in Professional Organizations .....	85
<b>Section IV: Travel and Per Diem</b> .....		87
<b>Section V: Benefits Policies</b>		
<a href="#">Policy V-1:</a>	Paid Time Off (PTO).....	89
<a href="#">Policy V-2:</a>	Leave of Absence without Pay .....	90
<a href="#">Policy V-3:</a>	Maternity/Paternity Leave .....	91
<a href="#">Policy V-4:</a>	Family and Medical Leave .....	93
<a href="#">Policy V-5:</a>	Court Leave .....	94
<a href="#">Policy V-6:</a>	Military Leave of Absence.....	96
<a href="#">Policy V-7:</a>	Administrative Leave .....	97
<a href="#">Policy V-8:</a>	Bereavement Leave .....	98
<a href="#">Policy V-9:</a>	Time Off to Vote .....	99
<a href="#">Policy V-10:</a>	Time Off for Parent Teacher Conference.....	100
<a href="#">Policy V-11:</a>	Disposition of Benefits While on Leave without Pay .....	101
<a href="#">Policy V-12:</a>	Holidays.....	102
<a href="#">Policy V-13:</a>	Retirement Plan .....	103
<a href="#">Policy V-14:</a>	Career Development.....	104
<a href="#">Policy V-15:</a>	Medical and Hospital Insurance .....	106
<a href="#">Policy V-16:</a>	Employee Assistance Program.....	107
<a href="#">Policy V-17:</a>	Employee Recognition Program .....	108
<a href="#">Policy V-18:</a>	Temporary Continuation of Coverage (TCC) .....	109
<a href="#">Policy V-19:</a>	Employee Leave Donation .....	110
<b>Section VI: Grievance Procedures</b> .....		112
<b>Section VII: Coronavirus Pandemic (COVID-19)</b> .....		113

<b>Alphabetical Table of Contents</b>	<b>Page</b>
Absence .....	<a href="#">17</a>
Administrative Leave .....	<a href="#">96</a>
Affirmative Action, Equal Employment Opportunity .....	<a href="#">48</a>
Alcohol and Drug Testing .....	<a href="#">20</a>
Alcohol and Drug Use .....	<a href="#">20</a>
Applicant Prerequisites for Specific Positions .....	<a href="#">55</a>
Appointment .....	<a href="#">55</a>
Attendance .....	<a href="#">17</a>
Bereavement Leave .....	<a href="#">97</a>
Breaks .....	<a href="#">18</a>
Car Rentals .....	<a href="#">33</a>
Cellular Phones (use of) .....	<a href="#">43</a>
Chain of Command .....	<a href="#">41</a>
Classes of Employees .....	<a href="#">53</a>
Client/Consumer Confidentiality .....	<a href="#">11</a>
COBRA/TOC .....	<a href="#">108</a>
Code of Ethics .....	<a href="#">10</a>
Contents of Employment Records .....	<a href="#">63</a>
Coronavirus Pandemic (COVID-19) Addendum.....	<a href="#">113</a>
Corrective Action.....	<a href="#">73</a>
Court Leave (Jury Duty) .....	<a href="#">93</a>
Disabled Applicants .....	<a href="#">57</a>
Disciplinary Action.....	<a href="#">73</a>
Dismissal .....	<a href="#">74</a>
Disposition of Benefits While on Leave without Pay .....	<a href="#">100</a>
Disqualification of Applicants .....	<a href="#">55</a>
Dress and Appearance .....	<a href="#">15</a>
Drug Free Workplace Act .....	<a href="#">20</a>
Drug Testing .....	<a href="#">20</a>
Drug Use .....	<a href="#">20</a>
E-Mail .....	<a href="#">27</a>
Employee Assistance .....	<a href="#">106</a>
Employee Conduct .....	<a href="#">10</a>
Employee Injured on Non-FNA Job.....	<a href="#">82</a>
Employee Leave donation.....	<a href="#">109</a>
Employment Eligibility and Continuity Verification .....	<a href="#">57</a>
Employment Records .....	<a href="#">63</a>
Error in Pay .....	<a href="#">77</a>
Excessive Absenteeism .....	<a href="#">17</a>
Exempt and Nonexempt Employees .....	<a href="#">54</a>
Falsification, Omission, or Incorrect Reporting of Employment Information .....	<a href="#">57</a>
Family and Medical Leave .....	<a href="#">91</a>
FNA Cellular Phones (Use of) .....	<a href="#">29</a>
FNA Computers (Use of) .....	<a href="#">31</a>
FNA Letterhead (Use of) .....	<a href="#">26</a>
FNA Photocopiers (Use of) .....	<a href="#">26</a>

FNA Property (Use of) .....	<a href="#">26</a>
FNA Telephones and Fax Machines .....	<a href="#">26</a>
FNA Vehicles and Private Vehicles (Use of) .....	<a href="#">33</a>
Fraternization with Clients/Consumers.....	<a href="#">39</a>
Grievance Procedures .....	<a href="#">111</a>
Harassment Grievance .....	<a href="#">50</a>
Hiring of Related Persons, Nepotism .....	<a href="#">57</a>
Holiday During Leave .....	<a href="#">101</a>
Holiday on Day Off .....	<a href="#">101</a>
Holiday Pay .....	<a href="#">79</a>
Holidays .....	<a href="#">101</a>
Inclement Weather and Emergency Closings .....	<a href="#">40</a>
Indian Preference .....	<a href="#">49</a>
Insurability .....	<a href="#">32</a>
Internet/E-Mail Use .....	<a href="#">27</a>
Interns, Practicum Students .....	<a href="#">65</a>
Intra-FNA Transfer .....	<a href="#">67</a>
Investigation and Verification of Employment Information .....	<a href="#">57</a>
Job Abandonment .....	<a href="#">17</a>
Job Descriptions.....	<a href="#">52</a>
Job Offers .....	<a href="#">60</a>
Jury Duty Leave .....	<a href="#">93</a>
Keys, Phone and Computer Passwords .....	<a href="#">31</a>
Layoff and Recall .....	<a href="#">74</a>
Leave of Absence without Pay .....	<a href="#">89</a>
Licensing/Certification/Degree Requirements and Verification .....	<a href="#">57</a>
Lost Paycheck .....	<a href="#">77</a>
Maternity/Paternity Leave .....	<a href="#">90</a>
Medical and Hospital Insurance .....	<a href="#">105</a>
Membership in Professional Organizations or Associations .....	<a href="#">84</a>
Military Leave of Absence.....	<a href="#">94</a>
Minimum Age for Employment .....	<a href="#">57</a>
Nondiscrimination .....	<a href="#">49</a>
Orientation .....	<a href="#">61</a>
Outside Employment .....	<a href="#">62</a>
Outside Volunteers .....	<a href="#">66</a>
Overtime .....	<a href="#">79</a>
Paid Time Off .....	<a href="#">87</a>
Parent Teacher Conference (time off for).....	<a href="#">99</a>
Part-Time Employees .....	<a href="#">53</a>
Payday and Paycheck/Pay Advances/Lost Paycheck .....	<a href="#">77</a>
Per Diem .....	<a href="#">85</a>
Performance Evaluations .....	<a href="#">69</a>
Permanent Employment (see Regular Employees).....	<a href="#">53</a>

Personal Phone Calls, Texting, and Visits .....	<a href="#">43</a>
Personal Possessions (Use of) .....	<a href="#">30</a>
.....	
Personnel Records (see Employment Records) .....	<a href="#">63</a>
Phone and Computer Passwords .....	<a href="#">31</a>
Political Activity/Seeking Elective Office .....	<a href="#">14</a>
Pre-Employment Drug Testing .....	<a href="#">20</a>
Private Vehicles (Use of) .....	<a href="#">33</a>
Qualifications .....	<a href="#">57</a>
Recruitment .....	<a href="#">55</a>
Reference Checks .....	<a href="#">64</a>
Regular Employees .....	<a href="#">53</a>
Release of Job References .....	<a href="#">64</a>
Relocation Expenses .....	<a href="#">83</a>
Resignation .....	<a href="#">74</a>
Retirement Plan .....	<a href="#">102</a>
Rewards, Favors, Gifts .....	<a href="#">13</a>
Security Inspections .....	<a href="#">42</a>
Service Awards .....	<a href="#">107</a>
Severance Pay .....	<a href="#">74</a>
Sexual Harassment .....	<a href="#">50</a>
Smoking and Tobacco Use .....	<a href="#">19</a>
Subpoena.....	<a href="#">46</a>
Temporary Employees .....	<a href="#">53</a>
Termination of Employment .....	<a href="#">74</a>
Termination Pay .....	<a href="#">74</a>
Theft of FNA Property .....	<a href="#">38</a>
Time Off to Vote .....	<a href="#">98</a>
Timesheets .....	<a href="#">78</a>
Travel and Per Diem .....	<a href="#">85</a>
Tuition Reimbursement .....	<a href="#">103</a>
Use of FNA Cellular Phones .....	<a href="#">29</a>
Use of FNA Computers .....	<a href="#">27</a>
Use of FNA Letterhead .....	<a href="#">26</a>
Use of FNA Photocopiers .....	<a href="#">26</a>
Use of FNA Property .....	<a href="#">26</a>
Use of FNA Telephones/Fax Machines .....	<a href="#">26</a>
Use of FNA Vehicles and Private Vehicles .....	<a href="#">33</a>
Use of Personal Possessions .....	<a href="#">30</a>
Vehicle Accidents While on FNA Business .....	<a href="#">35</a>
Violence in the Workplace .....	<a href="#">37</a>
Weapons.....	<a href="#">37</a>
Work Hours .....	<a href="#">16</a>
Workers' Compensation .....	<a href="#">81</a>
Workplace Safety .....	<a href="#">36</a>

# INTRODUCTION

The purpose of this Manual is to provide systematic and equitable information and regulations regarding employment at FNA. This Manual is provided to maintain uniformity and equity in personnel matters and to encourage each employee to give his or her best service.

Only the Executive Director has the power to vary or modify the strict application of the provisions of this Manual in any case in which the strict application would result in practical difficulties or unnecessary hardship.

It is the intent of FNA to comply with all federal, state, and local laws applicable to FNA and its operations. If any part of this Manual conflicts with any rules, regulations, and conditions prescribed by any funding source or regulatory body, those regulatory specifications will prevail.

The Executive Director or designee is responsible for the enforcement of this Manual and for disciplinary measures subject to the applicable provisions of this Manual. The Human Resources Director or designee is the designated Manual custodian and has the responsibility to maintain, on a current basis, the master copy of this Manual and to coordinate all revisions or additions to this Manual.

The employee involved and FNA may waive provisions of this Manual in exceptional circumstances upon agreement in writing.

*The policies and procedures contained in this Manual apply to all employees of FNA.* FNA reserves the right to make changes to the policies, procedures, and other statements made in this Manual at any time.

Employees are also expected to follow the policies and procedures specified by their programs.

This Manual is available on the FNA website and is also available to all employees for review at their programs. Employees should contact their program assistant regarding the location of the Manual in hard copy.



# GENERAL PROVISIONS

The Executive Director or designee has the final responsibility for all personnel actions. The Human Resources Director or designee has the responsibility for approving and recording personnel actions such as personnel changes, maintenance of personnel files, update of job descriptions, the processing of promotions, evaluations, separations, grievances, investigations regarding employee and employee/client misconduct, and the processing and compilation of employment applications. All personnel actions will be issued in writing and a record of all such actions will be sent to the employee.



**Purpose**

To ensure harmonious and safe program operations and to inform employees of their responsibilities in this regard

**Policy**

It is the policy of FNA to provide our Code of Ethics and Business Conduct, which will serve as a guide to proper business conduct for all employees. We expect all employees to observe the highest standards of ethics and integrity in their conduct. This means following a basic code of ethical behavior.

As reflected in the Code of Ethics and Business Conduct & Corporate Compliance Plan document (referred to as the 'Code'), FNA wants to ensure each employee avoids conflicts of interest involving gifts, gratuities, business courtesies, and other considerations. Additionally, management staff is expected to set the tone when it comes to the Code, as they are expected to set an example by building trust and credibility, demonstrating respect for individuals, and upholding the law when conducting business. Employees are expected to act in accordance with standards of professional integrity. Colleagues, supervisors, and consumers are to be treated with respect and dignity.

Where applicable, employees must adhere to the Code as outlined in the program-specific policies and procedures regarding consumer contact. If an employee knows that a colleague has violated ethical standards, the employee will bring it to the attention of the supervisor of the colleague using the chain of command.

Every FNA employee is expected to act in a manner to be a credit to his or her profession and to the good of FNA and to have total commitment to provide the highest quality of services. Employees will not advise on matters outside their competence. FNA employees will not exploit the trust of the public or their co-workers and will make every effort to avoid relationships that could impair their professional judgment. No employee of FNA will presume to speak for or on behalf of FNA without the express prior approval of the president of the Board of Directors or the Executive Director. All public inquiries should be referred to the Executive Director.

At FNA everyone should feel comfortable to speak his or her mind, particularly with respect to ethics concerns. Directors and supervisors have a responsibility to promote FNA's "open-door" policy and create an open and supportive environment where employees feel comfortable raising such questions. We all benefit when employees exercise their power to prevent mistakes or wrongdoing by asking the right questions at the right times.

All FNA employees must comply with the FNA Code of Ethics and Business Conduct and Corporate Compliance Plan; a copy is provided upon hire, and is available through HR at any time.

**Purpose**

To ensure strict confidentiality regarding client information.

**Policy**

FNA expects all employees to keep client information strictly confidential.

Many employees have access to confidential records and information. FNA employees must not disclose any information about a client, including the fact that the person is or is not served by FNA; to anyone outside FNA unless authorized by the Executive Director or other authorized personnel. Staff will not discuss any client records with unauthorized persons, whether on or off duty. The principle of confidentiality must be maintained in all programs, departments, functions, and activities. Employees who violate confidentiality are subject to disciplinary action up to and including termination, as well as possible legal action.

In cases in which a state's confidentiality law is more restrictive than the federal law, a program must follow the stricter state law. When a state's confidentiality law is less restrictive than the federal law, a program must follow the stricter federal law.

**Procedure**

1. No client information requested by someone outside FNA will be given in person or over the phone. All employees are instructed to respond to such requests with the statement that FNA policy prohibits giving out any client-identifying information, including whether a person is being served, or has been served in the past, by FNA. This includes not only explicit but also implicit disclosures such as:
  - a. a receptionist confirming that a particular person is a client, even if the visitor or caller says that he or she is a family member;
  - b. the program sending a client a letter in an envelope that might indicate that the addressee may be a client;
  - c. the program faxing a letter on the program's stationery to the client's workplace;
  - d. leaving a phone message revealing client status with a client's roommate or on an answering machine where another person may hear the message;
  - e. a counselor appearing at the client's workplace or home and revealing the relationship with the client to someone else; or
  - f. disclosing the client's name and the fact that the client attended a program to a bill collection agency, attorney, or small claims court.
2. If a client agrees to the release of information, a release-of-information form will be explained and completed in the presence of the person about whom any information may be released before the information is released.
3. Client information may be released without client consent in the following cases:
  - a. In case of a medical emergency. A medical emergency is a situation that poses an immediate threat to any individual (not just the client) and requires immediate medical intervention. Medical emergencies may include suicide threats, a drug overdose, or a patient with active and infectious tuberculosis who is not taking his or her medication. The release of information applies to medical personnel only. The program may not use the medical emergency rule to

contact family members or the police. The release of information to medical personnel has to be documented.

b. If a client commits or threatens to commit a crime on FNA premises or against FNA personnel. In addition to information about the crime, the program may provide the name of the client, his or her address, and his or her last known whereabouts. The program may not release the names of other clients who were victims or witnesses to the crime without those clients' prior written consent. This rule does not include a client's confession of a past crime unless that crime was on FNA premises or against FNA personnel.

c. A program may make state-mandated reports in case of suspected child abuse or neglect to appropriate state or local authorities. However, client files must not be revealed to child protection agencies without client consent or court order.

4. No information about individuals or records will be released to federal, state, or other agencies that would enable the identification of any person by name, address, Social Security number, or other coding procedures without a proper court order. A federal, state, or local court may produce such an order and authorize a program to make a disclosure about patient-identifying information after following certain procedures. A subpoena, search warrant, or arrest warrant, even if signed by a judge, is not sufficient by itself to require or permit a program to make a disclosure.

If presented with a subpoena or warrant without a court order, program personnel should:

a. produces a copy of the client confidentiality regulations and explains that they cannot cooperate with law enforcement without an appropriate court order;

b. notify FNA's lawyer after notifying their supervisor;

c. ask to contact the prosecuting attorney or commanding officer so that the program can repeat its arguments, stressing that an authorizing court order is required before the program may make any disclosure;

d. if the officer insists on entry, do not forcibly resist. Refusing to obey the orders of a law enforcement officer may constitute a crime, even though the officer's order may later prove to be erroneous or illegal.

5. If records are inspected by an outside agency, the individual(s) who inspect(s) the records must be specifically authorized by the Executive Director. Taking notes or photocopying or removal of records is prohibited in such cases.

6. Employees are also required to follow their specific program policies and procedures regarding client files.

**Purpose**

To protect the integrity of FNA and to inform employees of their responsibilities in this regard.

**Policy**

1. Employees cannot accept rewards, favors, gifts, or other forms of compensation in addition to regular compensation for the performance or non-performance of his or her duties from any vendor, contractor, individual, firm, or from any other source having or proposed to have a relationship with FNA.
2. No employee or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. Employees and agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. A violation by an employee may lead to discipline up to and including termination.
3. No person may give, render, pay, offer, solicit, or accept any money, service, or valuable items in connection with any appointment, promotion, or advantage in a position.
4. Employment with FNA may not be offered as a consideration or reward for the support or defeat of any political party or candidate for public office.



