



Changing Lives. . . Building Futures

Employee Guidebook

October 1, 2014

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Welcome Letter

I would like to personally welcome you to Janus Youth Programs. Janus was founded in 1972 by a group of community volunteers with a single-focused mission: To be a leader in creating innovative, community-based services which enhance the quality of life for children, youth, and families. The name Janus comes from the Roman god of transitions and new beginnings. We typically work with the most challenging of teens and young adults, providing 24-hour emergency shelter, residential, crisis, and educational services. We also provide a wide array of services to teen parents and their children, and in 2001 we began our Village Gardens Program, a sustainable organic gardening program designed to promote healthy food and build unity within low-income residents of North Portland. Janus now touches the lives of over 600 youth daily, and these services are possible only because individuals such as you are willing to invest a significant portion of your life in helping us “open a new door” for every young person who finds his/her way to us.

Our goal at Janus is to provide you with the support you need to succeed in your job, to grow in your professional skills and to be an active participant in the life of your program. We attempt to achieve this goal through a team-based approach to management which assures that each program and site has representation, influence, and responsibility for the decisions which impact on that program. We also work hard to live by our values (as described on the next page) and to hold each other mutually accountable to these values. You are more than an employee—you are a partner in creating a work environment which delivers the core elements of **quality, professionalism, and caring** to each other and to the children, youth and families we serve.

This Guidebook is one element of this partnership, and it serves as a starting point for establishing and maintaining what we hope to be a respectful and successful working relationship with you.

Finally, I would like to encourage you to feel free to speak directly with me at any time regarding feedback you may have about your job, your program, or your treatment as an employee. You can stop by when I am in the office or schedule an appointment through my assistant Martha Watson (503-542-4608). Martha can also always reach me at any time for emergencies. More than an “open door policy,” this is an open invitation to talk with me about what is important to you and about how we can all work more effectively together to achieve our mission.

Many of us have chosen to stay at Janus for what is considered a long period in the type of work we do (five years or more). But regardless of how long you are here, we thank you for choosing Janus and for being willing to work in service to children, youth and families.

Dennis L. Morrow
Executive Director

OUR MISSION

Janus Youth Programs is a leader in creating innovative, community-based services which enhance the quality of life for children, youth, and families. We work in partnership with others to create a safe and healthy community.

OUR VALUES

Respect

We share a common humanity and we work to affirm the individual uniqueness, worth and capability of each child, family, staff and volunteer.

Environment

We strive to create a safe, nurturing environment which promotes trust, honesty, direct communication and personal/professional growth.

Diversity

We celebrate the richness created by a variety of cultures, beliefs, and life experiences.

Families

We believe every child deserves a family or support network which can provide safety, nurturance, a sense of belonging, teaching and guidance and connection to the larger world.

Creativity

We encourage creativity, innovation and risk-taking to respond to the rapidly changing needs of children, families and community.

Partnership

We actively build partnerships to strengthen community planning, advocacy and delivery of services to children, youth and families.

Quality

We work constantly to improve the quality of everything we do in order to be responsible stewards of community resources.

INTRODUCTION

This Employee Guidebook is intended as a brief description of the current personnel policies, rules, and benefits for employees of Janus Youth Programs, Inc., referred to hereafter as the “Agency” or “Janus.” This Guidebook, as its name suggests, is a set of guidelines for the Agency’s employees. It is neither intended to be a contract of employment under any specific terms and conditions, nor to be a guarantee to any person to continue his/her employment for any specified length of service.

Employment with Janus is employment at will. Employment at will may be terminated with or without cause and with or without notice at any time by the employee or by the Agency. Nothing in this Guidebook or in any document or statement shall limit the right to terminate employment at will. No manager, supervisor, or employee of Janus has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at will. Only the Executive Director of Janus has the authority to make any such agreement and then only in writing.

This Guidebook consists of three general parts: (1) an introduction to the mission and values of Janus Youth Programs and information concerning the Agency’s services and programs; (2) the Agency’s policies regarding the employee/employer relationship, and (3) policies and procedures specific to benefits, compensation, and leave. Information concerning a given topic area may be located in more than one part of this Guidebook. The program-specific Policies and Procedures manual may also provide additional information. Management reserves the right to interpret and administer the policies in this Guidebook.

This information supersedes all previous personnel policies, procedure manuals, and management memoranda that addressed personnel matters. Revisions and additions may be made to this Guidebook from time to time at the Agency’s discretion, with or without prior notice. When changes are communicated, all staff members are responsible for familiarizing themselves with new policies. Please contact the Human Resources Department if you have any questions or to be certain you have current information.

The employment relationship is one of mutual responsibility between you and Janus with the ultimate goal of maximizing effective services for clients and customers.

Nothing in this guidebook is intended to interfere with, restrain, or prevent employee communications regarding wages, hours or other terms and conditions of employment; you have the right to engage in or refrain from such activities.

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SECTION I

EQUAL EMPLOYMENT OPPORTUNITY AND ANTIDISCRIMINATION/ANTI-HARASSMENT POLICY

Equal Employment Opportunity Policy Statement

Janus Youth Programs is committed to equal employment opportunity both in principle and in practice. Our policy is to recruit, to hire, to train and promote persons, and to provide client services, without discrimination on the basis of race, color, gender, marital status, veteran or military status, religion, national origin, age, sexual orientation, gender identity, caretaking responsibility, genetic information, physical or mental disability, genetic information, application for workers' compensation benefits, use of statutory protected leave, or any other status or characteristic that is protected by applicable federal, state or local laws.

Discrimination and Harassment

Under this policy, discrimination and/or harassment will not be tolerated.

One of our core business objectives is to maintain a work environment where people feel valued, respected, and safe; where the environment is free of any discrimination and/or harassment. Our practices and policies are intended to impress upon every employee and volunteer at every level of the Agency, and to all clients and others with whom we work or do business, the seriousness of this commitment, and to strongly encourage them to report any conduct that they perceive to be discriminatory or harassing in nature. Hiring, promotion, discipline, and all other decisions regarding the terms and conditions of employment are to be made without discrimination based on any of the characteristics listed above.

It is critical for all employees and volunteers to remember that our workplace is fundamentally a place for work; any conduct that interferes with an employee's ability to do his/her job, including harassing or other discriminatory conduct, is detrimental to every one of us and to our business as a whole. Consequently, our policy of nondiscrimination requires more than just obeying the law; it requires that all employees at all levels of our business conduct themselves with maturity and professionalism in all that they do at the Agency. Any employee who engages in harassing, discriminatory, or other objectionable behavior is subject to discipline, which may include immediate termination of employment. This conduct is prohibited in any form at the workplace, at work-related functions, or outside of work if it affects the workplace. This policy applies to all employees, volunteers, interns, clients, customers, guests, vendors and persons doing business with the Agency.

A. Sexual Harassment

Like other forms of discrimination, sexual harassment is a violation of state and federal law and is strictly prohibited. While sexual harassment sometimes is difficult to define, in general, all employees should be aware that sexual conduct or conversation is inappropriate in the workplace. In addition, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that may be offensive or intimidating to others are strictly forbidden. Sexually harassing conduct may be verbal, visual, or physical in nature. It may include use of sexually oriented comments, posters, e-mail, and jokes when they contribute to a hostile or offensive working environment.

Conduct meets the legal definition of sexual harassment when:

1. Submission to sexual conduct is either explicitly or implicitly made a term or condition of an individual's employment;
2. Submission to or rejection of sexual conduct influences employment decisions affecting the individual; or
3. Sexual conduct or language interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

All employees should be aware that no employee or manager of the Agency has the authority to engage in harassing conduct or to condition any aspect of employment on submission to any sexual conduct. Likewise, harassment of any Janus employee by another staff person, a vendor, client, or customer of the Agency is unacceptable and will not be tolerated.

B. Harassment Based on Race, Gender, National Origin, Age, Religion, Sexual Orientation, Gender Identity, Genetic Information, Caretaking Responsibility, Disability and Other Categories

Like sexual harassment, harassment based on race, gender, national origin, age, religion, sexual orientation, gender identity, genetic information, caretaking responsibility, disability, or any other status or characteristic that is protected by law is also strictly forbidden and is contrary to all of the Agency's goals and objectives. Epithets, jokes, and hostile or degrading comments based on these characteristics are prohibited and will not be tolerated.

C. What To Do if You Feel that Discrimination or Harassment Has Occurred

If you believe that you or any other employee, volunteer, intern, client, vendor, or community partner has been subjected to discrimination, including sexual or other forms of harassment, it is important to immediately notify your supervisor, Program Director, other management, or the Human Resources Department. A Conflict Resolution complaint form may be used to report concerns (See Section XI). The Agency takes such complaints extremely seriously and investigates promptly and in as discreet a manner as possible so that appropriate corrective action can be taken to eliminate any unacceptable conduct. Employees – and particularly those

in a supervisory role – who are aware of discriminatory or harassing conduct but fail to report it as described in this policy may be subject to discipline, up to and including termination of employment.

It is critical to our continued success that employees, volunteers, interns, clients, vendors, and community partners feel free to come forward with any complaints or concerns regarding inappropriate conduct. **Retaliation against anyone for making a complaint or for providing information concerning a complaint or for cooperating in an investigation will not be tolerated.** Employees have a duty to report any retaliatory conduct in the same manner described in this policy. The Agency will promptly investigate and take any appropriate corrective action. Employees who retaliate against an employee who has made a complaint, who has provided information concerning a complaint, or who has cooperated with an investigation about a complaint, will be subject to disciplinary action, up to and including termination of employment.

Should you have any questions about this policy, please address them to Human Resources.

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SECTION II

WHISTLEBLOWER POLICY

If an employee reasonably and in good faith believes that some policy, practice, or activity of Janus Youth Programs violates the law, the employee should immediately report the perceived violation to his/her manager or to the next level of management as needed until matters are satisfactorily resolved. However, if for any reason an employee is not comfortable reporting the issue to his/her manager or does not believe that an issue previously reported is being properly addressed, the employee may report the issue to the Executive Director or the President of the Board of Directors. Whenever practical, a reported violation should be in writing.

Janus will investigate all reports made pursuant to this policy with reasonable care and promptness. Reports and investigations of reports will be handled discreetly and kept confidential to the extent possible. However, consistent with the need to conduct an adequate investigation, Janus cannot guarantee complete confidentiality. The Agency will disclose information relating to an investigation under this policy only to individuals with a need to know the information. Likewise, management may request that you refrain from disclosing such information so as not to compromise its investigation. All reports under this policy and any determinations made will be presented to the Executive Committee of the Board of Directors.

It is the intent of Janus to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this policy is to support the organization's goal of legal compliance. Janus understands that to achieve its legal compliance goals, employees must be protected from retaliation for their reasonable and good faith reporting of perceived violations of the law. Therefore, Janus will not discriminate against or otherwise subject employees to retaliation as a result of a report made pursuant to this policy. It is a violation of this policy, subject to discipline up to and including termination of employment, for any employee of Janus to initiate or encourage retaliation against an employee who in good faith reports a known or suspected violation of law.

Although an employee is protected from retaliation for good faith reporting pursuant to this policy, an employee who makes allegations known to be false, maliciously, or with reckless disregard to their truth, will be in violation of this policy and will be subject to discipline, up to and including termination. Further, reporting pursuant to this policy does not afford the employee protection from being subject to any of Janus' uniformly applied policies, procedures, or job requirements.

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SECTION III

EMPLOYMENT POLICIES

All employees of Janus are employed at-will. This means that your employment can be terminated at any time for any lawful reason, with or without cause, with or without notice, by you or by the Agency. No representative of the Agency has authority to enter into any agreement contrary to the foregoing “employment at will” relationship except for the Executive Director and then only in writing. Nothing contained in this Guidebook creates an express or implied contract of employment.

Employment Offer Letters

As a new employee of Janus Youth Programs, you may receive an employment offer letter. This offer typically includes the title of the position, the beginning date of employment, the position classification, the compensation rate and benefits for which you may be eligible, the name or designation of your supervisor, and an employee statement acknowledging receipt of the Employee Guidebook. The letter may also include a description of any special terms or conditions of your employment, as necessary. The employment offer letter, if any, does not affect your at-will employment status.

Employee Classifications

A. Introductory Period

Normally, the first six months of employment with Janus constitute an initial introductory period. This is a get-acquainted period during which employees and supervisory staff normally work more closely together. The objectives of the introductory period include orienting the new employee to his/her position and reviewing performance and work habits for consistency with standards of the Agency. A three-month progress report will normally be made to advise the employee of their progress in meeting performance expectations.

With approval of the department or program director or his/her designee, an employee’s introductory period may be extended for up to an additional three months (or a total of nine months from the date of hire) by notifying the employee in writing of the extension.

Either the new employee or the Agency may discontinue the employment relationship, with or without reason and with or without notice, at any time during the introductory period or thereafter. Completion of the introductory period does not alter the at-will employment arrangement. Employees terminated during their introductory period do not have access to the Agency’s formal internal review process (conflict resolution process) as described in Section XI.

An employee who terminates employment and is subsequently rehired normally begins a new introductory period. An employee who transfers or is promoted into a new position begins a

secondary introductory period, specific to the position only. Normally, employees in new positions will be provided with a three-month progress report and a six-month performance appraisal.

Employees who successfully complete the initial introductory period are designated as regular employees.

Position Designations

A. Exempt and Nonexempt Positions

Exempt positions are those that are defined as exempt from the applicable overtime provisions of the Oregon and/or Washington wage laws and the federal Fair Labor Standards Act. Exempt employees are paid a salary commensurate with their position and do not receive overtime compensation. Nonexempt positions are those in which the employees are paid on an hourly basis and are eligible for overtime for all hours worked over 40 hours in a seven-day workweek at a rate of one and one-half the employee's regular rate.

Additional information regarding exempt and nonexempt compensation is included in the section on compensation (Section XVIII).

B. Full-Time Employees

Full-time employees are those routinely scheduled to work a minimum of 100 percent of the standard equivalent weekly work schedule for their positions and are eligible to receive all employee benefits.

C. Part-Time Employees

Part-time employees are those routinely scheduled to work less than 100 percent of the equivalent weekly work schedule for their position. Part-time employees may or may not be eligible for benefits, depending on specifications within their employment offers.

D. Temporary Employees

Temporary employees are those hired for a limited duration, with an estimated terminal point of employment. These appointments normally do not extend beyond six months. The estimated terminal point of employment is not a guarantee for employment for a specific length of time, but rather simply an estimate of anticipated need. Normally temporary employees are not eligible for benefits, except as required by applicable federal and state laws.

E. Substitute Employees

The Substitute Worker is a temporary position providing relief coverage for a program component of Janus Youth Programs. Workers in this category are eligible to work only at the worksites designated in their employment offer letter(s) or status change form. The

duties and responsibilities for the position are the same as those included in a representative job description for the specified program.

Substitute Workers who do not work for six consecutive months will normally be removed from the payroll and their employment will be officially terminated, requiring a rehire process prior to resuming work.

Substitute Workers work on an as-needed basis and are responsible for filling in during other employees' absences. They are not eligible for regular employee benefits, except as required by applicable federal and state laws. Workers in this category have no guarantee that they will be called to work or of the number of hours they may be required to work. Seniority is not an indicator of placement or preference on the relief list.

Substitute Workers should notify supervisors of their schedule of availability at the time of hire. Substitute Workers are expected to keep their supervisor informed if their availability changes and are expected to respond to requests to fill shifts according to work-site policy and/or procedures. Once a substitute worker has made an agreement to work a specific shift or shifts, cancellations or failure to report for the shift are normally unacceptable and may result in removing the substitute worker's name from the list and terminating employment. See Employee Guidebook, Section VIII, for additional information related to workplace conduct.

F. Independent Contractors

From time to time, an individual with an independently established business may be engaged on a contract to perform specified duties or tasks not routinely required of paid employees or that require credentials/certification not available among budgeted staff positions. Independent contractors are not employees and are not eligible for benefits. The terms under which an independent contractor is engaged will be set forth in the personal and professional services agreement. Independent contractors are responsible for maintaining their own liability insurance and for their own tax withholding and business/tax-related recordkeeping. Independent contractors are not subject to the policies and procedures set forth in this Guidebook, unless specifically instructed otherwise.

G. Volunteers

Volunteers are individuals who agree to provide services to the Agency without any expectation of compensation. The Agency has a screening procedure to select appropriate volunteers. After the completion of the screening, the Agency and the volunteer normally enter into a written letter of understanding that defines the volunteer relationship between the two parties and establishes a schedule of volunteer hours. Volunteers may receive a volunteer job description. Volunteers are expected to comply, as appropriate, with all administrative and clinical policies and procedures, including meeting the Agency's recordkeeping expectations, following through with collateral contacts as necessary, and protecting client confidentiality. Volunteers are not eligible for employee benefits; however, they are covered under the Agency's general liability policy providing protection against actions taken while within the scope of prescribed voluntary duties for the Agency. Volunteers may be reimbursed for pre-approved business expenses incurred in the process of carrying out their duties.

H. Nonpaid Student Interns and/or Trainees

Non-paid student interns or trainees are typically students pursuing their degree in related fields. They participate in learning experiences and training by the Agency under the direction of a program director or designee. They are unpaid but normally receive education credit for their learning experience at Janus. Like volunteers, unpaid interns/trainees are expected to comply with all Agency policies and procedures when applicable and are reimbursed for pre-approved business expenses. They are not eligible for any employee benefits.

Hiring and Promotion

A. Promotion

The Agency may give current employees or volunteers priority consideration for advancement into vacant regular positions. To be considered, employees must meet the qualifications for the vacancy and be demonstrating satisfactory job performance in their current position.

B. Hiring Procedure

The following procedures normally apply:

1. A position may be opened to internal applicants only by posting an internal position announcement within a specific work group or groups, site-specific, program-specific, or agency-wide. Internal applicants may include regular, substitute, and temporary employees.
2. For positions opened externally, a position announcement is posted at each facility or program site at the same time the position is advertised.
3. Completion of an Agency application is normally required for all job applicants.
4. Reference checks are normally completed on final candidates prior to hire.

C. Outside Advertisements

Public announcement of vacancies is usually made through advertising on the Agency's and other job posting web-sites, and through job announcements to other community resources.

