

**I. Acknowledgement of Receipt**

**EMPLOYMENT ACKNOWLEDGEMENT AND RECEIPT**

I, \_\_\_\_\_ acknowledge that I was given a copy and advised to read the West Texas Opportunities, Inc. revised and approved Personnel Policy, which replaces and supersedes all earlier West Texas Opportunities, Inc. Personnel Policies. I clearly understand that this policy does not create a contract for employment with West Texas Opportunities, Inc., and that West Texas Opportunities, Inc. may change or modify this policy at any time, with or without prior notice. I agree to be bound by and follow the company's policies and procedures during my employment with West Texas Opportunities, Inc. I understand that violating the rules of the Personnel Policy may lead to discipline, up to and including termination.

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name**

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### III. GENERAL

#### A. MISSION STATEMENT

*“To ease the limitations of poverty by investing in families to improve their quality of life”*

#### B. HISTORY OF WEST TEXAS OPPORTUNITIES, INC.

West Texas Opportunities, Inc. is a private, non-profit agency. It was created in 1966 for the purpose of implementing the provisions of the Economic Opportunity Act of 1964. All programs are administered through a Board of Directors made up of 21 members. West Texas Opportunities, Inc. is the local Community Action Agency for Andrews, Borden, Dawson, Ector, Fisher, Gaines, Glasscock, Howard, Loving, Martin Midland, Mitchell, Nolan, Reeves, Scurry, Upton, Ward and Winkler Counties. Some of our programs also extend to the other seven counties in the Permian Basin region. All jobs in the agency depend on available funding, and our funding amounts vary from year to year. A brief description of our programs can be found in our Annual Report.

#### C. PURPOSE

The Personnel Policy contains policies and procedures for West Texas Opportunities, Inc. Its purpose is to establish Personnel Policies and Procedures which are standard throughout our organization. It will also serve to provide a basic source document for use and reading by all staff. The Board of Directors is the source which issues the authority to administer the Agency and is concerned with setting objectives and issuing Board Policy statements. The Board of Directors will delegate direct operational authority to the Executive Director to administer the Agency within the framework of the established policies. Final action on appeals is a matter for the Personnel Committee to consider. The Personnel Policy and Procedures of any and all Delegate Agencies shall conform to the standards established by the Grantee, as approved by the funding source hereinafter known as the Cognizant Agency.

#### D. AMENDMENT PROCEDURES

The Personnel Policy may be amended by a 2/3 majority vote of the Executive Committee at a meeting in which a majority of the members of the Executive Committee are present and voting. The Board of Directors shall be informed of any and all changes or amendments to the Personnel Policy in a regular or called meeting of the Board of Directors.

#### E. NON-DISCRIMINATION POLICY

West Texas Opportunities, Inc., as an Equal Opportunity Employer, prohibits discrimination on the basis of race, gender, color, religion, national origin, ancestry, creed, age, medical condition, disability, genetic information, veteran status, citizenship status, marital status, sexual orientation, or any other basis prohibited by state, federal or local law. This policy applies to all employment decisions affecting the terms and conditions and privileges of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recalls, leave of absence, compensation and training. Procedures for resolving discrimination complaints are outlined in the West Texas Opportunities, Inc. Non Discrimination Policy Statement and Complaint Procedures.

#### F. REASONABLE ACCOMMODATIONS POLICY

West Texas Opportunities, Inc., also adheres to guidelines of the Americans with Disabilities Act and the ADA Amendments Act of 2008 (collectively referred to as the ADA). West Texas Opportunities, Inc. will make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual with a disability if such accommodation does not impose an undue hardship on West Texas Opportunities, Inc. or a direct threat would result from the requested accommodation. Any employee who requires an accommodation to perform the essential functions of his or her job because of a disability should contact their supervisor or the Human Resources Director to request an accommodation. The accommodation request can be written or oral and can be made by the employee or someone on the employee's behalf. The accommodation request should specify the specific accommodation the employee is requesting to perform his or her job.

West Texas Opportunities, Inc. will also provide a reasonable accommodation for an employee's religious expressions, observances and requirements when an employee brings such a request to West Texas Opportunities, Inc. attention, unless the accommodation amounts to an undue hardship.

West Texas Opportunities, Inc. expects its employees to fully cooperate in the accommodation process. West Texas Opportunities, Inc. does not guarantee that it will make the requested accommodations. West Texas Opportunities, Inc. may propose an alternative to the requested accommodation or substitute one reasonable accommodation for another.

### IV. RECRUITMENT AND SELECTION

#### A. PRIORITIES CONSIDERED IN RECRUITMENT

Employment opportunity for area residents and members of the groups served will be considered in recruitment. Education requirements will be set by the Executive Director for available positions. Low-income residents who do not meet the educational requirements, but are otherwise qualified for the position, will be given priority.

## B. PERSONAL REQUIREMENTS

### 1. Ability to Perform Job Duties

Applicants must be able to perform the job duties, with or without accommodations, as outlined in the Job Description.

### 2. Criminal Background Check

West Texas Opportunities, Inc. will run a Pre-Employment Criminal Background Check on all applicants who are being considered for employment. In the case when an offense is reported, West Texas Opportunities, Inc., will carefully consider the nature and gravity of the offense and/or conduct to determine whether a specific crime may be relevant to concerns about risks in a particular position. West Texas Opportunities Inc., will consider the amount of time that has passed since the offense, conduct and/or completion of sentence. West Texas Opportunities will consider the criminal conduct to the essential functions of the position sought after by the applicant. This encompasses the nature of the job's duties, identification of the job's essential functions, the circumstances under which the job is performed and the environment in which the job's duties are to be performed.

Criminal Background Checks will be run each June on all current Employees and results will be reviewed using the same considerations as listed above.

### 3. Drug Testing

All Applicants being considered for employment will be required to pass a Pre-Employment Drug and Alcohol test. Employees will be required to pass random Drug and Alcohol screens in order to continue employment.

### 4. Driver's License and MVR Review

Driving records and capability must be considered with other job requirements in the selection of West Texas Opportunities, Inc. personnel who may be required to operate a vehicle on West Texas Opportunities, Inc. business. A check will be made to insure the applicant has a valid driver's license. Each driver's license expiration date will be recorded and the driver's license will be checked at the expiration date to make certain the license has been renewed.

A pre-employment Motor Vehicle Record will be obtained and reviewed on all applicants who will operate a vehicle for West Texas Opportunities, Inc.

- Transportation Driver Positions – as a condition of employment, a driver Motor Vehicle Record (MVR) will be obtained and reviewed. If the employee is hired and begins working prior to obtaining the new employee's MVR, then their hiring must be conditional. A MVR review must be conducted annually for all drivers subject to Department of Transportation (DOT) regulations and Medical Transportation Program guidelines. A time frame longer than 12 months between checks is a violation of the Medical Transportation Program Contract.

### C. CONFLICT OF INTEREST / NEPOTISM

No employee or member of West Texas Opportunities, Inc. Board of Directors shall have or acquire any interest, direct or indirect, which would conflict in any manner with the performance of any contracts. No person having such interests shall be employed by West Texas Opportunities, Inc. or appointed as a member of West Texas Opportunities, Inc. governing board.

Members of the West Texas Opportunities, Inc. Board of Directors shall not be employed, nor shall members of their immediate family be employed by West Texas Opportunities, Inc. or any delegate agency of West Texas Opportunities, Inc.

No employee, officer or agent of West Texas Opportunities, Inc. shall participate in the selection, award, or administration of a subcontract supported by State or Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict of interest would arise when: 1) the employee, officer or agent; 2) any member of his or her immediate family; 3) his or her partner or 4) any organization which employs or is about to employ, any of the above, has a financial or other interest in the firm or person selected to perform the subcontract.

West Texas Opportunities, Inc. employees, officers and agents shall neither solicit nor accept gratuities, favors or anything of monetary value from subcontractors or potential subcontractors.

Board members may not be employed by the agency during their service on the board or for twelve (12) months thereafter.

### D. PERSONNEL COMMITTEE

Shall be composed of seven members of the Executive Committee whose duties are: (1) upon request from the Executive Director, to review recommendations for positions available within the Agency. (2) To review appeals made by employees involving disciplinary actions, dismissals or grievances. (3) To establish and see to the enforcement of Personnel Policies and procedures and (4) To act in an advisory capacity to the Executive Director. A simple majority of the members of the Personnel Committee shall constitute a quorum for the purpose of any and all business of the Personnel Committee, but a small number may adjourn to a subsequent date.

### E. METHOD OF ADVERTISING VACANCIES

The job vacancies for regular full-time shall be advertised in the newspaper, radio (when available) and with local employment agency; and a special effort will be made to make vacancies known throughout the poverty areas. The statement that West Texas Opportunities, Inc. is an "Equal Opportunity Employer" shall accompany all advertising for job vacancies. The area of consideration shall be at least over the service area, but provisions shall be made to expand that area to the degree necessary to secure qualified personnel.



#### F. MOVING EXPENSES FOR DIRECTOR

The Grantee, but not a Delegate Agency, may pay travel and per diem expenses to a candidate for the position of Director or Deputy Director. Such payments shall be in accord with the policies set forth in the Agency Travel Policies. The Grantee, but not a Delegate Agency, may apply to the funding source for permission to pay the actual cost of moving household goods, up to a maximum of \$1,000 for a person who is hired to be Director or Deputy Director and who resides outside of the community.

#### G. NOTIFICATION OF SELECTION

Procedures to be followed in selection of personnel will include a written notice to the person selected and written notices to those interviewed but not selected. If an applicant is already a staff member, a new Personnel Action Form will be completed and placed in the employee's personnel file.

#### H. IMMIGRATION REFORM AND CONTROL ACT POLICY (I-9)

The Immigration Reform and Control Act (IRCA) of 1986 requires that all employers check the identity and work authorization of employees. This policy applies to all West Texas Opportunities, Inc. employees. Employees will need to provide acceptable identification as described in the I-9 Instructions. Current I-9 forms and instructions are located in the West Texas Opportunities, Inc. Forms Manual located at each West Texas Opportunities, Inc. location.

The Act requires that Section I of the I-9 form must be completed on the first day of employment and Section II must be completed no later than the 3<sup>rd</sup> day of employment. The I-9 form will be completed at West Texas Opportunities, Inc. during the New Employee Orientation held on the first day of employment. In the case where Orientation is not offered on the employee's first day of employment, it is mandatory that the Supervisor be responsible for seeing that the employee completes Part I of the form no later than the first day of employment. If the employee has proper documentation on their first day of employment to establish identity and employment eligibility and if there is a supervisor on site who can view and verify proper documentation for Part II, that supervisor and the employee can complete their respective blanks on the I-9 form. If the employee does not have the proper documentation for completion of Part II on their first day, the employee will have until the 3<sup>rd</sup> day of employment to provide the identifying documentations. Supervisors must complete Part II of the form no later than the employee's 3<sup>rd</sup> day of employment. When a Supervisor completes an I-9 Form, the original form will be mailed to the West Texas Opportunities, Inc. main office.

West Texas Opportunities, Inc. will enter the completed I-9 information into E-VERIFY. West Texas Opportunities, Inc. will file the completed I-9 forms (paper copy) alphabetically in the I-9 Notebook and will be kept in a secure location in the Administration Department.

I-9 forms will be audited annually by the Human Resources Director or the Executive Director. West Texas Opportunities, Inc. will retain the I-9 for at least three years from date of hiring and for one year after termination.