### **Purpose**

To protect the integrity of FNA and to ensure that employees are able to administer FNA programs without political influence.

### **Policy**

1. No employee may engage in partisan political activity during his or her regular work hours and/or on FNA premises.
2. No person may require any assessment, subscription, contribution, or service for any political party from an employee during the employee's regular work hours and/or on FNA premises.
3. No person may seek or attempt to use any political party endorsement in connection with any appointment or promotion at FNA.
4. No funds or assets of FNA may be used to promote a political candidate or party, including FNA supplies, materials, stationery, postage, telephone, equipment, or property.
5. Employees are not allowed to conduct any political advertising (wearing of campaign buttons, posting of flyers or ads, etc.) on FNA premises.

### **Procedure for Employees Who Seek Elective Office**

Employees who wish to seek elective office should inform their supervisors and the Executive Director. Subject to the requirements of law, FNA grants unpaid personal leave to employees who seek elective office for the purposes of campaigning for and fulfilling the responsibilities of office, if elected. Employees who are granted leave under this policy must comply with FNA policy for unpaid personal leave in its entirety.

**Purpose**

To establish guidelines for appropriate dress and appearance during work hours.

**Policy**

Employees are representatives of FNA and expected to maintain a positive professional appearance; dress and appearance should not be a distraction to others and should be neat and clean. Employees are expected to have good personal hygiene and be considerate of others in the use of perfume, shaving lotion, etc. FNA recognizes that personal appearance is an important element of self-expression. FNA wishes to make no effort to control or dictate employee appearance, unless they conflict with an employee's ability to perform effectively in the position held or the specific work environment they are in. FNA expects employees to use good judgment as to whether their dress and appearance is appropriate for their particular position, but also to follow these guidelines:

**Inappropriate**

- Clothing that exposes the body in a manner inappropriate for business (for example, tank or halter tops, anything made of see-through material or Lycra/spandex clothing)
- Any clothing that may resemble or indicate gang insignias
- Torn and ripped jeans, sweat pants or yoga pants
- Extremely baggy pants and shorts (especially with underwear showing)
- T-shirts displaying profanity, suggestive cartoons, sexually explicit pictures, political slogans, or advertisements (especially for alcohol and cigarettes)
- Loose footwear such as flip-flops
- Bike shorts, sport shorts, cut off shorts, short shorts (shorts must be at or near knee level)
- Any clothing that interferes with an employee's job performance or poses a safety hazard

**Acceptable**

- Formal and semiformal business attire
- Dress shorts and long denim shorts
- Tennis shoes and dress sandals
- Jeans if they are neat and clean with no holes
- FNA T-shirts

**Procedure**

Factors used to determine whether clothing, jewelry, and tattoos pose a conflict with the job or work environment will include but not limited to:

- Safety of self or others
- Productivity or performance task
- Perceived offenses on the basis of race, sex, religion, etc.
- Community norms
- Customer complaints

Issues related to this policy will be resolved on a case-by-case basis to ensure unique circumstances are appropriately considered. An employee identified in violation of the FNA dress code may be sent home to change. The time required to do so will be considered leave without pay. Continued violation of this policy will result in disciplinary action.

**Purpose**

To establish work hours for FNA employees.

**Policy**

The normal workday for regular, full-time classified employees is eight (8) hours per day; 8 a.m. to 5 p.m. with a one (1) hour unpaid lunch break. The normal workweek is 40 hours. Most offices are open 8 a.m. to 5 p.m., Monday through Friday, but scheduling may vary depending on the needs of the department and program. It may be necessary for a department to schedule regular employees to work a 40-hour workweek consisting of designated hours other than the normal workday.





### **Purpose**

To provide guidelines regarding employee attendance to maintain efficient operations.

### **Policy**

FNA expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on consumers, employees, and FNA. Because individual working hours may vary, supervisors may provide a schedule to employees. Employees needing time out of their work day need to request permission from a supervisor in advance.

In the instance when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible, **in advance of the anticipated tardiness or absence**. Notifying persons other than the immediate supervisor, or acting supervisor, is not acceptable. *Leaving a message on the supervisor's voice mail is not acceptable*—be sure to contact an immediate supervisor or another manager in person. Employees should call their supervisor on each subsequent day of absence unless s/he is confined for a definite period of time and the supervisor is so advised. Unexcused or unexplained absences, at any time, will be deducted from employee pay or paid days off and may result in termination.

Shift employees must follow policies and procedures set by their program for notifying supervisors to ensure proper shift coverage. It is not sufficient to leave a message with a co-worker or have someone else make notification, except in emergency situations. Failure to give appropriate notification may result in disciplinary action.

Poor attendance and excessive tardiness are disruptive. Employees who miss work for three (3) consecutive days without notifying their supervisor, or have three (3) consecutive days of unexcused absence, may be terminated from employment; it will be considered job abandonment and the employee will be considered to have voluntarily quit. Excessive or repeated absences or tardiness will be dealt with through disciplinary action up to and including termination.

### **Definition of Excessive Absenteeism**

Absenteeism is considered excessive if it exceeds 10% of normal work hours unless absenteeism is caused by illness, in which case back-up by a doctor's note is required.

Employees need the permission of their supervisor to leave their place of work during work hours. Any unauthorized absence of an employee from duty is considered an absence without pay even if the employee has accrued leave, and may be cause for disciplinary action up to and including termination.

**Purpose**

To establish rules regarding breaks during work hours.

**Policy**

Breaks are a privilege granted by FNA and not a right; the needs of the job must be satisfied before breaks can be granted. Breaks should be kept to no more than 15 minutes each, with a maximum of one break in the morning and one break in the afternoon. Normal work hours at most FNA offices are 8 a.m. to 5 p.m. with a one (1) hour unpaid lunch break.



### **Purpose**

To comply with all applicable laws and regulations regulating smoking in the workplace and to provide a safe, healthy, and productive environment to enhance the well-being of FNA employees, clients, and visitors.

### **Policy**

There is clear evidence that smoking is directly related to serious health problems. Evidence also reveals that those who don't smoke, but inhale smoke from the environment, are at risk. Therefore, employees are encouraged not to smoke.

In keeping with FNA's intent to provide a safe and healthy work environment, especially for our consumers, smoking in the workplace is prohibited, except in designated locations. This policy applies to FNA employees, consumers, and visitors.

Smoking or tobacco use, including smokeless tobacco such as electronic cigarettes (e-cigs), snuff, or chewing tobacco, is not allowed at any time within 25 feet of any FNA facility, program, or function, and is prohibited in any FNA owned or operated vehicle. Smokers must use designated areas outside FNA facilities. Smoking outside a FNA facility, program, or function will be permitted only where smoke contaminated air cannot enter the FNA facility, program, or function.



## Purpose

To provide a drug-free and alcohol-free workplace

## Policy

It is FNA's desire to provide an alcohol and 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 FNA premises and while conducting business-related activities off FNA premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. 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. Only the Executive Director or designee may make exceptions.

An employee may not possess or use any illegal drug; also, an employee may not possess or use alcohol in any form during work hours, including during breaks or meals. An employee shall not report to work within four (4) hours after use of alcohol, and an employee is not allowed to use alcohol for eight (8) hours after an accident or until a post-accident test has been performed or a FNA supervisor releases the employee. Also, an employee reporting for duty or remaining on duty when such employee is using or has used any legal, controlled substances (except when use is pursuant to the instruction of a physician), is not allowed in any work facility.

Violations of this policy may lead to disciplinary action. Such violations may also have legal consequences. Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program (*see Employee Assistance Program Policy*).

FNA reserves the right to consult with a medical doctor to determine if a drug or prescribed medication produces hazardous or non-safe effects and may restrict the use of any such drug or medication accordingly on FNA property. FNA also reserves the right to require an employee to undergo a fitness for duty medical examination. This may include restricting or altering the individual's work activity or presence at the work site.

As a federal grant recipient, FNA and its employees are required to comply with the Drug Free Workplace Act of 1988 (41 USC 701). The Drug Free Workplace Act applies to all federal grants, regardless of dollar amount, and all federal contracts in excess of \$25,000; therefore, all departments of FNA are affected. Under the Drug-Free Workplace Act, an employee must notify FNA of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

The Act requires FNA as a grantee to certify to all of its federal granting agencies and contracting agencies for each grant and contract will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Establishing a drug-free awareness program to inform employees about:
  - a) The dangers of drug abuse in the workplace;

- b) The grantee's policy of maintaining a drug-free workplace;
  - c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d) The penalties that may be imposed upon employees for drug abuse violations.
- 3) Making it a requirement that each employee be engaged in the performance of such grant is given a copy of the statement required by subparagraph (A).
  - 4) Notifying the employee in the statement required by subparagraph (A) that as a condition of employment in such grant, the employee will:
    - a) Abide by the terms of the statement; and
    - b) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
  - 5) Notifying the granting agency within 10 days after receiving notice of a conviction under subparagraph (D) (b) from an employee or otherwise receiving actual notice of such conviction.
  - 6) Imposing a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by section 703.
  - 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above statements.

The Act specified the following sanctions against grantees and contractors for not complying with the terms of the Act:

- 1) Grounds for suspension, termination, or debarment:
  - a) Each grant/contract awarded by a federal agency shall be subject to suspension of payments under the grant/contract or termination of the grant/contract, or both, and the grantee/contractor thereunder shall be subject to suspension or debarment in accordance with the requirements of this section if the head of the granting/contracting agency determines that:
    - i) The grantee/contractor violates the requirements of subparagraphs noted in the above section;
    - ii) Such a number of employees of such grantee/contractor have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the grantee/contractor has failed to make a good faith effort to provide a drug-free workplace as required by the requirements subsection.
- 2) Conduct of suspension, termination, and debarment proceedings:
  - a) If a contracting officer determines, in writing, that cause for suspension of payments, termination, or suspension or debarment exists, an appropriate action shall be initiated by a contracting officer of the agency, to be conducted by the agency concerned in accordance with the Federal Acquisition Regulation and applicable agency procedures.
  - b) The Federal Acquisition Regulation shall be revised to include rules for conducting suspension and debarment proceedings under this subsection, including rules providing notice, opportunity to respond in writing or in person, and such other procedures as may be necessary to provide a full and fair proceeding to a contractor or individual in such proceeding.
- 3) Effect of debarment:
  - a) Upon issuance of any final decision under this subsection requiring debarment of a contractor or individual, such contractor or individual shall be ineligible for award of any grant/contract by any federal agency, for a period specified in a decision, not to exceed five (5) years.

A grantee or contractor shall, within 30 days after receiving notice from an employee of a

conviction, take appropriate personnel action against such employee up to and including termination; or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

In consideration of the safety of all employees, consumers, and the general public, FNA policy prohibits the use of Cannabis (THC), cocaine, opiates, methamphetamines, Phencyclidine (PCP), Oxycodone, and chemical derivatives of these substances, along with alcohol; employees and prospective employees will be subject to drug and alcohol testing of said items. To ensure that employees adhere to this policy, FNA has established a drug and alcohol testing program.

To this end, consumption, possession, or distribution of alcoholic beverages and/or illegal drugs on company property or company facilities, in the office, or in vehicles is strictly prohibited.

Definitions:

**Controlled Substances** – Marijuana is considered a Schedule I controlled substance under the Controlled Substances Act, thus federal law continues to make marijuana possession and use illegal.

**Legal drugs** – Prescribed drugs and over-the-counter drugs that have been legally obtained and are being used in the manner prescribed, and for the purpose for which they were prescribed or manufactured.

**Illegal drugs** – Any drugs, including over-the-counter and prescription medications, that are not legally obtainable; that may be legally obtainable, but have not been legally obtained; or that are being used in a manner, or for a purpose, other than as prescribed.

As a condition of employment, FNA expects its employees to avoid activities prohibited by this policy, to provide the required notifications, and to submit to substance abuse testing as required by this policy. Violation may be grounds for immediate termination or other disciplinary action as deemed appropriate by the Executive Director.

### **Testing:**

**FNA reserves the right to have its employees tested, screened, and searched for drugs and alcohol as it deems necessary, where consistent with applicable laws.** This includes:

- 1) Pre-employment as a condition of hire for all positions:
  - a. Prospective employees have two (2) hours to report to the drug testing facility. Failure to report to the drug testing facility within the allotted time frame will be considered a positive test result and therefore the offer of employment will be rescinded.
  - b. Prospective employees who refuse to take the pre-employment drug test will result in the offer of employment being rescinded.
- 2) At random times, if required by law or if the employee fills a safety-sensitive position;
  - a. Random drug testing will be conducted at a 25% rate of FNA's current eligible pool of total employees, including on-call temporary employees, over the course of one year.
  - b. Random alcohol testing will be conducted at a 10% rate of FNA's current eligible pool of total employees, including on-call temporary employees, over the course of one year.
  - c. Employees have two (2) hours to report to the drug testing facility once they are contacted for a random drug and/or alcohol test. Employees that fail to report to the drug testing

- facility within the allotted time frame will be considered a positive test result and could result in immediate termination.
- 3) When an employee is involved in an accident on the job (post-accident) or an employee sustains a reportable on-the-job injury:
    - a. Vehicle accidents that occur while on FNA business, in a FNA vehicle, or a personal vehicle, may result in a post-accident drug and/or alcohol test
    - b. Vehicle accidents that occur while an employee is on his or her own time will not be tested.
    - c. Ideally, testing for drugs will be done immediately following an accident in conjunction with testing for alcohol, within an eight (8) hour window; if testing for drugs, all attempts for drug testing will cease after 32 hours of the accident.
    - d. Testing for alcohol may be done within two (2) hour window; if the two (2) hour window is not met, it will be extended to an eight (8) hour window. If testing is not completed within eight (8) hours, all attempts to test will cease.
    - e. An accident is defined as any time there is property damage requiring repair/replacement; personal injury requiring first aid treatment away from the worksite; or a recordable safety violation.
  - 4) Reasonable suspicion testing may be conducted whenever an FNA representative or supervisor has observed an employee's behavior or appearance that is characteristic of drug and/or alcohol use and is concerned that such use may adversely affect job performance, the work environment or the safety of others:
    - a. Said FNA representative shall have received a minimum of 60 minutes of training on alcohol misuse and an additional 60 minutes of training on the use of controlled substances.
    - b. Any trained employee may bring forward concerns to any supervisor, and the supervisor will proceed accordingly; such procedure will involve taking the employee, under potential influence, to company vendor for drug and/or alcohol testing.
  - 5) Return To Duty and follow-up drug and alcohol testing will be required in conjunction with an employee's chemical dependency treatment program if the employee returns to work.

For purposes of post-accident testing, injuries such as strained backs due to lifting improperly or slipping on the ice, will not be considered an accident, and unless FNA determines the situation warrants testing.

### **Testing methods and collection procedures**

FNA shall pay the entire cost for drug and alcohol testing for both current and prospective employees (except drug and/or alcohol testing required as part of an employee's chemical dependency treatment program; all such testing costs shall be the responsibility of the employee). The test results become the property of FNA. The employee may make written request for a copy of test results. FNA shall provide written test results within five (5) working days provided employee's request is made within six (6) months after the date of the test.

Drug testing shall be conducted on an employee's and prospective employee's urine sample. Alcohol testing shall be conducted on an employee's and prospective employees breathe.

The employee shall present reliable picture identification to the person collecting the sample. The following is an outline of the urine specimen drug test collection and testing procedure:

- 1) All tests are "split" sample tests. Each urine specimen will be subdivided into two (2) bottles identified as "primary" and "split." The collector will seal each bottle, and the employee then initials the seals. A standard chain of custody form will be completed by the collector and

signed by the employee. The employee will receive a copy of the chain of custody document at the end of the collection procedure.

- 2) All samples are transported in sealed boxes to a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) for analysis.
- 3) All positive drug tests shall be confirmed by analysis of the specimen by gas chromatography mass spectrometry. In addition, a Medical Review Officer (MRO), who is a licensed physician, shall review each positive test. The MRO shall:
  - a) Contact, or document reasonable attempts to contact, the employee within 48 hours of receipt of the positive test result and offer an opportunity to discuss the confirming test result;
  - b) Offer the “split” sample specimen to be analyzed at a different SAMHSA certified laboratory at the employee’s expense; the employee must request the “split” to be tested in writing within 72 hours of notification by the MRO;
  - c) Interpret and evaluate the positive drug test results for legal, legitimate use; and
  - d) Report test results that have been caused by legally prescribed medications as negative.
- 4) In some instances, FNA may utilize on-site testing methods. If such a test indicates positive results for drug content, the specimen will be prepared and analyzed as previously described.
- 5) It is FNA’s intent that sample collection be performed in a manner that guarantees the employee’s privacy to the maximum extent consistent with ensuring that the sample is not contaminated, adulterated, or misidentified. Should adulteration or tampering with a sample be suspected, FNA may require that another sample be provided under direct observation (a collector of the same gender will observe/monitor the collection). Refusal to provide the observed sample will be considered a refusal to participate in the testing program.

The following is an outline description of the alcohol testing procedure:

- 1) Alcohol testing will be done by breath alcohol testing methods and will be conducted by a certified breath alcohol technician (BAT).
- 2) The employee shall not eat, drink, chew tobacco, or smoke with 15 minutes prior to the test.
- 3) The employee will be requested to sign a testing authorization form. Failure to sign the form will be refusal to consent to testing.
- 4) If the screening test indicates alcohol levels below FNA policy limits, a standard alcohol testing form will be completed by the BAT and signed by the employee.
- 5) If the initial test indicates alcohol levels above 0.04 (FNA policy limit), a confirmatory test will be conducted 15 minutes, and no more than 30 minutes, after the screening test. If the results of the confirmatory test indicate alcohol levels above the limit, the test is reported as positive; the testing form will be completed by the BAT and signed by the employee. Failure or refusal to sign the completed form by the employee will not negate the positive test.