Employee Records

A. Personnel File

An employee's personnel file/record is confidential Agency property and available on a need-to-know basis only to:

1. the employee, within a reasonable period following the employee's request,
2. those with supervisory responsibility for the employee (including program director) or their designee,
3. the Executive Director,
4. Human Resources staff,
5. government agencies and courts having the authority to inspect and copy employee records, or as otherwise mandated by lawful subpoena or court order, and
6. financial auditors, licensors, and those involved in investigating a workplace incident (DHS abuse investigations for example).

As an employee, you may have access to your file by arrangement with Human Resources. You are responsible for notifying your immediate supervisor and Human Resources of any changes in your name, address, telephone number, marital status, number of dependents, or person to notify in case of emergency.

B. Verification of Right to Work in the United States

In compliance with the Immigration Reform and Control Act of 1986, Janus employs only those persons who are legally eligible to work in the United States. All employees are asked on their first day of employment to provide original documents verifying their identity and right to work in the United States and to sign a verification form required by federal law (U.S. Citizenship and Immigration Services Form I-9). If an individual cannot verify his or her right to work within three days of hire, Janus must terminate his or her employment. The verification process also involves using the government's E-Verify system and providing the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization. If the Government cannot confirm your authorization to work, based on the documentation provided, the Agency will provide you written instructions and an opportunity to contact SSA and/or DHS before taking adverse action against you, including terminating your employment.

C. Requests for Release of Information

Information to be requested for release includes, but is not limited to:

1. Former employment or volunteer/student placements;
2. Driving record;
3. Criminal history record.

D. References/Employment Verification

The Agency responds to verbal requests for verification of employment with only the employee's name, title, and date of hire. If you would like us to verify your salary, you should submit written authorization to the Human Resources Department. Release of information related to your work performance at Janus Youth Programs normally requires your written consent.

All requests for references should be forwarded to the Human Resources Department.

E. Drivers

1. Records and Approval

Driving records are checked for all employees who drive for work-related purposes, regardless of whether driving a personal or Agency vehicle and regardless of whether driving with or without clients. To be approved (and retain approval) as a driver, the employee must maintain a valid driver's license in their state of residency; have a driving record that meets criteria for driver eligibility; and successfully complete Agency drivers training requirements. Written approval is required before employees may drive an Agency-owned vehicle or a personal vehicle for work-related purposes.

2. Personal Vehicles

Employees may be required to use their personal car to conduct Agency business. Therefore, all employee drivers who drive a personal vehicle for work purposes are required to complete the Agency's driving approval process, which includes furnishing and maintaining proof of automobile liability insurance. The Agency does not provide insurance or assume responsibility for damage to an employee's vehicle. Personal vehicle drivers are required to report a cancellation of personal auto liability insurance or changes in policy limits. (See Reporting Requirements below for additional reporting requirements.)

3. Cell Phone Policy for Drivers

All cellular phone use, including hands-free, is prohibited when driving a Janus vehicle or when driving a personal vehicle with Janus clients. Use of hands-free cell phones while driving for work purposes is permitted, although strongly discouraged, when driving a personal vehicle without clients and should only occur when you cannot delay the call until you reach your destination. In these circumstances, it is important you keep your call short and that you suspend conversations during hazardous driving conditions (snow, ice, fog, glare, heavy traffic, etc.). Under no circumstances should an employee ever be texting or utilizing a cell-phone keypad when driving. Failure to follow this policy is a serious safety violation and may result in corrective action, up to

and including termination of employment. (For additional information on cell phone use see the Electronic Communications Policy at Section XIII of this Guidebook)

Use of a GPS or On-Star system is permissible as long as the input of destination or coordinates is made while the car is legally stopped. You should not be attempting to input or end a GPS navigational aid while driving, regardless of whether being done via a keypad or whether it is voice activated.

4. Citations

Drivers are normally responsible for paying their own violations, citations and parking tickets while driving Agency or personal vehicles for work purposes. In situations where the citation is issued directly to the Agency (typically due to a parking or photo citation), the Human Resources Department will identify and notify the driver of the citation and any money owed, if applicable. In addition, driver's information will be forwarded to the court which may result in a re-issuance of the citation directly to the employee driver.

5. Reporting Requirements

Employees are required to immediately report to the Human Resources Department in writing any vehicular moving violation that would change their driver eligibility; any change in driver's license status; and/or any driver related drug or alcohol arrest or conviction. This obligation to report applies to the employee and to any program director or supervisor who learns of the arrest, conviction, violation, or change in license status. Reports will be reviewed and considered in terms of the impact on the program, client safety, Agency liability, and continued driver eligibility under the corporate auto liability policy, as applicable. Please note that some driving infractions, such as a DUI, may result in criminal sanctions that potentially affect required background clearances if working for a DHS or DSHS licensed facility.

6. Fleet Safety Program

For a more complete reference of requirements for drivers, please refer to the Fleet Safety Program manual. In addition to driver policies included in this Employee Guidebook, drivers of the Agency are also required to follow all Fleet Safety Program guidelines.

Failure to follow driver guidelines may result in revoking driver privileges, and, if deemed necessary, termination of employment.

F. Criminal History

1. Record Checks

For the safety and protection of the youth placed with the Agency, all employees and volunteers are subject to a criminal record check, which may include required

fingerprinting. A release form for a criminal record check is completed at the time of hire and serves as notification to the employee that this inquiry is being made. Criminal record checks may also be updated from time to time and may require completion of additional release forms by the employee. Individuals unwilling to authorize the release of this information or to be fingerprinted as required, will not be hired or retained, whichever is applicable.

Findings on the criminal record check do not necessarily bar employment or placement. Findings may require further investigation and are evaluated on a case-by-case basis. The outcome of the investigation could range from no action being taken, up to and including refusal to hire or termination of employment. Any misrepresentation or material omission that becomes known to Janus either during the application process or after employment may result in elimination from further consideration or immediate termination of employment.

The criminal record check may be performed by the Federal Bureau of Investigation, Oregon Department of Human Services, Oregon Youth Authority, Washington Department of Social and Health Services, or other governmental agencies. In addition, background checks may be completed by CICS Employment Services, or other investigative report services the agency elects to utilize for the purpose of obtaining criminal background information. The background check may disclose arrests, convictions, and or arrests/charges for which a person is awaiting a hearing.

2. Reporting Requirements

Employees are required to immediately report any new arrests or convictions to their Program Director and to Human Resources for review and consideration of impact on program (including licensing and contract compliance), client safety and Agency liability.

In accordance with the Drug-Free Workplace Act of 1988, any criminal drug conviction of an employee must be reported in writing to the Agency within five days after the conviction. This obligation to report criminal drug convictions applies to the convicted employee and to any program director or supervisor who learns of the conviction. Failure to report a drug-related conviction will result in immediate termination of employment. Please see Section X for further information on the Agency's Alcohol and Drug-Free Workplace Policy.

Special Employment Conditions

A. Workplace Searches

Out of concern for the safety of our clients, employees, volunteers, community partners, customers, suppliers, and visitors, the security of Agency property, and the maintenance of a drug-free workplace, the Agency reserves the right to conduct workplace searches and investigations as considered by the Agency to be appropriate to the circumstances.

B. Loss of or Damage to Personal Property

Due to the nature of the various Janus programs, you should be aware of the high potential for theft or vandalism of personal belongings. Any incidents of theft of or damage to property belonging to you or other staff members should be reported immediately to the director responsible for your program. Janus assumes no responsibility for replacement of items lost or damaged. If a client is found responsible for theft or other damages, we may assist in negotiating a reasonable restitution from the child or parents of the child involved.

C. Occupational Exposure

Employees should be aware that employment in any Agency treatment components may result in exposure to:

1. Violent clients and/or family members who are physically and/or verbally assaultive;
2. High-needs, severely traumatized, and/or emotionally disturbed clients and families experiencing poverty, domestic violence, child abuse, substance abuse, homelessness, and/or other mental/emotional problems or challenges.
3. Body fluids and contagious diseases such as, but not limited to, hepatitis, CMV, HIV, TB, H1N1 or other viruses or flu, and infectious meningitis;
4. Fungus and parasites, such as head lice and scabies; and
5. Vicarious trauma as a result of working with a traumatized population.

It is the employee's responsibility to exercise appropriate control and judgment in such situations and to immediately report to a supervisor any incident or threat that may lead to personal injury or harm to a client, a staff member (including him/herself), a family member, or someone in the community.

D. Communicable Diseases

The Agency's policy and guidelines for preventing the transmission of communicable diseases to self or others must be followed at all times. (See Section XII.) The Agency reserves the right to require employees who may have a health problem that could adversely affect the health and/or safety of clients or other staff to be medically evaluated and released to perform the duties and responsibilities of their position. Employee costs associated with the medical evaluation will be reimbursed by the Agency.

E. Hazardous Weather Conditions/Natural Disasters

The operation of residential and crisis-counseling programs frequently places unusual demands on employees. The primary goal of the program is to ensure the safety and security of the clients for whom we are responsible. Extreme weather conditions may require that staff extend their hours to provide coverage until replacement staff can safely reach the facility.

In the event of inclement weather, employees who can safely drive or be transported to their worksite when the program remains open are expected to work. In the event the program work site remains open during a time the employee is unable to drive or be transported safely to work or the situation will cause the employee to be late in arriving, the employee is responsible for notifying his/her supervisor as soon as possible before his/her shift to ensure that work responsibilities are covered and programming is not jeopardized.

Employees should not attempt to drive when conditions are too hazardous and safety is an issue. The decision to travel to work requires the subjective judgment of the employee. To assist in meeting coverage needs, residential employees who have access to public transportation or taxis may be reimbursed for this expense with prior approval of the program director.

Under emergency circumstances, the administrative offices and/or other work sites may close down for part or all of a workday. Because conditions may vary from site to site, the decision to close may also vary. Early closure and notification of closure of the work site should be made by the program director or his/her designee.

When the work site is officially open, employees who are unable to drive or be transported safely to work may use their accrued sick, vacation, or PTO leave time. If all accrued leave has been exhausted, then the leave time will be unpaid. Employees who are not scheduled to work (including those who are currently on leave) will not be affected by closure. When a work site is closed by the executive director or the program director, affected staff will be compensated for their previously scheduled work hours.

Safety and Health

A. Philosophy

Janus Youth Programs is dedicated to providing safe shelter for Oregon and Washington youth and a safe and healthful work place for our employees and volunteers. The Agency depends on each of us to help fulfill this mission. The personal safety of our employees, volunteers, clients, customers and neighboring community is of primary importance.

B. Commitment

We are committed to actively providing safe work practices and to supporting a safety culture. It is our policy to recruit employee, supervisory and management participation in accident prevention and safety programs as a routine activity of employment.

(For additional information, please refer to the Agency's Safety Policies and Procedure available at your work site.)

C. Bloodborne Pathogens Training and Immunization

All employees who could be reasonably expected to come into contact with human blood and other potentially infectious materials in the course of their work are required to receive initial and annual bloodborne pathogens training in accordance with the Oregon Occupational Safety and Health Division's or Washington Industrial Safety & Health Agency's Bloodborne Pathogen Standard. These employees are also encouraged to be immunized against hepatitis B. The Agency pays for the vaccinations, within the guidelines established and stated in the Exposure Control Plan. A copy of the Exposure Control Plan is available for viewing at each program work site and/or at to the Janus administrative offices, Human Resources Department (by request).

D. First Aid Card/TB Testing/Food Handlers Card

Some positions require employees to have a First Aid and/or Food Handlers Card; and/or to have a TB test at the time of hire. Normally, these requirements are stated within job descriptions or directed by the supervisor and/or communicated during new-employee orientation. All work sites should have at least one person on site during each work shift that is trained in First Aid and CPR. Required cards and/or testing are provided at no cost to the employee.

E. Smoke Free Workplace

In consideration of the health of our customers, clients, employees and/or volunteers, and in compliance with Oregon and Washington State regulations guiding the provision of a work environment free of tobacco smoke, Janus Youth Programs does not allow smoking in facilities or other buildings used for work purposes (including garages or buildings used for storage). Nor is smoking allowed in any vehicle used for work purposes, or in other enclosed area on the premises, or within 10 feet (Oregon) or 25 feet (Washington) of entrances, windows that open, and/or ventilation intakes that serve an enclosed area.

Outdoor smoking areas may be identified for employees/volunteers, as long as the above regulations are followed. Ashtrays and other smoking receptacles are acceptable as long as they are not placed within 10 feet (Oregon) or 25 feet (Washington) of entrances, exits, windows, and ventilation intakes.

Failure to follow these guidelines may result in corrective action, up to and including waiving smoking privileges during work hours or termination of employment.

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SECTION IV

CONFLICT OF INTEREST POLICY

A. Employment of Family Members/Fraternization

The Agency strongly discourages all employees from dating other employees, customers and vendors. A member of an employee's family or an employee living with, dating or involved in a close personal or romantic relationship with another employee may not have supervisory, hiring, or disciplinary authority over such other employee or be in a position that creates an actual or apparent conflict of interest.

Any employee who is dating, living with, related to, or otherwise involved, or who is entering into a close personal or romantic relationship with an employee over whom the employee has any supervisory influence or authority, is required to disclose the relationship to the Program Director and the Executive Director. In these situations, an attempt may be made to relocate the two individuals within the Agency. However, the Agency may take action in its discretion to eliminate conflicts of interests and other concerns arising from such relationships including, without limitation, transfer, demotion, or termination of the supervisory employee.

B. Family Members in Treatment

Employees may not be in a role of evaluation, planning, recommendation, or direct treatment of their immediate family members or others with whom they have an established personal relationship. Supervisors may not have any involvement in the activities of other staff regarding treatment of members of their immediate family or others with whom they have an established personal relationship. Employees must maintain professional standards in their relations with clients and clients' families and guests and should avoid situations that might compromise their ability to deal in an objective and professional manner with such persons.

C. Foster Care/Proctor Care Restriction

Except by approval of the Program Director and the Executive Director, no employee or volunteer may provide foster care or proctor care for any youth who is receiving, or who has formerly received, service from the program to which that staff member is or was assigned.

D. Private Practice

Janus Youth Programs recognizes that some professional employees may engage in private practice outside their working hours that is unaffiliated with the Agency's private practice-oriented activities. As a result, the following policies have been established:

It is expected that full-time staff will not establish other clinical obligations that could interfere with their primary commitment to the Agency. Staff who are considering entering into other clinical obligations are expected to discuss these plans with their supervisor before committing to these obligations. Things to keep in mind are the following:

1. To avoid possible conflicts of interest, professional employees are required to discuss their consulting and clinical practice with the Executive Director or his/her designee.
2. Private practices must not interfere with satisfactory job performance or normal operation of the Agency.
3. The use of Agency resources and materials for non-Agency private-practice activities is inappropriate (e.g., non-reimbursed typing, photocopying, and long-distance telephone calls).
4. Facilities of the Agency may not be used for non-Agency private practice.
5. Employees who engage in private practice may not serve other employees of the Agency or their family members or members of the Board of Directors.
6. Referrals made to an employee in his/her capacity as an Agency employee or due to an existing relationship with the employee in his/her capacity as an Agency employee may not be diverted to the employee's private practice. This represents a direct conflict of interest.
7. Staff interested in engaging in outside employment that offers services typically included in the services offered by the Agency must have written approval of the Executive Director before engaging in these activities.
8. Employees who leave the Agency are prohibited from soliciting clients from the Agency without the written approval of the Executive Director.

E. Outside Professional Activities

Employees are responsible for working with their supervisors to ensure that outside professional activities do not conflict with regularly scheduled work hours or duties.

Note: Refer to your Program's Policies and Procedures Manual for additional information on this topic.

SECTION V

WORKERS' COMPENSATION AND RETURN-TO-WORK PROGRAM

All Agency employees are covered by workers' compensation insurance. All employees must immediately (within 24 hours) notify their supervisor and the Human Resources Department in writing (by completing a critical incident report form) of any accident or injury arising out of or during the course of employment with the Agency, regardless of the severity of the injury or whether medical treatment is sought. If medical treatment is sought, the employee must inform the doctor that he/she is employed by the Agency and that the injury occurred during the course of employment.

A. Injuries

Employees must report any injury, no matter how serious and regardless of whether the injury results in medical treatment and/or time loss from work. Any time an employee is injured, a critical incident report must be completed. For employees working in Oregon, when the injury results in medical treatment or time loss from work, the completion of a workers' compensation form 801 is required within 5 days of the injury. Incorrect or incomplete information may delay benefit payments. Employees working in Washington will initiate a workers' compensation claim during their initial visit for medical attention. Regardless of whether an Oregon or Washington employee, however, an incident report form must be completed for injuries sustained at work.

B. Return to Work

Employees who are injured or become ill due to their employment and who seek medical attention for the injury or illness must provide their supervisor and human resources with a medical release authorizing their return to work prior to or upon their return to work. Employees are also expected to follow all workplace restrictions recommended by their physician and keep all follow-up appointments. Employees who are prevented from returning to work or who are returned to work with restrictions must provide updated work releases/restrictions to the Human Resources Department. This updated/revised information should be provided as soon as it is received, but in no event more than 24-hours after receipt. Information should be sent to the Human Resources Department (confidential fax number is 503-542-4623).

C. Return-to-Work Program

The Agency has developed a program designed to assist workers who are temporarily disabled due to a job-related illness or injury. This program is called the Return-to-Work Program. It includes a team effort from the disabled worker, his/her treating physician, the insurance carrier, and Agency management.

When employees report illness or injury, they will be given certain forms and may be sent to a doctor for examination and/or treatment. If the doctor determines that the employee qualifies for our Return-to-Work Program, the doctor will complete the appropriate forms indicating the restrictions and conditions for transitional work. The Agency may provide a modified work position until the employee is able to resume normal duties. All modified work is temporary in nature and is designed to facilitate a return to normal duties as soon as possible. Modified-duty positions may be offered at any location. As with any other position, the Agency may, at any time, elect to change the working shift of any employee based on the business needs of the program and/or Agency.

Modified work assignments normally do not exceed a period of 90 days, but may be considered for extension if the treating physician provides documentation of continued need.

Failure to report for work, including modified duty, at the designated time and place may be regarded as a voluntary resignation and could affect the employee's time loss compensation, vocational benefits, and reemployment/reinstatement rights, unless the employee qualifies for and has made appropriate arrangements for a family leave of absence.