## V. POSITION AND COMPENSATION

### A. EXEMPT OR NON-EXEMPT STATUS

A job description for the position in which you are hired will specify your FLSA classification as to being an Exempt or Non-Exempt employee. West Texas Opportunities Inc. will follow the Department of Labor Wage and Hour Division and the final rule regarding FLSA classification ensuring that the FLSA's intended overtime protections are fully implemented. Non-Exempt employees will receive compensation for overtime (more than 40 hours actually worked in the established work week) at the rate of 1.5 of their regular hourly wage.

### B. CLASSES OF EMPLOYEES

- Regular Full-Time  
Those employees who average 30 or more hours per week on a regularly scheduled basis and whose employment is not time limited.
- Regular Part-time  
Those employees who work less than an annual average of 30 hours per week on a regularly scheduled basis and whose employment is not time limited.
- Temporary  
Those employees whose duration of employment is limited to 1,550 hours within a twelve month period. Usually a temporary employee is hired for a specified period of time.
- Intermittent  
Temporary employees not having a regular schedule of duty
- Consultant  
A person serving with or without compensation who provides expertise in a particular field.

Temporary and part-time employees are not covered by Insurance or the Employee Incentive Pay Plan and do not accrue Annual Leave or Sick Leave and are not covered on the Cafeteria Plan and do not receive Paid Holidays. Part-Time and Temporary employees who average 1,000 hours or more per year (using a 12 month look-back period) will be eligible for the Retirement Plan.

### C. TRIAL PERIOD

There is a 60 day Trial Period for all new employees. You will be placed on regular status upon satisfactory completion of the trial period. Please remember that completion of the trial period does not guarantee employment for any specific length of time. During the 60 day trial period, regular full-time employees earn Annual and Sick Leave, but are not eligible to use them until the trial period has ended. Accrued Sick Leave and Annual Leave will not be paid out if employment is terminated before the 60 day trial period has been successfully completed.

Participation in the Profit Sharing (Retirement Plan), Cafeteria Plan and Employee Incentive Pay Plan begins after you successfully complete the 60 day trial. Your health and dental insurance coverage will not begin until the first day of the month **after** your 60 day trial period has ended.

During your 60 day Trial Period, you will be evaluated by your supervisor who will specifically recommend dismissal or continuous employment beyond the trial period. The following procedures will be followed.

- Progress Reports will be completed at the end of 2 weeks, 30 days and 45 days after employment. This progress report will include a description of the employee's deficiencies, a statement of corrective actions and efforts being made to improve the employee's performance, if needed. All new employees are considered temporary employees during their 60 day trial period and are not covered by the appeal procedures.
- In cases where the employee is progressing satisfactorily and it is anticipated that continuous employment will result, an evaluation in memo form will be submitted to the Executive Director prior to the end of the 60-day trial, recommending that the employee be retained as a regular employee.
- Should a temporary or Part-Time employee be offered a Full-Time Position, credit for the 60 day trial will be granted according to the policy for Waiving 60 Day Trial Period.

**D. WAIVING 60-DAY TRIAL PERIOD POLICY**

Employees who become employed on full-time regular status and have worked on temporary substitute status for a continuous period of time, *may* be eligible for an exemption of the 60-day waiting period for Health, Dental and Life Insurance, Annual Leave, Sick Leave, Personal Leave and participation in the Cafeteria Plan, Incentive Pay Plan and Retirement. \*If the employee is eligible for the waiver based on the table below, the Supervisor must make the determination to waive the 60-day trial period based on employee performance. See table below for specific time requirements:

<b>WORK STATUS</b>	<b>WORK TIME REQUIRED</b>	<b>EXEMPT</b>
<b>100% of work days based on 40 hr/wk</b>	<b>2 months</b>	<b>*yes</b>
<b>50% or more but less than 100% of time based on 40 hr/wk</b>	<b>4 months</b>	<b>*yes</b>
<b>Combination #1</b>	<b>2 months @ 50% or more + 1 mo. @ 100%</b>	<b>*yes</b>
<b>Combination #2</b>	<b>4 months @ 50% or more</b>	<b>*yes</b>
<b>Less than 50% of time based on 40 hr/wk</b>	<b>N/A</b>	<b>no</b>

In determining eligibility for a waiver, temporary or substitute employees will not be penalized for loss of time due to office closings such as holidays.

Temporary or substitute employees who have worked less than the full-time equivalent of 2 months as outlined above, will not be eligible for an exemption. Partial exemptions are not permitted. Temporary or substitute employees who have worked less than 50% of the time based on a 40 hour week, regardless of the number of weeks or months worked, are not eligible for an exemption. Benefits will begin on the first full month of regular, full-time employment for insurance. Annual and Sick Leave will begin to be earned the first full pay period of employment. No benefits will be retroactive.

#### E. JOB DESCRIPTION

A Job Description will be established in writing for each position, or group of identical positions, within the agency and will be given to employees holding described positions during orientation and shall include the following:

- The organizations segment to which assigned within the agency.
- A brief description of major duties and responsibilities,
- Supervision exercised and/or received and nature of supervision.
- Qualifications as dictated by the job.
- A reference to the grade in the salary structure which represents a pay for the job and FLSA classification.

Salary Rates and Schedules Salaries are established by the Board of Directors at the time the new budget is prepared and approved. Subject to the minimum, the salary for each position supported by State or Federal funds or provided as contribution to the Non-Federal share, shall accord with prevailing local agencies. The salary and wage scale will be reviewed periodically by the Executive Committee and the scale will be adjusted as necessary consistent with the economic conditions and sound business practice. The Executive Committee shall approve any salary increases. The Grantee or Delegate Agencies may provide for periodic step increases that accord with the prevailing practices in comparable local and/or private non-profit agencies

Wage Standards Employees shall be paid at a rate no lower than the Federal minimum wage.

Basis for Determining Pay Rates of Employees A comparability study shall be made within the service area. A survey will be made by West Texas Opportunities, Inc., every other year in local public and/or non-profit agencies of positions of comparable responsibility involved, duties assigned, educational requirements, experience and tenure of service. The survey results shall be reviewed and approved by the Executive Committee.

## F. WORK SCHEDULING POLICY

West Texas Opportunities, Inc.'s normal operating hours are 8:00 A.M. to 5:00 P.M. Most offices are closed from 12:00-1:00 P.M. for lunch. As a rule, this will mean a normal workday consists of an 8 hour day, excluding the meal period, within a 24 hour period. The normal weekly schedule consists of a 40 hour week. Employees who exhibit problems with attendance and punctuality will be evaluated by their supervisor and are subject to discipline up to and including termination. There are restrictions on work schedules for employees under the age of 18.

1. **Standard Work Week** West Texas Opportunities, Inc. has adopted a standard 40 hour work week running Saturday through Friday.
2. **Meals and Breaks** The schedule for meal periods should be established on the basis of work requirements in each office. Staggered meal periods may be necessary in some locations or you may be able to close the office during the noon hour. Supervisors should be sure each location is adequately staffed and that someone with authority to resolve minor problems is available at all times. Supervisors should allow employees to take at least thirty minutes and not more than one hour for meals, depending on the needs of each office. A rest period of not more than 20 minutes in the morning and 20 minutes in the afternoon may be permitted each day. The schedule for these breaks will depend completely on the needs of each office. Rest periods are considered as time worked and employees will receive compensation for such periods. Breaks are not cumulative and cannot be taken at the beginning or ending of the workday or lunch period. It may not always be feasible to take rest breaks during the day, depending on work schedules and the agency will not be penalized if breaks cannot be taken.
3. **Time and Attendance Record** Each employee will record time and attendance, including Annual Leave, Sick Leave, and Leave of Absence taken, in TimeClock. This is required for all non-exempt employees to determine his or her compensation. It is required for all employees as a management tool and can be used to determine if exempt employees should be given extra help to complete their work or be given additional duties in order to justify a full-time position. The Federal Wage and Hour Law only requires time records for non-exempt employees. Employees and their supervisor must approve time before each pay period.
4. **Weather/Emergency Office Closures** The Executive Director in consultation with the Board President, or their designee, may grant emergency leave and office closures if weather or other emergency conditions exist. Please consult with your supervisor or the Executive Director when these conditions exist.

## G. ATTENDANCE POLICY

POLICYô Timely and regular attendance is an expectation of performance for employees of West Texas Opportunities, Inc. To ensure adequate staffing, positive employee morale, and to meet the needs of the clients we serve, employees will be held accountable for adhering to their workplace schedule.

### PROCEDURE:

- Employees must obtain approval from their supervisor in advance of any requested leave. This includes Annual Leave, Sick Leave (when known in advance) and coming in late or leaving early.
- In cases where leave cannot be arranged in advance, all employees must inform their supervisor if they will be late, or not coming in to work that day.
- You must contact your supervisor each day that you will be absent from work, and each time you will be coming in more than 15 minutes late to work.
- Being absent from work and not informing your supervisor the day you are absent, is cause for termination.
- Your supervisor will let you know how early they wish to be contacted in case of absence. Your supervisor will also let you know if you must call them directly or if they would prefer to be informed by text.

## H. OVERTIME

The Federal Wage and Hour Law requires employers to pay overtime wages at one and one-half the straight time equivalency over forty hours per week. This applies to all non-exempt employees, even those who work overtime voluntarily, without the consent of a supervisor. There are no statutory provisions pertaining to the length of the workday. The exception is Transportation Program drivers, who cannot work more than 10 hours per day, including outside employment.

Overtime work **must** be authorized by the department manager. Employees who work overtime voluntarily, without the consent of a supervisor are subject to discipline up to and including termination.

Employees must be paid for all time worked in a workweek, including fractional parts of an hour in excess of seven minutes.

Compensatory time off in lieu of overtime pay is not permitted.

Despite use of a semi-monthly pay period, each workweek must be treated as a separate unit for computing overtime pay. Federal regulations do not allow averaging the hours worked in two or more weeks.

The only employees who are exempt from the overtime pay provisions, according to federal regulations are those that meet the exempt status as set by the Department of Labor Wage and Hour Division. Positions and employees to be exempted from the overtime pay requirements will be set by the Executive Director using FLSA standards.

## I. PAY PERIODS/PAYROLL

Payroll will be processed within five working days following the 15<sup>th</sup> and the last day of the month. Employees will record time and attendance, including Annual Leave, Sick Leave, Personal Leave and Leave of Absence, which will be submitted to the bookkeeping department at the end of each pay period, in either paper or electronic format, which will be assigned by your supervisor. Payroll checks will be in the form of Direct Deposit. Employees will receive a detailed check stub through their West Texas Opportunities, Inc. issued email account. (Substitute teachers without an email account will receive checks stubs through their supervisor) Deductions from an employee's paycheck will consist of Withholding Tax, Social Security, and Medicare tax. Employees may have additional deductions made from their paycheck with approval from the Executive Director.

## VI. BENEFITS

### A. MEDICAL AND DENTAL

All Full-Time employees who average 30 or more hours per week will be eligible for West Texas Opportunities, Inc. Group Medical and Dental Insurance. Insurance coverage will begin on the 1<sup>st</sup> day of the month following the completion of the 60 day trial period.

In order to determine if a Part-Time or Temporary employee is eligible for Group Insurance, West Texas Opportunities, Inc. will use a 12 month "Look Back Period". Any employee who has averaged 30 or more hours on a weekly basis over that look back period, will then become eligible for Group Medical and Dental insurance. During West Texas Opportunities, Inc. annual Open Enrollment, Full-time eligible employees will have the opportunity to elect from any of the group voluntary self-pay plans that are offered during that time.