Refusal to provide a drug or alcohol specimen sample for testing shall result in possible termination of employment for FNA employees and the offer of employment being rescinded for prospective FNA employees.

A prospective employee who tests positive may reapply for employment with FNA after six (6) months. It will be the responsibility of the prospective employee to pay for the pre-employment drug test at the time of reapplication. The prior positive test may be considered in evaluating the reapplication.

An employee with one (1) positive test will be subject to the following disciplinary action:

- A. Suspension without pay;



- B. Possible demotion and subsequent reduction in compensation;
- C. Possible termination of employment with FNA;
- D. Possible referral to the Employee Assistance Program (EAP) with the condition that the employee must follow whatever recommendation is presented to him or her; or
- E. If not terminated, the employee will remain on suspension status until he or she can provide a negative drug test result. The cost of this specific testing is the responsibility of the employee. The employee may return to work upon a negative test result and/or the end of the assigned suspension.

Any employee with one (1) positive breath alcohol test will be subject to the same disciplinary action as listed above for a positive drug test.

Every employee shall have the right to explain a positive test result to the HR Director, or designee. The employee must make a written request within 10 working days after the employee has consulted with the MRO and received notification of the positive test. The HR Director or designee will meet with the employee within 72 hours of receiving the written request or prior to taking adverse employment action.

Any and all communication received by FNA relevant to drug testing or alcohol impairment test results is a confidential and privileged communication and may not be disclosed, except under the following conditions:

- 1) To the tested employee or prospective employee or another person designated in writing by the employee or prospective employee;
- 2) To individuals designated by FNA to receive and evaluate test results or hear the explanation of the employee or prospective employee;
- 3) As ordered by a court or governmental agency; or
- 4) To other persons authorized or privileged by law to receive the information.

Any employee, whose job classification places the employee in a Department of Transportation defined safety sensitive position, will be subject to the drug and alcohol testing provisions of those regulations.



### **Purpose**

To provide guidelines regarding the use of FNA property.

### **Policy/Procedure**

#### LETTERHEAD USE

FNA employees may not use official FNA stationery, envelopes, etc., for personal correspondence.

#### PHOTOCOPIER USE

The use of FNA photocopiers for personal copies is not allowed.

#### TELEPHONE/FAX USE

FNA employees are discouraged from making personal local calls on FNA phones; necessary personal local calls have to be kept to a minimum. Use of FNA phones for personal long-distance calls is not allowed, except in emergencies with prior approval by the employee's supervisor. For necessary personal long-distance calls, employees are required to use personal telephone calling cards to bill calls to their home phone or to use prepaid calling cards.

#### COMPUTER USE

FNA computer hardware and software are valuable assets. Because they are FNA property, they are to be used for official FNA business only and not for commercial purposes or personal monetary gain. Although efforts are made to secure the privacy of each authorized user, messages or files stored on the computer or system network should not be considered entirely private or secure. FNA management reserves the right to access any information stored on any FNA-owned computer or network.

Under no circumstances may software be copied or installed if such copying or installation would violate any copyright or licensing agreement. Personal software may be installed only with prior approval by the Executive Director.

#### BORROWING OF FNA PROPERTY

Anyone borrowing any FNA property (truck, PA system, etc.), whether within a program or between programs, needs to sign out the property and sign a liability statement (forms available from Administration). The program assistant is responsible for both sign-out sheets and liability statements.

#### LOCKERS

See Security Inspections.

**Purpose**

To provide employees with information regarding the appropriate use of the Internet and the e-mail system.

**Policy/Procedure****INTERNET USE**

Internet access has been provided to employees for the benefit of FNA. Employees who abuse the right to use the Internet will have that right revoked and may be subject to disciplinary action up to and including possible termination, and civil and criminal liability.

Employees should be aware that when they access the Internet they are representing FNA. All communication should be for professional reasons and should be courteous and free of abusive, profane, or offensive language.

Employee-users are prohibited from downloading software from the Internet without prior written approval of the IS Administrator or his/her Program Director. Downloading of games and music from the Internet is prohibited. Downloading of any executable files or programs which change the configuration of your system by anyone other than Information Systems personnel is prohibited. The employee should take extreme caution when downloading software or files from the Internet. All files or software should be passed through virus protection programs prior to use. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into FNA's network. It is mandatory that you comply with copyright and trademark laws when downloading material from the Internet.

If the employee finds that any damage occurred as a result of downloading software or files, the incident should be reported immediately to the IS Administrator.

*Prohibited activities*

The deliberate accessing or sending or downloading of any material that is fraudulent, harassing, sexually explicit, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, or offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristics protected by law) or any material that violates FNA's equal employment opportunity or sexual harassment policies is strictly prohibited. The use of social media sites such as Facebook, Twitter, etc. is prohibited.

*To make it perfectly clear: the accessing, viewing, and downloading of any pornographic Internet material on FNA computers is strictly prohibited at any time – before work hours, during work hours, and after work hours.*

*Disclaimer*

FNA is not responsible for material viewed or downloaded from the Internet. The Internet is a worldwide network of computers with millions of pages of information. Users are cautioned that some of these pages include offensive, sexually explicit, and inappropriate material. It may be difficult to completely avoid contact with this material because even harmless and legitimate

search requests may lead to sites with offensive content. Users accessing the Internet do so at their own risk.

### E-MAIL USE

Electronic mail should be used for official FNA business only. All communications and information transmitted by, received from, or stored in FNA's e-mail system are FNA records and property. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the FNA e-mail system, on FNA computers, or FNA owned cellular devices.

Employees should understand that electronic mail messages are not secure and therefore should not be assumed to be private.

Even though FNA management has the right to monitor, retrieve, and read any e-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them; exceptions require prior approval by FNA management.

### *Prohibited activities*

FNA's policies regarding sexual and other harassment fully apply to the e-mail system. Any violation of these policies is grounds for disciplinary action up to and including termination. Therefore, no e-mail messages should be created, sent, or intentionally received or stored if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability, or any other classification protected by law.

The FNA e-mail system may not be used to solicit for political or religious causes, outside organizations, or for other non-job-related solicitations.

### Social Media

All authorized business communications, FNA events and giveaways are to be posted on FNA social media by a representative of the Communications Department. All programs are expected to provide messaging to the Communications Department in a timely manner for posting.



### **Purpose**

To provide guidelines regarding the use of FNA cellular phones.

### **Policy**

FNA provides cellular phones for program directors and employees who travel on FNA business extensively and consistently. The use of these cell phones is restricted to FNA-related business calls. Personal calls are only allowed in the case of an emergency. Personal non-business calls to the employee from friends, family members, and others are not allowed. Program directors and department supervisors will be responsible for monitoring their personnel.

Staff members who are issued cellular telephones for business use are responsible for the proper care of the phone, including reporting the need for repair if the phone is not functioning properly, general maintenance, battery charging, and protection from theft, damage, and abuse.

For safety reasons, the use of a cellular phone while driving a car on FNA business is prohibited. It is recommended that employees pull over to answer cell phone calls.

The Accounting Department may audit use of FNA cell phones.



### **Purpose**

To address the liability question for personal possessions used in job-related activities.

### **Policy**

FNA will not be liable for any personal possessions lost, stolen, or damaged. A personal possession is defined as anything used in job-related activities that is not FNA property.

**Purpose**

To ensure safe and efficient operations of FNA programs.

**Policy/ Procedure****KEYS**

FNA employees will receive keys to their place of work if necessary. If for security reasons certain areas are locked at all times, keys and/or combination codes will be issued to those employees that need to have access to these areas. Keys and/or combination codes are not to be lent or given to any unauthorized person.

Lost keys have to be reported immediately to the key custodian of the department or program.

Any FNA keys have to be returned to the key custodian at the time of resignation or termination of employment.

**PHONE AND COMPUTER PASSWORDS**

1. Passwords are the responsibility of the end user to remember and to keep confidential to ensure the security and confidentiality of their files.
2. Employees should memorize passwords and not write them down.
3. An employee should not use another person's password and should not share his or her password with someone else.
4. Employees should change their password regularly, and immediately if anyone else knows it.
5. Employees should select passwords that are unique.
6. Employees should leave their computer and phone passwords with their supervisor to enable access to their computers and phones in case of emergency.
7. At the time of resignation or termination of employment, employees are required to leave their computer and phone codes so they may be changed for a new employee.

**Purpose**

To protect the safety of FNA employees and clients and to protect FNA property.

**Policy**

Any employee on FNA's list of eligible drivers is required to be insurable at standard cost by FNA's automobile liability insurer. If a conviction for operating a motor vehicle under the influence of alcohol or drugs or any other drug or alcohol conviction for conduct on or off the job, or any accident or moving violation results in a loss of an employee's eligibility to be insured at standard costs by FNA's insurer, that employee will be removed from the eligible FNA driving list. If driving is a requirement of FNA job duties, removal from the list will be grounds for termination. This is in addition to any other grounds for termination that may apply.

If an employee is charged with DWI/DUI or any other offense that would result in a lack of insurability, the pending charges will be grounds for immediate suspension without pay until the matter is resolved, if driving is a requirement of the job. Other charges or convictions (e.g., speeding) or accidents that may be reflected on an employee's State of Alaska motor vehicle driving record, regardless of whether they occur on or off the job, may be grounds for termination or suspension or removal from the eligible drivers list, depending on the frequency or seriousness of the matter. It is the responsibility of the FNA employee to advise his or her supervisor and the Human Resources Department of any accident, driving conviction, charge, or applicable matter that affect the employee's driving record, whether on or off the job. Failure to do so can be considered grounds for termination. *Because any employee involved in a vehicle accident may be required to undergo post-accident drug and alcohol testing, immediate reporting is required.*

**Renting a Vehicle or Equipment, Change of Outside Program Activity**

If planning to rent a vehicle, rent equipment, or change an outside program activity, insurance considerations are critical. In such cases, the program assistant should contact the Accounting Department (Staff Accountant-Insurance) to advise of the activity or with any questions. With respect to changing an outside program activity, information will likely be needed about the number and age groups of the participants.





### **Purpose**

To provide guidelines regarding the use of FNA vehicles and personal vehicles on FNA business or incidental to FNA business.

### **Policy/Procedure**

This policy affects any employee who may drive a FNA vehicle or a personal vehicle on FNA business or incidental to FNA business.

#### **a. License and Insurance Status; Information Needed**

##### *1. FNA-owned vehicle; information needed*

In order to drive a FNA-owned vehicle, an employee must, before such driving, provide to HR copies of the following information (which FNA will attempt to keep confidential except for insurance related purposes) for the employee's personnel file:

- The employee's current Alaska driver's license; and
- A current driving history from the Alaska Department of Motor Vehicles.

Age and driving record requirements for FNA-owned vehicle:

If the driver is not transporting a passenger (another employee or client), the driver must be at least 21 years old with no more than 2 minor moving traffic violations in the past 3 years.

If the driver is transporting a passenger (another employee or client), the driver must (unless previously grandfathered by FNA's insurance company) be at least 25 years old with a clean driving record for the past 3 years.

##### *2. Personal vehicle driven on FNA business or incidental to FNA business; information needed*

In order to drive a personal vehicle on FNA business or incidental to FNA business, an employee must, before such driving, provide to HR copies of the following information (which FNA will attempt to keep confidential except for insurance related purposes) for the employee's personnel file:

- The employee's current Alaska driver's license; and
- Proof of current insurance.

#### *Insurance coverage for personal vehicle driven on FNA business or incidental to FNA business*

In order to drive a personal vehicle on FNA business or incidental to FNA business, an employee must have current insurance coverage for the minimum amounts required by Alaska law. If the employee does not also purchase and have in effect physical damage/property damage coverage and the employee's vehicle is damaged, that damage will be the responsibility of the employee and not FNA. FNA's insurance will not cover damage to a personal vehicle. FNA's insurance will in any case only be secondary to the personal insurance on the vehicle.

#### *Updated or changed license or insurance status information to be provided*

An employee must promptly provide to HR all updated or changed information regarding license status or insurance status. An employee who drives a personal vehicle on FNA business or incidental to FNA business must promptly provide to HR without request a copy of each new insurance card and driver's license when received.

*Action affecting license or insurance to be immediately reported*

FNA's insurance company requires that each employee driver be properly licensed. Each employee driver must immediately advise his or her supervisor and HR of any accident, driving conviction, charge, or other matter that may affect the employee's license status or insurance status, whether occurring on or off the job.

b. Transporting FNA Client In Personal Vehicle Prohibited

No employee (including any Family Advocate or Home Visitor) may transport a FNA client in a personal vehicle.

c. Driver to Obey All Traffic Laws

An employee driving a vehicle on FNA business or incidental to FNA business must obey all traffic laws such as using turn signals and observing the speed limit.

d. Safety Belts and Child Restraint Devices Must Be Used

Alaska law requires everyone in a motor vehicle to use a safety belt. Drivers must wear a safety belt. The driver is also responsible for all passengers under the age of 16 years. The law requires federally approved child restraint devices for passengers under 4 years old. Passengers aged from 4 up to 16 must wear a seat belt or a child restraint device, whichever is age appropriate.

e. No Cell Phone Use While Driving

Use of a cell phone while driving on FNA business or incidental to FNA business is prohibited.

f. No Smoking In FNA-Owned Vehicle

Smoking is not allowed by any person in any FNA-owned vehicle.

g. Log Book To Be Maintained In Each FNA-Owned Vehicle

Each FNA-owned vehicle must carry a log book. The log book will be supplied by the Staff Accountant–Insurance. If there is no log book in the FNA-owned vehicle, the driver should notify the Staff Accountant-Insurance. Each driver should check the vehicle for damage and report any damage found to the Staff Accountant-Insurance. Each driver is required to record in the log book each time a FNA-owned vehicle is driven the following information:

- Driver name
- Date & Time
- Purpose of trip
- Starting place and mileage
- Ending place and mileage

When a page in the log book is full, it should be sent to the Accounting Department (Attention: Staff Accountant-Insurance) and a new page started in the log book.

h. Consequences of Failure to Comply With Above Requirements

The failure of an employee to comply with any of the above requirements where an obligation or responsibility is put on the employee may constitute grounds for disciplinary action up to and including termination.

**Purpose**

To provide employees with guidelines on what to do in case of a vehicle accident while on FNA business or driving incidental to FNA business.

**Policy/Procedure****a. Accident Information and Reporting**

In case of an accident while on FNA business or driving incidental to FNA business, the driver should:

1. Stop as close to the scene as is safely practical, avoid blocking traffic, and otherwise minimize potential danger to others.
2. If qualified, administer necessary emergency first aid if no emergency medical personnel are available.
3. Notify police or ensure notification of police.
4. Provide and obtain identification and insurance information to and from all involved parties.
5. Cooperate with police and emergency medical personnel.
6. Avoid admitting guilt or offering any settlements.
7. Obtain names and addresses of witnesses.
8. Notify the supervisor immediately.
9. Notify HR immediately (any employee involved in a vehicle accident may be required to undergo post-accident drug and alcohol testing).
10. Completely fill out and submit the accident report (including a written description and diagram/sketch of how the accident happened) found in the FNA vehicle log book or available from the Human Resources Department or the Staff Accountant-Insurance to the supervisor and the Human Resources Department or the Staff Accountant-Insurance within 24 hours unless injuries are so heavy that this is impossible. This accident reporting requirement applies whether an employee was driving a FNA-owned vehicle or a personal vehicle on FNA business or incidental to FNA business.

**b. Drug Test Required Following Accident**

An employee involved in an accident while driving on FNA business or incidental to FNA business will be required to undergo a drug test without delay. The employee must immediately verbally report the accident to his or her supervisor and the Human Resources Department so that HR can promptly make arrangements for the drug test.

**c. Towing**

If a FNA-owned vehicle needs to be towed, the employee is to contact HR or the Staff Accountant-Insurance to find out which towing company should be contacted. FNA will not be responsible for towing a personal vehicle.

**d. Defensive Driving Course May Be Required**

FNA may require an employee involved in a vehicle accident while on FNA business to take a defensive driving course at the employee's expense as a condition of continued employment.

**e. Consequences of Failure to Comply With Above Requirements**

The failure of an employee to comply with any of the above requirements where an obligation or responsibility is put on the employee may constitute grounds for disciplinary action up to and including termination.

**Purpose**

To provide a safe workplace for all employees.

**Policy**

FNA is committed to providing a safe workplace for all employees. The prevention of accidents and the promotion of safety in the workplace are the responsibility of every FNA employee. All employees are encouraged to be alert to and to report to their immediate supervisor any unsafe practice or condition that may present a danger to individuals and property. Employees who willfully violate safety regulations are subject to disciplinary action.

**Procedure**

Each program must have an evacuation plan per Occupational Safety and Health Administration regulation in case of fire or other hazards; the plan should be posted throughout common areas.

Fire emergency

1. Employees should familiarize themselves with the location of fire exits, alarms, and extinguishers.
2. If an employee sees smoke or fire, the fire alarm should be pulled to alert persons on the floor and in the building. If it is a small fire, a nearby fire extinguisher may be used as necessary.
3. Only employees with annual fire extinguisher training may handle fire extinguishers.
4. Employees should not use elevators during a fire or fire alarm.
5. In case of evacuation, employees should use the closest unaffected exit, walk single file, hold stair railings, and stay to the right of the staircase. They should proceed quickly and calmly and not run.
6. If employees are in smoke, they should stay low.
7. Once outside, employees should move as far away from the building as possible for safety reasons and to make room for emergency vehicles.