To preserve the ability to meet the Agency's needs under changing conditions, we reserve the right, at our sole and absolute discretion, to change, supplement, or end the Return-to-Work Program at any time and for any reason, with or without prior notice. Modified work assignments are not automatic and may not be offered in all cases. Further, the policies and procedures in the Return-to-Work Program are not intended to be contractual commitments or guarantees of employment for any set period of time or for any specific benefits or rights.

The program also is not intended to change, in any way, the basic at-will nature of the employment relationship; both employees and the Agency retain the right to terminate the employment relationship at any time and for any lawful reason.

Questions regarding the Return-to-Work Program may be directed to the Human Resources Department.

SECTION VI

PERFORMANCE EVALUATION

(Note: This policy is applicable to regular, non-temporary positions only.)

A. Three-Month Progress Report

Normally, employees receive a brief summary of their work performance at the conclusion of three months of employment. The purpose of this abbreviated review is to assess the employee's overall progress in demonstrating the skills necessary for their job and to provide feedback on areas requiring improvement. As part of this assessment, your supervisor may recommend a variety of actions, including but not limited to, 1) continued coaching and training; 2) creating a work plan and setting a timeline for successful completion; or 3) termination of employment.

B. Introductory Evaluation

Normally, employees receive a written evaluation at the conclusion of their introductory period (frequently at six months). The purpose of this initial evaluation is to assess employee performance and the overall match to his or her position. As part of your review process, your supervisor may recommend a variety of actions to be taken, including, but not limited to, (1) change to regular status, (2) extension of the introductory period for a maximum of three additional months, or (3) termination of employment.

C. Annual Evaluation

Following successful completion of your introductory period, you will normally be provided a written performance evaluation on an annual basis.

October is the month designated as the Agency's annual performance evaluation month. Normally, employees will receive an annual evaluation in October. However, if an introductory evaluation or special evaluation has been completed within the previous six months, the annual October evaluation may be waived until the following October. Employees who change positions normally begin the evaluation process over with a 3-month progress report and 6-month introductory evaluation within their new position.

Evaluations of supervisory and management personnel also include a review of the supervisor's/director's effectiveness in working with others, carrying out Agency policy and directives, fiscal skills, and implementing the Agency's equal employment opportunity policy and objectives.

In preparing your evaluation, your supervisor may consult with and solicit input from other employees, co-workers, clients, and people in the community who have professional

interactions with you. Your supervisor will normally review your evaluation with you to provide feedback on your strengths and areas for continued improvement, and to assess opportunities for career development and professional growth. If there are any areas that are marginal or below minimum requirements, you may also be placed on a work plan. At the conclusion of the evaluation process, a signed copy of your evaluation is normally retained in your personnel file.

D. Special Evaluation

Special evaluations may occur at your request or at the discretion of your supervisor. Reasons for special evaluations include, but are not necessarily limited to, documenting superior or special achievement, special salary increases, corrective or disciplinary actions, or work performance that is below expected levels.

SECTION VII

CORRECTIVE ACTION

A. Philosophy

It is the philosophy of the Agency that corrective-action measures are for the purpose of correcting areas of performance deficiency or dealing with violations of Agency rules and/or policies.

Employees have a right to expect that they will be told if improvement or change is necessary. Additionally, Janus has a right to expect employees will actively participate in correcting areas identified for improvement in a timely fashion. When this is done, quite often the employee will be able to effect necessary changes in performance.

B. Procedure

When the Agency becomes aware of an offense or performance deficit, there should be a brief review to obtain facts regarding the situation.

The employee should be informed as soon as possible after the problem has been identified that corrective action is necessary. The director/supervisor should discuss the situation with the employee, explaining policy and the necessity of corrective action to avoid further disciplinary measures, unless the infraction warrants termination in the opinion of management.

Some infractions may warrant termination, either with or without prior notice. Others may warrant supervisory action of a lesser degree. Directors have discretion in developing plans to handle corrective matters. Directors and supervisors are highly encouraged to seek assistance from the Human Resources Department through the corrective process and are responsible for applying work rules and standards of conduct fairly and consistently.

The corrective process may include:

1. Verbal warning—for minor performance concerns or offenses. The verbal counseling/warning should be conducted in private as soon as possible after the offense has occurred and be confirmed in writing by the supervisor for the employee's supervision file. Verbal warnings can be documented in a variety of fashions including, but not limited to, a coaching note in a supervision file or a memo of clarification.
2. Written warning—for more serious violations or when an employee has had previous verbal warning for minor offenses and repeats them or fails to take corrective action. Written documentation should contain the facts surrounding the offense, previous verbal warning (if any), plan of action for correcting the offense, and reference to the fact that if the offense is not corrected, further discipline may be necessary.

A copy of the warning will be placed in the employee's personnel file. Depending upon the seriousness of the infraction, this may serve as the final warning before termination of employment.

3. Suspension -- is sometimes used for major violations of policy or when previous verbal counseling and/or a written warning have been ineffective in correcting the offense(s), as a one-time alternative to employment termination. A suspension for this reason may be paid or unpaid, depending on the circumstances and is at the sole discretion of Janus' management. A suspension may also be used to remove an employee from Agency premises during an investigation to determine appropriate action, which may result in disciplinary action up to and including discharge. In these instances the suspension will generally be treated as paid administrative leave up to a maximum of 40 hours (prorated if less than full-time). Any additional suspension hours will be unpaid. If an employee repeats a violation following a suspension, immediate dismissal may occur (confirmed in writing for the employee's personnel file).
4. Discharge—for violations of a nature that warrants it as determined in management's sole discretion (examples include but are not limited to child abuse, serious safety violations, theft, intentional misrepresentation, or illegal drug use), when previous corrective action has not been effective, or when a DHS/DSHS, DOE, police and/or related investigation continues beyond 30 days. The decision to discharge, for any reason, should not be made hastily or without deliberation. This policy requires supervisors to obtain upper management's approval before initiating any discharge action. Supervisors normally provide complete documentation of the reason(s) leading to discharge. All documentation and decisions are normally reviewed by the Human Resources Department before an employee's discharge.

Management has the right to bypass any of the disciplinary measures described above if it feels, in its own judgment, that (1) the employee's conduct or job performance is serious enough to warrant accelerated discipline or immediate discharge, (2) the employee fails to actively participate in corrective areas identified for improvement, (3) the employee fails to cooperate in an investigative process initiated as a result of an allegation made against the employee, or (4) circumstances otherwise warrant a modification or change in disciplinary measures.

The Agency recognizes that, at times, personal issues can affect job performance. The Employee Assistance Program (EAP) is available to employees and their families to provide confidential help with a wide variety of personal problems, issues and concerns. Use of the EAP services, however, does not excuse you from complying with Agency policies and procedures or from achieving job requirements or expectations during or after receiving EAP assistance. Participation in the EAP will not prevent the Agency from taking disciplinary action when warranted. Further information regarding our EAP is posted at your worksite or can be obtained by contacting our Human Resources Department.

SECTION VIII

WORKPLACE CONDUCT

The purpose of this section is to assist you in understanding the Agency's standards of conduct.

These standards are intended to address situations that have the potential to affect the safety, health, welfare, and self-esteem of employees and/or pose problems for the effective and safe operation of the Agency and the quality of its service. While the subjects discussed here are those most frequently encountered, other situations that are not enumerated may also be prohibited.

Janus is a professional agency. Employees are expected to conduct themselves in a manner consistent with commonly accepted professional and ethical standards of behavior and dress while working with clients, fellow staff members, and persons or agencies outside of the program or Agency

In the event the Agency determines that an employee has failed to engage in appropriate professional conduct, the Agency may administer the discipline it believes is appropriate in light of the employee's conduct, past record, length of service, and the surrounding circumstances.

In the event of a problem with employee conduct or performance, employees, supervisors, and directors alike are expected to focus on the performance or behavior/conduct problem and to continue to treat one another with courtesy and respect.

Standards of Conduct

The general Standards of Conduct fall into several major groups. While this list provides examples of unacceptable conduct, it is not all-inclusive, and Agency management reserves the discretion to determine whether an employee, volunteer, or other individual subject to Agency policy has engaged in inappropriate conduct.

A. Treatment of Others

Employees at all levels are expected to treat clients, customers and one another with dignity and respect and in a manner that does not violate the Agency's Antiharassment and Antidiscrimination policies. In valuing its multicultural perspective, the Agency strictly prohibits abusive and profane language; racial, ethnic, sexual, religious, disability, or age-directed slurs; and other forms of verbal assault, offensive teasing, threats, intimidation, coercion and bullying* in the workplace. (Additional information contained in Section XIII, Electronic Communications Policy and in Section XV, Information and Records Security Policy.)

* "Bullying" behaviors also include repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or

others at work; such as, slandering, ridiculing or maligning a person or his/her family; using a person as butt of jokes; abusive and offensive remarks; socially or physically excluding or disregarding a person in work-related activities; teasing and/or spreading rumors about a person; or trivializing someone's work achievements.

(See Section I, EEO and Antidiscrimination/Anti-harassment Policy for more information related to treatment of others.)

B. Nonviolence

Violent acts or threats of same, made against another person's life, health, wellbeing, family, or property are not tolerated in the work place. For additional policy information, please refer to the Agency's Workplace Violence Prevention Policy, Section IX. For additional information, see Safety Policies and Procedures Manual sections on Preventing Violence in the Workplace-Weapons.

C. Responsibility to Clients and Customers

Failure to provide adequate professional supervision of youths or facility; improper disclosure of information about clients or customers; sexual or romantic relations between a staff member and client; or any form of physical, mental, or emotional abuse are examples of unacceptable behavior. See Boundary Guidelines, your program-specific Program Policies and Procedures, and Conduct in Relations with Clients, p.33, for additional information.

D. Use of the Agency's Time and Resources

Misuse of Agency time, property, funds, or equipment is unacceptable, as is political campaigning during work hours. Examples of misuse of Agency time and resources include reporting time worked in excess of what was actually worked, using an Agency vehicle for personal purposes, or using the Agency's petty cash or credit card for personal purchases.

E. Solicitation and Distribution

Due to the potential for solicitation to be perceived as offensive by employees, employees are normally expected to refrain from soliciting other employees during work hours and from distributing advertising or other solicitation literature of any kind (including material that is political in nature) in work areas at any time, including soliciting or distributing literature for commercial enterprises (their own or others') at any time or anywhere on the Agency's premises. Non-employees are not permitted to solicit or distribute literature for any purpose anywhere on Agency property. The only exceptions to this policy are for activities or programs sponsored or supported by Janus Youth Programs, or where employees obtain management's prior approval for posting notices of general interest on a community billboard. If employees feel pressured in any way, they are encouraged to report their concerns to their supervisor or the Human Resources Department.

F. Safety

Employees are expected to work in a safe manner and report safety concerns to their supervisor. Employees are normally prohibited from participating in recreational activities with clients, although their presence may be required in order to provide necessary supervision.

Violations of safety rules; improper or nonuse of safety equipment, including motor vehicles; failing to report an on-the-job injury or accident; failing to report pending driver or criminal arrest charge; carelessness; and working under the influence of any substance that impairs or may impair mental or physical capability are examples of unacceptable conduct. Refer to Section III Employment Policies, Reporting Requirements (under Drivers and Criminal History; Section V, Workers' Compensation and Return-to-Work policy; Section IX, Workplace Violence Prevention Policy; Section X, Alcohol and Drug-Free Workplace Policy; and/or program-specific Policies and Procedures and/or Safety Manuals for additional information.

G. Weapons and Other Dangerous Devices

Weapons and other dangerous devices are prohibited. See Workplace Violence Prevention Policy, Section IX. In addition, please see weapons section in the Safety Policies and Procedures manual for supplemental policies and procedures specific to violence prevention.

H. Honesty

Falsification of Agency, client, or employee records or dishonesty in any work-related matter or communication with the Agency is unacceptable.

I. Security

Unauthorized access to confidential files not directly related to the employee's work; improper disclosure of confidential information about clients, other employees, customers or the Agency; misuse of identity information, and unauthorized use or entry into Agency buildings or vehicles are some examples of security violations. Please see Electronic Communications Policy (Section XIII) and Information and Records Security Policy (Section XV) for additional information regarding security.

J. Work Performance

Inadequate performance, failure to perform to acceptable standards, insubordination or unreasonably failing to follow a supervisor's request or decision, insufficient productivity, and inattentiveness to the job are examples of unacceptable work deficiencies.

K. Attendance and Punctuality

Lateness, leaving early, excessive absences that are not otherwise protected by applicable law, and misuse of meal and break times are examples of unacceptable conduct.

L. Call-in and updating any restrictive information

Failing to provide adequate notice of your inability to work is not acceptable and is detrimental to program operations. It is important you clarify with your supervisor the call-in procedures for your worksite and position. In addition, employees whose position duties have been modified in response to restrictions directed by their health care provider are responsible for providing updates to those restrictions as soon as they are received. These updates can be provided directly to their supervisor or to the Human Resources Department (confidential fax number is 503-542-4623).

M. Presence at Worksite when not Working

While not intended to interfere with your rights to meet with co-workers and discuss terms and conditions of employment it is, generally, unacceptable for staff members to be inside the worksite during their non-work time. For example, it is not acceptable to stop by your worksite to watch movies with your co-worker and clients during non-work time; nor would it be acceptable to stop by your worksite during your non-work time because you wanted to keep a co-worker company. Exceptions would include a staff person stopping by to get something they forgot at work or to pick up their paycheck or someone attending a staff party that was occurring during their non-work time.

N. Smoking

Use of tobacco is prohibited inside any Agency facility or vehicle. (See Section III, Safety and Health, E. Smoke Free Workplace, for additional information.)

O. Alcohol and Drugs

Drug and alcohol use in the workplace and/or during work hours is prohibited. See Alcohol– and Drug–Free Workplace Policy, Section X.

P. Dress and Appearance

Employees are to dress in a manner appropriate to their duties and work environment and to take into consideration that they serve as a role-model for individuals we serve and that they represent the Agency while at work. If you are in doubt as to what constitutes appropriate attire or appearance, please consult with your supervisor. An employee who appears for work in attire that is deemed unacceptable by their supervisor may be required to return

home to correct their appearance. Following are examples of unacceptable attire within any of our worksites:

- Clothing that depicts pictures or slogans that contain profanity, sexual innuendo, gang, or any drug or alcohol reference;
- Halter tops, see-through tops, tube tops or shirts exposing bare midriffs.
- Pajama bottoms or tops
- Exposed undergarments or clothing that exposes areas of the body normally covered by undergarments.

Q. Public Statements

All public communication on behalf of the Agency is coordinated through the Executive Director or his/her designee. Any inquiries from news media, funding sources, or other organizations/agencies, must be directed to the Executive Director, and any external communications with the media or outside organizations must be approved by the Executive Director.

R. Client Specific Policies

a. Conduct in Relations with Clients

Clients are entitled to be treated in a respectful manner, free of subtle or overt harassment and proselytizing—whether racial, sexual, ethnic, political, or religious in nature. No client will be denied access to service based on race, gender, ethnic background, sexual orientation, gender identity, religious preference, or any other legally protected category. The employee relationship with clients is a professional relationship, not a personal relationship. Employees should not be sharing personal information with clients or former clients; this includes personal e-mail addresses, personal phone numbers, and adding to social networking sites.

See the Equal Employment Opportunity and Antidiscrimination/Anti-harassment Policy, Section I, the Agency's Boundary Guidelines, and your Program's Policies and Procedures Manual, for additional information regarding client treatment.

b. Confidentiality of Client Records

Many positions have requirements for confidentiality of records, and employees are expected to maintain the confidentiality of client records in accordance with the Policies and Procedures Manual and HIPAA. If you are in doubt as to whether or not something is appropriate to share, don't share it until you've consulted with your supervisor. Upon hire, employees are required to sign a confidentiality agreement. Please see Section XV, Information and Records Security Policy for additional information.

c. Reporting of Abuse

State law requires any employee with knowledge of physical abuse, sexual abuse, or neglect that leads to harm to a child to be reported immediately to the appropriate state reporting authority. Any employee with knowledge or evidence of suspected abuse should also consult with his/her program/clinical director or other appropriate program authority as quickly as possible. For additional information, please refer to your Program's Policies and Procedures Manual or contact our Human Resources Department.

d. Program Policies and Procedures Manual

Each program component has a program-specific Program Policies and Procedures Manual that is maintained at the work site. This is an important document for employees and should be reviewed and regularly consulted. Failure to follow Program Policies and Procedures may result in corrective action up to and including termination of employment.

SECTION IX

WORKPLACE VIOLENCE PREVENTION POLICY

A. Purpose:

Janus Youth Programs strives to maintain a work environment free from intimidation, threats or violent acts. The purpose of this policy is to provide Janus employees guidance that will maintain an environment at and within Janus property and events that is free of violence and the threat of violence.

B. Policy:

Violent behavior of any kind or threats of violence, either implied or direct, are prohibited at any and all Agency facilities, properties and sponsored events, and any such conduct will not be tolerated.

C. Definitions:

Workplace Violence: Workplace violence is any conduct that is severe, offensive, or intimidating enough to make an individual reasonably fear for his/her personal safety or the safety of family, friends or property. Examples of workplace violence include, but are not limited to, threats or acts of violence or behavior that causes a reasonable fear or intimidation response and that occurs:

- On Janus' premises, no matter what the relationship is between the Agency and the perpetrator or victim of the behavior; or
- Off Agency premises, where the perpetrator is someone who is acting as an employee or representative of the Agency at the time, where the victim is an employee who is exposed to the conduct because of work for the Agency, or where there is a reasonable basis for believing that violence may occur against the targeted employee or others in the workplace.

Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

Intimidation: Making others afraid or fearful through threatening behavior.

Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, as well as other types of protective orders, including Temporary Restraining Orders.

D. Prohibited Behavior

Violence in the workplace may include, but is not limited to, the following list of prohibited behaviors directed at or by a co-worker, supervisor, volunteer, or member of the public:

- Direct threats or physical intimidation, including destruction or threat of destruction to property;
- Implications or suggestions of violence, including endorsement of the inappropriate use of firearms or weapons of any kind;
- Stalking;
- Carrying, possessing, or using guns or other dangerous/lethal weapons or devices on agency premises, in a vehicle being used for work related purposes, in any agency-owned or leased parking areas, or at any work- and/or Agency-related function, with the exception of authorized security or law enforcement personnel;
- Assault of any form;
- Physical restraint, confinement;
- Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment;
- Blatant disregard or intentional disregard for the safety or well-being of others;
- Commission of a violent felony or misdemeanor on Janus property;
- Using electronic communications to send messages that are intimidating, bullying, harassing, or threatening in nature;
- Any other act, as determined by the Agency, that a reasonable person would perceive as constituting a threat of violence.