A Summary Plan Description for your Medical and Dental insurance is provided for you on the West Texas Opportunities, Inc. web site at [www.gowto.org](http://www.gowto.org) and in Employee Navigator, or you may request a Summary Plan Description from your supervisor or by contacting the Human Resources Director.

Terminating employees are covered on Medical and Dental insurance for the full month during which terminated regardless of the time of the month terminated. If an employee has dependent coverage, it will be deducted from the employee's last paycheck. If the pay is not enough to cover the cost, the employee must pay the difference by the last day of employment. Coverage will continue through the end of the month for the employee and dependent, if applicable.

### B. FRESHBENIES

All Full-Time employees who average 30 or more hours per week will be eligible for a membership with Freshbenies. Freshbenies offsets healthcare costs with access to services that



help save time and money, including; Telehealth, Doctors On-line, Advocacy, and Prescription Savings.

### C. LIFE INSURANCE

All Full-Time employees who average 30 or more hours per week will be covered by a 10,000 Term Group Life Insurance policy during the time they are employed with West Texas Opportunities, Inc. The employee paid life insurance coverage will start on the 1<sup>st</sup> day of the month after the employee completes their 60 Day Trial period. Part-time and Temporary employees could become eligible if they have averaged 30 or more hours per week using the 12 month Look Back Period.

### D. RETIREMENT

West Texas Opportunities, Inc. contributes to a Profit Sharing Plan for its Regular Full-Time employees. Part-Time employees who work more than 1,000 hours during a 12 month period would also be eligible. The amount contributed is based on your salary. You must be vested in the plan to receive the benefit. If you leave your job before you have worked two years, you will not receive any retirement benefits. If you leave before you have worked six years, you will receive only a percentage of the amount in your account, based on the vesting schedule. When you have completed 6 years of employment with West Texas Opportunities, Inc., you will be 100% vested in the Profit Sharing Plan.

A Summary Plan Description is available to you on the West Texas Opportunities, Inc. Web Site at [www.gowto.org](http://www.gowto.org). You may also request a copy of the West Texas Opportunities, Inc. Profit Sharing Summary Plan Description by contacting your supervisor or the Human Resources Director.

### E. CAFETERIA PLAN

All eligible employees will have the opportunity to participate in the Section 125 Cafeteria Plan. Employees who have participated in the Cafeteria Plan while working as a Full-Time employee who convert to Part-Time, may be entitled to continue their Cafeteria Plan participation.

### F. TEXAS WORKER'S COMPENSATION

West Texas Opportunities, Inc. pays Worker's Compensation insurance from the Service Lloyds Insurance Company for all of its employees, to protect you in the event of work-related injury or illness. This coverage is renewed annually. An employee or a person acting on the employee's behalf must notify the employer of an injury or illness not later than the 30<sup>th</sup> day after the date on which the injury occurs or the date the employee knew or should have known of an illness, unless the Commission determines that good cause existed for failure to provide timely notice. You must report any accident to your supervisor immediately, and seek medical treatment if needed. You may elect to retain your common law right of action, if, no later than five days after beginning employment you notify West Texas Opportunities, Inc., in writing, that you wish to retain your common law rights to recover damages for personal injury. If you elect your



common law right of action, you cannot obtain workers' compensation income or medical benefit if you are injured. When you sign for acknowledgement of the Personnel Policy, you verify that you have read the above statement and are aware of your rights concerning workers' compensation coverage. Please notify your supervisor of any work related injury or illness and the supervisor must immediately contact the Lamesa Administrative Assistant at 806-872-8354 in order to obtain a First Report of Injury form. Workers' Compensation and FMLA will run concurrently when an injured employee is unable to return to work.

#### G. UNEMPLOYMENT

West Texas Opportunities, Inc. reports your wages to the Texas Workforce Commission. If you become unemployed, you may be eligible for unemployment benefits.

#### H. PAID JURY DUTY

When you are required to serve on a jury, you will be paid at your regular rate, but you must return for any part of the work day that you are not required for jury duty.

#### I. EMPLOYEE INCENTIVE PAY PLAN

All Regular Full-Time employees of West Texas Opportunities, Inc. will be eligible for consideration for Employee Incentive Pay. Awards will be given annually at a time to be approved by the Personnel Committee. Awards will be determined by funds available and will be based on the following criteria:

Length of Service West Texas Opportunities, Inc. will determine 25% of the formula and will paid

- Completion of initial 60 day trial period through 6 months, (completed by May 31<sup>st</sup>) 10 % of service factor
- 6-12 months 25% of service factor
- 1-2 years 50% of service factor
- 2 years and over 100% of service factor

When an employee is re-hired and the break in service is no more than 30 days, the employee will maintain their tenure with the agency. The break in service will be deducted from total time worked when figuring the length of service

Performance Rating will determine 75% of the formula and will be paid as follows.

- Scores of 25-32 25% of performance factor
- Scores of 33-43 50% of performance factor
- Scores of 44-51 75% of performance factor
- Scores of 52-55 100% of performance factor

Employees who have been on probation during the past 6 months will not be eligible for incentive pay. Employees will be evaluated by their supervisors during the month of May of each year. New employees whose 60 day trial period is completed by May 31<sup>st</sup> will be eligible

for Employee Incentive Pay, and supervisors must complete the Job Specific Performance Evaluation on every eligible employee. The May performance score will be the basis for the Employee Incentive Pay award. Employees will be required to complete a self-evaluation in November of each year. This will provide an opportunity for the employee to make needed improvements and to receive guidance from the supervisor on a plan of corrective action. The percentage of incentive pay will be effected for employees whose performance is not meeting standards and/or employees who violate agency policy or regulation.

Under no circumstances will the award exceed 100% of pay for a regular pay period. Employees who have serious safety violations during the previous six months will not be considered for incentive pay. Employees with alcohol violations during the previous six months will not be considered for incentive pay. Employees who abuse agency buildings or equipment will not be considered for incentive pay.

Employees must still be employed on May 31<sup>st</sup> to be eligible for Employee Incentive Pay. Head Start employees who complete their contracts prior to May 31<sup>st</sup> will still be eligible.

This plan does not assure any employee of an incentive award. Awards will be based on the availability of funds for all West Texas Opportunities, Inc., eligible employees and the criteria included in this plan. All employees of West Texas Opportunities, Inc. must work together to make the plan implementation possible. The availability of funds can be directly tied to the cost efficiency of the employees. This plan may be reviewed by the West Texas Opportunities, Inc. Leadership Team at the Executive Director's request and the Executive Director will make recommendations to the Personnel Committee. The Personnel Committee will review the recommendations and consider amendments to the plan. Amendments will be provided to all employees within 30 days of adoption.

## J. PAID HOLIDAYS

New Year's Day	January 1 <sup>st</sup>
Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Texas Independence Day	March 2 <sup>nd</sup>
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Thanksgiving Holiday	Day after Thanksgiving
Christmas Eve	December 24 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>
Shopping Holiday	
Birthday Holiday	

Head Start and Early Head Start have different holiday schedules. Please consult with your supervisor for your holiday schedule.

When a holiday falls within the first month of employment, the employee must have worked as a regular Full-Time employee on the day before and the day after the holiday in order to be paid for the holiday. Employees on Leave of Absence without pay, are not entitled to paid holidays that occur within that leave time.

All employees must have worked or been on paid leave on the day before and the day after a holiday in order for it to be a paid holiday.

When a regular scheduled holiday falls on a weekend, either Friday or Monday will be observed.

The above holidays are paid time off for all Regular Full-Time employees, except Head Start and Early Head Start employees. The holidays granted to Head Start and Early Head Start staff will be scheduled to coincide with the Public School holidays, to the extent possible. Head Start and Early Head Start staff that are employed 12 months of the year will also be entitled to take the July 4<sup>th</sup> holiday. Additional Annual Leave days for 12 month Head Start and Early Head Start employees will be determined by totaling the number of holidays listed in the West Texas Opportunities, Inc. Personnel Policy, plus one day per month Annual Leave and subtracting the holidays to be observed by the 9 or 10 month Head Start staff, less the July 4<sup>th</sup> holiday. The difference will be granted in Annual Leave days.

#### K. ANNUAL LEAVE / HEAD START PERSONAL LEAVE

All West Texas Opportunities, Inc. Regular Full-Time employees will receive paid vacation leave, except Head Start employees that do not work a 12 month contract.

Employees, except for Head Start and Early Head Start, will receive 4 hours of Annual Leave for each Pay-Period worked.

Early Head Start and Head Start employees who work a 12 month contract will receive Annual Leave determined by the number of school holidays scheduled and subtracting that from the amount of leave available to all West Texas Opportunities, Inc. employees.

Head Start employees who do **not** work a 12 month contract will receive the paid holidays according to the Head Start School calendar. These employees will also receive one day per year of Personal Leave. Personal Leave cannot be carried over from year to year. Personal Leave can be used after completion of the 60 Day Trial period. Head Start employees, who for any reason terminate their employment with the Agency, shall not be paid for Personal Leave at the time of the termination.

New employees will earn Annual Leave from the first full pay period, but will not be able to take it as paid leave until they have completed their 60 Day Trial period.

Annual Leave should be requested through the TimeClock system in advance and approved by your supervisor. The time during a calendar year at which an employee may take their Annual Leave will be determined by the supervisor with regard to wishes of the employee and the needs of the Agency.

In the event that one or more of the Holidays observed by the Agency falls within an Annual Leave, such Holidays shall not be charged as Annual Leave and the Annual Leave will be extended accordingly. Should an employee become ill during a period of Annual Leave, they will be charged with Sick Leave rather than Annual Leave, providing an acceptable and timely notice is given to their supervisor.

Employees who are voluntary terminated or who are on Leave of Absence status will accrue annual leave proportionate to the number of hours worked during the month affected.

A maximum of 240 hours of Annual Leave may be carried forward from the preceding program year, with approval. If at the beginning of the calendar year, the accumulated leave exceeds 240 hours, the employee will lose the excess amount. Exceptions may be approved by the Executive Director or Board President and the Carry Forward Excess Leave Policy must be followed.

Employees, who have successfully completed the 60 day trial period, and their employment is terminated with the Agency for any reason, shall be paid the number of hours of Annual Leave accrued at the time of termination.

#### 1. Carry Forward Excess Annual Leave Policy

Employees who determine that they may have excess Annual Leave of over 240 hours at the end of the calendar year may submit a request to their supervisor to carry forward the excess leave into the new calendar year. The request may be approved if the reason the employee was unable to take Annual Leave during the year was due to agency workload, the absence of the employee would result in an office closing, cause a hardship on other employees or other unforeseen work-related reasons. Personal reasons such as spouse vacation timing, unable to take leave for consecutive days or the employee did not choose to take Annual Leave, will not be approved.

A Request for Approval to Carry Forward Excess Annual Leave form must be completed and submitted to the employee's supervisor by January 10<sup>th</sup> of each year. The supervisor will review the request and forward it to the Executive Director. The Executive Director will consider the request and notify the employee and supervisor as to the approval.

A Request to Carry Forward Excess Annual Leave made by the Executive Director must be approved by the Board President or their designee following the same timelines as stated above.

## L. SICK LEAVE

All Regular Full-Time employees will earn 4 hours of Sick Leave per pay period worked. Unused Sick Leave can be carried over from one year to the next. There is no limit on the amount of Sick Leave you can carry over.

Sick Leave is to be used for personal illness or for the care of an immediate family member. Immediate family shall be defined as an employee's child, spouse, parent, sibling or grandparent.