First Aid/Workers' Compensation

First aid supplies are located at each facility. Employees should familiarize themselves with their location. For purposes of workers' compensation, all injuries should be reported to HR.



## Purpose

To provide a safe work environment and to inform about consequences of violent behavior

## Policy

FNA is concerned about and committed to the safety and health of its employees, consumers, and visitors. FNA does not tolerate, and will prevent, any type of workplace violence committed by, or against, its employees, consumers, or visitors, including, but not limited to:

- causing physical injury to another person
- making threatening remarks
- aggressive or hostile behavior
- intentionally damaging employer property or property of another employee
- possession of a weapon (including concealed weapon) while on FNA premises or while on FNA business
- committing acts motivated by, or related to, sexual harassment or domestic violence

## Procedure

1. Any employee determined to have possessed a weapon on FNA premises or while on FNA business or committed an act of violence will be subject to disciplinary action up to and including termination. Non-employees engaged in violent acts on FNA premises will be immediately reported to the police.
2. Before transporting any substance impaired client, staff must advise the client of FNA's prohibition on weapons; advise that any weapon will be confiscated and turned over to the police; and ask the client to consent to a weapons search. If the client refuses consent to a weapons search then no FNA employee will transport the client. Client personal property must be secured away from the client during transport. Client personal property other than a weapon should be secured under lock and key on FNA premises. Any weapon found should be confiscated, photographed, and turned over to the police.
3. Before admitting any client or visitor to FNA premises, staff must advise the person of FNA's prohibition on weapons; advise the person that any weapon will be confiscated; and, if the client or visitor still seeks access to FNA premises, ask if the person has any weapon. Each client will empty his or her pockets and turn in all items or belongings to be secured by a supervisor under lock and key on FNA premises. If a gun or weapon other than a pocketknife is produced or found, it will be confiscated, photographed, and turned over to the police. If a pocketknife is produced or found, it will be secured by a supervisor under lock and key on FNA premises but returned to the client when the client is discharged or to the visitor when the visitor leaves FNA premises.
4. Any client found with a weapon after admission will, upon investigation and confirmation of that fact by a supervisor, be immediately discharged. The supervisor will attempt to contact the client's family before discharge. If it appears that a criminal threat or act occurred then the police are to be called.
5. Every FNA program should have appropriate plans regarding weapons, threats or acts of violence in the workplace and should advise employees on how to deal with such situations. In the interest of workplace safety, all employees are encouraged to report all incidences of inappropriate behavior that intimidates, harasses, threatens, or frightens them.
6. Employees should let their supervisor know if they have a restraining order against another person. The supervisor will inform appropriate personnel.



### **Purpose**

To provide guidelines regarding employee actions in case of breaking and entering and/or theft of FNA property.

### **Procedure**

In case of breaking and entering and/or theft at FNA, any employee observing a criminal act or first on the scene of a criminal act should:

- Leave the scene immediately after noticing that a crime may have been committed
- Exercise care in not touching anything that may provide evidence or information for the police
- Call the police and then notify the Executive Director or a supervisor

The Executive Director or senior supervisor on the scene should be prepared to assist the police with any information available

The Executive Director or designee will conduct an inventory of FNA property and make a full report to the Board of Directors.



### **Purpose**

To regulate interactions between FNA employees and consumers.

### **Policy**

Any fraternization (non-professional, non-work-related interaction between any employee and any consumer) is prohibited and will be investigated. Fraternization is prohibited during employment and for two (2) years following employment at FNA.

If a violation is established, the employee will be terminated, and a report will be filed with the appropriate authorities if a vulnerable client is involved.



### **Purpose**

To protect the safety and health of FNA employees.

### **Policy**

The Executive Director or designee may close all or part of FNA due to inclement weather or emergency on days other than regularly scheduled holidays. Should this happen, every attempt will be made to notify employees by telephone chain. Unless otherwise requested, affected employees are not expected to work during an emergency closing. This absence will be considered an excused absence for all employees and will not be charged to PTO. Should an emergency closing occur while an employee is already on PTO, he or she is not entitled to additional wages.

Employees who do not report for work because of inclement weather even though FNA is not officially closed that day will be charged PTO.

The current inclement weather policy is that if the temperature at Fairbanks International Airport is -50 degrees, employees may take a day of PTO after notifying their supervisor and getting permission to do so.

Programs providing services to children and Elders may have program-specific inclement weather regulations, which apply to the children and Elders. The policy listed in the previous paragraph still applies to the employees of these programs.



**Purpose**

To regulate communication between employees, the Executive Director, and the Board of Directors.

**Policy**

The Board of Directors is responsible for setting policies for FNA employees. The Executive Director, serving at the pleasure of the Board of Directors, is responsible for the day-to-day administration and operation of FNA.

FNA employees are accountable only to the Executive Director, through whom all communication to the Board of Directors is channeled. Employees should use the following chain of command for communication:

1. Immediate supervisor
2. Program Director
3. Division Director
4. Executive Director

Any employee who does not follow the stated policy of channeling information through the Executive Director is subject to disciplinary action. The only exception to this policy is the filing of a grievance by an employee against the Executive Director if the grievance cannot be resolved between the employee and the Executive Director.



### **Purpose**

FNA wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, and other improper materials.

### **Policy**

FNA prohibits the possession, transfer, sale, or use of such materials on its premises. FNA requires the cooperation of all employees in administering this policy. Possession of these materials/items in the workplace and/or on FNA property may result in disciplinary action up to and including termination.

Desks, lockers, and other storage devices may be provided for the convenience of employees but are the sole property of FNA. FNA will retain keys or combinations to the locks on storage devices. Employees may use their own locks or combinations but must give a key or combination to the FNA program director or designee.

Desks, lockers, and other storage devices, as well as any articles found within them, can be inspected by any agent or representative of FNA at any time, either with or without prior notice, in accordance with applicable state laws.



**Purpose:**

To limit employee personal phone calls, texting, and visits during working hours.

**Policy:**

Personal phone calls, texting, and visits during working hours distract employees from performing their job responsibilities and may be disruptive to coworkers. Employees should therefore limit the placing or receiving of personal calls, texting, and visits during working hours to those required only in emergency situations unless approved by supervisor.

Employees are expected to inform friends and family members of this policy.

Employees contacted by creditors or collection agencies should immediately inform the caller of this policy and end the call.

This policy applies to the use of company phone, equipment, and cellular phones.



At FNA, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all FNA employees.

## **GUIDELINES**

In the rapidly expanding world of electronic communication, *social media* can mean many things. *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, (such as a 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 FNA, as well as any other form of electronic communication. The same principles and guidelines found in FNA policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of social media content you create or to which you contribute that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, consumers, suppliers, people who work on behalf of FNA or FNA's legitimate business interests may result in disciplinary action, up to and including termination.

### **Using social media at work**

Refrain from using social media while on work time or on equipment FNA provides, unless it is work-related, as authorized by your supervisor, or consistent with related FNA policy. Do not use FNA email addresses to register on social networks, blogs, or other online tools utilized for personal use.

### **Special Concerns**

Many of FNA's departments and programs involve persons and services that are confidential, in some cases highly confidential. Do not place in social media any information about consumers or services that is confidential by law. Such prohibited information includes, but is not limited to, any personally identifiable information about any consumer of FNA.

### **Know and follow the rules**

Carefully read these guidelines, the FNA Code of Ethics & Business Conduct Policy and Corporate Compliance Plan, and other pertinent policies contained in this HR Policy Manual; 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.

### **Be respectful**

Always be fair and courteous to fellow employees, consumers, members, suppliers, or people who work on behalf of FNA. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your coworkers or by using 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 malicious, obscene, threatening, or intimidating, that disparages consumers,

members, employees or suppliers, or that might constitute harassment or bullying against peers, management, consumers, or the organization. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you are not sure is accurate about FNA, fellow employees, members, consumers, suppliers, or people working on behalf of FNA. Always think carefully before posting information on the Internet.

### **Post only appropriate and respectful content**

- Maintain the confidentiality of FNA business activities, and private or confidential information. Business activities may include information regarding the development of systems, processes, services, know-how, and/or technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website or other social networking site to the FNA website without identifying yourself as an FNA employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for FNA. If FNA 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 FNA, fellow employees, members, consumers, suppliers, or people working on behalf of FNA. If you do publish a blog or post online related to the work you do or subjects associated with FNA, make it clear that you are not speaking on behalf of FNA. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of FNA."

### **Retaliation is prohibited**

FNA prohibits taking negative action against any employee for reporting a possible deviation from this policy, or for cooperating in an investigation. Any employee, who retaliates against another employee for reporting a possible deviation from this policy, or for cooperating in an investigation, will be subject to disciplinary action, up to and including termination.

### **Media contacts**

Employees shall not speak to the media on FNA's behalf without prior approval from the Executive Director. All media inquiries should be directed to the Executive Director.

### **For more information**

If you have questions or need further guidance, please contact your HR representative.



## **Purpose**

To coordinate and standardize responses to subpoenas, court orders, requests for records, request for assistance or testimony, Process Servers serving legal papers, etc. relating to FNA employees. For consumer legal actions please see **Consumer Confidentiality Policy I-2**.

## **Policy**

FNA is committed to ensuring employee's privacy is respected in the work environment and is not disruptive to company business.

## **Procedure**

### a. Subpoena, Court Order, Request for Records, etc.

When a subpoena, court order, request for disclosure of employment records, court-related release of employee information, attorney request for release of employee records or information, or similar matter is received by your program, immediately route the documents to the Human Resources Director.

### b. Presence of Law Enforcement Officer

In the event a police officer arrives on site or contacts FNA immediately contact the Program Director or HR Director to assist employee in the legal matter. Secure a private location away from consumers or other employees. Allow the law enforcement officer to complete their assigned task.

### c. Presence of Process Server

These procedures offer our employees a process, which respects their dignity and privacy. These procedures are not intended to be used as a means to persuade an employee to accept service of paper at work.

1. In the event a process server arrives on site or contacts an employer immediately contact the Program Director or the Human Resources director to be put in contact with legal or a member of leadership who will work through the process with you.
2. A member of the employee's management team will be contacted to discuss any responsibilities when interacting with the process server and the employee.
3. Contact the employee to ask if they are willing to be served with legal papers. The employee should be told that they have the right to decide whether or not to be served with legal papers at work. The employee should be apprised of the process we would use to assure a level of privacy and management would be present at all times if employee desires. The disadvantage of the server approaching them by surprise in a public setting over the workplace may also be advised.
4. If the employee is not willing to be served with legal papers at work, management will inform the server and the server should leave the building immediately. If the server waits outside the building on private property, law enforcement could be notified to ask the server to leave the property.
5. If the server asks for information regarding the employee's schedule, automobile, address or any other personal information intended to facilitate service; management should inform the server that we are unable to provide personal information.

# EMPLOYMENT POLICIES

**Purpose**

To comply with the Civil Rights Act and to further equal employment opportunity for all.

**Policy***Affirmative Action/Equal Employment Opportunity Statement*

It is the commitment of FNA to extend equal employment opportunities to all employees and applicants through written policy and employment practices. FNA shall not discriminate among its employees or employee applicants in any of its employment practices; FNA shall recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, sex, national origin, gender, age, pregnancy and parenthood, or to veteran, marital, or disability status.

The Executive Director shall have the ultimate responsibility for coordination, implementation, and administration of FNA's equal employment opportunity policy. In order to ensure compliance with this commitment to unbiased employment opportunities for all qualified individuals, the Executive Director will identify and delegate ample authority to an EEO Officer to carry out the responsibility of promoting and enforcing the principles of equal employment opportunity throughout FNA's operations. At the time of this writing that individual is:

Human Resources Director  
Fairbanks Native Association  
605 Hughes Avenue, Suite 100  
Fairbanks AK 99701  
Tel: (907) 452-1648

The EEO Officer will work with all personnel in a position to affect the employment opportunities of employees, disseminate FNA's EEO policy and practices, and ensure uniform compliance with this policy.

All job requirements and promotional decisions within FNA shall be structured to ensure that the criteria and qualifications involved are valid for the position and that all employment decisions promote the principles of equal employment opportunity. Likewise, all personnel actions, such as compensation, benefits, promotions, transfers, layoffs, return from layoff, training, education, tuition assistance, and social and recreational programs shall be administered without regard to race, color, religion, sex, national origin, gender, age, pregnancy and parenthood, or to veteran, marital, or disability status.

In order to comply with the Civil Rights Act of 1964 (Titles VI and VII); Executive Order 11246, as amended by Executive Order 11375; the Rehabilitation Act of 1973 (Sections 503 and 504) and the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations; the Age Discrimination in Employment Act of 1967 and the Age Discrimination Act of 1975; and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as it amends 38 USC 4212, FNA has developed an Affirmative Action Plan (AAP). The AAP establishes the foundation for and identifies specific result-oriented procedures, which are incorporated in FNA's EEO policy. FNA is committed to perform good-faith efforts to carry out the procedures found in the AAP, the objective of which is equal employment opportunity.



**Purpose**

To establish FNA's policy on nondiscrimination.

**Policy**

FNA does not tolerate discrimination on the basis of race, color, religion, sex, national origin, gender, age, pregnancy and parenthood, sexual orientation, or to veteran, marital, or disability status. Every employee has the responsibility not to engage in any unlawful discrimination. Complainants who believe that they are victims of discriminatory harassment are encouraged to use FNA's internal grievance procedures to resolve complaints. They may also file discriminatory harassment complaints with appropriate state or federal agencies under Title VII of the Civil Rights Act of 1964.

For programs or funding sources with no provisions for Indian Preference, FNA is committed to full and positive compliance with the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This commitment of compliance extends to any amendments of these acts in the future. Where allowable by law, FNA will give preference to Alaska Natives and American Indians in all phases of employment and training.

For the reference of all employees, a copy of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and any amendments made thereto, will be retained on file in the Human Resources Department. These materials will be made available at the request of any employee.

Complaints regarding any form of discrimination should be directed to the Executive Director.

Employees of FNA programs that receive funding from the State of Alaska Department of Health and Social Services (DHSS) come under the purview of the DHSS Policy and Procedural Manual Number 190-6, Civil Rights Compliance. A copy of that manual will be made available at the request of any employee, as will forms for filing a "Civil Rights Complaint" with the State of Alaska. Requests for those items are to be made to the office of the Executive Director.

At the time of hire, employees are requested to provide information regarding race. This information will remain confidential and will be used for statistical reporting only.

**Purpose**

To provide a work environment free of sexual and other harassment and provide guidelines regarding FNA's zero-tolerance policy toward any type of harassment.

**Policy/Procedure**

FNA is committed to ensuring the work environment is free from all forms of discrimination and conduct that may be considered harassing, coercive, or disruptive, including sexual harassment. Harassment based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, marital status, changes in marital status, pregnancy, or parenthood is specifically prohibited.

Harassment includes, but is not limited to, slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, unwelcome sexual advances or requests for sexual favors, displaying offensive words, objects or pictures and other verbal or physical conduct that adversely affects a person's employment, or has the purpose or effect of unreasonably interfering with an individual's employment, or creating an intimidating, hostile, or offensive work environment. The following is a partial list of examples of harassing behavior:

- Unwanted sexual advances or invitations.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Leering, making sexual gestures, or displaying sexually suggestive objects.
- Displaying offensive pictures, cartoons, or posters.
- Making offensive, sexually suggestive or derogatory comments, slurs, or jokes.
- Using degrading words to describe an individual.
- Unwelcome physical conduct including touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. Submission or rejection of the conduct is used as a basis for making employment decisions;
3. The conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Any supervisor or director who becomes aware of possible sexual or other unlawful harassment must immediately advise the HR Director, and/or designee, or any member of upper management so it can be investigated in a timely and confidential manner.

Any employee has the right to report any incident of possible harassment, and FNA encourages the immediate reporting of incidents of harassment. Employees who believe they have been subject to harassment prohibited by this policy should contact their supervisor. In cases where the supervisor is the alleged source of the harassment, is unavailable, or where other good reason exists not to report to the supervisor, employees should immediately contact the Human Resources Director, and/or designee, or another member of upper management. Any supervisor or manager

who becomes aware of possible harassment prohibited by this policy must immediately advise the HR Director, and/or designee, to initiate an investigation of the harassment complaint(s).

Employees who feel they are a victim of harassment should document, in writing, any and all alleged incidents or harassment, detailing when the alleged incident(s) occurred and what happened. The person(s) claiming harassment and the accused have the right to a prompt and complete investigation of the claim as well as the right to learn the result of the investigation; such investigation will involve the HR Director and/or designee.

Each employee has the duty to answer all questions honestly and completely during any harassment investigation. Individual(s) alleged to have committed harassment have the right to be presented with the allegations and have a responsibility and right to respond to the allegations.

Individuals who in good faith make reports of harassment or suspected harassment or participate in investigations of harassment shall not be retaliated against in any way. All reported complaints will be investigated. FNA will follow the Grievance Procedures as outlined in this manual. Reports will be treated as confidentially as possible, consistent with FNA's need to conduct a thorough investigation of the charges, to remedy the harm caused by harassment and to prevent further harassment. Employees who knowingly permit or engage in prohibited harassment, or who retaliate against others in violation of this policy, will be subject to disciplinary action, up to and including discharge. Non-employees will be subject to sanctions appropriate to their status or relationship with the organization.

**Purpose**

To establish written specifications for each position.

**Policy**

The Human Resources Department, with input from the programs, will provide and maintain written specifications for each class of position, which includes an appropriate title, a description of the duties and responsibilities, definition of essential functions, training and experience qualification, and other necessary specifications. Each position at FNA will be described in writing by a job description. To be valid, a job description must be numbered, dated, and on file with HR.