E. Domestic Violence

While domestic violence often originates in the home, it can significantly impact workplace safety and the productivity of victims as well as co-workers and other affiliates.

Definition of Domestic Violence

Domestic Violence is a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. These coercive tactics can be physical, psychological, sexual, economic and/or emotional. The term “intimate partner” includes people who are legally married to each other, people who were once married to each other, people who have had a child together, people who live together or who have lived together, and people who have or have had a dating or sexual relationship.

F. Reporting

It is the Agency's right and obligation to provide a safe workplace for employees and for others affiliated with Janus Youth Programs. It is therefore expected that any Agency employee, volunteer, or affiliate who feels unsafe at work will discuss the situation with the Program or Department Director, the Human Resources Director, the Director of Safety & Facilities, or the Executive Director. In addition, it is imperative that all employees and managers report acts or threats of violence using the following procedures.

An employee who: 1) is a victim of violence, or 2) believes they have been threatened with violence, or 3) witnesses an act or threat of violence towards anyone else shall take the following steps:

If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to be protected from immediate harm, such as leaving the area. (Note: programmatic guidelines for ensuring client safety should also be followed.) If the situation is not one of immediate danger, the employee should report the incident to the appropriate supervisor or director as quickly as possible.

Reporting Concerns About Future Violence

If you have reason to believe that you or others may be victimized by a violent act sometime in the future, at the workplace, or as a direct result of your employment with Janus, it is important to inform your supervisor and Program/Department Director immediately.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor and Program/Department Director.

G. Nonretaliation

Retaliation against anyone for reporting an actual or suspected violation of this policy in good faith will not be tolerated. Any complaints about retaliation may be reported in the same manner as other violations of this policy are to be reported.

H. Policy Violation

Failure to report an actual violation of this policy, or failure to report in good faith a suspected violation, may result in disciplinary action, up to and including termination of employment.

I. What to expect from the Agency

All reported incidents of violence and threats of violence will be taken seriously and investigated. The Agency will decide whether its workplace violence policy or other conduct guidelines have been violated and whether preventive or corrective action is appropriate. The

Agency may consult with law enforcement authorities or other resources as it deems appropriate.

The Agency reserves the right to seek court orders against any person who violates this policy to the fullest extent allowed by law. In such situations, the Agency has an interest in assisting any employee who reports proceedings to obtain a court order, including one that may apply to the workplace. Employees of the Agency who are targeted by the perpetrator may be asked to work with the Agency in obtaining such an order against that individual. Likewise, employees who have previously sought a court order against a perpetrator and/or are protected by an existing court order must immediately:

- Notify the Agency of the existence of any such order and provide a copy of the Order
- Notify the Agency of any violations or attempted violations of the Order
- Notify the Agency of any changes to the Order
- Notify the Agency when and if the Order is withdrawn or canceled.

J. Confidentiality and Safety

This policy is intended to protect the safety of all employees and is not intended to infringe on an employee's privacy. The goal of this policy is to encourage an open, ongoing dialogue with the affected employee, and those within the agency who need to know, so that the Agency can take reasonable steps to protect workplace safety. The Agency's goal is to handle all situations with the utmost sensitivity to the particular situation, while meeting the goal of workplace safety and security.

NOTE: Please refer to your Program's Safety Policies and Procedures Manual sections on Preventing Violence in the Workplace-Weapons; and Notice of Building Threat for supplemental and more detailed information specific to violence prevention and guidelines for responding to a threat.

SECTION X

ALCOHOL AND DRUG-FREE WORKPLACE POLICY

You deserve to work in a safe environment, and we are committed to providing it. We are also committed to maintaining high standards of employee health. These goals mesh with our desire and commitment to provide our clients with the highest quality of services, and to comply with the Federal Drug-Free Workplace Act of 1988. A workplace polluted by the presence of alcohol, drugs, or other intoxicating substances would make these goals impossible.

Under this policy the following conditions and activities are expressly prohibited:

A. Alcohol

The consumption, manufacture, sale, possession, purchase, or distribution of alcohol anywhere on Agency premises/grounds is prohibited unless an exception is granted based on an Agency-sponsored event. Exceptions may also be made with Program or Executive Director's approval. An employee who reports to work immediately following the consumption of alcohol is subject to corrective action, up to and including immediate termination of employment.

An employee who is believed to have violated this policy is subject to corrective action up to and including termination of employment.

1. Alcohol at Agency Events

With prior approval of the Executive Director, moderate consumption of alcohol at Agency-sponsored events, customer, or vendor events, or other business-related functions that normally occur outside working hours, whether on or off premises, is not prohibited. However, employees are responsible for maintaining appropriate professional behavior at such events. Employees who consume alcohol at such events should not be providing on-call coverage during or immediately following the event or returning to work immediately following the event. An employee who is believed to have violated this policy is subject to corrective action up to and including termination of employment.

B. Illegal Drugs

The manufacture, sale, possession, transfer, purchase, dispensation, distribution, and use of any illegal drug or drug-related paraphernalia, or any other involvement with any illegal drug or drug-related paraphernalia, by any employee is prohibited. Having a detectable amount of an illegal or controlled substance in the blood or urine while at work is likewise prohibited.

An employee who is believed to have violated this policy is subject to corrective action up to and including termination of employment.

C. Prescription Drugs and “Over the Counter” Drugs

The manufacture, sale, transfer, dispensation, distribution, or abuse of prescription drugs by an employee is prohibited. The abuse of “over the counter” drugs by an employee is prohibited. Employees who use prescription drugs are expected to do so responsibly and to determine from their physician whether the prescribed drug will impair performance or safety on the job. Employees are to notify management immediately whenever possible impairment of performance or safety is determined.

For additional information on required reporting see Section III, Employment Policies, Employee Records, Reporting Requirements (under both Drivers and Criminal History).

An employee who is believed to have violated this policy may be subject to disciplinary action up to and including employment termination.

D. Employee Assistance Program for Drug and Alcohol Related Problems

We recognize that alcohol and drug addiction can be successfully treated and are willing to help employees who suffer from these problems while holding them responsible for their own recovery. Janus Youth Programs maintains an Employee Assistance Program (EAP) through which employees can have access to professional services to aid them with their alcohol or drug problems. Employees who need help with these problems are encouraged to use these resources before the problem affects their job performance or employment status. The Agency’s group medical insurance provides coverage for treatment of alcohol and chemical dependency and may be an option for employees who are covered under our group medical insurance plan.

There are four ways to enter the EAP:

1. An employee can self-refer by seeking assistance to deal with a personal drug and/or alcohol problem through the EAP without management knowledge.
2. An employee can voluntarily request management assistance with dealing with a drug and/or alcohol problem prior to any identified job performance issues, and can do so through the EAP in confidence and without jeopardizing his/her employment with the Agency.
3. A management referral may result from identification of substandard performance suspected to be the result of an alcohol and/or drug problem.
4. An emergency referral may be made following discovery of alcohol and/or drug use on the job.

E. Agreements for Continued Employment

An employee who, in the Agency’s judgment, shows indication of alcohol and/or drug abuse (“reasonable suspicion”) may be required to comply with referral, testing, assessment, and any subsequent treatment and to authorize the treating entity to make periodic reports to the Agency regarding the employee’s attendance and active participation in treatment as a basis for

continued employment. The employee shall also authorize the Agency and the treating entity to exchange information regarding the employee's ability to return to and perform his/her work, as well as any restrictions or limitations.

In the Agency's discretion, an employee who violates this policy may, in lieu of termination of employment, be offered the opportunity to sign an agreement for continued employment as a condition of continued employment (sometimes called a "Last Chance Agreement") as a condition of continued employment. Failure to cooperate with or to successfully complete the required program, or failure to satisfy any other condition of continued employment during or after treatment, will result in employment termination.

Testing: Depending upon the nature of the conduct that led to the employee's mandated participation in an alcohol and/or drug treatment program, the employee may be required, consistent with the treatment provider's recommendations, to submit to random blood and urine screening for alcohol and/or drugs for a specified period of time and to meet various performance standards imposed as a condition of continued employment.

The Agency reserves the right to determine whether a reasonable basis exists for requiring testing, the level of corrective action to be applied, and whether an employee should be given the opportunity to participate in a drug and/or alcohol treatment program; provided, however, that its determinations are not arbitrary or capricious.

We recognize that situations may arise that are not specifically covered by this policy and these guidelines. Those situations will be considered on a case-by-case basis.

Pre-Employment or Other Testing: Pre-employment and/or random testing is not routinely a requirement for employment. It may, however, be required by program contract, or as part of an agreement for working collaboratively with community partners on a specific project in service to Janus youth.

F. Confidentiality

Information regarding an employee's drug and/or alcohol problem is considered highly confidential and is released only upon the employee's request or written consent or due to a legal summons.

G. Definitions

For the purpose of this policy, the following definition of terms is provided:

1. "Under the influence" is defined as any noticeable or perceptible impairment of the employee's mental or physical faculties; or any detectable level of alcohol or drugs in an employee's blood or
2. "Controlled substances" is a drug or other substance as defined in applicable federal laws on drug abuse prevention.
3. "Over-the-counter drugs" are those that are generally available without a prescription from a medical doctor and are limited to those drugs that are capable of impairing the judgment of an employee to safely perform his/her duties.

4. "Prescription drugs" are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

SECTION XI

CONFLICT RESOLUTION POLICY

We believe that each employee has individual worth and value and that open communication and prompt responses to employee concerns are the most effective means of problem solving.

A. Informal Problem Solving

We encourage resolving employee to employee concerns directly whenever possible. If you are having communication difficulty with a supervisor, manager or director, you are also encouraged to approach the person directly and attempt to resolve the issue or concern. You also may seek the assistance of a supervisor, manager/director, or human resources representative to address a situation.

Consistent with our Agency philosophy, management personnel are expected to use their best efforts to keep the lines of communication open between themselves and their employees. Supervisors also are expected to approach such discussions with an open mind and a desire to resolve employee concerns as quickly as possible.

B. Formal Internal Grievance Review Process

If attempts to use direct communication are not successful, or if the concern of the employee is a specific personnel action by a supervisor, manager/director which creates an unresolved problem for the employee, the employee has access to an internal grievance review process for addressing issues and concerns. Employees are encouraged to use this process with confidence that no one will take any action against them for so doing in good faith.

Employees who have successfully completed their introductory period, including active and inactive regular employees, follow the process described below:

Step 1. Usually, difficulties can be handled through informal problem solving. However, if the problem continues after you have tried informal problem solving, you may put your concern in writing using the formal Internal Conflict Resolution Request form (available from the Human Resources Department), to describe the issue and your requested resolution. Below is a description of the formal Internal Conflict Resolution process.

Within 30 days of the incident in question, the employee submits a completed Internal Conflict Resolution Request form to the Executive Director, with a copy to Human Resources. The completed form should include the following information:

- the act or omission that the employee feels is of concern,
- the date the act or omission allegedly occurred,
- the circumstances that created the grievance, and
- the specific remedy sought.

Step 2. The employee's written request is reviewed by the Human Resources representative and an Agency review is completed. The employee will be contacted to discuss the grievance. Every reasonable effort will be made to complete the review process within 30 days after the meeting with the employee. The employee, however, is expected to cooperate with the review process. This includes returning phone calls or e-mails, cooperating in the scheduling of meetings, attending review meetings, etc. If the employee fails to cooperate or to communicate with Janus during the review process, then a grievance may, at the discretion of the reviewers, be dismissed and/or Janus may complete the review process without the grievant's input. If the grievance relates to an employee's discharge, reasonable efforts will be made to expedite consideration of the grievance. Upon completion of the review, the employee will be contacted and the decision communicated to the employee in a meeting with the Program Director and/or Supervisor, and the Human Resources representative/reviewer(s).

If the employee's grievance involves perceived equal employment opportunity and/or racial, gender, sexual orientation, ethnic, age, religious or sexual harassment/discrimination, the employee may begin the process by using the Agency's procedure for reporting such incidents. (See Section I for policies/procedures for reporting diversity discrimination or harassment in the work place.) Employees are also welcome to use the grievance process at any time as a means for resolving complaints in this regard.

If the employee's grievance involves perceived harassment/discrimination by the Executive Director, the grievance may be directed to the Chair of the Board.

This process is not available as an appeal for layoff or other temporary or permanent reductions in staff or work hours, which are solely matters of management discretion. Nor is this process available as an appeal of employment terminations that occur as a result of a pending external investigation. Additionally, requests for review of terminations are granted for regular status employees, but will be at the sole discretion of the Executive Director for any employee who has not yet successfully completed the introductory period.

Disciplinary action will not be delayed because of actions taken under this Conflict Resolution Policy. However, actions may be modified as a result of a grievance/hearing appeal.

Copies of all formal correspondence or documents resulting from the grievance process are retained in the employee's personnel file.

We hope an employee is able to address issues and concerns directly. Nevertheless, the above process is there to assist the employee and the agency to further resolve difficulties.

C. Final Appeal Process for Grievance

When an employee is not satisfied with the results of Step 2 (stated above), the employee may make a written appeal to the Executive Director within 10 days of receiving the initial decision for further review. The Executive Director will issue a final decision.

SECTION XII

COMMUNICABLE DISEASES POLICY

This policy articulates the basic protections and rights of staff and clients with respect to infectious/communicable diseases, as well as the fundamental response of the Agency to the threat of such diseases.

A communicable disease is a disease that can be transmitted from one individual to another via: (1) direct physical contact, (2) the air (cough, sneeze or particle inhaled), (3) through a transmission vehicle (either ingested or injected) or (4) through a vector (animals or insects). Examples of some of the most common communicable diseases include: measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis (TB). This definition may be broadened in accordance with the recommendations and information provided from the Centers of Disease Control and Prevention (CDC).

The Agency periodically reviews this policy as it relates to staff, clients, and customers in order to stay abreast of new information in the medical community regarding communicable diseases, to make recommendations for programming related to clients/staff with communicable diseases, and to stay informed about legal issues that may affect the Agency. Decisions involving communicable diseases are based on medical information concerning the disease in question, the risks of transmission to others, symptoms and any special circumstances of the individuals involved, as well as potential risks and available alternatives.

A. Policy Statement

The Agency will not discriminate against any person, whether a client, customer, applicant, or an employee, on the basis of disability, including having an infectious or communicable disease, and no treatment or employment decisions will be based solely on such a factor. The Agency may, of course, need to exclude an individual where an individualized medical assessment indicates an imminent, direct threat to the individual or others that cannot be mitigated through reasonable accommodation. The Agency will institute infection control procedures for the protection of clients and staff, as recommended by medical and public health authorities.

The Agency recognizes that many communicable or infectious diseases are considered legally protected disabilities. The Agency will foster a sensitive and humane response to individuals who have a communicable disease and will make reasonable accommodation for clients or employees with legally protected disabilities, in accordance with applicable federal and state disability laws. The Agency will also comply with all applicable statutes that protect the privacy of individuals with communicable diseases.

B. Bloodborne Pathogens Training

The Agency provides Bloodborne pathogens training at the time of hire, and annually thereafter. The training includes infection control procedures, information on HIV, and Hepatitis B and C, available vaccinations, personal protective equipment, and reporting of exposure incidents in accordance with the Exposure Control Plan, and the policy on confidentiality and nondiscrimination.

C. Interpretation Guidelines

1. Confidentiality: Information regarding a client's or employee's medical condition will be kept strictly confidential, and no information will be given to anyone outside the Agency without the express written consent of the affected client or staff member or as required by law. Information related to affected clients will be shared among Agency staff to the extent necessary for appropriate treatment, support, and/or accommodation of the client and to prevent the risk of disease transmission to others. In accordance with guidelines under the Federal Rehabilitation Act and the Americans with Disabilities Act, employees' medical information will be kept confidential except for (1) supervisors and directors who need information on work restrictions or accommodation of disabled employees, (2) first-aid and safety personnel who may need the information to treat an employee, and (3) government officials investigating compliance with federal laws, or as otherwise required by law. The Executive Director will be consulted before information related to an HIV-affected client or staff is released, except in an emergency situation. The Human Resources Department will be consulted before any other information related to an employee's current medical condition or past medical record is released.
2. Testing: The Agency will not require HIV/AIDS testing for clients or staff, or for prospective clients or employees. However, the Agency will support elective testing arranged or requested by an individual. The Agency will also provide for appropriate pre- and post-testing counseling in conformity with Oregon Health Division guidelines.
3. Education: Because education is an important, integral part of any infection control effort, the Agency will educate both clients and staff on appropriate infection control practices. This education will take place frequently enough that at any time, the majority of clients and staff are appropriately informed about infection control. Training on HIV, infection control, and bloodborne pathogens is provided to all employees. Staff who have questions about infectious/communicable diseases or about policies in that regard are encouraged to contact their program director, safety committee representative, the Director of Safety & Facilities, or the Human Resources Department. Clients with such questions are encouraged to contact the Program Supervisor or Program Director.
4. Hygiene Supervision: Hygiene procedures for the purpose of infectious-disease control will be given to staff as part of their initial orientation and training at the

work site. Topics will include safely handling and cleaning up blood and other body fluids, safely handling and laundering soiled clothing and linens, safe disposition of contaminated waste materials, food-service articles likely to spread infection, first-aid procedures, safeguarding of medical records and information, and carrying out physicians' orders. Because the Agency serves a client group that is considered at risk for infectious diseases and because staff may not know whether a client does have an infectious disease, all infection control precautions and procedures should be observed and followed as if all clients do have infectious disease. These same precautions and procedures should be observed and followed in situations involving Agency employees and/or volunteers.

Failure to follow the hygiene procedures may be grounds for corrective action.