When Sick Leave can be planned in advance, please make a Sick Leave Request through the TimeClock System. When this is not possible, you, or in an emergency situation, someone acting in your behalf, must contact your supervisor to inform them that you will be out of the office. You will need to continue to stay in contact with your supervisor to inform them of the use of continued Sick Leave.

Employees, who have successfully completed the 60 day trial period, and their employment is terminated for any reason, shall be paid the number of hours of Sick Leave accrued at the time of termination.

If an employee has an excess of 240 hours of earned, but unused Sick Leave, at the end of the calendar year, they may choose to sell back up to 12 Sick Leave days. Sick Leave can be sold in December by completing the Request to Sell Excess Sick Leave form.

### 1. Excess Sick Leave Policy

Employees who accrue excess Sick Leave over 240 hours by December 31<sup>st</sup> of each year *may* sell up to twelve days to West Texas Opportunities, Inc., at the current rate of pay.

Employees who qualify to sell their leave back to the agency must complete the Annual Request to Sell Sick Leave form each year by January 10<sup>th</sup> and submit it to the Executive Director. Failure to complete the form by the deadline will disqualify the employee from selling their Sick Leave until the following year.

Sick leave must be sold in full-day increments. The sale of Sick Leave may not result in a balance of less than 240 hours.

## M. EMERGENCY LEAVE

In the case of dangerous weather conditions, or when an emergency situation exists which places clients and employees in danger, the Executive Director with approval from the Board President or their designee, may issue an office closure. In the event you are scheduled to work and the offices are closed or job duties temporarily discontinued, Emergency Leave will be granted, without the loss of pay. In this situation, please contact your supervisor or the Executive Director for decisions regarding emergency office closings.

## N. FAMILY AND MEDICAL LEAVE FMLA

The Family and Medical Leave Act of 1992 (FMLA) is a United States federal law requiring covered employers to provide employees job-protected and unpaid leave for qualified medical and family reasons. Qualified medical and family reasons include: personal or family illness, family military leave, pregnancy, adoption or the foster care placement of a child. The FMLA is administered by the Wage and Hour Division of the United States Department of Labor.

The Act allows eligible employees to take up to 12 work weeks of unpaid leave during any 12 month period to:

- attend to the serious health conditions of the employee, parent, spouse or child (means a child under the age of 18 or a child over the age of 18 with a mental or physical disability as defined by the American Disabilities Act, which includes among other conditions, pregnancy and post-partum recovery from childbirth) or for pregnancy or care of a newborn child, or for the adoption or foster care of a child.
- To recover from a worker's own serious illness
- To care for an injured service member in the family
- To address qualifying needs arising out of a family member's deployment
- Up to 26 workweeks of leave during a single 12 month period to care for a covered service member with a serious injury or illness if the eligible employee is a service member's spouse, son, daughter, parent, or next of kin (military caregiver leave)

In order to be eligible for FMLA leave, an employee must have been at the business at least 12 months, and worked at least 1,250 hours over the past 12 months, and work at a location where the company employs 50 or more employees within 75 miles.

The FMLA further requires employers to provide for eligible workers:

- The same group health insurance benefits, including employer contributions to premiums that would exist if the employee were not on leave.
- Restoration to the same position upon return to work. If the same position is unavailable, the employer must provide the worker with a position that is substantially equal in pay, benefits, and responsibility.
- Protection of employee benefits while on leave. An employee is entitled to reinstatement of all benefits to which the employee was entitled before going on leave.
- Protection of the employee to not have their rights under the Act interfered with or denied by an employer.
- Protection of the employee from retaliation by an employer for exercising rights under the Act.
- Intermittent FMLA leave for his or her own serious health condition, or the serious health condition of a family member. This includes occasional leave for doctor's appointments for a chronic condition, treatment or temporary periods of incapacity.

West Texas Opportunities, Inc. will use the calendar year to count weeks of leave, beginning a new qualifying year each January 1<sup>st</sup>. FMLA will run concurrently with paid leave and Texas Worker's Compensation,

Employees will need to request FMLA leave 30 days in advance, unless an emergency situation is involved, by completing the Request for FMLA form and returning it to the Human Resources Director. The Request for FMLA form will be review by the Executive Director to ensure the employee qualifies for FMLA. The FMLA Response form will be completed by the Executive Director and returned to the employee, informing the employee if they are qualified for FMLA leave and if any required documents, voluntary premium payment schedules and/or Medical Certification will be required.

1. FMLA As it Applies to Group Insurance

In accordance with the Family and Medical Leave Act, West Texas Opportunities, Inc. will maintain coverage under the Group Health Plans on the same conditions as if the employee had been actively employed during the Family and Medical Leave.

If an employee has voluntary insurance premiums or dependent coverage premiums which the employee has deducted from their paycheck, arrangements will be made prior to the leave for payment of the voluntary and dependent premiums. If it is an unplanned emergency situation, arrangements will be made with the employee as soon as the employee is able. These payment arrangements will be provided to the employee on the Response to FMLA form.

If the employee does not meet the agreed upon date for payment of the employee portion of the premium, he or she will have a 30 day grace period during which the provisions of coverage will not be affected. Dependent Health Coverage and any Voluntary Insurance Coverage will cease in the event the employee's premium payments are more than 30 days late.

O. CLARIFICATION OF FRINGE BENEFITS

CLASSIFICATION	ANNUAL LEAVE	SICK LEAVE	HOLIDAYS	HEALTH & DENTAL INS.	CAFETERIA PLAN	INCENTIVE PAY PLAN & RETIREMENT
Regular Full-time	yes*	yes*	yes	yes***	yes, after 60 days	yes, after 60 days
Regular Part-time	no	no	no	no	yes**	no
Temporary	no	no	no	no	no	no
Intermittent	no	no	no	no	no	no

\*Accumulates leave beginning with first full pay period but cannot take until 60-day trial period has ended. Leave is not prorated for a partial month unless voluntarily terminating.

\*\*Employees who have participated in the Cafeteria Plan while working as full-time, regular and who convert to part-time, regular status, may be entitled to continue their Cafeteria Plan participation.

\*\*\*Health, Dental and Life Insurance will begin the 1<sup>st</sup> day of the month after the 60 day trial period has been completed.



Annual Leave and Sick Leave will begin to accrue with the first full pay period of service. Example: An employee who begins work on the 3<sup>rd</sup> of the month will not accrue leave until the following pay period. There is no credit for the first pay period because it was not a full pay period. However, if employment is terminated after successfully completing the 60 day trial period, the employee will be paid for Annual Leave and Sick Leave that is accrued through the last full pay period worked.

Health, Dental and Life insurance will begin on **the first day of the month after the 60 day trial period** has been completed. Example: An employee who begins work on the 3<sup>rd</sup> of the month will not be covered until the 1<sup>st</sup> day of the month after the end of their 60 day trial period.

Terminating employees are covered on hospital and dental insurance for the full month during which terminated regardless of the time of the month terminated. If an employee has dependent coverage, it will be deducted from the employee's last paycheck. If the pay is not enough to cover the cost, the employee must pay the difference by the last day of employment. Coverage will continue through the end of the month for the employee (and dependents if applicable).

When a holiday falls within the first month of employment, the employee must have worked as a regular full-time employee on the day before and the day after the holiday in order to be paid for the holiday. Employees on Leave of Absence without Pay are not entitled to holidays that occur within that leave time. All employees must work or be on paid leave the day before and the day after a holiday to be eligible to take the paid holiday. (See Leave of Absence Policy).

\* Employees who return to work after an accident or illness and require a reduced work schedule, will have annual and sick leave pro-rated (to the nearest one hour increment) according to the hours worked for up to six weeks. If the reduced work schedule is needed for longer than six weeks, they will not be entitled to sick and annual leave until they return to their regular work schedule. (Employees involved in an accident that is covered by Worker's Compensation may be covered by Worker's Compensation rules. In the absence of such a rule, the West Texas Opportunities, Inc. Policy will apply.)

Employees who become employed on full-time regular status and have worked on temporary substitute status for a continuous period of time, may be eligible for an exemption of the 60-day waiting period for Health, Dental and Life Insurance, Annual Leave, Sick Leave, Personal Leave and participation in the Cafeteria Plan, Incentive Pay Plan and Retirement. See Policy for Waiving 60-day Waiting Period for further details.

The following will apply to employees who are **re-hired within 30 days of termination** and who were receiving benefits prior to termination:

Sick and Annual Leave is zeroed out at termination and cannot be restored.

If the 60-day waiting period for Health, Dental and Life Insurance has been previously met, it will be waived.



If Retirement has already been paid out, it can be repaid by the employee and the Retirement Plan restored as it was prior to termination.

The employee will maintain their tenure with the agency. The break in service will be deducted from total time worked when figuring the length of service.

## **VII. UN-PAID LEAVE**

### **A. LEAVE OF ABSENCE (OTHER THAN FMLA)**

Leave of Absence may be granted when an employee has no other accrued leave and is not qualified, or the cause of the Leave of Absence is not covered by the Family and Medical Leave Act.

Leave of Absence is leave without pay.

Leave of Absence must be approved by your supervisor and is not guaranteed to be granted.

Approval for Leave of Absence may be approved if it does not disrupt operations of the Agency or services to clients.

Excess Leave of Absence, can lead to disciplinary action up to and including termination, unless the Leave of Absence has been arranged as A Reasonable Accommodation to a person with a disability, according to the ADA.

Employees on Leave of Absence without pay are not entitled to Paid Holidays which occur during that leave. An employee who fails to report for work the first workday after the expiration of the leave may be considered to have quit.

No employee is guaranteed the same job, position, or work schedule upon return from a Leave of Absence. An appropriate, available opening must exist in order to be reinstated. However, it is important to remember that no adjustment will be made in a punitive manner, and legal requirements will be adhered to.

Leave of Absence may not be granted while other leave is available. Employees on extended Leave of Absence for more than 50% of the work month will be required to pay 100% of their group insurance premium until they return to regular/active status.

## **VIII. PERSONNEL INFORMATION**

### **A. DRESS CODE**

It is the policy of West Texas Opportunities, Inc. for employees to present a professional image at all times. Although the job location, positions and duties may vary, all employees must dress appropriately for their job.

The following guidelines must be adhered to:

- Employees must be clean and exercise good personal hygiene.
- Clothing must fit properly.
- Clothing must be serviceable and clean
- Shoes, boots or sandals must be worn at work. No Beach Type Rubber Flip Flops
- Excessive perfumes and fragrances are not permitted
- Clothing with inappropriate pictures or writings is not permitted.
- Sleeveless blouses must have a fitted arm
- Tank tops and spaghetti straps are not permitted, unless covered by a jacket or sweater
- Sheer clothing is not permitted
- Midriffs are not permitted
- Clothes with cut-outs are not permitted
- Low cut shirts are not permitted
- Skirts are worn no more than 3 inches above the top of the knee
- Backless tops are not permitted
- Shorts are not permitted (except for drivers, see below)
- Hats are not permitted indoors unless for medical reasons

Tattoos/Piercing

- Tattoos or body markings on the face/head or neck are not permitted
- Tattoos that cover more than 25% of the body part must be covered.
- Employees are not allowed to exhibit body piercing , other than traditional pierced ears, while on job

Friday Attire:

- Jeans are allowed on Fridays as long as they meet the other requirements as outline above. When Monitors or professional meetings are scheduled on a Friday, Jeans will not be allowed.
- Jean shorts are not allowed

Job Specific Rules

- Office Personnelô Will dress in professional attire that upholds a business-like approach to duties and represents our more formal functions and activities. Suits, dresses, pants, etc. will be expected to portray the standards of dress allowed by the indoor office environment conditions we work in.
- Caregiversô Will have exception to clothing that can be easily damaged during childcare activities. Pants and longer skirts are encouraged for obvious reasons. Comfortable non-slip shoes and the limiting of jewelry are encouraged. Scrubs are permitted for Early Head Start employees.
- Cooks and Custodiansô Will dress in clean attire that covers and protects the skin and provides for the heat and wet conditions in the kitchen and outdoors. Only jewelry that meets kitchen staff requirements will be allowed.
- Driversô Will need to dress for both indoor and outdoor activities. Drivers are allowed to wear the West Texas Opportunities, Inc. assigned clothing. Drivers must wear closed

shoes— no sandals for safety reasons. Drivers are permitted to wear loose-fitting walking shorts that are no shorter than 3ö above the knee cap.