Employees are expected to perform their job duties as outlined in their job descriptions. If/when a job duty is not followed or an employee does not follow-through with other assignments as requested by a supervisor, it will be considered insubordination; and subject to progressive discipline.

**Procedure**

Each employee of FNA will sign a copy of the job description for his or her position when hired and a copy will be made part of the employee's personnel file. When an employee changes positions, the employee will be given the job description covering his or her new position, and a copy of that description will be placed in the employee's personnel file. The employee and supervisor will review the job descriptions annually. Job descriptions will not be final until approved by the Human Resources Director.



### **Purpose**

To provide uniformity and equity in applying personnel policies and benefits.

### **Policy**

Regular Full-Time Employee: An employee working a forty hour work week with a consistent schedule.

Regular Part-Time Employee: An employee working less than a forty hour work week with a consistent schedule.

Regular On-Call Employee: An employee working on an as-needed basis with an inconsistent schedule.

Temporary Employee: An employee in either a full-time, part-time, or on-call capacity but appointed on a temporary basis.



### **Purpose**

To define exempt and nonexempt employees and to provide guidelines for determining this status according to law.

### **Policy**

Employee classifications are determined by the Alaska Wage and Hour Act (AWHA) or the federal Fair Labor Standards Act (FLSA). The classifications are “exempt” and “nonexempt.”

“Exempt” employees include those who are not subject to the overtime provisions defined by the AWHA or FLSA (management, supervisory, administrative, or other employees whose positions meet specific tests established by state or federal law).

“Nonexempt” employees must comply with the overtime pay provisions of the AWHA or FLSA regardless of individual titles or duties. Any employee who does not meet the qualifications for exemption is included in the term “nonexempt.”

**Purpose**

To establish guidelines regarding the recruitment of FNA employees.

**Policy/Procedure**

1. All FNA position openings are processed using procedures established and maintained by HR and all recruitment for position openings must be coordinated through HR.
2. When a position becomes open, the supervisor at the department or program fills out an Employment Requisition form, obtains the necessary department approvals, and forwards the form to HR so that recruitment procedures can be initiated.
3. All regular full- and part-time position openings requiring a recruitment notice will be posted for a minimum of 10 business days to give employees the opportunity to apply for the position. Whenever possible, qualified internal applicants will be given preference when filling open positions. The FNA website is updated regularly with the job log distributed to all FNA programs. Positions advertised externally are based upon need and budget requirements. HR is responsible for placing all recruiting advertisement. When a supervisor successfully hires a regular full- or part-time applicant, they may also use the same recruitment to select a temporary employee.
4. FNA offers employees promotions to higher-level positions when appropriate. Unless outside recruitment is considered to be in the company's best interest, we prefer to promote from within our organization. Accordingly, we may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level.
5. If a position has been opened for recruitment and filled, and then within 90 days becomes vacant for any reason, the department director may select an alternate applicant from the pool of applicants obtained during the initial recruitment period. If an alternate is not selected from the initial pool, the formal recruitment process must be undertaken.
6. FNA conforms to the guidelines of Indian Preference in hiring, promoting, and training where such preference is established by law. For programs funded with no provision for Indian Preference, or after satisfying such guidelines to the maximum feasible extent, equal opportunity will prevail. Guidelines for Indian Preference, as established in the Indian Reorganization Act of 1934, and pursuant acts will be retained on file in the office of the Executive Director and will be made available at the request of any employee.
7. All hiring procedures for program coordinators, project directors, and program directors require the involvement of a hiring committee.

**Purpose**

To establish guidelines regarding FNA's internal hire process.

**Policy**

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

**Procedure**

All internal candidates will be required to fill out an online application to show qualifications. A general letter of interest is not sufficient.



**Purpose**

To establish policies regarding employment eligibility, verification of employment qualifications, and employment continuity.

**Policy/Procedure****a. Minimum Age for Employment**

The minimum age for employment with FNA is in accordance with the minimum ages prescribed by Alaska or federal law and according to program requirements.

**b. Hiring of Related Persons; Nepotism**

Related persons cannot be employed at the same time if such employment will result in one employee directly or indirectly supervising the other or if conditions are such that compliance with federal or state confidentiality statutes is endangered. Related persons will not be involved in evaluating each other's job performance or in making recommendations for salary adjustment, promotion, or other budget decisions.

Related persons include, whether by birth, adoption, marriage, domestic partnership, or dating, intimate, or romantic relationship, the spouse, partner, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

**c. Disabled Applicants**

FNA does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, compensation, training, discharge or other terms, conditions and privileges of employment.

FNA attempts to make its facilities barrier free and accessible according to federal and state requirements. Furthermore, FNA will reasonably accommodate disabled employees by providing assistive technology or other workplace adjustments or alterations that will assist them to perform the essential functions of their job unless doing so causes a direct threat to the employee or others in the workplace, or creates an undue hardship to FNA. (see Notice of Nondiscrimination.) For positions where temporary accommodation has been designated, verification of current accommodation will be conducted during the employee's annual review.

**d. Investigation and Verification**

All statements submitted on employment applications or resumes are subject to investigation and verification prior to appointment.

FNA will verify degrees, licenses, certifications and identify exclusion of individuals from federally funded healthcare programs. The Human Resources Department will contact the issuer of the degree, license, certification or exclusion for verification, which will be documented on a copy of the degree, license, certification, or exclusion and placed in the personnel file. If the Human Resources Department determines that the degree, license, or certification is not valid or acceptable, the Human Resources Department will contact the employee. If the degree, license, or certification cannot be verified or is still not acceptable to the Human Resources Department after meeting with the employee, and the degree, license, or certification is required for the position then the employee may be terminated. For positions subject to federal funding and an

exclusion exists for the applicant, the offer of employment will be rescinded. For positions subject to federal funding, continued employment is contingent upon inclusion of employee and will be conducted annually during the employee's annual review. For positions where licensing is a requirement of the position, verification of current licensure will be conducted annually during the employee's annual review.

e. Falsification, Omission or Incorrect Reporting of Employment Information

FNA will investigate falsification, omission of information, or incorrectly reported information on employment applications and/or any other employment or medical-related forms. The corrected or completed information will be reviewed by the Executive Director and a decision will be made as to whether the employee will be allowed to continue employment in the same position based on the effect the corrected or completed information would have had on the original employment decision if the information had been available at that time.

1. FNA will not try to determine whether the falsification, omission, or incorrect reporting of information was deliberate or unintentional.
2. Employees or supervisors must immediately report incidents of suspected falsification, omission, or incorrect reporting of background employment information to the Executive Director, who may then complete an investigation of background employment information. A physician's release may be required if health or medical information has been falsified, omitted, or incorrectly reported.
3. The employee may be suspended without pay pending completion of the investigation if continued employment may pose a threat to the employee's health or to the welfare of others.
4. If the Executive Director determines that the falsified, omitted, or incorrectly reported information would not have influenced the original employment decision, no action will be taken other than correcting the information in the employee's personnel file.
5. If it is decided that the falsified, omitted, or incorrectly reported information would have influenced the original employment decision, the Executive Director will review the corrected or completed information and decide if the employee should
  - continue in the same position, unrestricted,
  - continue in the same position, with restrictions,
  - be reassigned to another position, if available, or
  - be terminated.
6. Falsification, omission or incorrect reporting of information may be grounds for immediate dismissal.

f. Applicant Prerequisites and Employment Continuation for Specific Positions; Criminal Background Investigations

1. Any employee who has client contact, including children, vulnerable elderly or disabled adults, during the performance of job duties with FNA must complete a criminal background investigation. Initial employment with FNA is contingent upon satisfactory results from this investigation. Continued employment with FNA is contingent upon maintaining a satisfactory result on all renewals of background investigations once current approval timeline is exhausted. A tuberculosis (TB) test is required. Continued employment with FNA is contingent upon annual renewal of this TB test under State of Alaska DHSS Tuberculosis Program Manual.
2. Before an offer of employment is made, an applicant must provide to HR a current Department of Public Safety criminal history report. If the report is clear of charges, an

offer of employment may be made to the applicant. If there are charges in the report, HR will meet with the applicant to discuss the charges and the circumstances surrounding the charges. If necessary, HR will review court documents and/or request the applicant to provide additional information. If the applicant is hired, any information provided will be placed in the personnel file.

3. An employee hired into a position having client contact, including children, vulnerable elderly, or disabled adults, will be required to have two (2) sets of fingerprints completed. HR will schedule the employee for a fingerprint appointment. Continued employment is contingent upon completion of this process. Failure to keep a scheduled appointment may result in disciplinary action up to and including termination.
4. Fingerprint cards will be mailed to the State of Alaska for processing. Fingerprint results will be placed in the personnel file. Should the State of Alaska or FBI results indicate the existence of charges, HR will ask the employee to contact HR within one (1) working day. HR will meet with the employee to discuss the charges and the circumstances surrounding the charges. If necessary, HR will review court documents and/or request the employee to provide additional information. Any information provided will be placed in the personnel file. Should the charges disqualify an employee from working in a FNA facility, the employee may be immediately terminated.
5. An employee hired to work at a FNA licensed child care facility must be fingerprinted for the State of Alaska child care licensing office. The fingerprints will be mailed directly to the Alaska Background Check Unit (ABCU) for processing and the results will be maintained at that office. If information is discovered as a result of the child care licensing fingerprint procedure, a child care licensing office representative will contact HR to discuss the matter. HR will then contact the employee to discuss the information discovered and the circumstances surrounding the information. The Executive Director will decide whether FNA will seek a variance from the child care licensing office.

#### g. Reference Checks

The applicant's former employer, supervisor, education, and personal references provided by the applicant on the employment application will be checked. Reference checks will be made either by telephone or mail and will be documented; such references should first be conducted with previous supervisors/employers, prior to seeking reference information from personal references. Ideally, three (3) completed references will be conducted and included in the hire packet submitted to HR by a program; two reference checks will be acceptable as long as such references include positive feedback about the candidate.

#### h. Disqualification of Applicants

An application will be disqualified if the applicant knowingly made a false statement on the application. An applicant who has previously been employed by FNA and whose departure was without sufficient notice may be disqualified from subsequent employment with FNA.



### **Purpose**

To establish regulations regarding job offers and appointments.

### **Policy**

#### Job Offers

Job offers can only be made by the Executive Director or designee.

#### Notice of Appointment

A Payroll Action Form is required and will be placed in the employee's personnel file.

**Purpose**

To establish guidelines regarding the orientation of new employees.

**Policy**

The purpose of the orientation program is to introduce all new employees to the history and philosophy of FNA, as well as regulations, guidelines, and procedures.

There are two parts to the orientation process for all employees:

- 1) New hire orientation, including health & safety; the initial new employee orientation covers completion of necessary employment paperwork (including benefits forms as appropriate) and introduction to FNA's policies and practices.
- 2) Department orientation.

Attendance at the FNA new hire orientation is mandatory. If a newly hired employee does not attend orientation by the second opportunity, the employee may not return to work until the orientation is complete.

The new hire orientation covers topics all employees have to receive when employed by FNA. The mandatory topics include: Confidentiality, Sexual Harassment, and Health & Safety.

Supervisors are responsible for orienting new employees to their work environment by providing department orientation which may consist of a tour, introduction to co-workers, and reviewing the job duties and standards of performance the employee is expected to meet.

Employees who have separated from FNA and who are reinstated within six (6) months are not required to complete the orientation process. Upon rehire within the six month period, the employee will have to complete new hire paperwork.



### **Purpose**

To provide guidelines regarding outside employment of FNA employees.

### **Policy**

Outside employment is permitted, provided it does not affect or interfere with the employee's FNA assigned job responsibilities or detract from the employee's on-the-job performance. Such employment should not result in any of the following:

- impairment of on-the-job efficiency,
- conflict of interest, to include, but not limited to, providing any services in the Fairbanks North Star Borough that compete with the services offered to the public by FNA.
- unfavorable publicity or poor public relations, or
- interference with the employee's regular working hours.

Before accepting outside employment, employees need to request approval by their supervisor and the HR Director. An employee who fails to do so will be subject to disciplinary action.

**Purpose**

To maintain personnel records accurately and to ensure privacy and legal compliance.

**Policy****a. Individual Records**

1. These records shall be maintained by the Human Resources Department. As these records are confidential documents, any abuse of these records is grounds for immediate dismissal.
2. Provisions shall be made to ensure individual employees have reasonable access to their personnel records.
3. Procedures are in place to maintain the security of these records and to control access to these files.

**b. Contents of Employment Records**

The records will include:

1. Application for employment
2. Records of medical examination(s) and test results, if applicable (kept in medical file)
3. Letters of reference, verification of previous employment and previous salary rates
4. Current job description
5. Copies and records of all personnel evaluation forms, including changes in position, income, grade, or tenure
6. Records of all formal disciplinary actions or other adverse personnel action. If a disciplinary action is reversed on appeal, no record of changes, charges, or action will be maintained in the employee's file
7. Payroll change requests
8. Letters and certificates of appreciation, etc.
9. Personnel information sheets

**c. Adding to Employment File**

Any material added to an employee's personnel file must be made available to the employee at the time of addition to the file.

**d. Right to Respond**

Each FNA employee retains the right to respond in writing to any document in his or her personnel file and to have the response included with the document. An employee also retains the right to appeal, through the grievance procedure, the inclusion of any adverse material in his or her personnel file.

**e. Personnel Action**

The Payroll Action Form shall be used as the single document to initiate and update employment records.



### **Purpose**

To provide guidelines regarding the release of job references for current, retired, or terminated employees.

### **Policy**

All requests for information about a current, retired, or terminated employee must be transferred to HR. Program employees are not allowed to give out any information about current or former program employees. Violations of this policy may result in disciplinary action up to and including termination.

Information disclosed to prospective employers includes dates of employment, final position, job location, eligibility for rehire, and most recent wage rate or salary.





### **Purpose**

To provide guidelines regarding FNA interns and practicum students.

### **Policy/ Procedure**

Interns and practicum students are expected to follow all general and consumer-related policies. In addition, they should read and be familiar with the contents of this Manual.

Interns and practicum students must complete the required packet and are required to meet the screening standards set by the program in which they will work, which may include fingerprinting, drug testing, TB immunization, a completed application, references and a letter from the program.

Interns/Practicum Students serve at the discretion of the Executive Director, who can terminate the relationship of the individual with FNA at any time for any reason.



### **Purpose**

To establish guidelines regarding FNA outside volunteers.

### **Policy**

Volunteers volunteer time and services on a regular basis at one or more of FNA's programs. Persons wishing to volunteer at one of FNA's programs should apply on the FNA Volunteer Application form. Because FNA serves children and vulnerable adults, volunteer applicants will be interviewed and references reviews and background check will be conducted.

Volunteers are expected to follow all general and client-related policies. In addition, they should read and be familiar with the contents of this Manual.

Volunteers serve at the discretion of the Executive Director, who can terminate the relationship of the volunteer with FNA at any time for any reason.

**Purpose**

To establish a process to transfer/promote qualified FNA employees within the organization.

**Policy**

FNA believes that it is in the best interest of FNA and its employees to facilitate transfers and promotions within and between FNA departments and programs. When transfers occur at the request of FNA, FNA will strive, within budget limitations, to ensure that the employee does not experience any negative financial impact from the transfer. Employees who are transferred or promoted into a position will be subject to the New Employee Evaluation Period policy.

**Procedure**

In case of transfer or promotion from one FNA department or program to another or promotion within an FNA department or program, the following procedures shall be followed:

Transfer at FNA Request

When an employee transfers from one department to another or is promoted at FNA request (because of vacancies, layoffs, or restructuring), a reasonable effort will be made to make the transfer equitable in terms of previous salary and benefits, within program budget limitations. Because of those limitations, the exact previous salary or benefits cannot always be offered. The following, however, will apply to all employees who transfer within FNA:

- a. All existing PTO leave accruals will be transferred intact, and
- b. Any pension, life insurance, and short-term or long-term disability insurance (and group insurance if eligible) will continue without interruption or waiting periods.

Transfer at Employee Request or Promotion

When an employee applies for an open position within another FNA department or promotion within a department:

- a. All those who meet the minimum requirements of the posted position may be interviewed during the hiring process.
- b. If selected:
  - i) In order to give the director of the department where he or she is currently employed an opportunity to hire a replacement as soon as possible, the employee should give at least 5 (five) working days' notice. The releasing and receiving departments should make every reasonable effort to make the transition as smooth as possible.
  - ii) The employee will be offered salary according to the position for which they have applied.
  - iii) Any pension, life insurance, short- and long-term disability insurance (and group insurance if eligible) will continue without interruption or waiting periods.
  - iv) All accrued PTO leave will be transferred intact.
  - v) Employees who are under a transfer or promotional position, but are not successful in their new position, may be provided an opportunity to return to their previous job if the following conditions are met: 1) the same position vacated is still open (being recruited), 2) they were meeting the standards of performance in their previous role, and 3) the grant or funding resource is still intact with no modifications to the budget/position.



### **Purpose**

To clarify chain of command with respect to child care licensing.

### **Policy/ Procedure**

All requests for variances will be coordinated by the Human Resources Department.

The Human Resources Department will actively participate in obtaining the variance and will work closely with the administrator of the licensed facility to complete the variance in the requested timeframe. The variance and supporting documents will be filed and maintained in the employee's confidential file. The variance cover sheet will be posted at the facility.

FNA may or may not pursue variances for applicants, at FNA's sole discretion.



## Purpose

To provide guidelines for evaluating performance.