5. Hepatitis B Vaccination: Hepatitis B vaccinations are available at no cost to all Agency employees who elect to receive them due to risk of on-the-job exposure to bloodborne pathogens. Information related to vaccinations is provided to employees as part of the new-hire orientation process; if you need additional information, please contact our Human Resources Department.
6. Coordinating Services: Agency resources for persons with AIDS/HIV are limited, but every effort will be made to cooperate with other agencies, both public and private, to improve the service systems and develop and maintain ongoing support groups for persons with AIDS/HIV and related symptoms. The Agency does not assume additional costs or services beyond those available to other clients and employees, except as required by applicable federal or state laws.
7. Reasonable Accommodation: Provided that the health of staff and clients at the Agency is not jeopardized and the purpose and function of the Agency are not diminished, the Agency will make reasonable accommodations to enable those with an infectious/communicable disease to remain in the program for as long as both the Agency and the individual(s) in question benefit. The Agency will also make reasonable accommodation for a disabled employee to enable the employee to perform the duties of his/her job, to the extent required by law.
8. Sensitivity: Agency staff members are expected to be sensitive to the fears and concerns that infectious diseases engender in both those who have the disease and those who do not. All staff should strive to allay fears through education and positive action and to resist succumbing to rumors, prejudices, or panic. The Agency views the issue of infectious disease as an opportunity to increase the qualities of compassion, caring, kindness, and consideration.
9. Nondiscrimination: Every client and staff member is entitled to a supportive work/treatment environment. It is important that staff participate in providing support to those with whom they work (clients and co-workers). Once employees have been provided with information related to infectious disease (including the overwhelming body of professional opinion holding that transmission of AIDS/HIV in the workplace is extremely unlikely) and have been adequately trained in appropriate hygiene procedures to minimize the risk of transmission, they are expected to work appropriately with all clients and co-

workers, including those who have a communicable disease. Unwillingness to work appropriately with either a client or a co-worker specifically because they have an infectious disease will not be tolerated and could result in corrective action up to and including termination of employment.

10. Individualized Treatment Planning: In accordance with standard Agency policy and sound clinical practice, normally youth will not be denied access to services based solely on the presence of an infectious disease. However, it may be necessary for clients to receive medical attention or a medical release prior to accessing services. For example, a youth who presents with symptoms of scabies may be required to secure medical attention or a medical release prior to accessing residential or shelter services. For clients diagnosed as having AIDS/HIV who continue to engage in high-risk behaviors that may jeopardize others, individual treatment plans will be developed on a case-by-case basis. In the event that a decision is made that the Agency is not the most appropriate treatment provider for a given youth, every effort will be made to develop a suitable alternative. The Executive Director shall be consulted before altering or limiting services to youths based on the known presence of infectious disease.

D. Working when showing signs of Illness

The Agency recognizes that employees with temporary contagious illnesses such as influenza, colds and other viruses, need to continue with their normal life activities, which may include working. At the same time, the Agency also seeks to maintain a healthy workplace for its employees, customers and clients. If the Agency feels that an employee's continued presence in the workplace poses a risk to the health of other employees, clients, or customers, or if the employee is unable to perform their normal job duties and/or meet performance standards, the employee may be asked to leave the worksite and to provide a statement from their healthcare provider concerning their ability to work.

SECTION XIII

ELECTRONIC COMMUNICATIONS POLICY (INCLUDES TELEPHONE)

A. Overview

Janus Youth Programs' electronic communications services and equipment help us to advance our mission by enhancing communication with one another, the community and other external parties. Our electronic communications system includes, but is not limited to, photocopiers, computers, electronic mail (e-mail), facsimile machines, Internet access, including blogging and social networking sites, printers, telephones, cell phones, text messaging, voice mail, and other technology as may be developed. Because offering these services requires a significant investment of resources, it is important to treat them as work-related tools.

This policy is intended to provide the following: 1) general guidelines regarding proper use of and access to our electronic communications systems and 2) a description of the Agency's access to and disclosure of information created, sent, received, or stored on our systems. It is important to also refer to Section XV (Information and Records Security Policy, which includes A) guidelines for securing information, whether electronic or hard-copy; and B) guidelines for responding to a security breach.) Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment; you have the right to engage in or refrain from such activities.

B. Guidelines on Usage

Use of Janus' electronic communication systems is limited to employees and others expressly authorized by the Agency.

All electronic communications, like all other communications, sent within the agency or to persons outside the agency are expected to be courteous and respectful, free from harassment and/or discrimination, and are not to adversely affect employee productivity. (See Sections 1: EEO and Anti-harassment Policy; VIII: Workplace Conduct Policy; and IX: Workplace Violence Prevention Policy.)

All electronic communications must comply with Agency policies on security and confidentiality. (See Section XV.)

Some examples of appropriate use of our electronic systems include:

- Exchanging e-mail with professional contacts;
- Web page development

- Staying abreast of developments or advances in treatment, and
- Accessing an Agency provided Intranet for work related research; such as, researching client-related data or other data for program and/or administrative services development.

Some examples of inappropriate and prohibited use include:

- Excessive use for personal reasons
- Any use that is illegal, as defined by local state, and/or federal law.
- Any other use that is intimidating, bullying, harassing, or threatening in nature, or that violates the Agency's policies on workplace conduct, violence prevention, and EEO/Anti-harassment. Examples of harassment within this context include slurs, comments, jokes, innuendoes, unwelcome compliments/propositions, the display or transmission of sexually explicit images, cartoons, pranks, and/or other content relating to an individual or group of individuals that, at the discretionary judgment of the Agency violates our anti-harassment and non-discrimination policy. (See Sections I: EEO and Antidiscrimination/Anti-harassment Policy; VIII: Workplace Conduct Policy; and IX: Workplace Violence Prevention Policy.)
- Downloading unauthorized software or files.

Additional limitations and/or revocation of approval to use Agency systems may occur at the discretion of the site supervisor, program director, or Executive Director.

Personal Use

Occasional personal use of the Agency's electronic systems is permitted subject to the following conditions:

- 1) The above Guidelines for Usage also apply when using Agency communication systems for personal use. Violations of those guidelines, even during personal use, may result in discipline or discharge.
- 2) Personal use of the Agency's electronic systems is limited to non-work time, such as meal and/or rest periods and as long as it does not interfere with work performance. For example, if only one computer is available at the worksite, it may not be feasible for someone to be using the computer during their rest period if the computer is then unavailable for other staff for work-related purposes. Under no circumstances should an employee's personal use of the Agency's electronic equipment or systems adversely impact the satisfactory performance of their job responsibilities.
- 3) The occasional personal use of the Agency's electronic equipment should not result in increased costs to the Agency. Employees are required to promptly

reimburse the Agency for cost of personal use of Agency equipment (such as charges for personal long-distance calls, copying costs, materials costs, etc.).

- 4) Employees assigned an Agency cell phone may use the phone for personal purposes, as well, but are responsible for knowing any minute or texting limits applicable to their phone and are responsible for reimbursing the Agency for any excess costs related to personal texting, long distance calls, directory assistance, etc. Employees are not to download pictures or ringtones on Agency-owned phones without prior approval from their supervisor.
- 5) Additional limitations and/or revocation of approval to use Agency systems for occasional personal use may occur at the discretion of the site supervisor, program director, or Executive Director.

C. Agency Property/Monitoring

While Janus respects your right to privacy, you should be aware that the contents of records created, sent, received, or stored on the communications systems are not private even if they are used for occasional personal use. All components of the systems are property of the Agency and use of the systems may be monitored at management's discretion. All computer records, files, software, e-mail, faxes, and voice-mail messages created, received, or stored on agency systems are considered agency records. Management retains unrestricted access to these records. Likewise, the content of all records may be disclosed by management at its discretion.

Internet Activity: The use of Internet services creates a detailed and permanent record of which users have accessed what services. It is important to be aware that it is possible for supervisors or management to request and/or access information regarding Internet usage, including resources accessed and time spent. Under no circumstances are employees authorized to utilize file-destruction software or take any action to delete their usage or activity off Janus' systems. Additionally, please be aware that even erased and deleted records may remain accessible.

D. Confidentiality

The Agency expects employees to exercise extreme care in maintaining or transmitting sensitive and confidential information. This includes, but is not limited to, client, personnel, and confidential financial information, as well as personally identifying information.

With the exception of the Agency's right to information contained in its systems, messages should be treated as confidential and accessed only by the intended recipient. Exceptions require the approval of the supervisor and/or program director.

In addition to the above guidelines, staff are also expected to comply with all regulations pertaining to HIPAA and are not to use or disclose protected health information except as permitted by the privacy standards provided from under the Federal Health Insurance Portability and Accountability Act and any relevant amendments.

For more information on client confidentiality, please refer to your program sites' policies and procedures (or client) manual or HIPAA regulations relevant to your worksite, and talk with your supervisor and/or program director.

E. Software

The Agency's Information Technology ("IT") Contracted Provider or a similar designated resource, is responsible for installing all necessary software. If you are unable to perform a particular task using the installed software, please contact the Executive Coordinator at the Janus Administrative Office. DO NOT install additional software on your computer without prior approval of the IT Contracted Provider or designated resource person. Failure to notify the IT provider or designated resource could compromise your system's security and may threaten the safety of other people's data.

F. Removing Agency Equipment and/or Client/Employee Information Off-Site

Equipment: All equipment provided by Janus is Agency property, including computers, tablets, software, cell phones (including Smartphones), etc. Employees must receive written preauthorization from the Program or Department Director before taking any equipment off Agency property; and must agree to return it within the time frame agreed upon by management. Employees are responsible for returning Agency property within stated time frames agreed upon by management.

Client and/or Employee Information: Client or employee information, whether written or electronically stored on Agency or personal equipment, may not be removed from the program/Agency without written pre-approval of their Program Director or Executive Director. Rules of confidentiality apply to any information removed from the work site or other Agency locations.

Employees, whether using Janus equipment or their own personal equipment, are expected to adhere to the confidentiality/security measures at all times.

G. Cameras/Camera Phones/Video Cameras and Other Recording Equipment

To protect privacy rights and confidentiality, use of cameras, camera phones, video or other recording equipment is restricted to business use. Filming and recording of clients is subject to pre-approval of the Program Director and written releases and consent, as applicable. In addition, under no circumstance is it ever appropriate to use a camera, camera phone, or video equipment in locker rooms, bathrooms, or other private areas, regardless of the subject's consent; nor is it normally appropriate to use this equipment in the workplace without the express knowledge and consent of any non-clients, although business necessity and circumstances will dictate need.

Please refer to your program's clinical manual and HIPAA regulations for additional information regarding client confidentiality, and required signature releases.

H. Personal Computer Equipment

Employees should leave personal equipment at home. Janus Youth Programs cannot guarantee the safety of any personal equipment brought onto Agency premises and is not responsible for any damage to or loss of such equipment.

I. Policy Violation

Failure to follow this policy may result in disciplinary action up to and including forfeit of equipment use privileges for the staff member or all employees, when applicable; and/or termination of employment.

Please refer to Section XIV (Social Media Policy) and Section XV (Information and Records Security Policy) for additional information.

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SECTION XIV

SOCIAL MEDIA POLICY

The Agency recognizes the importance of social networking websites and on-line communities, such as Twitter, LinkedIn, Facebook and Flickr. The technology supporting social networking sites is changing rapidly with new and/or advanced capabilities and functions being introduced at a rapid-fire pace. This policy is not meant to apply only to current social networking websites and on-line communities, but also to those that might be developed and/or introduced in the future.

By means of social networking, we can expand opportunities for being known in the community and for shaping public impressions of the organization. Social media also has the ability to support our professional development activities and is a tool for sharing information. Conversely, social media also has the ability to harm the reputation of the Agency as well as others associated with the Agency. While it is not the intent of this policy to unduly limit individual's access to these potential sources of information and communication tools, it is the intent of this policy to provide guidelines and point out expectations and liabilities inherent in such use.

A: Posting on Social Networking Sites

Business-Related Purposes:

Web sites or social networking sites that are developed and sponsored by a specific program or by a specific service component within the Agency need to be done so under the direction of the Program Director and in conjunction with the Agency's Development Department. Any website or social networking site developed to promote or advertise Agency services must comply with all policies and procedures, including but not limited to Antidiscrimination/Anti-harassment policy, Standards of Workplace Conduct, Electronic Communications Policy, and Information and Records Security Policy. Appropriate confidentiality, including appropriate releases to share photographs, and limitations on those having ability to administer and edit the site, is also required.

Relationships with clients, customers, funders, and community partners are valuable and should be treated with care, including on-line interactions. It's important to understand that on-line postings and comments are not private and may be around indefinitely. Given this, if authorized to engage in social media on behalf of Janus, you should not post comments or photos involving clients, customers, funders, and/or community partners unless you have written permission to do so. Likewise, you should not post copyrighted information without securing proper permissions.

Personal Use:

Janus has no desire to interfere with your personal use of social media, but please keep in mind that any social media posts that disrupt the workplace may be the basis for decisions about your employment. To help avoid any unintended impact on the workplace, under no circumstances should you use your Janus email address to register on social networks, blogs or other online tools intended for personal use or in any way suggest that your personal social media communications are sponsored by Janus or reflect the opinions of Janus. Nor should confidential information such as client or clients' family member names or treatment issues be shared in any public forum.

All supervisors should report any inappropriate disclosures that they become aware of to our Human Resources Director, their supervisor and/or program director.

B. Monitoring

While the Agency does not routinely monitor social networking sites, other employers, organizations, and individuals do monitor and share information found on social networking websites. Again, posted information is not private and if anything you post, even for personal use, impacts the workplace it may be the basis for decisions about your employment.

C. In Summary:

To summarize, when you use social media, use good judgment. Be aware that there may be consequences to what you post or publish online.

SECTION XV

INFORMATION AND RECORDS SECURITY POLICY

A. Security for Electronic Records and Systems:

The IT Contracted Provider or designated resource has responsibility for keeping all local networks that are connected to the Internet reasonably secure from unauthorized external access. The IT Contracted Provider is also responsible for periodically scanning and testing the electronic systems for vulnerabilities, and for installing security updates and patches.

Employees are generally prohibited from the unauthorized use of the passwords and/or encryption keys of other employees to gain access to other employees' e-mail, voicemail, and computer files. However, in the course of Agency business, it may become necessary for someone other than the password holder to listen to voice-mail or review e-mail or computer files.

To prevent breaches of security, employees are not to store confidential or personally identifying information on business or personal laptops or other portable devices, including thumb drives and/or cell phones, unless that information is securely encrypted and the device is password protected. The only confidential or personally identifying information that should ever be stored without encryption is information stored on a secure server with adequate firewall protection. Our IT Contracted Provider can confirm whether your program or department has such protection.

Information containing personally identifying information maintained as a paper file must also be maintained in a secure manner. Personally identifying information is defined as an individual's first name or first initial and last name in combination with his or her social security number, driver's license or state identification card number, passport or other US-issued identification number, or financial account information together with password or security code information. Personally identifying information also includes any combination of the foregoing identifiers, even if the name is not used, if the information is sufficient to permit identity theft of the individual whose information was compromised.

The following general guidelines have been developed as reasonable security measures to protect electronic information and equipment.

- Do not share your password with others, with the exception of those few who have a business need to know, such as your Program Director and/or Supervisor.
- If a password is forgotten or does not grant access to required resources, notify your supervisor or the appropriate designee for further instructions.
- Keep your password in a safe, secure location.

- Configure laptops (or other electronic equipment such as SmartPhones) with unique user ID's and complex passwords in order to log on.
- Avoid storing confidential or personally identifying information on portable devices. If such information is necessary, encrypt all such information to prevent unauthorized access.
- When traveling or using portable devices off-site, keep those devices under your control at all times.
- Do not leave a portable device unattended in a public area or in a vehicle.
- Manually log off a portable device when you finish your work.
- Set your portable device to automatically log off after 20 minutes of inactivity.

B. Security for Paper Files and Hard-Copy Data:

The following general guidelines have been developed as reasonable security measures to protect information maintained as a paper file.

- Limit access to confidential information to employees who need it for business purposes or to persons who have a legal right to see it.
- Work with or use confidential information only in authorized locations and only for official business.
- Store documents in lockable and secure containers or storage areas after normal working hours or when not in use.
- When documents containing confidential information need to be moved or mailed, track them and ensure they are transported securely from one secure area to another secure area.
- When documents are no longer needed, ensure that they are properly shredded and disposed of.

C. Disposition of Data when leaving Employment:

Upon leaving employment, exiting employees are expected to return all electronic information that they have stored on portable devices to their supervisor and are then to delete any Agency-related data on their personal electronic devices. They are also expected to provide to their supervisor all passwords necessary to access Agency records or information.

D. Reporting a Breach in Security:

Incidents involving a breach in security (including computer incidents) are to be immediately reported to the employee's direct supervisor and program director. All security

incidents are reviewed by the Agency to ensure appropriate and timely action is taken to resolve the cause of the breach and to respond to the individual(s) affected by the incident.

Failure to follow this policy may result in disciplinary action up to and including forfeit of equipment use privileges for the staff member or all employees, when applicable; and/or termination of employment.

Please refer to Section XIII, Electronic Communications Policy and Section XIV, Social Medial Policy for additional information.

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SECTION XVI

SEPARATION FROM EMPLOYMENT

A. Employee-Initiated Separation

Although your employment is at will, and you may terminate it at any time, it is requested that as a courtesy you provide us with as much advance notice as possible if you decide to leave your position. An employee who decides to leave the Agency permanently (i.e., not under a leave of absence or layoff) should notify his/her immediate supervisor in writing and in advance of the expected date of separation. Treatment and management staff are requested to give at least 20 working days' notice, and all other staff are requested to give at least 10 working days' notice. Using accrued paid time off (leave time) to extend the last date of employment is normally prohibited, unless the employee is on protected leave at the time of separation.

Procedures for leaving the Agency are available through the Human Resources Department.

Normally, employees who fail to report to work for three consecutive days without adhering to established call-in procedures for their worksite will be considered to have resigned employment.

Final paychecks include earned wages, overtime, accrued but unused vacation time or PTO subject to established limits, and any other appropriate adjustments, such as tax and FICA withholdings, or other legally required deductions. Other deductions are made when an employee has voluntarily signed an authorization for the deduction to be made, such as dependent health insurance premiums, salary advances, 401(k) deductions, Section 125 deductions, etc.

B. Agency-Initiated Separation

1. Layoffs and Work Reductions

Although the Agency attempts to schedule work assignments to avoid layoffs, situations may occur in which layoffs and other forms of work reduction or reassignments may be necessary.