- Weatherization Staff— Will be allowed to wear jeans when working in the field. Good judgment regarding proper attire and a possible clothing change should be used when meetings are scheduled.

## B. CODE OF ETHICS

The mission of West Texas Opportunities, Inc. is guided by our Code of Ethics. All Personnel are expected to conduct themselves in a manner consistent with our mission and in keeping with the professional nature of services rendered. All personnel are expected to affirm their commitment to these standard and ethics that govern our mission and to bring to life the principle of respect: respect for our co-workers, the people we serve and the communities of which we are a part. By signing that you have received and read a copy of the Code of Ethics, within the Personnel Policy, you agree to abide by these conditions while employed by West Texas Opportunities, Inc. Violating this code, may be grounds for disciplinary action leading up to and including termination.

- Personnel are expected to maintain the utmost levels of courtesy and respect for individual program participants and to ensure that individual rights and dignity are protected and fostered at all times.
- Protecting the confidentiality of our program participants is a responsibility of all personnel. Any information received about program participants is only for West Texas Opportunities, Inc., professional use. It may not be discussed with anyone not employed by West Texas Opportunities, Inc., including family members. Further, personnel are expected to refrain from discussion of program participants with other personnel when they are not directly involved or authorized to be involved with that participant.
- Personnel are expected to maintain a courteous and cooperative attitude and conduct themselves in keeping with the highly responsible professional nature of their position within a community organization. Personnel are expected to refrain from criticism of other agencies and to refrain from innuendo or falsehood in discussing them.
- Personnel are expected to express concerns through appropriate and designated channels and, unless constructively oriented, to refrain from the discussion of non-profit operations or personnel. Any abuse, verbal or physical of other staff, program participants or parties with which our agency is transacting business is unacceptable. It is expected that communication related to West Texas Opportunities, Inc., conducted by all personnel will be of a professional nature, in keeping with the above expectations and general respect for the privacy of others.
- Personnel are expected to maintain the highest possible level of health and safety standards and to immediately report health and safety hazards or violations to departmental supervisors, the Safety Committee and/or the Executive Director.
- Personnel are expected to immediately report to supervisors any incidents or situations which may potentially endanger or compromise the safety and welfare of program participants which could impair performance or judgment.

- All personnel are expected to conduct themselves so as to avoid any action which may result in or give the appearance of using West Texas Opportunities, Inc. to achieve private gain or to dispense preferential treatment.

### C. CHAIN OF COMMAND

The organizational chart in the Policies/Procedures Manual pinpoints your position in the agency. Please keep this in mind at all times and follow the chain of command in order to avoid problems. Your loyalty to West Texas Opportunities, Inc. is vitally important as well as your respect for your supervisor and your fellow workers. Please remember that the Board Members do not get involved in personnel matters.

### D. CONFIDENTIALITY STATEMENT

The success of West Texas Opportunities, Inc. depends, to a substantial extent, upon the degree of confidentiality that is maintained. For some, coming to an agency such as West Texas Opportunities, Inc. can be a very frightening experience, especially when clients may be concerned that friends or neighbors may find out that they are seeking assistance. It is essential that everyone affiliated with West Texas Opportunities, Inc., employees, board members, trainees and volunteers, have a commitment to confidentiality. This involves respecting the clients' rights to privacy and creating a level of trust so that clients may receive effective services through open discussions and dialogue.

By signing the acknowledgement statement you have agreed that you have received and read the Confidentiality Statement and will adhere to this policy on confidentiality:

- **DO NOT** disclose to anyone, the name or identity of clients unless it is necessary to do so for the purposes of providing services. Take particular precautions against disclosure to family, friends, or other agencies.
- **DO NOT** discuss a client's situation with non-staff persons. This includes telephone calls and messages from clients; be especially careful about discussing a client or their situation openly in front of others.
- **DO NOT** leave telephone messages or notes regarding client phone calls lying around in an open area. All messages should be processed and held in strict confidence.
- **DO NOT** release client information to outside inquirers without appropriate verification of callers
- **DO** be aware of your surroundings when discussing a client or using a client's name. Keep all client records and/or documentation secured to the greatest extent possible.
- **DO** handle inquiries from outsiders regarding clients or co-workers in the appropriate manner, i.e., refer inquiries to the Executive Director or supervisory level staff. This includes verification of employment of past and current workers/employees, as well as verification of services to clients.

My signature implies that I respect the privacy of clients, the Agency, and its employees, and will not inappropriately discuss or disclose any information regarding client cases to which I have been assigned, and/or have access to. I will also abide by the confidentiality requirements set forth herein. I agree to deliver promptly to West Texas Opportunities, Inc., at the termination of my employment, or at any other time requested by West Texas Opportunities, Inc. without

retaining any copies, all documents and other material in my possession relating directly and indirectly, to any confidential information. I understand that all computer files on all agency computers are the property of West Texas Opportunities, Inc.

#### E. OUTSIDE EMPLOYMENT

Outside employment is any paid employment performed by an employee in addition to his job with the Grantee or Delegate Agency.

- Such employment shall not interfere with the efficient performance of the employee's duties.
- Such employment shall not involve a conflict of interest or conflict with the employee's duties.
- Such employment shall not involve the performance of duties which the employee should perform as part of his/her employment.
- Such employment shall not occur during the employee's regular or assigned working hours in the program, unless the employee, during the entire day on which such employment occurs, is on either Annual Leave or Leave of Absence.
- Outside employment of the Executive Director is prohibited.
- Outside employment of Management or Supervisory staff must have approval from the Executive Director.

#### F. DIRECT ASSISTANCE FOR PERSONNEL

Employees and/or their families are eligible for assistance through West Texas Opportunities, Inc., as long as they meet all of the eligibility requirements for the specific program; however, prior approval from the Executive Director must be authorized and documented. The assistance includes all Federal, State and local funds that are administered by West Texas Opportunities, Inc.

An employee may **NOT** complete the intake information or make the eligibility determination to assist themselves or a member of their family. This must be done by another staff member.

When an employee or a member of the employee's family applies for assistance, the intake forms should be completed to determine income and program eligibility first. Following intake, the Executive Director or designee must be emailed to obtain approval to authorize assistance. The Executive Director will approve/deny by email and that email documentation will become part of the application for assistance.

#### G. REFERENCE CHECK

If any outside source requests employment information on a West Texas Opportunities, Inc. employee, information released will be limited to:

- Salary amount
- Job title and/or brief job description
- Dates of employment with West Texas Opportunities, Inc.

If performance information is requested, the caller will be directed to ask the employee for a copy of his or her West Texas Opportunities, Inc. Performance Evaluation. All personnel information requests must be directed to the Human Resources Director at the West Texas Opportunities, Inc. office in Lamesa.

## H. TRAINING

It is the policy of West Texas Opportunities, Inc. To provide training for new employees that will convey agency and supervisor expectations for that position. West Texas Opportunities, Inc. will also provide continuing training that will meet and exceed the expectations of our funding sources with regard to job-specific and agency policies and guidance. It is the policy of West Texas Opportunities, Inc. to provide training that will enhance the employees' job skills and knowledge in an effort to maintain a quality staff and improve opportunity for employee advancement when possible.

All new employees will be provided orientation within the first week of employment and will receive a copy and explanation of the West Texas Opportunities, Inc. Personnel Policy. New employees will have the opportunity to read and sign the Acknowledgement of Receipt for their copy of the Personnel Policy. Along with the Personnel Policy, new employees will receive a chain of command memo from the Board President, Organizational Chart, Substance Abuse Policy and attachments, Worker's Compensation information, Job Description, and Hazardous Communication information. During orientations new employees will receive 60 minutes of Drug and Alcohol Abuse Training and will watch the Internal Ethics Power Point. Designated staff from the new employees' department will provide job-specific orientation and training.

On-going training is provided to all West Texas Opportunities, Inc. employees and consists of the following: program-specific training provided throughout the year by the state and federal agencies that provide program funding; policies/procedures training provided by West Texas Opportunities, Inc., purchasing professional growth seminars on subjects that meet individual employee needs and in-house training provided by agency staff to meet specific needs such as Neighborhood Center staff monthly training; CPR/First aid; driver/safety training; Head Start and Early Head Start CDA training and pre-service. The amount of training per employee depends on the requirements of the funding source, availability of training and the individual needs of the employee.

Hands on training will be provided by supervisors on an on-going basis. Employees who believe they need additional training should contact their immediate supervisor.

Supervisors will receive additional training to the ones listed above, to include Reasonable Suspension Training.

## I. BOARD OF DIRECTORS MEETINGS

The West Texas Opportunities, Inc. Board of Directors meet every other month, on the last Tuesday of the month, at 6:30 P.M. Your supervisor will inform you if you are required to

attend. You are always welcome to attend the Board Meetings, even if your attendance is not required.

#### J. SMOKING

Smoking is allowed only in designated areas. Smoking is never allowed in the West Texas Opportunities, Inc. buildings or vehicles, and is never allowed on any Head Start or Early Head Start campus.

#### K. PERSONNEL RECORDS

Individual personnel files shall be kept on all regular employees and will include the employee's application, medical certification, if applicable, pay raises, promotions, performance evaluations, disciplinary documentation, reprimands, and reference check forms. The time and attendance records of employees will be filed in the Agency's payroll book or stored electronically as part of the TimeClock and MIP time and attendance software. Personnel files will be made available only to the individual concerned and authorized persons. Confidential portions of the personnel records, such as previous employment reference letters shall be so marked and shall not be seen by the employee. All medical information will be kept in a confidential portion of the personnel record.

#### L. STAFF EVALUATIONS

You will evaluate your own job performance each November, and your Supervisor will conduct your Annual Evaluation over your job performance each May. This system is designed to give you and your supervisor an opportunity to discuss not only your job requirements, but also your goals and achievements. It will also give you the chance to discuss any problems you may have. Annual Evaluation Documents will be kept in your personnel file.

#### M. CONFERENCE ETIQUETTE

Employees attending conferences and/or training, on behalf of West Texas Opportunities, Inc., are expected to uphold the same policies and procedures that apply to your employment with the Agency. Conduct and Dress Code as outlined in the Personnel Policy will apply at all times that you are representing West Texas Opportunities, Inc.

#### N. GENERAL SAFETY RULES

It is our policy that every employee and all property are entitled to maximum protections from controllable hazards. West Texas Opportunities, Inc. is totally committed to safety and loss control and it is our intention that each employee should work under the safest conditions possible. We will try to maintain a safe workplace and operate equipment that is free from recognized hazards. We will provide you with appropriate information, training, supervision and personal protective equipment, so that you can perform your job in a safe and proper manner.