## Policy

The performance evaluation provides a means for discussing, planning, and reviewing the performance of each employee. Regular performance evaluations:

- Help employees clearly define and understand their responsibilities, provide criteria by which their performance will be evaluated and suggest ways in which they can improve.
- Identify employees with potential for advancement within the organization.
- Help supervisors distribute and achieve departmental goals.
- Provide a fair basis for awarding compensation based on merit.

Performance evaluations influence salaries, promotions, and transfers, so it is critical that supervisors be objective in conducting performance reviews and in assigning overall performance ratings. All performance evaluations must be presented to an HR representative for review prior to presenting to an employee.

Written performance evaluations are scheduled every 12 months, coinciding with the anniversary of the employee's original date of hire. Anniversary dates do not change with a job change (e.g., a promotion, transfer).

Upon initial hire, the supervisor will identify standards of performance, with employee input, for review at the end of the anniversary year by using the approved performance evaluation form. Also, when an employee transfers to another position, or when a supervisor is leaving his/her position, an evaluation is recommended, to document employee performance before the change occurs. Evaluations should be completed as soon as possible following the anniversary date, but no later than 14 days (two weeks) after such date. Supervisors who do not complete annual evaluations in a timely manner will be subject to progressive discipline (*see Corrective or Disciplinary Action Policy*).

During the evaluation process, the supervisor and employee will review the employee's position description and address whether it should be modified or remain the same. Also, the standards of performance are to be reviewed and updated, when necessary, during the evaluation.

If a new or existing employee is performing his/her job beyond expected skill and ability during their first 90 days of employment and/or within their first 90 days of job transfer or promotion, the Program Director should prepare a performance evaluation to reflect the high level of work achievement and ability of employee. In this case, with budgetary consideration, the Program Director can submit a pay adjustment recommendation for Division Director input and support for implementation.

All eligible regular benefited employees may receive a pay adjustment at their anniversary date of hire, based upon a satisfactory performance evaluation and budgetary consideration; completion of an evaluation does not guarantee a pay adjustment. TOC employees are eligible for a pay adjustment on their anniversary date if they reach 1,000 hours of work time in their position(s), and have a satisfactory performance evaluation. The effective date of a pay adjustment is at the

beginning of the next full pay period following their anniversary date.

If an employee believes that he or she has not been evaluated fairly or accurately, the employee has the right to appeal. The appeal shall be submitted to the employee's supervisor in writing within five (5) working days from the date of signing the presented annual performance evaluation. The supervisor shall review the annual performance evaluation and respond in writing to the employee within five (5) working days. If the supervisor fails to respond within that time or the response is not satisfactory to the employee, the employee may forward the appeal to HR. HR will arrange a meeting with the supervisor and employee. HR will attempt to resolve the differences between the supervisor and employee and will issue a written decision within five (5) working days of the meeting. The decision from HR shall be final and binding.



### **Purpose**

To provide guidelines for initial performance evaluation of new hires.

### **Policy**

Upon initial hire, the supervisor will identify standards of performance, with employee input, for review at the end of the initial 90 days of employment, by using the approved performance evaluation form. Immediately following new hire orientation, the supervisor and employee will review the employee's position description, as well as review the standards of performance for the initial 90 days of employment. Employees who are transferred or promoted will also be subject to this policy, whereby their initial 90 days in a new position have to meet the standards of performance.

Should an employee receive an unsatisfactory evaluation, the employee may either be terminated from employment or, solely in the discretion of the employer, provided a limited extension to modify their job performance. If an employee is unable to demonstrate a satisfactory work performance within the first 90 days, or within the extended period of time, the supervisor/director will work with their HR representative to implement steps for a recommendation for termination of employment.

Nothing in this policy guarantees a new employee a full 90-day evaluation period. FNA reserves the right to terminate a new employee prior to the expiration of the evaluation period.



A performance improvement plan (PIP) may be used to provide an employee the opportunity to improve his/her work performance, if their performance is less than fully satisfactory. A performance improvement plan will identify performance elements needing improvement, the timeframe for improving the work elements, specific actions the employee will take to improve performance, and what the supervisor will do to assist the employee throughout the PIP process.

If the employee does not improve their work performance within the timeframe set forth in the PIP, the employee may be terminated or transferred to another position. Additionally, if the employee does successfully fulfill job performance expectations, then sustained continued success will need to occur, otherwise termination or job transfer will be reconsidered.



**Purpose**

To provide guidelines for corrective or disciplinary action.

**Policy**

FNA is an “at will” employer, which means employment may be terminated either by FNA or the employee at any time with or without cause and with or without notice for any reason. In order to monitor this “at will” relationship, FNA has developed corrective or disciplinary action for employees whose performance is unsatisfactory or whose conduct or failure to observe FNA policies and procedures makes such action necessary.

Depending on the particular facts and circumstances, FNA may, at its sole discretion, use any one or more of the following corrective or disciplinary action:

1. Counseling or coaching
2. Verbal warning
3. Written warning
4. Performance improvement plan
5. Mandatory referral to an employee assistance program
6. Demotion
7. Suspension with or without pay
8. Involuntary termination

Action 3-8 must be approved in advance by the Human Resources Department and will be evidenced by a written record copied to the employee’s personnel file.

Any use of corrective or disciplinary action is at the sole discretion of FNA. FNA is not required to follow corrective or disciplinary action in any prescribed sequence or to adhere to corrective or progressive discipline in all cases. Where appropriate, any corrective or disciplinary action step can be eliminated by FNA. FNA may choose not to employ corrective or progressive discipline at certain levels in its organizational structure, such as with senior management or program directors. FNA maintains the sole right and authority to respond to any conduct or event with corrective or disciplinary action in whatever manner FNA deems appropriate at its absolute discretion without regard to precedent. This policy is not intended to set forth any express or implied contractual obligation of FNA. FNA reserves the right to take corrective or disciplinary action without providing any prior warning to the employee. By establishing corrective or disciplinary action, FNA is not relinquishing or limiting its right to discharge any employee at any time for any reason with or without cause and with or without notice.



## **Purpose**

To provide a fair, timely, and accurate process for employment termination.

## **Policy/Procedure**

### a. Resignation

FNA is an “at will” employer; employees have the right to resign at any time for any reason. To give FNA an opportunity to hire a replacement as soon as possible, which is especially important in the service departments, non-exempt employees who resign should give the appointing authority 10 working days prior notice of such resignation. Exempt employees who resign should give the appointing authority 20 working days prior notice of such resignation. FNA asks that the notice of resignation be in writing and contain the reason for leaving FNA.

### b. Layoff and Recall

It is the policy of FNA that if it must reduce employment because of adverse economic or other conditions, layoffs and recall from layoffs will be conducted consistent with FNA requirements and in accordance with the following procedures.

1. FNA will attempt to avoid layoffs and, whenever possible, will consider alternatives to layoff before any final decisions are made. In the event that a layoff is expected, FNA will attempt to communicate information about an impending layoff as soon as possible. However, management reserves the right to alter the layoff procedure and withhold information about the layoff as permitted by law in order to protect FNA’s business interests.
2. Layoffs expected to be temporary will be handled according to the provisions of this policy. Selections for layoffs known to be permanent will be made according to this policy.
3. FNA will abide by the provisions of the Worker Adjustment and Retraining Notification (WARN) Act, Public Law 100-379, in regards to all advance notice of all closings and layoffs. FNA will assist employees in communicating and receiving information from the Alaska State Department of Labor, the State Rapid Response Dislocated Worker Unit and assist individuals in locating the nearest One-Stop Career Center.
4. Supervisory or exempt employees are to be selected for layoff based on the following criteria:
  - a. Demonstrated current and past performance, as documented by performance evaluations.
  - b. Promotion potential and transferability of skills to other positions within the organization.
5. In case of a mass layoff (more than 10% (ten percent) of FNA’s entire work force), a Reduction in Force (RIF) committee will be formed, if time and circumstances permit, to review and oversee any layoffs based on the above criteria. The RIF committee should evaluate all available facts relevant to the layoff procedure. In addition, it should take any steps it determines are necessary to ensure that workers chosen for layoff have been picked in a fair and nondiscriminatory manner.
6. Employees selected for layoff will be given as much notice as required by law or as much time as is reasonable under the circumstances. Employees will be informed of the reason for the layoff, of the estimated length of the layoff, and of any rights they have to appeal their selection for layoff to the RIF committee or HR.
7. Only those employees laid off on a temporary basis for an estimated length of time will have recall rights. While on layoff status, employees should report to HR if they become unavailable for recall or if their home address or contact phone number changes.

8. Management may change any temporary layoff status to permanent layoff status if funding circumstances do not support recall. As much notice as reasonable will be provided to the employee if such a change in status occurs.
9. Employees will be recalled according to need and their classification and ability to do the job. Notice of recall can be provided by phone or mail. Employees not reached by phone will be sent a notice by certified mail, return receipt requested, to the current home address furnished by the employee to HR. Unless an employee responds to the recall notice within seven (7) days following receipt of the notice, or its attempted delivery, the employee's name will be removed from the recall list and the employee will cease to have any job rights with FNA.
10. If layoff is expected to exceed 30 days, accrued PTO may be paid in full at the time of layoff. PTO used during the layoff period for the purpose of extending employee benefits such as group insurance must be approved by the department or program director with consideration of budget constraints, and whether the option can be offered to all employees in the affected programs.
11. HR will answer any questions concerning the continuation of benefits during layoff.

c. Dismissal

Because FNA is an at-will employer, FNA may terminate employment for any employee at any time for any reason. Dismissal may be the result of disciplinary action in place. A program director can recommend termination with final approval from the Executive Director or designee.

d. Severance Pay

FNA does not provide severance pay.

e. Termination Pay

FNA will pay all wages, salaries, or other compensation for labor or services within three (3) working days of the last day of work if the employment is terminated by FNA. If the termination is voluntary, termination pay will be provided on the next regular payday that is at least three (3) days after FNA received notice of the employee's termination of services. Termination pay will either be mailed by certified mail or be available for pick-up at Administration by the former employee or designee with signed authorization.

**Purpose**

To ensure continuity of work outside of the standard office environment by setting protocols for off-site operations, hours of work and work product expectation.

**Policy**

Employees may work remotely on a permanent or temporary basis. In the event of an emergency such as a weather disaster or pandemic, FNA may allow or require employees to temporarily work from home to ensure business continuity.

**Procedure**

In the event of an emergency, FNA may require certain employees to work remotely. The Executive Director shall have the authority to designate when it is necessary to implement remote work. The employees will be advised of such requirements through their Program Director. Preparations should be made by employees and directors well in advance to allow remote work in emergency circumstances. This includes appropriate equipment needs, such as hardware, software, phone and data lines.

For voluntary telework arrangements, either the employee or program director can initiate a temporary telecommuting agreement with permission granted by division director. The employee and program director will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement, including equipment needs, workspace design considerations and scheduling issues.

The employee will establish an appropriate work environment within his or her home for work purposes. FNA will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

FNA will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the organization is to be used for business purposes only.

Consistent with FNA's expectations of information security for employees working at the office, remote work employees will be expected to ensure the protection of proprietary company and consumer information accessible from their home office.

Employees should not assume any specified period of time for emergency telework arrangements, and FNA may require employees to return to regular, in-office work at any time.

# COMPENSATION POLICIES

**Purpose**

To provide guidelines for compensation and payroll matters.

**Policy/ Procedure**

The salary administration program at FNA was created to achieve consistent pay practices, comply with federal and state laws, and offer competitive wages within our labor market. Because recruiting and retaining talented employees is critical to our success, FNA is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers operating similar programs. FNA periodically reviews its salary administration program and restructures it as necessary.

FNA has developed a wage schedule to help determine pay grade assignments for all positions within the organization. Program Directors have authority to make compensation offers up to 5% above the minimum wage of the assigned pay grade of given position; any offers above that range require the approval of the Division Director. Consideration for placement above the mid-point of the assigned pay grade will require Executive Director approval with input from the CFO, and such considerations are subject to budgetary constraints.

If an employee's performance evaluation warrants a pay increase, consideration will be made based on budgetary constraints and individual performance. On occasion, some FNA employees may be at the top of (or exceed) their assigned pay grade; the common term in this circumstance is called a 'red-lined' employee, and their base pay would no longer be increased. However, under these circumstances, said employee may be given consideration for a lump sum payment that reflects their annual performance review, based on the same budgetary constraints and individual performance.

**a. Workweek; Pay Period; Payday**

The workweek begins Monday at 12:01 a.m. and ends Sunday at midnight. The pay period is biweekly. If the scheduled payday is a non-working day then payday will be on the closest preceding working day.

**b. Pay Advances**

Pay advances are not permitted.

**c. Lost Paycheck**

If an employee requests replacement of a lost paycheck, the employee will be responsible for any stop payment charge incurred by FNA.

**d. Error in Pay**

Every effort is made to avoid errors in employee paychecks. If an employee believes an error has been made, the employee should contact the payroll office immediately, which will take the necessary steps to research the problem and to ensure that any necessary correction is made properly and promptly.

**Purpose**

To document hours worked by every employee and to ensure payment for hours worked.

**Policy/Procedure**

Every employee is required to complete a timesheet before any compensation can be paid. Timesheets require approval of the supervisor. It is the employee's responsibility to complete and submit the timesheet to the supervisor, and it is very important that the timesheet is completed on time. Failure to submit timesheets on time could result in delayed pay. Timesheets must be completed by noon on the Monday after the end of a pay period.

Timesheets should accurately reflect hours worked, PTO leave taken, overtime incurred, and leave without pay taken. Appropriate authorization and backup must accompany timesheets or employees will not be paid until the following pay period or when documents are received, whichever is later.

Only supervisors and directors are authorized to approve timesheets, unless there is a letter from the supervisor or director indicating that another person is authorized to approve in their absence.

Timesheets should be completed on the last day worked and available for the supervisor at the end of the shift on Friday or, if weekends are worked, by Monday morning to the program assistant, who will make certain backup documents are accounted for.

For any questions regarding timesheets and proper timesheet reporting, employees should contact their supervisor, their program assistant, or the payroll office.

**Purpose**

To administer overtime pay to comply with state and federal laws.

**Policy/Procedure**

All overtime work by a non-exempt (hourly) employee, who must be qualified to perform the work, must receive prior approval from the employee's supervisor on the appropriate FNA overtime authorization form. The overtime authorization form will document the reason overtime was necessary and the functions performed. Prior to approval, the supervisor must ensure that funds are available and properly allocable. It is the responsibility of the supervisor to submit the completed overtime authorization form to the payroll department at the end of the pay period. Any overtime expenditure not properly allowable and allocable to a federal or state funding source must be approved by the grant or contract officer prior to the overtime being worked. An employee who does not receive supervisory approval prior to working overtime will be subject to disciplinary action.

Non-exempt employees will be paid time and one-half for authorized hours worked in excess of eight (8) hours per day or 40 hours per week. Any overtime should be recorded on the timesheet. When work is performed during a week in which nonproductive time has occurred (e.g., Admin, PTO, holiday taken, LWOP), the regular rate will be paid for hours worked less than eight (8) in a day or 40 in a week.

Example: An employee takes eight (8) hours of PTO leave during a workweek; that same employee works three (3) additional hours on another day during the same week. The pay for the three (3) additional hours will be at the regular rate of pay.

Example: An employee works eight (8) hours on four days of the week and takes eight (8) hours of PTO leave on the fifth day. The employee also works 11 hours on Saturday. The pay for those 11 hours will be eight (8) hours at the regular rate and three (3) hours at time and one-half. PTO amount on fifth day may be returned to the employee's PTO balance.

Compensatory (Comp) time is not permitted at FNA. Any supervisor authorizing Comp time will be subject to disciplinary action. Any employee request for Comp time will be denied.

Example of Comp time: Working 10 hours one day, but only putting down eight (8) for that day, then working six (6) hours another day and putting down eight (8) because the employee was due two (2) hours.



**Purpose**

To provide employees who work on a FNA recognized holiday the benefit of time and one-half pay.

**Policy**

Any non-exempt (hourly) employee who works on a recognized FNA holiday will receive time and one-half pay for the scheduled hours worked. *The employee must have supervisory approval prior to working on a recognized FNA holiday.* An employee who does not receive supervisory approval prior to working a recognized FNA holiday will be subject to disciplinary action.

The employee who is normally scheduled off on the day of the recognized FNA holiday will have the working day before or after the normally scheduled day off as the holiday.

A regular full time, regular part time, or temporary full time non-exempt employee who takes (does not work) a recognized FNA holiday will receive pay at the regular rate for eight (8) hours, prorated based on their regular work schedule. Employees scheduled to work more than eight (8) hours will also receive holiday pay in the amount of eight (8) hours at their regular hourly rate. The employee must be in a paid status the full working day before and the full working day after the holiday to receive pay for the taken (not worked) holiday. Paid status does not include workers' compensation, disability leave, or leave without pay time.

Exempt employees are not eligible for time and one-half pay if they work on a recognized FNA holiday.



## **Purpose**

To protect FNA employees under Alaska workers' compensation law and to comply with Alaska and federal laws.

## **Policy**

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

## Reporting

An employee injured on the job must report the injury immediately to his or her supervisor, regardless of whether the injury is minor or of no apparent significance.

## Incident Report

An incident report and a blue Report of Occupational Injury or Illness (top part completed by the employee) will be completed promptly by the supervisor to ensure documentation and expedite compensation. Both forms must be turned in to the Human Resources Department.

Failure by an employee to document job-related injuries may result in disciplinary action up to and including termination. Reporting job-related injuries protects both the employee and FNA.

**Purpose**

To protect FNA from unjustified entitlement claims if an employee is injured while on an off-duty (non-FNA) job.