The Agency reserves the right to take such actions as appropriate, including, but not limited to:

- reduction in work hours or workweeks,
- mandatory use of accrued vacation time,
- mandatory unpaid leave, and
- transfer to another available position *within the organization*.

Because of the diverse nature of Agency activities, work reductions may occur either Agency-wide or only in specific programs, work groups, or classifications. Within specific work

groups or classifications, directors and supervisors may institute layoffs or reductions in hours or days of work. Selection of employees to be affected is made on the basis of departmental needs, with consideration of individual employee job performance, experience, expertise, and training.

Employees who are affected by any reduction or layoff do not have the right to “bump” or otherwise displace or affect any other employee.

2. Termination

As stated previously, employees of the Agency are at-will and may be terminated for any reason at any time during their employment, with or without notice.

SECTION XVII

BENEFITS

A. Summary Plan Descriptions/Master Contracts

The Agency has established a variety of employee benefit plans. These plans are described in general terms in the following pages. However, the benefits are described in more detail in the Summary Plan Description booklets (“SPDs”) that are distributed to plan participants. Copies of Summary Plan Descriptions are also available in our Human Resources Department.

Complete descriptions of the benefit programs are also contained in the appropriate master plan documents or master contracts with insurance carriers, which are maintained in the Human Resources Department. In the event of any contradiction between the information appearing in the SPDs and the information that appears in the master contracts or master plan documents, the master contracts or master plan documents shall govern in all cases.

The Agency reserves the right to require or to increase employee premium contributions toward any benefits at its discretion and for whatever reasons it considers appropriate.

The Agency reserves the right to alter, reduce, or eliminate any policy or benefit without notice, except for those provisions required by law. Upon termination of employment, employees are entitled to only those benefits which are offered at the time of separation. For more information, contact the Human Resources Department.

B. Eligibility

Eligibility for participation in Agency-sponsored insurance benefits normally is limited to non-temporary employees working at least a 20-hour weekly work schedule on a regular basis. Benefit programs have varied waiting periods before an employee is eligible for enrollment.

C. Life, Disability, Medical, and Dental Insurance

The Agency sponsors life, long-term disability, medical, and dental insurance coverage for eligible employees. Employees are required to contribute a monthly portion of the group medical insurance premium. Employees who work at least half-time (regular schedule of 20 hours per week) but less than three-fourths time (regular schedule of 30 hours per week) pay half of the relevant insurance premium. Typically, employees who elect to have family or dependent coverage also pay the extra premium cost for qualified family members.

Employees can choose between several policies offered by the Agency. Information describing the insurance coverage and effective dates of coverage is available from the Human Resources Department and is usually provided as part of the communication material distributed to employees who are eligible to participate in our benefit program. New employees must submit an enrollment application before their eligibility date to allow adequate time for enrollment processing. New family members (by marriage, birth, or adoption) may be added according to the terms of the benefit plan or in accordance with State/Federal laws and regulations (i.e.,

special enrollment rights). Open enrollment periods for making other changes in coverage (for example, adding dependents or changing insurance plans) are provided once a year.

Employees are responsible for completing and returning to the Human Resources Department the appropriate applications for insurance benefits within established time frames. Failure to provide completed applications may result in an exclusion from coverage, late enrollment penalties, or a delay of benefits until the next open enrollment period.

D. Medical, Dental, and Life Insurance During Medical or Parental Leave

Please refer to the family medical leave policy in Section XIX.

E. Continuation of Benefits Following Termination of Employment

Following certain events, federal law (“COBRA”) allows employees to elect to continue some benefits (medical, dental, and employee assistance plans) after a qualifying event causes the employee’s eligibility to terminate. Costs associated with COBRA are normally paid by the employee. Examples of qualifying events include termination from employment with the Agency, a reduction in work hours resulting in loss of plan eligibility; the employee’s death, divorce, or legal separation; and a dependent child reaching the maximum age for dependent coverage. Continued coverage under COBRA ranges from 18 to 36 months, depending on the qualifying event, but may end sooner in some circumstances. Additional information about COBRA can be obtained through the Human Resources Department.

In the event of divorce or legal separation, or the loss of dependent child status under the plan, a covered employee or dependent must notify Human Resources within 30 days to maintain the right to continue coverage.

Although COBRA coverage does not apply to life insurance coverage, employees who terminate employment or are subject to reduced hours and no longer qualify for group life insurance benefits can convert their group coverage to an individual policy. Additional information about converting group life insurance coverage can be obtained through the Human Resources Department.

F. Employee Assistance Plan

The Agency offers employees, volunteers, student interns and covered family members an Employee Assistance Plan (“EAP”). The EAP is available to provide assistance in solving problems that affect personal or employment situations. Information about our EAP is posted at each worksite but additional information can also be obtained from the Human Resources Department.

G. Cafeteria/Flexible Spending Account – Section 125 Plan

The Agency provides a limited cafeteria plan under Section 125 of the Internal Revenue Code of 1986, as amended, for eligible employees. Employees meeting eligibility

requirements for participation in medical and dental insurance also qualify for participation in this benefit effective the first of the month following or contingent with 90 days of employment in the benefited position. This benefit allows employees to have their employee-paid insurance premiums paid on a before-tax basis. Employees can also choose to reduce their salary in order to take advantage of additional tax saving for reimbursable expenses related to health care and dependent care. Participation in this benefit is optional. Participation for the full plan year is required for reimbursement of health-related expenses. It is important to accurately estimate reimbursable expenses since amounts not reimbursed at the end of the plan year are not carried over into the next plan year nor are they returned to participants.

Eligible employees can have employee-paid insurance premiums paid on a before-tax basis by completing a Premium Only Plan Flexible Benefits Enrollment Form, which is available from the Human Resources Department.

H. Transportation Reimbursement Account- Section 132

Employees meeting eligibility requirements for participation in medical and dental insurance also qualify for participation in this benefit effective the first of the month following or contingent with 60 days of employment in the benefited position. This benefit allows employees to reduce their salary in order to take advantage of tax savings for reimbursable expenses related to bus or mass transit passes for traveling to and from work and/or work related parking costs that are not reimbursable by the employer.

I. Retirement Plan

The Agency participates in a 401(k) plan. Employees are eligible for employer contributions into the plan if they are at least 19 years of age, have completed one year of service, and have worked 1,000 hours within (1) their first year of service or (2) subsequent plan years following their first year of service. The 401(k) plan provides for an Agency discretionary profit-sharing contribution, employee pretax deferrals, and a discretionary employer match. Employees covered under a collective bargaining agreement that excludes participation in the Agency's 401(k) plan are ineligible for participation in the plan. Employees may begin deferring a percentage of their own compensation into the plan at the beginning of any calendar month following or contingent with date of hire.

Both employer and employee contributions into the 401(k) plan are calculated monthly. Employees can stop or increase/decrease a pretax deferral into the plan at the beginning of any pay period. For additional information, please refer to the SPD or contact the Human Resources Department.

J. Social Security

As required by federal law, a portion of an employee's gross pay is deducted each pay period as a contribution toward the federal social security program (FICA).

K. Professional Liability

All staff are covered by a professional liability policy providing protection for actions taken within the scope of prescribed duties for the Agency. Each employee must make his/her own determination as to whether the coverage provided is adequate or whether the employee should purchase additional coverage at his/her own expense. The policy is available for review by contacting the Fiscal Director.

SECTION XVIII

COMPENSATION

The Agency reserves the right to alter, reduce, or eliminate any pay practice without notice, except for those provisions required by law.

A. Salary Policy

Wage and salary levels are determined by considering various factors, including availability of funds to each program, the overall financial condition of the Agency, comparison with rates paid by other organizations, and work performance.

The Executive Director or his/her designee must authorize all changes in salaries and compensation.

B. Salary Payment

Paychecks are normally received once a month, according to an established schedule. If a time sheet is received sufficiently late, incorrect, or incomplete or unclear to the extent that it cannot be processed with regular payroll, that time sheet will be processed following completion of the regular payroll, and payment will be made by hand-cut check. This hand-cut check must be mailed to or picked up by the employee from the fiscal office; direct deposit by electronic transfer will not take place.

C. Weekly Work Schedule

The standard, full-time weekly work schedule is 40 hours. For some staff this will consist of eight hours a day, five days a week, unless modified because of program or Agency needs. Because of the need for variable schedules in residential facilities, the actual number of days worked in a week and the number of hours worked in one day may vary among positions. The Agency's seven-day workweek for purpose of payroll recordkeeping and overtime determinations begins on Saturday morning (12:00 a.m.) and ends on Friday at midnight.

An employee and his/her supervisor should determine the employee's work schedule. Employees must be available during their scheduled hours as needed, although it is recognized that the nature of their roles and duties may require considerable flexibility. The operation of the Agency's programs sometimes requires staff members to work extended or irregular hours. Employees should be aware of these requirements and be prepared to be available when needed for flexible or extended work hours.

The Agency reserves the right to reduce or change work hours or reassign employees to a different work site for any or all employees, based on budgetary constraints and program or Agency needs.

D. Mandatory Withholdings

As required by state and federal law, deductions from pay are made for Social Security, federal and state income tax, Medicare tax and workers' compensation. The amount of tax withheld is based on the number of allowances employees claim on their W-4 forms, which are filled out before submission of the first time sheet. On or before January 31 of each year, employees should receive W-2 statements, which show total earnings for the year and the amounts of withholdings for Social Security and federal and state income tax.

E. Voluntary Deductions

Voluntary deductions, including those for employees' or dependents' benefits, are made when employees provide written authorization. Submission of a completed enrollment form requesting enrollment of the employee, a spouse, partner or dependent is considered written authorization for required deductions.

F. Midmonth Draws

With approval of their supervisor, employees may be allowed to make a once-a-month midmonth draw. Supervisors are responsible for notifying the Payroll Department if an employee has not worked sufficient hours to cover the amount of the draw. The Payroll Department will establish and post a time frame for receiving completed midmonth draw forms. The amount of the midmonth draw is limited to 70 percent of the gross amount earned by the employee during the first two weeks of the pay period.

G. Payroll Time Sheets

Pay for each employee is determined by the terms stated in his/her Employment Offer Letter or the Personnel/Payroll change form and the information stated on each time sheet. The time sheet is used to compute each paycheck and accumulated leave time.

Employees are responsible for accurately recording on their time sheet all hours worked and for accurately accounting for all time scheduled but not worked (i.e., paid time off, leave without pay, bereavement leave, etc.). It is the responsibility of each employee to know when timesheets are due and to complete and submit their timesheets by the due date. Employees are expected to record their hours on a daily basis; they are not to fill their timesheet out in advance based on what they expect to work, nor are they to wait until the end of the month and try to

accurately recall what hours they worked. Program directors or supervisors are responsible for final approval and for submitting timesheets to payroll for processing.

H. Exempt and Nonexempt Employee Positions

Exempt positions are those that are defined as exempt from overtime provisions of state and federal wage and hour laws. Exempt employees are paid a predetermined salary commensurate with their position and are not eligible to receive overtime compensation.

Nonexempt positions are paid on an hourly basis and are not exempt from overtime. Therefore, nonexempt employees are paid at an overtime rate of one and one-half times their regular rate of pay for all hours over 40 hours worked in the Agency's seven-day workweek.

The Agency may require adjustment of employee schedules within a particular seven-day workweek in order to minimize overtime hours.

All overtime work by nonexempt employees requires prior approval from the employee's supervisor, and overtime will be approved only when the work to be accomplished is considered urgent and must be performed during other than normal work hours. Employees who work time in excess of their scheduled hours, without approval from their supervisor, are subject to disciplinary action.

I. Exempt Employees

Employees working in exempt occupations are compensated for the results they achieve. After-hours work is inherent in their positions. Exempt employees are not eligible for overtime compensation.

Exempt employees may work irregular schedules (including evenings and weekends), provide on-call coverage, and work extended hours to carry out their assigned responsibilities. With supervisory approval, exempt employees may establish flexible schedules that meet the needs of their particular positions.

J. Reporting to Work

Employees are expected to notify their immediate supervisor before any absence from work and to provide a reason for their absence. This notice should be provided in advance so there is enough time to locate a substitute worker for any positions where coverage is essential. Failure to provide adequate notice jeopardizes service to clients and customers and may be cause for corrective action up to and including termination of employment.

K. Meals and Breaks

A paid rest period of 10 minutes must be taken by non-exempt employees for every four-hour work segment shift or major portion thereof in the work period. Rest periods cannot be accumulated as leave time or used to extend meal periods. Time allowed for rest periods may

not substitute for late arrival or early departure for work shifts. Ideally breaks should be taken in the middle of the four-hour segment.

An unpaid meal period of at least one-half hour in length is provided for nonexempt employees working at least a six-hour shift. Employees in residential settings may need to remain on duty or on call during meal periods. In these situations, the meal time will be considered work time and will be paid.

L. Leave to Express Milk:

For up to 18 months following a child's birth, nursing employees will, whenever possible, be provided a private place and break time (up to 30 minutes during each four-hour work period or major portion thereof) to express breast milk during their shift. Employees should use their normal paid break time and unpaid meal periods to accommodate their nursing needs; if the time needed to express milk exceeds their normal break time, the additional time will be unpaid.

M. Travel and Expense Reimbursement

Employees who use either an Agency vehicle or a personally owned vehicle for business purposes must meet all requirements specified in the section on driver's licenses and insurance in this Guidebook (See Section III, Employee Records/Drivers). Employees who use a personal vehicle for valid business purposes will be reimbursed for mileage at a rate that is established by the Executive Director in consultation with the Finance Director. Employees must file a written mileage report form for mileage claims.

Meals, lodging, and other travel-related expenses for any authorized trip will be reimbursed at rates to be established by the Executive Director in consultation with the Finance Director. All travel expenses must have prior authorization from the Executive Director or his/her authorized designee, and all requests for reimbursement must be substantiated by written receipts or a travel expense reimbursement.

SECTION XIX

LEAVES AND ABSENCES

The Agency reserves the right to alter, reduce, or eliminate any pay practice, policy, or benefit without notice, except for those provisions required by law. Upon termination of their employment, employees are entitled to only those benefits that are offered at the time the separation takes place. Any benefits offered in this Guidebook apply only so long as the Guidebook is current. They do not provide vested rights.

Leaves and Absences with Pay

A. Employee Eligibility Requirements for Leave Benefits

Employees in regular, full-time or part-time positions who work at least 20 hours a week normally qualify for leave benefits. Leave time is prorated, based on hours worked, for employees who work less than a 40-hour workweek.

B. Leaves applicable to employees hired or rehired into benefited positions prior to July 1, 2005:

1. Vacation Leave

a. Purpose

Vacation leave is intended for employees to use for self-care and renewal.

b. Rate of accrual

All eligible employees begin accruing vacation time on the first day they are employed.

The vacation accrual schedule shown on the following page is based on a full-time, 40-hour workweek and is prorated for part-time employees based on hours worked. Employees are required to follow program guidelines when taking leave, including guidelines for supervisory notification and approval.

Length of Employment	Annual Vacation Leave
0 to 1 year	Nonexempt: 10 days per year (80 hours) Exempt: 15 days per year (120 hours)
1+ to 3 years	15 days per year (120 hours)
3+ to 5 years	17 days per year (136 hours)
5+ years	20 day per year (160 hours)

c. Employees Hired Before July 1, 1999

Vacation accrual rates will be grandfathered for those employees hired before July 1, 1999 who have (or would have within six months) a more advantageous rate than those available under the July 1, 1999 leave package.

d. Maximum Carry-Over

The employee's vacation accrual rate determines the amount that may be carried over to the next fiscal year. Normally, the maximum carry-over allowed is the equivalent of one year's accrual based on the above schedule. The carry-over balance is calculated as of June 30 of each year. Under special circumstances, the Executive Director or authorized designee may approve a written request to accrue vacation hours beyond the maximum allowed for a specified period of time; pre-approval is required. Written requests to accrue vacation hours exceeding the maximum allowed should include (1) reasons necessitating the request and (2) a time frame for using excess vacation hours. Requests should be approved by the employee's supervisor and program director before submission to the Executive Director for final consideration.

e. Vacation Leave Approval

Vacations must be scheduled in advance with the employee's supervisor and/or program director. Adequate advance notice is needed to schedule coverage during the employee's absence. Program directors are responsible for ensuring that the Agency is sufficiently staffed to maintain necessary services and for resolving conflicts between staff vacation requests and program operations.

f. Emergency Vacation Buyback

Emergency buyback of vacation hours is allowed under extremely rare and seriously life-altering circumstances. Examples include: a major house fire, family emergency requiring travel expenses, and emergency medical expenditures. All emergency vacation buybacks require the approval of your Program Director, Human Resources and the Executive Director. An emergency buyback request form is available for this purpose.

g. Vacation Payoff

Employees are paid for their accrued but unused vacation leave upon termination of their employment.

h. Rehiring Former Employees

Employees who terminated employment from regular, benefited positions and were rehired by the Agency prior to July 1, 2005 into a regular, benefited position within one year after termination will accrue vacation at their previous rate of accrual. Employees who were rehired prior to July 1, 2005 but more than one year after the date of employment termination are treated as new employees.

2. Sick Leave

Employees in regular, full-time or part-time benefited positions who work at least 20 hours a week may be eligible for sick-leave benefits. Eligible employees accrue eight hours of sick leave per month (or a prorated number, based on hours worked, as applicable). This leave is intended to be used for self-care in the event of illness and can also be used to care for employee's family members who are ill. Sick leave may also be used when attending funerals that are not covered by bereavement leave. Sick leave is not intended to supplement or substitute for vacation. A medical certificate of ability to return to work

may be required if the employee has been incapacitated during their leave.

Other employees may also qualify under the Portland Paid Sick Time ordinance, effective January 1, 2014; consult the Human Resources Department for details.

a. Reporting Requirement

Employees are responsible for notifying their immediate supervisors, according to program procedures, before their scheduled starting time if they are unable to attend or fulfill their work responsibilities and are expected to give a reason for their absence (i.e., personal illness, child's illness, etc.). Adequate notice must be provided to allow time to find a substitute worker when necessary or to accommodate program/department operations.

Exceptions may be made by the program director in cases of emergency.