We believe that most accidents can be avoided by using common sense and personal initiative. It is not intended that you should perform any task that you believe is unsafe. Supervisors in charge of each operation are responsible to teach and guide employees unfamiliar with safe operations and practices. Many accidents occur when employees take short cuts and ignore established safety rules and regulations. Established safety rules and regulations are to be followed at all times.

West Texas Opportunities, Inc. is responsible for complying with all safety regulations implemented by federal, state and local agencies. The information contained in the Fundamental Safety Rules and West Texas Opportunities, Inc. Safety Programs set forth safety rules and procedures that are to be followed by all West Texas Opportunities, Inc. employees. While these rules will help you recognize and avoid obvious hazards, it cannot cover all situations. When in doubt, you should consult with your immediate supervisor for guidance.

Each employee should be responsible for their performance and adherence to our safety rules. Employees who demonstrate a repeated pattern of violating established safety rules and regulations are subject to both disciplinary action and/or dismissal.

#### 1. Fundamental Safety Rules

- Report any injury to your supervisor the same day it happens.
- Report any observed unsafe conditions to your supervisor.
- Horseplay is prohibited at all times.
- The drinking of alcoholic beverages is not permitted on the job. Any employee discovered under the influence of alcohol or illegal drugs will not be permitted to work.
- If you do not have current First Aid Training, do not move or treat an injured person, unless there is an immediate peril such as profuse bleeding or stoppage of breathing.
- Appropriate clothing and footwear must be worn on the job at all times.
- You should not perform any task unless you are trained to do so and are aware of the hazards associated with that task.
- You may be assigned certain personal protective safety equipment. This equipment should be available for use on the job, be maintained in good condition and worn when required.
- Learn safe work practices. When in doubt about performing a task safely, contact your supervisor for instruction and training.
- Never remove or by-pass safety devices.
- Do not approach operating machinery from the blind side-let the operator see you.
- Learn where fire extinguishers and first aid kits are located.
- Maintain a general condition of good housekeeping in all work areas at all times.
- Be alert to hazards that could affect you and your fellow employees.
- Obey safety signs and tags.
- Always perform your assigned task in a safe and proper manner-do not take shortcuts. The taking of shortcuts and the ignoring of established safety rules is a leading cause of employee injury.



- High work areas should have adequate handrails or the employee should take other adequate precautions.
- The use of illegal drugs, alcohol and the misuse of prescription drugs has been the cause of many accidents in the work place. It is the policy of West Texas Opportunities, Inc. to provide a drug-free work environment. Refer to West Texas Opportunities, Inc. Substance Abuse Policy.

## **IX. OTHER POLICIES**

### **A. SEXUAL HARASSMENT / HARASSMENT POLICY**

It is the policy of West Texas Opportunities, Inc. that harassment of any type is forbidden in the workplace. This includes Sexual Harassment, Discriminatory Harassment, or any type of Harassment that causes an employee to feel threatened or unsafe in the work environment. It is a violation of West Texas Opportunities, Inc. policy for an employee to engage in, participate in or initiate any form of harassment.

Harassment is any unwelcome conduct, verbal or physical, based on race, color, religion, sex (including pregnancy and gender identity) national origin, age, disability, genetic information, parental status, sexual orientation, or political affiliation or belief that either:

- Can reasonably be considered to adversely affect the work environment, or
- Results in an employment decision affecting the employee and is based upon the employee's acceptance or rejection of such conduct.

Harassing conduct has no place in West Texas Opportunities, Inc., therefore we apply this policy equally to all employees, applicants, contractors and clients.

Any employee who believes that he or she has been subjected to, or has witnessed any harassing conduct should report the matter promptly to their supervisor, the Human Resources Director or the Executive Director.

In instances of alleged harassing conduct, the Human Resources Director or the Executive Director must be informed. West Texas Opportunities, Inc. will take every step to ensure a fair and prompt resolution. All supervisors and management staff must act fairly and promptly to investigate and resolve reports of harassing conduct. If harassing conduct is found to have occurred, supervisors and management staff must take appropriate corrective and disciplinary actions, up to and including termination.

West Texas Opportunities, Inc. will also prohibit retaliation against any employee for making a good-faith report of harassing conduct or for cooperating with or participating in an investigation of alleged harassing conduct. All information provided to West Texas Opportunities, Inc. will be maintained on a confidential basis, to the greatest extent possible.

This policy is a part of the West Texas Opportunities, Inc. Personnel Policy and your signature on the Acknowledgement and Receipt of the Personnel Policy will hold you accountable for receiving and abiding by this policy.

## 1. Workplace Violence Policy

West Texas Opportunities, Inc. employees and clients are very important. Threats, threatening behavior, acts of violence, or any related conduct, which disrupts another's work performance or the organization's ability to execute its mission, will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on West Texas Opportunities, Inc. owned or occupied property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior or other acts of violence executed off West Texas Opportunities, Inc. owned or occupied property but directed by West Texas Opportunities, Inc. employees at other employees or members of the public while on or conducting West Texas Opportunities, Inc. business, is a violation of this policy

Violations of this policy will lead to disciplinary action that may include dismissal, arrest and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from West Texas Opportunities Inc. owned or occupied premises, termination of business relationships with the individual, termination of services and/or prosecution of the person(s).

Employees are responsible for notifying their supervisor of any threats, which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when the behavior is job related or might be carried out on West Texas Opportunities Inc. owned or occupied property or in connection with West Texas Opportunities, Inc. employment.

Each employee of West Texas Opportunities, Inc. who receives a protective or restraining order which lists West Texas Opportunities, Inc. owned or occupied premises as a protected area, is required to provide their supervisor with a copy of such order.

## B. SUBSTANCE ABUSE POLICY

West Texas Opportunities, Inc. is a drug and alcohol-free workplace.

The use of or being under the influence of illegal drugs and or alcohol is inconsistent with the behavior expected of employees. The use of illegal drugs and alcohol and misuse of prescribed and over the counter drugs subjects employees and visitors to unacceptable safety risks that undermine the Agency's ability to operate safely, effectively and efficiently,

The use, possession, distribution or sale of controlled substances such as drugs or alcohol, being under the influence of such controlled substances, testing positive for alcohol or any illegal drug, or refusing a drug and/or alcohol test is strictly prohibited while on duty, while on the Agency's premises or work sites or while operating the Agency's equipment or vehicles.

West Texas Opportunities Inc. participates in pre-employment, random, post-accident and reasonable suspicion drug and alcohol testing.

All new employees are given, and sign for receiving a copy, of the West Texas Opportunities Inc. Comprehensive Substance Abuse Policy during orientation. The Comprehensive Substance Abuse Policy is also made available to all employees and can be found in the West Texas Opportunities, Inc. Policy Manual located at each West Texas Opportunities, Inc. location. A copy of the Comprehensive Substance Abuse Policy may also be obtained from your supervisor or the Human Resources Director.

Violation of the West Texas Opportunities, Inc. Substance Abuse Policy will result in Termination of Employment. For further information, refer to the West Texas Opportunities, Inc. Substance Abuse Policy located in the West Texas Opportunities, Inc. Policy Manual.

### C. USE OF AGENCY PROPERTY

Equipment and supplies purchased with West Texas Opportunities, Inc. funds are to be used for official business purposes only. Employees are not allowed to use resources for non-agency related business or for personal or private use.

Agency vehicles are to be used for agency business only. Employees are prohibited from using agency vehicles for their personal use, such as taking an agency vehicle home for lunch when the employee's personal vehicle is being repaired.

When an employee uses an agency vehicle for out-of-town travel, it is acceptable to take the vehicle to a restaurant for a meal. It is also acceptable to stop by a shopping area as long as it does not add miles to the trip. It is NOT acceptable to take the agency vehicle to places where the agency's reputation might be put at risk, such as liquor stores, nightclubs and bars.

Agency computers are provided for employee use at all West Texas Opportunities, Inc. locations. Agency computers are for agency business use only. Please refer to the policy, Use of Electronic Systems.

Agency cell phones may be issued to employees who need that communication for work scheduling. Agency cell phones are for business use only. Please refer to the Cell Phone Policy.

Failure to follow the rules for proper use and maintenance of agency equipment can result in loss of employee incentive pay, disciplinary probation and/or termination of employment with West Texas Opportunities, Inc.

### D. USE OF ELECTRONIC SYSTEMS POLICY

This policy defines the responsibilities of employees relative to the use of West Texas Opportunities, Inc. electronic systems, including e-mail, voice mail, computers, video monitors, and the internet. All electronic communications are considered West Texas Opportunities, Inc. information and should not be divulged except in the normal course of business. By signing the Acknowledgement of Receipt for receiving a copy of the Personnel Policy, which includes this policy, you are agreeing that you have read and understand and will abide by the Use of

Electronic Systems Policy. Your signature also confirms that you agree to receive Agency communication through your individual West Texas Opportunities, Inc. email account. This will include: Summary Plan Benefits, Summary Plan Descriptions, Insurance policy rates and information, Pay-Stubs, W-2 forms, and any other Agency wide communication. Each employee's right to access and use West Texas Opportunities, Inc.'s electronic systems is conditioned on compliance with this policy.

Computers and Email - All employees are issued a secure individual email address for all West Texas Opportunities, Inc. agency related use, while they are employed with West Texas Opportunities Inc.

All employees are required to sign into their email account at least two times each month to check for agency related information. Employee information will be sent by email on a regular basis which may include: pay stubs, insurance policy information, Summary of Benefits, agency announcements and other communication that needs to be shared with staff. All electronic data transfer and communications of confidential information will be through the secure system. All secure transmission of electronic confidential information, according to HHS or HIPAA Privacy standards will include **encryption**.

All software and data stored on West Texas Opportunities, Inc.'s computers belong exclusively to the agency. West Texas Opportunities, Inc. reserves the right to review, retrieve and delete data and software, and shall, at any time, monitor the contents of any employee's computer, including email.

Employees may not use, transmit, remove, tamper with, copy, destroy, or reveal information or data stored on West Texas Opportunities, Inc. computers, other than in the course of normal business dealings.

All computer software is to be installed on West Texas Opportunities, Inc. computers only if prior permission has been obtained from the Program Director. All installed software must have the appropriate license for its intended use.

The electronic systems may not be used in any way that may be disrespectful, offensive to others, or harmful to morale. The electronic systems may not be used to violate local, state or federal law. The electronic systems may not be used to violate any other policy or procedure of West Texas Opportunities, Inc. including, sexually explicit images, ethnic slurs, social epithets, or anything else that may be construed as harassment or disparagement of others based on race, gender, color, religion, national origin, ancestry, creed, age, medical condition, disability, genetic information, veteran status, citizenship status, marital status, sexual orientation, or any other basis prohibited by state, federal or local law.

To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. Illegal or unauthorized downloading, uploading, copying or distribution of copyrighted works is strictly prohibited.

Internet - Access to the internet has been provided to staff members for the benefit of West Texas Opportunities, Inc. The internet is to be used in an effective, ethical, and lawful manner

for the conduct of official West Texas Opportunities, Inc. business or to gain technical or analytical information. Employees are cautioned to be careful about how they represent themselves, given that what they say or do could be interpreted as West Texas Opportunities, Inc. opinion or policy. Employees must obtain management approval prior to placing information on the West Texas Opportunities, Inc. Web Site and should make every attempt to ensure that the information is accurate and up to date.

Solicitation of non-West Texas Opportunities, Inc. business or any use of the internet for personal gain is prohibited. Viewing, sending or downloading information from pornographic or offensive internet sites is prohibited.