**Policy**

An employee who sustains an injury or illness in connection with off-duty employment will not be entitled to receive workers' compensation benefits provided by FNA but may be eligible for leave under the Family and Medical Leave Act.

In case of an off-duty employment-related injury or illness that results in an employee's temporary disability, the employee must either request and obtain leave without pay or request PTO.

An employee's authorization to engage in off-duty employment may be revoked at any time and at the discretion of FNA if it is determined that it is in the best interest of FNA to do so.



### **Purpose**

To establish regulations regarding relocation expenses.

### **Policy**

FNA does not normally provide relocation expenses. Only the Executive Director together with the president of the Board of Directors can make exceptions to this policy.

If an employee for whom relocation expenses were paid by FNA voluntarily leaves FNA employment in less than 12 months after the date of hire, the employee agrees to repay or to allow FNA at its discretion to instead deduct from any final salary, wages, or others monies owing on a pro rata basis (e.g., 1/12 (one twelfth) per month) the amount of the relocation expenses paid by FNA.



### **Purpose**

To establish a regulation regarding reimbursement for membership in professional organizations or associations.

### **Policy**

FNA does not normally reimburse costs for membership in professional organizations or associations. Only the Executive Director can make exceptions to this policy.

# TRAVEL and PER DIEM

**See the current FNA Financial Policies available at the Accounting Department**

# BENEFITS POLICIES

**FNA reserves the right to amend or terminate benefits at its discretion**

**Purpose**

- To provide an incentive for good attendance
- To encourage employees to plan for and schedule absences in advance, considering the needs of fellow employees and their department
- To simplify the accumulation procedure for paid time off from work

**Policy****a. Eligibility**

Employees must be classified as regular employees to participate in the PTO program. Temporary employees are not eligible to participate in the PTO program.

**b. Accrual**

Eligible employees accrue PTO hours each pay period on regularly scheduled work hours. Accrual begins on the first day of employment with FNA as a regular full-time or regular part-time employee. Employees will not accrue PTO hours while on a leave of absence without pay.

The maximum amount of PTO an employee may accrue is 350 hours.

Employees may accrue PTO as follows:

Year 1-3	.057695 per working hour or 4.6156 hours per pay period for a total of 15 days per year (based on an 80-hour biweekly work schedule).
Year 4 and beyond	.11539 per working hour or 9.2312 hours per pay period for a total of 30 days per year (based on an 80-hour biweekly work schedule).

**Procedure****a. Use of PTO**

PTO use is not permitted within the first 30 days of employment with FNA.

**1. Scheduled/Approved Absences**

PTO may be used for scheduled absences such as vacations, planned personal absences, and personal appointments. Requests for PTO are subject to the approval of the employee's immediate supervisor. Whenever possible, employee requests for PTO should be made at least 30 days in advance. Each employee must follow the program-specific guidelines for requesting PTO.

**2. Unscheduled/Approved Absences**

PTO may be used for absences that have not been approved in advance by supervisors, such as illnesses or family emergencies.

It is the employee's responsibility to contact the employee's supervisor each and every day of illness or family emergency, unless other arrangements have been made with the supervisor. It is not sufficient to leave a message with a co-worker; the employee must make direct contact with the supervisor or designee. Employees should contact their supervisor as soon as they are aware of such illness or emergency. Each employee must follow the program-specific guidelines for calling in.



Employees will be required to produce a doctor's certificate/note if absent due to an illness beyond three (3) consecutive working days.

3. Unscheduled/Unapproved Absence

If the supervisor was not notified or the employee did not follow the program's guidelines for calling in, the leave may be considered unscheduled/unapproved and PTO will not be granted. The employee must use leave without pay (LWOP), even if the employee has accrued PTO.

b. Termination or transfer to TOC

Employees leaving a benefitted position for any reason *within their first six (6) months* of employment with FNA *will not* be paid for accumulated PTO. Otherwise, upon termination or transferring to TOC, voluntarily or involuntarily, the employee will receive payment for accumulated PTO at the current rate of pay.

FNA discourages the use of PTO during the resignation period to ensure adequate time for effective and complete transition of responsibilities. If time off is necessary, supervisory approval is required.

c. Leave Without Pay (LWOP)

LWOP is not a right. Employees may request LWOP in lieu of PTO. Prior supervisory approval must be granted and hours not worked should be noted accordingly on the time sheet. LWOP is not a paid status. LWOP that extends two (2) full pay periods (20 working days) must have the approval of the Executive Director.

d. Family and Medical Leave Act (FMLA)

Employees will be required to use PTO hours for time off during FMLA leave. Employees are able to donate PTO. Refer to Policy V-19 for guidance.



### **Purpose**

To enable employees to receive extended time off without pay to take care of compelling personal business. Leaves of absence under the Family and Medical Leave Act are covered in Policy V-4.

### **Policy**

A regular employee may be granted leave of absence without pay for a period not to exceed 12 months, provided such leave can be scheduled without adversely affecting the operations of FNA.

### **Procedure**

Request for leave of absence without pay should be in writing, directed to the Executive Director through the department/program director, and contain strong justification for approval.

Positions vacated by regular employees granted leave without pay may be filled by employment of a temporary employee upon written request from the department or program director to HR. Upon approval, the position may be filled when possible by the temporary promotion of a qualified employee of FNA.



### **Purpose**

To provide employees with a leave of absence on the birth of a child.

### **Policy**

An employee who is not eligible for FMLA leave is entitled to take a total of nine (9) weeks of leave of absence immediately before or following childbirth.

### **Procedure**

This leave will be charged first to paid time off, then to leave without pay. An employee who fails to return to work within the prescribed time limit will be automatically terminated unless granted leave without pay for an additional period.

An employee participating in the FNA medical insurance group plan may be eligible for any short-term disability leave pay offered. For details contact the Human Resources Department.

**Purpose**

To enable FNA employees to receive up to the specified number of weeks away from work within a 12 month period to attend specified family and medical needs with job protection and no loss of accumulated service.

**Policy**

The Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave within a 12 month period. Employees are eligible if they have worked for a covered employer for at least one (1) year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles. The FMLA was amended in 2008 to provide eligible employees leave rights related to the military service of a relative.

**Procedure**

Employees may request unpaid family or medical leave for any of the following reasons:

1. to care for the employee's child after birth or placement for adoption or foster care,
2. to care for the employee's spouse, child, or parent who has a serious health condition,
3. for a serious health condition that makes the employee unable to perform his or her job,
4. because of "any qualifying exigency (event or need)" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to report to active duty in the Armed Forces including the Reserves and National Guard, or
5. an eligible employee who is the spouse, son, daughter, parent, or next of kin (closest living relative if not an immediate family member) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

FNA provides the following guidelines for use of FMLA leave:

1. For periods of FMLA leave, an employee's available accrued PTO will be used prior to the use of unpaid leave.
2. An employee must provide 30 days' advance written notice when the need for leave is foreseeable so that the scheduling supervisor has an opportunity to plan for handling the workload during the employee's absence. When it is not feasible to provide advance notice, such notice must be given within one (1) or two (2) workdays of when the employee learns of the need for the leave. The written notice must be directed to the employee's immediate supervisor and a copy distributed to the department director and the Human Resources Department.
3. Any FMLA leave request based on a family member's or the employee's own serious health condition must be supported by certification of a health care provider within one (1) or two (2) weeks of commencement of the leave.
4. FNA may require a second or third opinion at FNA's expense and may require later recertification on a reasonable basis.
5. FNA may require an employee to report periodically on his or her status and the intention of the employee to return to work.
6. FNA may require an employee to provide certification that the employee is able to return to work if the leave was due to the employee's own serious health condition.

7. If an employee fails to return to work after FMLA-mandated leave expires, except for special circumstances, FNA may recover the premium it paid for insurance coverage during the leave period.

A copy of WH Publication 1420 -- Your Rights under the Family and Medical Leave Act of 1993 -- is posted in a conspicuous place at employment locations within FNA.

**Purpose**

To provide time off for employees called to serve as jurors or subpoenaed as witnesses in FNA client-related cases.

**Policy**

An employee who is called to serve as a juror or subpoenaed as a witness in a FNA client-related case is entitled to court leave.

**Procedure**

Court leave should be supported by written documents such as a subpoena and/or the court's statement of attendance. An employee will not suffer any loss of regular compensation during such absence. Time not worked because of such duty will not affect PTO accrual.



## Purpose

To comply with federal law affecting FNA employees serving in the uniformed services of the United States.

## Policy

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) guarantees the rights of individuals performing military duty in the uniformed services, which are defined as:

- Army, Air Force, Coast Guard, Marine Corps, Navy
- Army Reserve, Air Force Reserve, Coast Guard Reserve, Marine Corps Reserve, Navy Reserve
- Army National Guard, Air National Guard
- Commissioned Corps of the Public Health Service
- Any other category of persons designated by the President in case of war or emergency

Military leave of absence without pay is granted to a regular employee during the period of military duty with the uniformed services of the United States, in a commissioned or noncommissioned status, on a voluntary or involuntary basis, including:

- Active duty
- Active duty for training
- Initial active duty for training
- Inactive duty training
- Full-time National Guard duty
- Absence from work for an examination to determine a person's fitness for any of the above forms of duty
- Funeral honors duty by National Guard or reserve members

USERRA applies only to national military service; however, similar reemployment rights are granted to employees performing active state service under AS 26.05.075.

To qualify for reemployment rights and maintenance of employment benefits under USERRA, the person returning from military service has to meet the following requirements:

- Have a civilian job
- Provide timely employer notification
- Report back or submit an application for reemployment in a timely manner
- The period of service must not have exceeded five (5) years (except under circumstances described under Procedure)
- Release from service was under honorable conditions

## Procedure

- a. Under USERRA, an employee must provide advance written or verbal notice to the employer of all military duty, unless this notification is impossible, unreasonable, or precluded by military necessity. Notice can be provided by the employee or by an appropriate military authority. The law does not specify how far in advance notice must be given.
- b. Under USERRA, the employer is not required to compensate employees who perform military service.

- c. There is a five (5) year cumulative service limit for *voluntary* military leave that an employee can use and still retain reemployment rights. The 5-year limit does *not* include inactive duty training (drills); annual training; involuntary recall to active duty or involuntary retention on active duty; or voluntary or involuntary active duty in support of war, national emergency, or certain operational missions.
- d. Under USERRA, a returning employee's notification of intent to return to work must be made promptly after completion of military service. The time limits for returning to work depend on the length of the employee's military service.
  - **Service of 1 to 30 days**  
The returning employee must report on the first day of the next regularly scheduled work period, taking into account safe travel home plus an 8 (eight) hour rest period.
  - **Service of more than 30 but less than 181 days**  
The returning employee must submit an application for reemployment within 14 days of release from service.
  - **Service of more than 180 days**  
The returning employee must submit an application for reemployment within 90 days of release from service.

USERRA provides enhanced protection for disabled veterans, requiring employers to make reasonable efforts to accommodate the disability. Returning employees who are hospitalized for, or convalescing from, an illness or injury incurred in or aggravated by military service may apply for reemployment within two (2) years following recovery from such injuries.

- e. Except with respect to persons whose disability occurred in or was aggravated by military service, the position into which an employee is reinstated depends on the length of service in the uniformed services.
  - **91 days or less**
    1. in the job the person would have held had he or she remained continuously employed, so long as the person is qualified for the job or can become qualified after reasonable efforts by the employer; or
    2. if the person cannot become qualified, in the position the person was employed in on the day of the commencement of the service in the uniformed services.
  - **91 or more days**
    1. same as for service of 90 days or less, or a position of like seniority, status, and pay, so long as he or she is qualified; or
    2. if the person cannot become qualified, in the position the person was employed in on the day of the commencement of the service in the uniformed service or which nearly approximated that position.

USERRA specifies that returning employees must be reemployed promptly. What is prompt depends on individual circumstances. Reinstatement after three (3) years of active duty might require two (2) weeks to allow giving notice to an incumbent who might have to vacate the position.

- a. For returning employees who are disabled during service in the uniformed services an employer is obligated to reasonably accommodate the returning employee's disability. If an employer's reasonable efforts fail to accommodate the returning employee's disability, the employee is entitled to any other position for which the employee is qualified and which is equivalent in seniority, status, and pay.





### **Purpose**

To provide time off to employees to work on projects in the community that are beneficial to FNA.

### **Policy**

An employee may be granted administrative leave to work on projects that are beneficial to FNA on a case by case basis with approval by the Executive Director.

**Purpose**

To provide support to FNA employees in the event of the death of an immediate family member.

**Policy**

FNA will provide a regular employee with up to:

- Five (5) consecutive days of bereavement leave with pay in the event of the death of their spouse, child, stepchild, parent or sibling.
- Three (3) consecutive days of bereavement leave with pay in the event of the death of their grandparent, grandchild, father-in-law, mother-in-law, son-in-law or daughter-in-law.
- One (1) day of bereavement leave with pay in the event of the death of a relative not a member of their immediate family as defined above or in the event the death of the member of their household is not a relative.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available PTO for additional time off as necessary.

Requests for bereavement leave are authorized at the time of death, to be used for immediate services. For subsequent cultural and/or religious events not covered under this policy, employees may request PTO, subject to supervisor approval.

**Procedure**

Employees must make the request in writing to their immediate supervisor with the final approval provided by the program director or designee. Copies of the request must be sent to the payroll office and HR.

Documentation is required as back-up for the employee timesheet. Documentation may be in the form of an obituary, death certificate, or any other related documentation.

Timesheet documentation should reflect normal hours worked with a pay code of "ADMIN PAY" selected in the Pay Code column. For example: A regular part-time employee who works 20 hours per week would document "ADMIN PAY" for each of the three (3) days of four (4) hours approved bereavement leave.

**Purpose**

To provide employees time off to vote.

**Policy**

If an employee's work schedule is such that he or she would not be able to vote prior to or after normally scheduled work hours, the employee will be granted a reasonable time off to vote without loss of pay or accrued PTO.



### **Purpose**

To provide employees time off to attend parent teacher conferences.

### **Policy**

If an employee's work schedule is such that he or she would not be able to attend parent teacher conferences prior to or after normally scheduled work hours, the employee will be granted time off to attend the scheduled parent teacher conference. Such time off should not exceed two (2) hours total for the parent teacher conference(s). Such time off for parent teacher conference(s) will not result in loss of pay or accrued PTO.



### **Purpose**

To provide guidelines regarding benefits for employees on leave without pay.

### **Policy**

For periods of leave without pay exceeding 30 consecutive days, there will be no benefits extended. For periods not exceeding 30 consecutive days, all benefits except the accrual of PTO will remain in effect.

**Purpose**

To provide a paid time off benefit to employees.

**Policy**

All regular and temporary full-time employees are eligible to take leave on the holidays listed below with pay. Full-time employees will receive regular compensation and part-time employees will be compensated in proportion to the number of hours they are normally scheduled to work. (Thus employees working 20 hours per week will receive four (4) hours per holiday, etc.). Employees must be in paid status the full working day before and the full working day after the holiday to receive the holiday pay. PTO is considered a paid status. Leave without pay, workers' compensation, or disability leave are *not* considered paid status.

The legal authorized holidays observed for FNA employees are:

- |                                |                             |
|--------------------------------|-----------------------------|
| 1. New Year's Day              | January 1                   |
| 2. Martin Luther King, Jr. Day | Third Monday in January     |
| 3. Presidents' Day             | Third Monday in February    |
| 4. Traditional Chiefs Day      | Third Friday in March       |
| 5. Memorial Day                | Last Monday in May          |
| 6. Juneteenth                  | June 19                     |
| 7. Independence Day            | July 4                      |
| 8. Labor Day                   | First Monday in September   |
| 9. Veterans Day                | November 11                 |
| 10. Thanksgiving Day           | Fourth Thursday in November |
| 11. Alaska Native Day          | Friday after Thanksgiving   |
| 12. ½ day on December 24       |                             |
| 13. December 25                |                             |

**Procedure**

1. Legal holidays may be adjusted by the Executive Director to conform to the holiday date observed by the Alaska or federal governments.
2. Departments or areas which regularly operate Monday through Friday will observe holidays which fall on a Saturday on the preceding Friday and holidays which fall on Sunday on the following Monday.
3. Departments or areas which regularly operates seven (7) days a week, will observe holidays which fall on Saturday or Sunday on the day the holiday falls. Employees who work in a department or area which regularly operates seven (7) days a week will be scheduled for a substitute day off if they work on the holiday or the holiday falls on their regular scheduled day off. If an employee in a department or area which operates seven (7) days a week, works regularly on a Monday through Friday schedule, his/her holiday will be observed according to paragraph 2.
4. Substitute Holiday. Employees who work on an observed holiday will be granted another day off (substitute holiday) with pay to be taken within the same pay period of the observed holiday.
5. Holidays that occur during PTO will not be charged against PTO.
6. If an employee does not substitute a holiday, as noted under part 4 above, and is approved to work on a FNA recognized holiday he/she will be paid time and one-half for that day (see Holiday Pay, Policy III-4).

**Purpose**

The purpose of this plan is to reward eligible employees for long and loyal service by providing them with retirement benefits.

**Policy**

Employees over the age of 18 are eligible to participate in the plan after one (1) year of service. For purposes of the plan, employees have completed a year of service if at the end of the employee's first 12 consecutive months of employment with FNA the, employee has been credited with 1,000 hours of service. Details about this and other rules regulating the "Fairbanks Native Association Inc.'s Profit-Sharing Plan and Trust" are found in the summary plan description on file in the Accounting Department.

FNA's contribution to the retirement plan is determined each year by the FNA Retirement Board and approved by the Board of Directors.

A copy of the FNA retirement plan description is available at the Accounting Department.