Employees whose job responsibilities have been modified in response to medical certification must provide any updates to those restrictions (including a release to full duty) immediately, and in no event later than their first shift following receipt of the updated information. The updated release (or authorization to return to full duty) can be provided to the on-site supervisor or provided directly to our Human Resources Department (confidential fax number is 503-542-4623).

b. Accumulation

Sick-leave hours for employees considered "benefit-eligible" may be accumulated up to a maximum of 1,040 hours or the part-time equivalent based on FTE percentage. Unused personal/sick leave is not paid on termination of employment.

Employees in positions not eligible for benefits may also qualify for limited sick leave benefits under the Portland Paid Sick Time ordinance, effective January 1, 2014; consult the Human Resources Department for details.

3. Floating Holidays

In addition to the holidays identified in Section F titled Holiday Leave, employees who qualify for vacation and sick leave benefits are also eligible for three floating holidays annually. As with all leave benefits, floating holiday leave is paid based on the employee's work schedule

and a prorated equivalent of one full workday for each holiday, up to a maximum of eight hours per floating holiday. Floating holidays are intended to allow time for employees to observe holidays specific to their cultures or traditions. Floating holidays can also be used to cover leave time when a facility is closed following a scheduled holiday (e.g., the day after Thanksgiving).

Unused holiday leave does not carry over from one calendar year to the next, nor is it payable upon termination of employment.

Employees are responsible for scheduling floating holidays in advance, subject to the approval of their supervisor and/or program director.

C. Leaves applicable to employees hired or rehired into benefited positions on or after July 1, 2005:

1. Paid Time Off

a. Purpose

Paid Time Off (or PTO) Programs combine traditional vacation, sick time, personal days, and floating holiday accounts into one “bank” of days, from which employees can use accrued time off for any purpose, such as vacation, illness, school activities, personal business or emergencies. PTO Programs provide employees with more flexibility to use their time off to meet personal needs, while recognizing an individual’s responsibility to manage his/her own paid time off.

b. Accrual

Each eligible employee accrues PTO at an established rate which is based on hours worked, excluding overtime.

Paid time off is earned based on the date of employment in an eligible position (i.e., regular position and at least 20 hours per week) and is accrued based on hours worked. Paid time off is accrued according to the following schedule which is based on full-time employment (40 hours per week) and is pro-rated if less than full-time.

Length of Service	Leave Hours Accrued	Maximum Annual Accrual
0 – 12 months	.058 hours per hours worked	120 hours
13 – 36 months	.066 hour per hours worked	136 hours
37 - 60 months	.077 hour per hours worked	160 hours
61 – 84 months	.089 hour per hours worked	184 hours
85 – 120 months	.100 hour per hours worked	208 hours
121 thru 180 months	.116 hour per hours worked	240 hours
181 + months	.127 hour per hours worked	264 hours

* No accruals after 40 hours worked in a work week. Accruals are credited at the end of each pay period.

Other employees may also qualify for sick leave or an equivalent amount of PTO under the Portland Paid Sick Time ordinance, effective January 1, 2014; consult the Human Resources Department for details.

c. Carryover of Paid Time Off/Reserve Sick Day Bank

PTO may be carried over from one Fiscal year to the following fiscal year as follows:

Length of Service	Maximum Carry-over From FY to FY
0 – 12 months	80 hours
13 – 36 months	80 hours
37 - 60 months	120 hours
61 – 84 months	120 hours
85 – 120 months	120 hours
121 thru 180 months	160 hours
181 + months	160 hours

The number of PTO days allowed to be carried over from one fiscal year to the next may not exceed the amounts as reflected above (prorated for FTE). PTO in excess of the carry-over limit will be credited to you in a Reserve Sick Day Bank, which is a bank of reserved hours available for your use in the event you require leave due to a situation qualifying under either the Federal, Washington or Oregon Family Medical Leave Acts and have exhausted all other paid time available to you. A maximum of 60 Reserve Sick Days (480 hours), pro-rated if less than 100% FTE may be banked. A

medical certificate of ability to return to work may be required if you are incapacitated during your taking of leave.

Examples:

You have worked full-time for 1 ½ years and have a PTO balance of 9 days (72 hours) as of June 30. The entire 72 hours is carried over into the next fiscal year.

You have worked full-time for 2 ½ years and have a PTO balance of 18 days (144 hours) as of June 30. The maximum carryover of PTO is 80 hours. The remaining 64 hours are credited to your Reserve Sick Day Bank. The Reserve Sick Day Bank hours are only available to you if you need leave that also qualifies under the Family Medical Leave Act(s) and have exhausted all of your accumulated PTO.

d. Paid Time Off at Termination

If you terminate employment, either voluntarily or involuntarily, you will be paid for your earned but unused PTO up to a maximum of your annual entitlement and adjusted, if necessary, to maintain compliance with the Portland Sick Leave Ordinance effective January 1, 2014. If at the time of termination, as a result of carry over, you have more than your annual entitlement of unused PTO, you will not be paid for the unused PTO in excess of your annual entitlement. Hours credited to your Reserve Sick Day Bank are not compensable at time of termination.

Examples:

You leave employment after 1 ½ years and have a PTO balance of 9 days (72 hours) at time of termination. You will be paid for 72 hours of unused PTO because it is less than the annual accrual amount.

You leave employment after 4 years of employment and have a PTO balance of 28 days (224 hours). You will be paid for 20 days (160 hours), which is the annual accrual for a 4-year employee.

e. Management of PTO Accounts

You are responsible for using your PTO account appropriately. It is important that you plan ahead and develop a plan for taking vacations, as well as making provisions for other “scheduled” leave for school functions, personal business, or other reasons. It also means holding some time in “reserve” for

the unexpected, such as emergencies and illnesses. Poor planning may result in leave (i.e., illness, etc.) which must be taken as unpaid time or in not being able to take time off, so it's important to manage your PTO account wisely. Paid Time Off must be used prior to taking unpaid time off unless to do so would negatively impact your ability to receive wage replacement due to an auto accident, disability insurance, etc.

In an effort to provide each employee with a tool to help manage PTO accounts, your pay stub will include the balance of your PTO account.

The PTO Program does not allow for negative balance deductions (i.e., using PTO before earning it) and approval of previously scheduled PTO may be rescinded if you do not have PTO time available.

f. Notice and Scheduling:

1. Scheduled PTO:

All attempts should be made to schedule PTO time with sufficient advance notice to allow for appropriate planning. Requests that are made without reasonable notice may not be granted. Employees are required to complete and submit a Leave Request Form to their direct supervisor with reasonable advance notice and must obtain approval prior to using PTO. There may be occasions, such as sudden illness or emergencies, when the Leave Request Form cannot be submitted in advance of the leave. In these situations, the supervisor must be notified as soon as possible (see *Unscheduled PTO* below). Except in emergencies, PTO must be scheduled in advance and must be pre-approved by your supervisor.

2. Unscheduled PTO:

Unscheduled PTO time is extremely disruptive to our operations. While we recognize that situations occasionally arise in which you will be unable to report to work and give us prior notice, we ask that you attempt to keep these to a minimum. You must notify your supervisor (or designee as directed by your supervisor) immediately once you determine that you will need to take *Unscheduled PTO* time. If you have PTO time, you will be paid for any *unscheduled PTO*. However, if your use of *unscheduled PTO* time is deemed to be excessive, you may be subject to disciplinary action. Except in emergencies, PTO must be scheduled in advance and must be pre-approved by your supervisor.

3. Reporting Requirement

Employees are responsible for notifying their immediate supervisors, according to program procedures, before their scheduled starting time if they are unable to attend or fulfill their work responsibilities and are expected to give a reason for their absence (i.e., personal illness, child's illness, etc.). Adequate notice must be provided to allow time to find a substitute worker when necessary or to accommodate program/department operations. Exceptions may be made by the program director in cases of emergency. Employees whose job responsibilities have been modified in response to medical certification must provide any updates to those restrictions (including a release to full duty) immediately, and in no event later than their first shift following receipt of the updated information. The updated release (or authorization to return to full duty) can be provided to the on-site supervisor or provided directly to our Human Resources Department (confidential fax number is 503-542-4623).

g. Rehires:

If you are rehired into a regular, benefited position within 12 calendar months of leaving a regular, benefited position, you will accrue PTO based on the former date of eligibility. This PTO program will also apply to employees rehired after July 1, 2005 but with an original hire date prior to July 1, 2005.

Example:

You were originally hired into a regular, benefited position on September 10, 2010 and left employment in October, 2014. You return to employment in a regular benefited position as of August, 2015 and you begin to accrue PTO as a 3+-5 year employee (160 hours based on full-time employment).

Example:

You were originally hired into a regular, benefited position on September 10, 2010 and left employment in October, 2014. You return to employment in a regular benefited position as of December, 2015 and you begin to accrue PTO as a newly hired employee.

h. Emergency PTO Buyback:

Emergency buyback of PTO hours is allowed under extremely rare and seriously life altering circumstances. Examples include: a major house fire,

family emergency requiring travel expenses, funeral expenses of a family member, and emergency medical expenditures. All emergency PTO buybacks require approval of your Program Director, the Human Resources Department, and the Executive Director. Request forms are available by contacting the Payroll Department or HR Department. Hours available as emergency buyback of PTO hours cannot exceed hours eligible for payout at termination of employment (see section titled Paid Time Off at Termination.)

D. Donation of Leave/Receipt of Donated Leave

Employees are able to donate accumulated vacation leave and accumulated paid-time-off hours to a bank of hours held in reserve for eligible employees who have exhausted their own paid-time off and who have a serious health condition or are caring for a family member with a serious health condition, as defined under the Oregon Family Leave Act. A copy of the donation leave policy and applicable forms may be obtained by contacting the Human Resources Department.

E. Cash-Out of Vacation/PTO Hours:

In addition to the emergency vacation buy-back and emergency PTO buyback provisions in this section of the Guidebook, you may have the option of cashing out accrued vacation or PTO hours.

To be eligible to cash out accrued vacation hours, you must have a minimum of 80 accrued hours of vacation leave (pro-rated if less than full-time).

The maximum amount of hours that you can cash out is limited to (a) the amount of vacation time you have actually taken within the twelve (12) month period immediately preceding the request for cash out and (b) no more than an amount that would leave you with a remaining 40 hours of vacation time to use (prorated if less than full-time). A specific vacation leave period can be used only once in determining eligibility for a cash-out calculation.

To be eligible to cash out accrued PTO hours, you must have an accrued minimum of 80 hours of PTO leave (pro-rated if less than full-time).

The maximum amount of hours that you can cash out is limited to (a) the amount of PTO hours you have actually taken within the twelve (12) month period immediately preceding the request for cash out; (b) the maximum carry-over hours allowed from year to year (see Section XIX (C) (1) (c)); and (c) no more than an amount that would leave you with a remaining 40 hours of PTO time to use. Once a specific PTO leave period has been used for a cash-out calculation, it may not be used again for a future cash out.

Requests for cash-out of vacation or PTO hours will normally be processed with the regular payroll; however, requests for cash-out of PTO hours will not be processed for pay periods ending June 30 or during the last two weeks of December.

Compensation received due to cash-out of vacation or PTO hours is not eligible compensation as defined in the agency's 401(k) plan and is excluded in calculating any employer contributions.

F. Bereavement Leave

The Agency recognizes that a time of bereavement may be very difficult for an employee. The Agency also recognizes that families are composed of various relationships. As a result, the Agency has not limited bereavement leave to a specific list of "family" members but, instead, recognizes that close, family-like relationships exist in many situations. Therefore, regular employees who qualify for benefits may take up to three work days of paid bereavement leave to attend to matters following a death in their family or of someone with whom the employee had a close personal relationship. Leave without pay, sick/vacation leave, or paid-time-off leave may be granted to extend this period, subject to supervisory notification and approval. It's important to clarify that bereavement leave is not intended to be used for every funeral or memorial service you might attend; it is intended to apply to those situations when the decedent is someone that you had a relationship with that was equivalent to a fiancé, spouse/partner, child, parent, parent-in-law, son/daughter-in-law, grandchild, grandparent or grandparent-in-law, sister, brother, sister-in-law, or brother-in-law.

The Agency reserves the right to request supporting documentation from someone taking bereavement leave.

Effective January 1, 2014, employees eligible for leave under Oregon Family Medical Leave (OFLA) may take up to two weeks of unpaid bereavement leave when a family member covered under OFLA (see Family Medical Leave Policy below) dies. Eligible employees with available paid leave must use the paid leave during this covered absence, and the OFLA leave runs concurrently with bereavement leave under this policy.

G. Portland Sick Leave Policy

The Agency's Portland Sick Leave policy applies to employees working within the City limits of Portland, Oregon and who are not in positions that otherwise qualify them to accumulate sick leave OR paid time off (temporary workers, substitute workers and employees working less than half-time).

This policy is intended to and should be construed to fully comply with the Portland Protected Sick Time (PST) Ordinance (Portland City Code Chapter 9) and the Portland Sick Time Administrative Rules, effective January 1, 2014. (For employees who are eligible to receive PTO or sick time under Janus' pre-existing benefits policies – i.e., those in benefit-eligible positions – Janus complies with the PST Ordinance via those paid leave benefits.)

In the event of any conflict between this policy and applicable law, the law will be followed. For any questions about leave, including sick leave described herein, please contact the Human Resources Department.

1. Eligible Employee: Employees working within the City of Portland will begin accruing sick leave under this policy as of January 1, 2014 or upon commencement of employment if after January 1, 2014. Employees are not eligible to use their accrued sick leave until they have been employed at least 90 days and have worked a minimum of 240 hours within the City limits in any single calendar year beginning on or after January 1, 2014. Employees who have met the eligibility requirements, leave employment, and are rehired within 6 months of leaving employment do not need to re-satisfy the eligibility requirements before being allowed to use their accrued sick leave. Employees who are rehired more than 6 months after leaving employment will need to again satisfy the initial eligibility requirements of working at least 90 days and 240 hours before they are eligible to use accrued sick leave.

2. Sick Time Accrual: Eligible employees begin accruing sick time as of January 1, 2014 or from their date of employment if commencing employment after January 1, 2014. Eligible employees earn 1 hour of sick time for every 30 hours worked within the City of Portland and may accrue a maximum of 40 hours of sick time per calendar year. Exempt employees are presumed to work 40 hours in each workweek for purposes of sick time accrual unless their normal workweek is less than 40 hours, in which case sick time is accrued based upon the employee's normal workweek.

3. Sick Time Carry-Over: An eligible employee may carry over up to 40 hours of accrued sick time for use in subsequent calendar years; however, the maximum accrual in any calendar year is 40 hours and the maximum amount of sick leave allowed to be taken in any calendar year is limited to a maximum of 40 hours.

4. Qualifying Absences: Sick time may be used for the following reasons:

- Diagnosis, care or treatment of the employee, or the employee's covered family member for mental or physical illness, injury or health condition, including but not limited to, pregnancy, childbirth, post-partum care, and preventive medical care.
- The employee, their child or dependent is a victim of domestic violence, harassment, sexual assault or stalking.
- Closure of an employee's place of business, or an employee's child's school or place of care, by order of a public official due to a public health emergency
- Care for a covered family member when it has been determined by a public health authority or by a health care provider that the family member's presence in the community would jeopardize the health of others.
- Employer exclusion of an employee from the workplace for health reasons per any law or regulation that requires such exclusion.

For purposes of sick leave, "covered family member" is defined to include the spouse or domestic partner of the employee, the biological, adoptive, or foster parent or child of the employee, the grandchild of the employee, a parent-in-law of the employee or a person with who the employee was or is in a relationship of in loco parentis.

5. Use of Sick Time: Sick time may be used for qualifying absences in increments of one hour and may be used to cover all or part of a shift. An employee can use a maximum of 40 hours of accrued sick leave per year. An employee absent from work for a qualifying reason shall use accrued sick time hours on the first day and each subsequent day of absence until all accrued time has been used. When using sick time, employees are not required to find coverage for their shift.

An employee may NOT use sick time if the employee is not scheduled to work on the shift for which sick time is requested. An employee may NOT use sick time until they have satisfied the eligibility requirements of at least 90 days of employment and 240 hours worked. Once these eligibility criteria have been met, they do not need to be re-satisfied unless the employee terminates employment and there is a lapse of more than 6 months before rehire.

Employees may use sick time only during times that they are scheduled to perform work within the City of Portland.

6. Conversion of Sick Time when moving to a “Benefit-Eligible” position: Up to 40 hours of sick leave hours accrued under this policy will be converted to PTO leave time if an employee who is covered under this policy moves into a benefit-eligible position.

For example, an employee working in a temporary, part-time position has accrued 32 hours of sick leave under this policy. They are hired into a 30-hour per week position at a worksite within the Portland city limits and are eligible for accrual of PTO according to Agency policy (benefit-eligible). Their 32 hours of sick leave will be converted to PTO leave time when they move into the 30-hour per week position and they will accrue PTO according to Agency policy. They will no longer have any accrued sick leave under this policy.

7. Conversion of leave time when moving from a “Benefit-Eligible” position: Employees who leave a benefit-eligible position with accrued PTO hours but elect to remain employed in a position qualifying them for sick leave under this policy will be paid out their existing PTO hours (subject to Agency limits) and, assuming eligibility criteria has been met, begin accruing sick leave under this policy.

For example, a full-time employee leaves their position but remains as a substitute worker, working on a casual, part-time basis at a location within the Portland city limits. They have 32 hours of PTO at time of termination from their “regular” position. They will be paid out their 32 hours of PTO and, upon change of position to substitute worker, will begin accruing sick leave under this policy.

8. Payment of Sick Leave Hours: When using sick time, employees will be paid at the rate the employee would have earned had they not been absent; however, employees will not be paid for lost tips, commissions, overtime or holiday pay.

Accrued but unused sick time will not be paid to the employee upon termination, resignation, retirement or other separation of employment.

9. Rehires: An employee rehired within 6 months of separation is entitled to use and/or have restored previously accrued sick time immediately upon reemployment. Eligibility to use hours assumes all eligibility requirements were previously met (240 hours and at least 90 days of employment).

10. Employee Notice: Each employee will be provided a written accounting at least quarterly of the amount of accrued and unused sick time available.