West Texas Opportunities, Inc. reserves the right to access and monitor all messages, files and internet use of employees on the computer system as deemed necessary and appropriate. All communication including text and images can be disclosed to law enforcement and other third parties without prior consent of the sender or receiver.

**Voice Mail** The use of the West Texas Opportunities, Inc. voice mail and phone system is intended for West Texas Opportunities, Inc. business. Messages placed on the voice mail system are the property of West Texas Opportunities, Inc. and may at any time be reviewed, retrieved and/or deleted. Employees with access to voice mail will be required to set up an individual passcode to use on the voice mail system. Employees should check voice mail messages as soon as possible.

**Cell Phone** please refer to the Cell Phone Policy, which is included in the West Texas Opportunities, Inc. Personnel Policy.

Any employee of West Texas Opportunities, Inc., who is found to be in violation of the Electronic Systems policy may be subject to disciplinary action, up to and including termination.

#### E. CELL PHONE POLICY

West Texas Opportunities, Inc. is committed to the implementation of policies and procedures that encourage the upmost protection for our employees, clients, and the general public. The use of cell phones while conducting West Texas Opportunities, Inc. business, will be limited to work-related calls. Cell phones are never to be used for personal use while you are working with a client or supervising the children in our programs. The use of cell phones while operating a vehicle has been cited as the cause of many accidents and is prohibited when operating a West Texas Opportunities, Inc. vehicle or conducting business for West Texas Opportunities, Inc., in your personal vehicle.

**GENERAL** Cell phones have been issued to various groups of West Texas Opportunities, Inc. employees for agency use and are to be used for agency business only. The agency cell phone number s NEVER to be provided to family members or friends. Transportation employees should instruct family members to call the West Texas Opportunities, Inc. dispatcher if they have a family emergency and the dispatcher will contact the employee on the radio or cell phone, if out of radio range. Non-Transportation employees with agency cell phones should make other

emergency contact arrangements with another employee in the office or their supervisor. *Other rules apply when clients are being transported.*

**TRANSPORTATION OF CLIENTS** When transporting clients, West Texas Opportunities, Inc. TRAX drivers are prohibited from using a cell phone, hands-on or hands-free, or similar electronic devices\* while driving, whether the electronic device is personal or company-issued.

Electronic devices \* includes cell phones or any type of electronic device including the Mobile Data Computer, game, digital Calendar, texting device, MP3 Player, etc.

In addition, TRAX drivers must not consult the Mobile Data Computer while their vehicle is moving. All TRAX drivers must agree to the following:

- I understand that I may only use the cell phone, consult a manifest, or use the Mobile Data Computer while situated and parked off the public highway or street, away from danger.
- I understand and agree that I will allow voice mail to answer the phone while I am driving and that I will check voice mail and the Mobil Data Computer messages upon bringing my vehicle to a safe stop.
- I understand that if I receive 3 consecutive calls (one right after the other) I must pull over to a safe location and return the call immediately, because this 3-call signal means that someone in the Transportation Department needs to speak to me right away.

**EMPLOYEES DRIVING AGENCY VEHICLES USING PERSONAL PHONE** Employees may take their personal cell phones with them when they travel on agency business, but cell phones should not be answered and calls should not be initiated while driving. You should pull over and take or initiate the call. The same rules apply to texting. You should instruct your family and friends regarding the agency policy on cell phone use so that they will understand why you may not be able to answer the phone quickly or why you may need to stop your vehicle to return their call.

**EMPLOYEES IN EMPLOYEE OWNED VEHICLES** Employees who are driving their own vehicles for agency business must abide by the same cell phone policy as when driving agency vehicles

**PERSONAL PHONE CALLS** Regardless of the situation, employees must remember that personal phone calls must never interfere with agency business. This applies to personal phone calls in the office as well as travel.

## F. RETURN-TO-WORK POLICY

It is the policy of West Texas Opportunities, Inc. to strongly support all efforts of the Return-To-Work process. Reasonable Accommodations, according to the ADA, will be made to the extent possible. To ensure employees are able to Return-to-Work, these procedures will be followed:

- All employees will immediately notify their supervisor or other appropriate personnel at the time of an injury/incident.



- If medical attention is required, the injured employee will be accompanied by his or her supervisor or designee to receive medical services, if appropriate.
- The employee or supervisor will provide the treating physician with a copy of his/her job description, essential elements and introductory letter explaining the Return-to-Work process
- If employee is restricted from work, his or her supervisor or designee will maintain communication with the employee on the day of the incident, every week thereafter until the employees return to work, or more often, if appropriate. Communication with the treating physician will be completed by the identified personnel on a weekly basis.
- If employee is released by the treating physician to appropriate transitional duties, the supervisor is responsible for attempting to develop transitional work plans that comply with the physician's restrictions.
- A copy of a work release from the physician will be kept by the employee's supervisor.
- The supervisor will follow up with the employee on a regular basis after return to work

#### Return to Work Process After an Injury

- A packet will be mailed or delivered to the attending physician by the supervisor or his/her designee at the time of injury. The packet will include a letter notifying the physician that West Texas Opportunities, Inc. has a Return-to-Work policy, a Return-to-Work Recommendations form to be completed by the physician and a copy of the injured employee's job description.
- If the physician does not reply to the request for the Return-to-Work Recommendations upon release of the employee from the hospital or clinic, the employee must obtain this information prior to returning to work and within a reasonable time period, depending on the circumstances.
- The supervisor will review the physician's work restrictions, if any with the employee, and develop a Return-to-Work Plan, including time frames.
- The supervisor will mail or deliver a copy of the plan to their immediate supervisor and the Executive Director.
- The supervisor/designee will closely monitor the employee's activity.
- The supervisor/designee will provide copies of the Return-To-Work Recommendation form to the employee prior to EACH physician visit. The employee is responsible for seeing that the form is completed by the physician.
- The employee will provide the amended Return-To-Work Recommendation form to their supervisor following each visit.
- Prior to the employee returning to regular duty, the physician must provide a written report stating the employee's full duty release.

#### G. HATCH ACT COMPLIANCE POLICY

The 1998 ADMENDMENTS TO THE Community Service Block Grant (CSBG) reinstated the Hatch Act political activity restrictions, which were removed in 1994. These restrictions limit the activities of individual employees, rather than of the CAA as an organization.

Employees of West Texas Opportunities, Inc., are prohibited from:

- Being a candidate for public office in a partisan election
- Using their official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office
- Directly or indirectly coercing, attempting to coerce, commanding or advising a person covered by the Hatch Act to make political contributions.

Employees of West Texas Opportunities, Inc. are **not** prohibited from:

- Being a candidate for public office in a nonpartisan election
- Voting as one chooses and expressing one's opinions on political subjects and candidates
- Engaging in any political activity not specifically prohibited by the Hatch Act (or any other law), including participating in and contributing money to political campaigns.

Agency:

A program assisted under the CSBG Act must not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel, in a manner supporting or resulting in the identification of the program with:

- Any partisan or nonpartisan political activity or any political activity associated with a candidate or contending group in an election for public or party office.
- Transportation of voters to the poll, or any similar assistance in connection with an election.
- Any voter registration activity.

Federal Election Campaign Act:

As a corporation, under the Federal Election Campaign Act, West Texas Opportunities, Inc. may not:

- Contribute funds or in-kind value to a candidate in a federal election.
- Contribute funds to a political action committee.

501(c)(3) Tax-exempt Organization:

As a 501(c)(3) Tax-exempt organization under the Internal Revenue Code, West Texas Opportunities, Inc. may not:

- Pay any of the administrative costs of an affiliated political action committee.
- Coerce employees to make contributions, or be reimbursed for contributions they make.
- Participate or intervene, directly or indirectly (including the publishing or distributing statements), in any political campaign on behalf of or in opposition to any candidate for any public office:  
Includes federal, state and local elections.



Includes partisan (i.e. an election where at least one candidate represents a political party) and nonpartisan elections.

Includes opposed and unopposed elections.

Enforcement:

West Texas Opportunities, Inc. will enforce all provisions of the Hatch Act, the Federal Election Campaign Act and the 501(c)(3) Tax-Exempt Organization requirements in compliance with the state and federal requirements. Any employee running for a public office in a non-partisan election must notify their supervisor upon filing and must sign the assurance statement included in the West Texas Opportunities, Inc. Forms Manual. The Office of Special Council investigates complaints of Hatch Act violations and if the offense warrants dismissal from employment, West Texas Opportunities, Inc. must either:

- Dismiss the employee, or
- Forfeit that portion of the federal assistance equal to two years of the employee's salary.

Board Members:

Board Members of West Texas Opportunities, Inc. are not subject to the provisions of the Hatch Act through their affiliation as board members of West Texas Opportunities, Inc.

## H. TRAVEL POLICY

Employee travel and/or per diem allowance shall be authorized by the Executive Director and must be substantiated by documented travel vouchers at the rate authorized by the funding source from which the employee is paid. If allowed by the funding source, the federal travel regulations will apply. Travel costs may be charged on an actual cost basis if justified and approved by the Executive Director *prior to incurring travel costs*. All travel vouchers will be signed by the traveler and Executive Director. (See State or Federal regulations)

In Service Area Travel Daily travel reports for travel within the service area, not including overnight travel, must be substantiated with a Weekly Travel Voucher which includes mileage readings. The Travel Vouchers, with Daily Activity Reports are due in the Administrative Office the last day of the month. The Certification sheet must be signed and payment will be made within three working days. Overnight travel within the service area must be approved by the Executive Director and the same policies that apply to Out of Service Area Travel will apply as outlined below.

Out Of Service Area Travel A Travel Request form must be completed for all out of service area travel at least five (5) working days prior to travel. Request forms must be complete with detailed purpose of travel and signature of traveler and supervisor. Per Diem will be figured on a quarterly basis. (See State or Federal Travel regulations for detailed instructions.)

If Advance travel is requested, a check will be issued no earlier than one week prior to travel. *Bookkeeping may not be able to process a Travel Request that is not received at least five (5) working days prior to travel. Checks will not be issued more than one week in advance of travel.*

If the agenda is available, you must attach a copy of the agenda to your request. If not available at the time of travel request, you must attach a copy to your Expense Statement.

Within seven (7) working days following completion of travel, employees must submit an Out-Of-Territory Travel Expense Statement, including receipts for commercial travel, parking, taxi fare, lodging and other expenses along with a refund check, cash, or money order for overpayment if applicable. If the traveler was underpaid, a check will be issued by West Texas Opportunities Inc. within five (5) working days following receipt of all required documentation. Any deviation of this policy must be justified and approved by the Executive Director.

Travel for Less Than 24 Hours 10 hours or less per diem will not be allowed for travel of 10 hours or less within the same calendar day. If a meal is a part of the meeting, the agency will reimburse the cost paid by the employee as long as the expense was pre-approved by the Executive Director.

More than 10 Hours When the travel period is more than 10 hours but less than 24 hours meal reimbursement will be paid on the following basis:

- A breakfast reimbursement of up to \$5 will be paid if travel begins prior to 7:00 a.m. and involves more than 10 hours in the same calendar day
- A lunch reimbursement of up to \$6 will be paid unless the meal is furnished as a part of the meeting. If the meal is a part of the meeting, the agency will reimburse the cost paid by the employee as long as an expense over \$6 was pre-approved by the Supervisor.
- A dinner reimbursement of up to \$13 will be paid if travel extends beyond 7:00 p.m. and involves more than 10 hours in the same calendar day.