**Purpose**

To provide opportunity for career and educational development related to the employee's work.

**Policy**

FNA recognizes that the skills and knowledge of its employees are critical to the success of the organization. FNA provides some opportunities as outlined below, while other training and education resources are available through a number of sources. FNA recommends that employees develop a career plan which will enable them to realize their career potential. The development of a career plan does not guarantee funding of that plan by FNA. Lifelong learning leads to personal fulfillment, improved skills, job performance, job progression, and upward mobility.

**A. Developmental Hires**

Developmental hire opportunities (on-the-job training) may be established when an applicant does not meet all of the required minimum qualifications, but is selected to fill a position with an opportunity to gain experience on the job. The selectee is placed in a lower pay grade ("developmental hire") until they meet the qualifications of the higher, full performance position within a specified timeframe. Typically, this will involve a candidate who has attained a higher education degree requirement, but lacks the actual work experience; a 'developmental hire' may be provided an opportunity to gain work experience on the job.

In these cases a written developmental plan will be established between the supervisor and the employee, outlining the specific training and developmental objectives to be achieved within an established timeframe, and requires approval by the HR Director. During such time, continuous mentoring and development opportunities should be provided.

**B. Career Ladder Opportunities**

Depending on the type of position an employee fills, career ladder opportunities may be established based on the qualifications of the individual. Such career ladder consideration will be based on market data and general business practice. As an example, it may be common for an organization to have a Staff Accountant position; with this position, if/when an employee achieves a higher level of learning (i.e., earns a bachelor degree), s/he may be considered for a job title promotion, from a Staff Accountant I to Staff Accountant II.

Each level has an established different job description and salary grade. As the incumbent acquires the education/experience/qualifications required for a higher level, the incumbent becomes eligible for promotion consideration by the Program Director with input from the HR Director.



### **C. Employee Initiated Training/Course work**

When possible, and within program budgets, expenses paid by an employee for training or education may be reimbursed partially or in full. Upon program approval and completion of a given course, FNA may reimburse tuition, required lab fees, and/or book expenses. Courses have to be related to the employee's job for reimbursement consideration.

Educational assistance for training varies from program to program. Each program is responsible for developing guidelines, applying them consistently and keeping within funding limitations. Each program may provide opportunities for its employees to increase their knowledge for program-specific topics.

The following need to be applicable for consideration of training/coursework reimbursement:

- Funds for each expenditure are available in the current budget,
- Courses of study are directly related to the employee's present job or will enhance the employee's potential for advancement within FNA.
- The employee has applied for approval of course and tuition reimbursement to his or her department or program director at least 10 days prior to registering for the course,
- The employee is not receiving reimbursement for tuition from any other source,
- The employee submits evidence of satisfactory completion of the course, with reimbursement eligibility based upon grade received for the course, as follows:
  - 100% of reimbursement cost will be paid for passing a "pass-fail" course.
  - 100% of reimbursement cost will be paid for grades "A" to "C-".
  - No reimbursement will be made for grade lower than "C-".
  - No reimbursement will be made for withdrawals or incomplete classes.
- Employees seeking reimbursement for tuition must submit receipts for expense and a certified transcript or other approved official documentation of grade to Program Director or Department supervisor.
- The employee may be requested to not exceed one (1) class per semester during work hours or that not more than two (2) employees take classes at the same time to ensure staff coverage.
- The employee will not voluntarily leave FNA within a year of completion of course.

**Purpose**

To provide group health insurance and other insurance programs to FNA employees.

**Policy**

All regular full-time employees and part-time employees who work 32 hours or more a week may participate in any group healthcare, vision and/or dental insurance benefits program offered by FNA or may decline all coverage. Those part-time employees who work greater than 16 hours, but less than 32 hours may participate in the group health care at a prorated amount or may decline this coverage. For information on coverage in effect or assistance with claims contact the Human Resources Department or the payroll office. All regular full-time employees and part-time employees who work 32 hours or more a week will be covered by any life insurance plan, accidental death and dismemberment plan, and long-term or short-term disability plan offered by FNA. See the payroll office for beneficiary paperwork.

For new employees, the medical insurance benefit will begin the first calendar day of the employee's first full pay period after date of signature, and within 60 days of date of hire. Dental, Vision, Short Term Disability, and Life Insurance will begin the first of the month following date of signature. For example, an employee who starts working on January 10<sup>th</sup> would not be eligible for medical benefits until Monday, January 18<sup>th</sup>, which is the first working day of a complete period and will not be eligible for the other insurances until February 1<sup>st</sup>.

**Purpose**

To assist employees.

**Policy**

It is the policy of FNA to maintain its employees in a productive, self-satisfactory manner. To this end, maximum efforts will be made to assist employees in a way that both improves their conditions and benefits FNA. This is confidential, unless the employee is mandated to attend as a condition of continued employment.

This policy establishes an alternative to termination for employees suffering from mental health, alcohol, drug dependency, or other personal problems to the point that performance on the job falls below acceptable standards. The alternative to termination will be to allow a troubled employee an opportunity to seek professional assistance, and, in doing so, FNA will assist the employee as follows:

1. PTO leave benefits will be extended to employees for treatment or other absence prescribed by a counselor within FNA, an attending physician, psychiatrist, or staff from Fairbanks Mental Health Center, Tanana Chiefs Mental Health, Fairbanks Drug Treatment Center, or other treatment programs recognized by FNA.
2. In the event that PTO leave runs out, administrative leave or an unpaid leave of absence for a period of up to four (4) months may be granted by the Executive Director. To be eligible, the employee must be under a residential treatment program.
3. FNA in no way assumes financial responsibility for any of the treatment or services rendered to employees under this program or disability compensation beyond coverage extended in any FNA group health insurance plan.
4. Participation is voluntary.

**Procedure for Mandated Referral**

1. When an employee is subject to discipline or dismissal for non-performance of duties, and it is the opinion of that employee's supervisor that such poor performance is related to mental health or substance dependency problems, that employee will be notified in writing that his or her performance has dropped below acceptable standards and that this is cause for discipline or dismissal if performance does not improve.
2. The supervisor will advise the employee that if poor performance is related to a personal problem, FNA will assist that employee if desired.
3. An employee must sign a release of information to his or her supervisor.
4. The employee's supervisor and HR will assist the employee with referral to treatment or assistance.
5. Continued employment will be contingent on the ability of the employee to return to work and function at an acceptable level.
6. Participation can be initiated at the employee's request.



### **Purpose**

To provide a meaningful and rewarding incentive that encourages high performance, increases employee morale, and supports the goals and values of FNA. FNA believes in recognizing deserving employees for their efforts and performance, the contributions made while exhibiting fairness and equity, as well as their commitment to working with the organization. This is achieved by determining employee longevity (length of service) within the organization and an Employee of the Month Program.

### **Policy/Procedure**

The Executive Director will provide for recognition of faithful, effective service rendered by employees. Special recognition shall be given to those employees who have completed 5-year increments of consecutive services (e.g., 5, 10, 15, 20 years of service, etc.). When an employee decides to leave FNA, their previous employment service will not be counted for purposes of length of service if/when they are rehired; no temporary on-call (TOC) hours are counted. Employees who work within a seasonal program schedule will receive full consideration of employment service. Service awards are presented on a quarterly basis.

FNA also recognizes employee efforts on a monthly basis through the Employee of the Month Program. The recommendations for recognition are based on the employee's performance, response or action pertaining to a specific event, and/or action that is above and beyond their job; in this program all employees can be recommended/nominated for recognition. Recommendations can be made by a supervisor, peer, consumer, or visitor, but a nomination has to be presented to the program director; whereby they will acknowledge the nomination and forward to the Human Resources Department.

Under this program, a committee will meet regularly to determine recognition; such committee will consist of a representative from each division. An HR representative will chair the committee. To ensure equity in consideration, programs are categorized into three divisions: Behavioral Health Services, Early Childhood Division, and Administration and Support Services. Each month a different division will be the focus, on a rotational basis, and an employee will be selected by the committee. Recognition of the selected employee will be presented among peers.



### **Purpose and Policy**

Under Temporary Continuation of Coverage (TCC), employees who voluntarily resign from FNA or are terminated for any reason other than “gross misconduct” have the right to continue any Federal Employees Health Benefits (FEHB) plan offered as individual or family health care coverage for up to 18 months at their own expense.

In addition, in case of one of the following events covered spouses and children may elect to continue coverage for up to 36 consecutive months:

- The subscriber dies,
- The subscriber and spouse legally separate or divorce,
- The subscriber becomes entitled to Medicare, or
- A child loses eligibility for dependent coverage.

Qualified enrollees must apply for continued coverage within a certain time period and pay the subscription charges for it.

### Rules for Beginning TCC

FNA must notify the health plan administrator within 30 days after an employee’s death, job termination, reduced hours of employment, or eligibility for Medicare. In case of divorce, legal marital separation, or a child’s loss of dependent status it is the employee’s or the employee’s family’s responsibility to notify the health plan administrator within 60 days of the event.

After notification, the plan administrator has 14 days to notify the employee or employee’s family of the right to elect TCC. Then the employee, his or her spouse, and children have 60 days to decide whether to buy TCC. This election period is counted from the date the eligibility notification is sent or the date health coverage was lost, whichever is later. TCC coverage will be retroactive to the date health coverage was lost (as long as the premium is paid.)

Once TCC is elected the first premium has to be paid within 45 days.

Because of the program’s complexity, this is only a general description of TCC. For details contact the payroll office or visit FEHB online at [www.opm.gov/insure/health](http://www.opm.gov/insure/health) for more information about Temporary Continuation of Coverage provisions.



### Purpose

FNA recognizes that employees may have a family emergency or a personal crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available personal time (PTO). To address this need all eligible employees will be allowed to donate personal time from their unused balance to their co-workers in need in accordance with this policy. This policy is strictly voluntary.

### Policy/Procedure

Employees who donate personal time must be employed with FNA for a minimum of one (1) year. Employees who would like to make a request to receive donated personal time from their co-workers must have a situation that meets the following criteria:

1. **Family Health Related Emergency** – Critical or catastrophic illness or injury of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, child, parent or other relationship in which the employee is the legal guardian or sole caretaker.
2. **Personal Crisis** – A personal crisis of a severe nature that directly impacts the employee. This may include a natural disaster impacting the employee's primary residence such as a fire or severe storm.
3. **Unforeseen Family Medical Leave Act (FMLA)-qualifying event** – A non-scheduled qualifying and eligible event under FMLA.

Employees who donate personal time from their unused balance must adhere to the following requirements:

1. Donation minimum – 4 hours.
2. Donation maximum – No more than 50 % of your current balance, with a maximum of 40 hours.

Employees who receive donated personal time may receive no more than 480 hours (12 weeks) within a rolling 12 month period. Employees who would like to receive donated personal time are required to complete a Donation of Personal Time Request Form. This form authorizes Payroll to solicit donations from all FNA employees.

Employees who wish to donate personal time to a co-worker must complete a Donation of Personal Time Form. All requests should be submitted to the Director of Human Resources. Requests for donations of personal time must be approved by the employee's immediate Supervisor and Human Resources.

If the recipient employee has available personal time in their balance, this time must be used prior to any donated personal time. Donated personal time will only be applied to the approved request. Personal time donated in excess of the time off will be returned to the donor.

# GRIEVANCE PROCEDURES



## **Purpose**

To provide guidelines for employee grievances.

## **Policy**

It is the policy of FNA to allow regular employees to present their work-related complaints and appeal management decisions.

## **Procedure**

1. An employee may file a grievance when the employee has been personally aggrieved by an act or omission related to a work condition or benefit of employment within the control of FNA.
2. A grievance concerning sexual harassment is handled under Sexual Harassment, Policy II-3. An appeal of an Annual Employee Performance Evaluation is handled under Performance Evaluations, Policy II-13.
3. This grievance procedure is the exclusive remedy for an employee with an appropriate grievance.
4. An employee with an appropriate grievance should proceed as follows:

*Step One.* The employee should file the grievance in writing with the employee's immediate supervisor (unless the grievance involves the employee's immediate supervisor, in which case the employee may start at Step Two; or if the grievance concerns the Executive Director, in which case the employee may start at Step Three) within five (5) working days of the occurrence of the event giving rise to the grievance. In counting days, the day of the occurrence of the event giving rise to the grievance, FNA-recognized holidays, and Saturdays and Sundays are excluded. The last day is included. The employee's immediate supervisor will investigate the grievance and will within five (5) working days provide a written response to the employee. A copy of the grievance and the immediate supervisor's written response will be given to the HR Department to be placed in the employee's personnel file.

*Step Two.* If the grievance involves the employee's immediate supervisor or if the employee is not satisfied with a written response at Step One, then the employee may file at Step Two with the immediate supervisor's supervisor ("second level supervisor"). A Step Two grievance must be filed in writing within five (5) working days of the occurrence of the event giving rise to the grievance. A Step Two appeal must be filed in writing within five (5) working days of the employee receiving a written response at Step One. An appeal of a written response from Step One cannot raise any matter or information not previously brought to the attention of the immediate supervisor. The second level supervisor will investigate the grievance or appeal and will within five (5) working days provide a written decision to the employee and the employee's immediate supervisor. A copy of the grievance or appeal and the second level supervisor's written decision will be given to the HR Department to be placed in the employee's personnel file.

*Step Three.* If the grievance concerns the Executive Director or if the employee is not satisfied with a written decision at Step Two then the employee may file with the FNA Grievance Committee. A Step Three grievance must be filed in writing within five (5)



working days of the occurrence of the event giving rise to the grievance. A Step Three appeal must be filed in writing within five (5) working days of the employee receiving a written decision at Step Two. An appeal from Step Two cannot raise any matter or information not previously brought to the attention of the second level supervisor.

The FNA Grievance Committee is composed of the HR Director or designee acting in an advisory capacity, the head of the grieving employee's department (if the Executive Director is the head of the grieving employee's department then the Vice President of the FNA Board of Directors shall serve), and the three (3) remaining members of senior management from outside the grieving employee's department. The division director who heads the division of the grieving employee will present/discuss his/her position, and then be excused from the meeting. The FNA Grievance Committee will review and investigate the grievance or appeal and issue a written decision within 10 working days from receipt of the grievance or appeal. However, if additional time is needed to complete the investigation and issue a decision, the FNA Grievance Committee may reasonably extend the time. As an advisor to the committee, the HR Director will write up the committee's decision, with a copy of the grievance or appeal placed in the employee's personnel file. The decision of the FNA Grievance Committee is final and binding.

5. A final decision on a grievance or appeal will not be precedent setting or binding with respect to a future grievance or appeal unless it is stated as official FNA policy.
6. Time spent by an employee in grievance or appeal discussions with management during the employee's normal work hours will be considered hours worked for pay purposes.
7. An employee will not be penalized for proper use of the grievance procedures. However, it is not considered proper use if an employee files in bad faith or solely for the purpose of delay or harassment or repeatedly files meritless grievances or appeals. Commencement of the grievance procedures by an employee does not limit the right of FNA to proceed with any corrective or disciplinary action not in retaliation for the employee's use of the grievance procedures.
8. FNA may at its sole discretion refuse to proceed with any complaint or grievance it determines is improper under this policy. Nothing in this policy changes the "at will" employment relationship or creates an express or implied contract. FNA retains the right to establish, change, or abolish any policy, procedure, practice, rule, or regulation at its sole discretion.
9. A promoted employee who is demoted within 90 days of the promotion has no right to grieve the demotion.
10. A former regular employee may only grieve an involuntary termination at Step Three.
11. No person related by blood or marriage or who has had a dating or romantic relationship with a grieving employee or grieving former employee may act for FNA in the grievance procedures.
12. Every employee is required to cooperate with the grievance procedures.



## Compensation Practice

FNA offered two compensation adjustments to assist our essential workers during the pandemic. Senior Management made the determination whether essential workers would be paid in a lump sum payment or if they would receive salary adjustments over a time specific period. Both methods were used.

### Purpose

To offer pay adjustments to assist employees required to work on site during the pandemic.

### Procedure

1. Lump sum payments. At the Director's recommendation, a list of essential worker's was provided to Payroll for payment.
2. Time Specific Salary Adjustments. At the Director's recommendation, a list of essential worker's was provided to Payroll for limited time specific salary adjustments.

## Benefits Practice

### Purpose

To provide guidelines for compliance with the Families First Coronavirus response Act (FFCRA).

### Procedure

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

The Act provides that covered employers must provide to all employees:

*Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or

*Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or childcare provider is closed or unavailable for reasons related to COVID-19; or

*Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employees' regular rate of pay* where an employee is unable to work due to a bona fide need for

leave to care for a child whose school or childcare provider is closed or unavailable for reasons related to COVID-19.

### Qualifying Reasons for Leave

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work **(or unable to telework)** due to a need for leave because the employee:

Is (1) subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

Has (2) been advised by a health care provider to self-quarantine related to COVID-19;

Is (3) experiencing COVID-19 symptoms and is seeking a medical diagnosis;

Is (4) caring for an individual subject to an order described in (1) or self-quarantine as described in (2);

Is (5) caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19; or

Is (6) experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

The requirement that employers provide paid sick leave and expanded family and medical leave under the Families First Coronavirus Response Act (FFCRA) expired on Dec. 31, 2020.

Your employer is not required to provide you with FFCRA leave after December 31, 2020, **but your employer may voluntarily decide to provide you such leave.** The obligation to provide FFCRA leave applies from the law's effective date of April 1, 2020, through December 31, 2020. Any change to extend the requirement to provide leave under the FFCRA would require an amendment to the statute by Congress. The FNA Executive Director as decided to provide employees with such leave. This leave was ended on 9/30/21 when Congress eliminated the benefit.