For planned sick leave, the employee must submit a leave request form to their supervisor at least 30 days prior to the date the leave will commence or as soon as practicable. Employees must make reasonable efforts to schedule planned sick leave in a manner that does not unduly disrupt operations and should attempt not to schedule sick leave during peak work hours, when work is time-sensitive, or when mandatory meetings are scheduled. Leave Request Forms are available on the Agency's website at www.janusyouth.org (staff area).

When sick leave is unforeseeable, the employee must verbally notify his or her supervisor (or the on-call supervisor or relief coordinator appropriate to their worksite's procedure) of the need for sick time at least 4 hours before the start of the scheduled work shift, or as soon as practicable.

The Agency may deny sick leave if the employee fails to provide notice as stated in this policy or fails to reasonably attempt to schedule sick leave in a manner that does not unduly disrupt operations.

11. Employee Documentation: If an employee uses more than three consecutive days of sick leave, the Agency may request reasonable documentation verifying the employee is out for a qualifying reason and is released to return to work. The Agency may deny the use of sick time for an absence until the employee provides the requested documentation.

12. Interaction with Other Leave: An employee's use of sick time may run concurrently with other leave under state or federal law, including leave taken pursuant to the Oregon Family Leave Act or the federal Family and Medical Leave Act. An employee may not use paid sick time while receiving "lost time" benefits under workers' compensation.

H. Holiday Leave

For the purpose of the holiday-leave benefit, there are two categories of employees: (1) those who are not normally required to work on the actual or observed holiday and (2) those who are normally required to work on the actual or observed holiday. Sometimes the "actual" holiday and the "observed" holiday differ. Therefore, we have established two holiday schedules:

Schedule A and Schedule B. Schedule A holidays are those that are commonly observed by the mainstream community, often resulting in the closure of banks, some retail stores, and/or other institutions. For example, Christmas Day may fall on Sunday but be observed on Monday. Schedule B holidays fall on the “actual” day of the recognized event. Generally, an Employee’s employment offer letters will stipulate which holiday schedule applies to the employee’s position.

a. Category #1: Employees Who Are Not Normally Required To Work on the Observed Holiday

Employees who are normally not required to work on the actual or observed holiday will have the day off and be paid for the holidays listed below. Schedule A (observed) holidays apply to employees who are not normally required to work on holidays. Pay for the holiday is based on prorated equivalent of one workday, up to a maximum of eight hours. Exempt employees who work a Schedule A holiday can take another day off in lieu of the holiday worked.

b. Category #2: Employees Who Are Required To Work on the Actual Holiday

Nonexempt employees working in facilities whose positions require staff coverage to ensure provision of direct client or customer services are paid at time and one-half when they are required to work the actual holiday listed below. Schedule B reflects actual holidays. Employees working under the Schedule B do not receive any holiday pay or other benefit if they do not work on the actual holiday.

Holidays:

New Year’s Day	Labor Day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

Employees’ work schedules must be preapproved by their supervisor and/or program director, including coverage for holidays, within the guidelines established by the program component or department.

I. Jury Duty/Witness Leave

The Agency recognizes the civic obligation of jury duty. Employees are excused from work for compelled jury service upon presentation to their supervisor of the jury summons. During compelled jury service, the Agency

pays the difference between the employee's regular salary (excluding overtime and other premium pay) and the amount paid by the court system, excluding mileage and lunch allowances, for up to a maximum of five working days or as required for compliance under the Fair Labor Standards Act. Employees whose jury service extends beyond five (5) work days may use their accrued PTO or vacation leave or may take the time as unpaid.

Employees will be paid for time spent appearing as a witness before a court, legislative committee, or judicial or quasi-judicial body in response to a subpoena or other directive for matters related to the employee's duties officially assigned by the Agency. Employees are not expected to use their paid leave time under such circumstances. The employee will be excused from work without charge against his/her leave or vacation benefits.

If an employee is summoned to court on a matter that is not the employee's personal or domestic business, the time and fees, if any, are treated the same as for jury duty.

Court time for the employee's personal or domestic affairs may be covered by vacation leave or paid-time-off leave. If paid leave time has been exhausted, the leave may be taken without pay.

J. Staff Development and Training

The Agency may support staff attendance at professional-development seminars, conferences, and courses through financial and leave-time means. Determination of amount of leave and amount of reimbursement is made by management based on the financial ability of the program and organization and relevance of the training to present and future job responsibilities.

K. Leaves Without Pay

1. Military Leave/Active Duty

A leave of absence without pay is granted to employees who enter the military service on a full-time basis or are called to active duty. A copy of the military orders must be sent to the Human Resources Department. Advance notice of 30 days should be given whenever it is reasonably possible to do so. Employees absent due to military leave may use accumulated PTO or vacation hours during their leave but are not required to do so.

2. Military/Training Duty

In accordance with federal law, military leave without pay is granted to members of the Armed Forces Reserve or National Guard for purposes of annual training duty. Employees are entitled to return to their jobs with seniority benefits just as if they had held their jobs during the authorized absence. A copy of the military orders must be provided to your supervisor with a copy sent to the Executive Director. Advance notice of 30 days should be given whenever it is reasonably possible to do so. Employees absent due to military leave may use accumulated PTO or vacation hours during their leave but are not required to do so.

3. Military Family Leave

Please see information under Family Medical Leave for information related to leaves taken by family members in connection to a servicemember's call to active duty, deployment, leave from deployment, or injury in connection with military service.

4. Extended Personal Leave

Requests for leave without pay must be made in writing and must explain the reason for the request. Normally, requests for leave without pay for less than 40 hours should be submitted to your supervisor and to your Program Director for approval. Requests for leave without pay for more than 40 hours must be approved by the Executive Director after review and recommendation of the employee's immediate supervisor and program director. Employees must have exhausted all available paid time off prior to being placed on unpaid status unless doing so negatively impacts their ability to receive wage subsidy benefits due to short or long-term disability insurance, workers' compensation benefits, other insurance reimbursements or claims, etc. Requests will be evaluated based on the reason given, the impact of leave on program operation, and adherence to law. Generally, consideration of extended leave is reserved for employees who have completed at least one year of consecutive employment in a regular-status, full- or part-time position. Leaves without pay are usually limited to a maximum of 90 days. Benefits do not accrue during any leave of absence without pay. Depending on the length of the leave, employees are responsible for (1) any monthly participation fees associated with group medical coverage and/or (2) group medical and dental insurance premiums if continuation of coverage is desired during the leave of absence. The Agency requires an employee to use any accrued vacation time or paid-time-off leave during the otherwise unpaid portion of the leave. Upon return from an authorized leave of absence, it may be necessary for the employee to again satisfy eligibility waiting periods connected to medical, dental, life, and long-term disability insurances.

Generally, employees who would otherwise qualify for family medical leave (under the federal Family and Medical Leave Act ("FMLA"), the Oregon Family Leave Act ("OFLA"), or the Washington Family Leave Act (WFLA) but are disqualified because of a non-covered type of domestic partner relationship may be granted a personal leave

of absence to the same extent as would otherwise be granted if the partner were considered a covered family member under FMLA, OFLA or WFLA.

Employees returning from an authorized extended personal leave may be reinstated to their former positions, if available, or to other available and suitable positions for which they are qualified. However, no current regular employee will be discharged to create a suitable position if one does not exist, and the Agency cannot guarantee reinstatement.

L. Miscellaneous Protected Leaves:

State and Federal laws are constantly changing and evolving in terms of protected leaves and conditions for such leave. You may be entitled to protected, unpaid leave in order for you to attend criminal proceedings if you or a minor child or someone you are guardian for has been a victim of a crime or a victim of domestic violence, sexual assault, harassment or stalking. There are varying requirements for eligibility and documentation to substantiate the leave as protected leave time. Protected leave may overlap and run concurrently with other protected leave (e.g., Family Medical Leave). You are encouraged to contact the Human Resources Department if you require leave and have any questions about whether or not it is considered protected leave time.

M. FAMILY and MEDICAL LEAVE POLICY (including Military Service Member Leave)

Employees may be eligible for unpaid, job-protected leave of up to 12 weeks in a 12-month period under the Oregon Family Leave Act (OFLA), the Washington Family Leave Act (WFLA), and/or the federal Family and Medical Leave Act (FMLA). In some cases, additional job-protected leave may also be available. For purposes of tracking family and medical leave, the Agency uses a 12-month “rolling forward” leave year.

Although the provisions of Oregon, Washington and federal laws differ, the Agency has adopted a single family and medical leave policy that complies with applicable federal and state laws and includes leave related to military service injury and qualifying exigencies. State and federal leave time run concurrently whenever both sets of laws apply to the leave taken.

It is important that employees contact the Human Resources Department if they are on leave or are anticipating leave for any covered reasons, including (1) their or a family members’ serious health condition; (2) pregnancy or childbirth; (3) caring or bonding with a child following birth, adoption, or placement as a foster-child; (4) caring for a child with a non-serious illness or injury necessitating home care; (5) caring for a family member who is a service member injured while serving on active military duty, including veterans who are undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment; (6) certain qualifying exigencies relating to a family member’s call-up to active military duty (see military leave entitlements below); (7) being the spouse of a member of the US military forces (including National Guard or military reserve forces) who has an impending call or order to active duty in a foreign country or is on impending leave from deployment; or (8) to deal with the death of a family member by

attending the funeral or alternative to a funeral of the family member; making arrangements necessitated by the death of the family member; or grieving the death of a family member.¹

If it is determined that an employee's condition does not qualify for leave under the family and medical leave laws, the employee may nevertheless be eligible for vacation, sick leave, paid-time off leave or other unpaid leave. Thus, any questions about absences should be directed to your Program Director or the Human Resources Department.

¹The OFLA entitlement for this type of leave for eligible Oregon employees becomes effective January 1, 2014. As part of the 12-week general annual OFLA leave entitlement, eligible employees may take up to two weeks of OFLA leave for this purpose upon the death of any family member within the 12-month leave year. This type of leave must be completed within 60 days of the date on which the eligible employee receives notice of the death of a family member.

1. Eligibility Requirements:

- Federal Family and Medical Leave Act (FMLA): Employees who have been employed with the Agency for 12 months total, who work at a location with at least 50 employees within a 75 mile radius, and who have worked at least 1,250 hours during the previous 12-month period.
- Washington Family Leave Act (WFLA): Employees who have been employed with the Agency for 12 months total, who work at a location in Washington with at least 50 employees within a 75 mile radius, and who have worked at least 1,250 hours during the previous 12-month period.
- Oregon Family Leave Act (OFLA): Employees working in Oregon and who have been employed with the Agency for the 180-day period immediately preceding their leave and have worked an average of 25 hours per week during that 180 day period. (The 25-hour requirement does not apply to leave for birth, adoption or foster placement of a child under age 18.)

Please contact the Human Resources Department for more information about eligibility.

2. Basic Leave Entitlements:

The family and medical leave laws generally require covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- An employee's incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care (must be taken within 12 months of the child's birth or placement);

- To care for the employee’s serious health condition that makes the employee unable to perform the employee’s job;
- FMLA: To care for the employee’s spouse, child (biological, step, adopted or foster), parent or person acting “in loco parentis” (such as a guardian or another relative caring for a child) who has a serious health condition;
- WFLA: To care for the employee’s spouse, child under 18 years of age (biological, step, adopted or foster), child over 18 who is incapable of self-care due to a disability, parent or person acting “in loco parentis” (such as guardian or another relative caring for the child), or registered domestic partner.
- Washington Family Care Act (WFCA): To care for a sick child with a routine illness, a spouse, parent, parent-in-law or grandparent with a serious or emergency health condition, or an adult child with a disability. (WFCA leave is only available to the extent than an employee has available paid leave.)
- OFLA: To care for the employee’s spouse, child (biological, step, adopted or foster), parent or person acting “in loco parentis” (such as guardian or another relative caring for the child), parent-in-law, grandparent or grandchild, or registered same-sex domestic partner, or parent or child of such partner, who has a serious health condition; or to care for the employee’s child with an illness or injury necessitating home care, other than a serious health condition, for a minor child or an adult child substantially limited by a physical or mental impairment. Effective January 1, 2014, OFLA also allows up to two weeks of leave to deal with the death of a family member by attending the funeral or alternative to a funeral of the family member, making arrangements necessitated by the death of a family member or grieving the death of a family member.
- Because of differences in eligibility and coverage standards between state and federal laws, in some cases, an eligible employee may be entitled to more than 12 weeks of leave in a 12-month leave year.
- State leave laws also permit more than 12 weeks of leave in a year in certain situations. Under OFLA, an eligible female employee who takes leave for a pregnancy-related disability may take up to an additional 12 weeks for any OFLA-qualifying purpose, and a male or female employee who uses a full 12 weeks of parental leave (for caring for or bonding with a new child) may use up to 12 additional weeks in the same leave year for sick child leave (to care for a child with a non-serious injury or illness requiring home care). Under Washington’s pregnancy disability leave (PDL) regulation, an eligible female employee is entitled to pregnancy disability leave in addition to the 12 weeks of WFLA leave. Washington PDL runs concurrently with federal FMLA leave, but separately from WFLA leave.

- In some cases, when both spouses are employed by the Agency, the 12-weeks of leave may be limited to an aggregate of 12 weeks combined between them both for certain leave purpose, and in certain cases, the Agency may require that spouses or family members employed by the Agency stagger their leaves.
- Military Family Leave Entitlements:
Eligible employees with a spouse, same-sex and/or registered domestic partner, son, daughter, or parent who is a member of any branch of the U.S. military and is on active duty or called to active duty status in a foreign country may use their 12-week FMLA entitlement to address certain qualifying exigencies. Examples of qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

FMLA leave also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered injured or ill service member during a single 12-month period if the employee is the spouse, son, daughter, parent or next of kin of the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. A covered service member also includes veterans who are undergoing medical treatment, and/or recuperating or in therapy for a serious injury or illness that occurred any time during the five years prior to the first date an eligible employee takes FMLA leave to care of the covered veteran. Military caregiver leave may also apply for leave taken to care for a service member who aggravates a prior injury or illness during his/her course of military service and to a former service member for an injury or illness that results from a condition the predates the individual's active duty but that was exacerbated by the military service.

The Washington Military Family Medical Leave Act (WMFLA) permits employees who, on average, perform 20 or more hours of work per week to take up to 15 days of protected leave if they are the spouse or

registered domestic partner of a member of the armed forces of the United States, national guard, or reserves who has been notified of an impending call or order to active duty or has been deployed. This leave must be taken either prior to deployment or while the military spouse or partner is on leave from deployment. An employee who wishes to take leave in this situation must provide a copy of the official notice of impending call or order to active duty or of a leave from deployment within five business days of receiving such notice. An employee who takes leave in this situation also has the choice of either using paid time off (if available) or taking the leave as unpaid. The 15 days of WMFLA leave runs separately from the WFLA 12-week entitlement but may run concurrently with the FMLA 12-week qualifying exigency entitlement in certain cases.

The Oregon Military Family Leave Act (OMFLA) allows a spouse or registered same-sex domestic partner of a member of the U.S. Armed Forces, the National Guard, or the military reserve to take leave during a period of military conflict when the service member has been notified of: (a) an impending call or order to active duty; or (b) impending leave for deployment. Employees meeting this condition for leave and who have worked an average of 20 hours per week in the preceding 180-day period are entitled to 14 days of unpaid leave per deployment before deployment and/or during leave from deployment. All leave taken for this purpose will be counted toward the employee's 12-week OFLA entitlement. Employees intending to take leave for this purpose must provide notice of their intention within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

3. Definition of Serious Health Condition:

For purposes of the family and medical leave laws, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Serious health conditions include an illness, disease or condition that, in the medical judgment of the treating health care provider, poses an imminent danger of death, is terminal in prognosis with a reasonable possibility of death in the near future, or requires constant care or continuing treatment. Serious health conditions also include any period of disability due to pregnancy or period of absence for prenatal care.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment,

or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may also meet the definition of continuing treatment.

4. Benefits and Protections:

During the use of FMLA and WFLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Employees are still responsible for paying their portion of premium, including any premiums related to spouse, partner or dependent coverage. OFLA does not require the employer to maintain health coverage during an approved family medical leave but does require the employee's health coverage be restored when they return to their regular position following leave. Employees who are not eligible for employer-provided continuation of health coverage may make arrangements to continue their coverage at their own expense.

Use of Family Medical leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. However, the Agency reserves the right to alter, reduce or eliminate any pay practice, policy or benefit at any time, with or without notice, except for those provisions required by law.

At the end of the leave, normally the employee returns to his/her former position. If the former position does not exist for some business reason, the employee may return to an available equivalent position. An "equivalent position" is one with equivalent pay, benefits and hours but not necessarily the same work location or type of responsibilities. An employee's right to return to work also may be affected by any transfer, layoff or termination action that would have occurred for business reasons unrelated to the family leave absence.

5. Use of Leave:

An employee normally does not need to use family medical leave in one block of time with the exception of leave taken to care for a child after birth or following placement for adoption or foster care. Leave can normally be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees are required to use any accumulated paid leave time (sick, floating holiday, vacation, or paid-time-off) prior to leave being unpaid unless to do so negatively impacts the employee's ability to receive short or long-term disability, insurance settlements, or other wage subsidies, including workers' compensation benefits.

No vacation, sick or paid-time-off leave will accrue during the otherwise unpaid portion of the leave.

6. Employee Responsibilities:

Employees must provide 30 days advance notice of the need to take family medical leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Agency's normal paid leave policies and program's normal call-in policy/procedure.

Employees must provide timely and sufficient information for the employer to determine if the leave may qualify for family medical leave protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the employer if the requested leave is for a reason for which family medical leave was previously taken or certified. Employees also may be required to provide timely certification from a health care provider and periodic recertification supporting the need for leave and/or certification of ability to return to work. If the leave is due to a military exigency, employees may be required to provide certification to support the request for leave.

7. Employer Responsibility:

Covered employers must inform employees requesting leave whether they are eligible under the family medical leave acts. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as family medical leave act-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not protected, the employer must notify the employee

8. Enforcement:

It is unlawful for any employer to (1) interfere with, restrain, or deny the exercise of any right provided under the family medical leave act(s) and/or (2) discharge or discriminate against any person for opposing any practice made unlawful by the family medical leave act(s) or for involvement in any proceeding under or relating to the family medical leave act(s).

Employees are encouraged to contact the Human Resources Department or the Executive Director if they have concerns related to family medical leave.

The federal Family and Medical Leave Act does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

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