Exception to the more than 10-hour rule: A meal reimbursement will not be allowed for employees who qualify solely on the basis of working a non-standard workday. In order to claim a meal allowance under the 10-hour rule, employee must be working outside the West Texas Opportunities, Inc. service area. The West Texas Opportunities, Inc. service area includes the 17-county Permian Basin Region, 4 counties of the Abilene Region and the West Texas Opportunities, Inc. Transportation service area that extends beyond the Permian Basin (Lubbock, San Angelo and the Big Bend Region). Exceptions may be made for workshops scheduled in the service area if approved by the Executive Director.

Receipts are always required for all meals claimed on the More than 10-hour rule.

With the exception of the above, The Federal Travel Regulations, as outlined in the most current Federal Register (General Services Administration, Federal Travel Regulation) will be followed if approved by the funding source. The funding source responsible for payment of travel may have additional restrictions. For specific information, you should check with your Supervisor or the Executive Director.

Mileage reimbursement for privately-owned vehicles will be paid at the rate of \$.34 per mile.

Travel in Personal Vehicles Most West Texas Opportunities, Inc. offices have access to agency-owned vehicles. If an agency vehicle is not available, an employee must obtain permission from their supervisor to use their own vehicle for agency travel. Prior to authorizing travel, the supervisor must obtain:

- Current Driver's License

- A copy of a certificate of insurance for the vehicle

If for any reason, a driver's license is revoked, the employee must notify their Supervisor immediately and may not continue to use their own vehicle for agency business. Failure to do so can result in probation and/or termination.

If, for any reason the employee's vehicle insurance is terminated, the employee must notify their Supervisor immediately and may not continue to use their own vehicle for agency business. Failure to do so can result in probation and/or termination.

Employees are NOT allowed to transport clients in their personal vehicles under any circumstances. Agency vehicles must be used for client transportation.

Volunteers West Texas Opportunities, Inc. cannot allow volunteers to transport clients or drive agency vehicles.

Use of Agency Vehicles for West Texas Opportunities Inc. Travel Employees are encouraged to use agency vehicles for approved agency travel; however, the West Texas Opportunities, Inc. vehicle use rules must be followed. The Supervisor must authorize use of the vehicle.

If for any reason, a driver's license is revoked, the employee must notify their Supervisor immediately and may not continue to drive any West Texas Opportunities, Inc. vehicle until such time as their driver's license is reinstated.

If an employee receives more than two citations for a moving violation within a three-year period, the employee must notify their Supervisor immediately. The employee is uninsurable under the West Texas Opportunities, Inc. insurance policy and may not continue to drive any West Texas Opportunities, Inc. vehicle until such time as their driver's license check result no longer reveals an unacceptable number of tickets. Failure to notify their Supervisor may result in probation and/or termination.

NOTE: Transportation Program drivers may not have more than one moving violation either on or off the job during a 12-month period. A violation of this policy will result in immediate termination from employment with West Texas Opportunities Inc.

Transportation Program drivers are required to notify their Supervisor immediately if they receive a ticket for a moving violation. A violation of this policy may result in probation and /or termination.

Travel Policy Clarification Overnight travel is figured on the quarter basis using the website [www.gsa.gov/portal/category/100120](http://www.gsa.gov/portal/category/100120) to determine the maximum amount of lodging and meals and incidental expenses (M&IE). You should determine the estimated amount for your motel room. If your estimate exceeds the amount listed on the GSA Website, you may use only the maximum unless the Executive Director has authorized an exception. Determine the number of quarters involved in the trip using the per diem worksheet. Divide the M&IE rate applicable to the city to which traveling and multiply the quarter amount by the number of quarters involved in

the trip. Add the lodging and M&IE amounts together for your estimated of per diem allowance required for the trip.

If the city is not listed, the standard rate will apply. Lodging receipts are always required as well as parking, commercial travel, fuel purchases if in an agency vehicle, taxi fare if work-related and workshop fees that are not prepaid by the agency. Meal receipts are only required for more than 10-Hours, but less than 24-Hours rule and for subsistence reimbursement. (Subsistence applies to unusual circumstances which must be dealt with by the Executive Director as the situations occur.)

#### I. CALCULATING TIME FOR MANDATORY MEETINGS

This policy applies to conferences, social service coalition meetings and other networking meetings.

If you are attending a conference and a meal is provided at the conference as a part of your registration, you are expected to attend. The per diem rate for this meal must be deducted from your daily per diem.

If you are attending a meeting where your meal is provided or you bring your own meal, the time that is set aside for the meal is counted as your unpaid lunch.

If the meeting is a working lunch where meeting transactions begin right away and there is no time set aside for the meal, the entire meeting time can be shown as work time.

#### J. SANITATION AND FIRST AID POLICY

West Texas Opportunities, Inc. employees must consider everyone, regardless of history or appearance, to harbor potential contagious illness. This sanitation policy is designed to protect everyone and to prevent spread of infections to others.

- Direct contact with body fluids (urine, feces, vomiting, blood, nasal discharges, and saliva) is potentially dangerous and must be avoided. Always wear gloves when such contact is anticipated, i.e. when cleaning a scrape, changing a diaper or wiping a nose.
- Always wear gloves when cleaning an area contaminated by the above mentioned body fluids. After soap and water clean-up, disinfect the area by wiping down with a bleach solution.
- To avoid the spread of infection, always use items such as wash cloths only on one person. Always remove gloves after contact with potentially infectious body fluids, washing hands thoroughly with soap and water, before donning fresh gloves and moving on to a different person.
- Any child presenting to a child care center with a known contagious illness will be individually evaluated by the child's Health Care Provider, and by contacting the Local Health Department, if needed, to ensure the child meets the requirements to be in the child care center.

#### K. FIRE ARMS/WEAPONS POLICY

It is the policy of West Texas Opportunities, Inc. that no fire arm or any other weapon, either concealed or unconcealed, will be allowed on West Texas Opportunities Inc. property or any property or vehicle occupied by West Texas Opportunities, Inc.

#### L. FALSE REPORTING POLICY

A false report to a supervisor or company employee is forbidden. A false report is defined as any statement (written or oral) submitted to a supervisor by a company employee that is dishonest, distorted, fabricated, or in any other way compromises the truth and could result in action taken against another employee.

False reports can result in disastrous effects to individual rights and waste management's attention. They can negatively affect company morale and ultimately create the possibility of an unjust response by the company to an individual. We have all witnessed the impact of false reports during our lifetime.

Disciplinary action including discharge can be taken against an individual submitting a false report. If you have knowledge of a person submitting a false report, bring it to the attention of your supervisor immediately.

Honesty and integrity are essential to our success. While every employee is encouraged to report all violations of policy and issues that could negatively affect the company, be absolutely sure you have the facts straight before making a statement about another employee.

#### M. WHISTLEBLOWER POLICY

**GENERAL** West Texas Opportunities, Inc. requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of West Texas Opportunities, Inc., we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

**REPORTING RESPONSIBILITY** It is the responsibility of all directors, officers and employees to report ethics violations or suspected violations in accordance with the Whistleblower Policy.

**NO RETALIATION** No director officer or employee who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within West Texas Opportunities, Inc. prior to seeking resolution outside the agency.

**REPORTING VIOLATIONS** West Texas Opportunities, Inc. has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone else by following the proper chain of command. Supervisors and managers are required to report suspected ethics violations to their supervisor or the Executive Director, if appropriate. The Executive Director will investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following West Texas Opportunities, Inc.'s open door policy, individuals should contact the Executive Director directly.

**COMPLIANCE OFFICER** The Executive Director is the Compliance Officer and is responsible for investigating and resolving all reported complaints and allegations concerning violations and, at his/her discretion shall advise the appropriate board committee. The Compliance Officer has direct access to the appropriate committees of the Board of Directors and is required to report to the committees at least annually on compliance activity.

**ACCOUNTING AND AUDITING MATTERS** The audit committee of the Board of Directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

**ACTING IN GOOD FAITH** Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

**CONFIDENTIALITY** Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

**HANDLING OF REPORTED VIOLATIONS** The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

**COMPLIANCE OFFICER**  
Jenny Gibson, Executive Director  
West Texas Opportunities, Inc.  
806-872-8354

## N. PROHIBITED ACTIVITIES

- Harassment or discrimination toward clients or employees is prohibited.



- You may not engage in religious or anti-religious activity at West Texas Opportunities, Inc. offices.
- The use of profane or offensive language is prohibited.
- The consumption of alcohol during working hours is prohibited.
- The use or distribution of illegal drugs is prohibited.
- The use or possession of firearms on West Texas Opportunities, Inc. property or vehicles is prohibited.
- Employees of the agency are prohibited from accepting gifts, monies, and other gratuities from persons receiving benefits or services under contract or otherwise in a position to benefit from an employee action.
- Employment at West Texas Opportunities, Inc. will not be offered as a reward for political activity, the active support of a political party or a political candidate. West Texas Opportunities, Inc. employees may engage in partisan political activities during their off duty hours, but are prohibited from becoming a candidate for a partisan political office while they are employed by West Texas Opportunities, Inc. Employees shall abide by Section 67(c) (7) of the CSBG Act which prohibits any activities to provide voters and prospective voters with transportation to the polls, (this does not include employees providing public transportation), or to provide similar assistance in connection with an election or any voter registration activity.

## **X. DISCIPLINE POLICY, PROCEDURES AND GROUNDS FOR DISMISSAL**

### **A. DISCIPLINE POLICY**

West Texas Opportunities, Inc. encourages open communications between management and employees in an effort to avoid problems; however, if disciplinary problems do arise, progressive discipline will be used when appropriate, but West Texas Opportunities, Inc. may choose to move directly to termination. Disciplinary action can include; verbal warning, written warning, probation or termination. Two disciplinary probations in any 12 month period are cause for termination. Unsatisfactory completion of probation may also result in termination. Notice of disciplinary action will be given to the employee within 48 hours after a decision has been reached and the employee shall be given 10 days in which to appeal. The appeal procedures shall provide for a hearing for the employee with the Executive Director and he/she may then appeal to the Executive Committee.

### **B. DISCIPLINE PROCEDURES**

The following procedures are meant to provide a consistent method of determining proper course of action when discipline is needed.

The supervisor must be certain that the employee has a thorough understanding of the problem, stating agency policy wherever possible. All employees should have an awareness of what is expected in the area of job performance



Verbal Warning. Before a written warning is issued, a verbal warning **may** be given to the employee. The supervisor must record the verbal warning and the Employee Warning Notice form should be used. It will not be necessary for the employee to sign a verbal warning. The documentation will be filed in the employee's Personnel file at this time. If a written warning becomes necessary, the verbal warning documentation will be attached to the written warning and filed as outlined in Written Warning procedures.

Written Warning If improvement is not made within a time limit granted in the earlier warning, it will be necessary to give written warning. The time limit should not exceed 60 days. The Employee Warning Notice form will be used for a written warning, and it must be signed by both the supervisor and the employee. In such cases, the signature of the employee acknowledges receipt of the written warning but may not indicate concurrence with the information contained in the warning. If the employee disagrees, he/she may explain the reason(s) for disagreeing. The original of the written warning will be filed in the Employee's Personnel File, a copy given to the employee and the supervisor should retain a copy. If the employee fails to improve by the date given on the warning, other disciplinary action, including termination, may result.

Consultation. Following a written warning, the supervisor will consult with the employee to measure progress and improvement in the problem area. Consultations should be documented accurately as to the dates and outcomes of the meetings. The documentation should be attached to the applicable Employee Warning Notice.

#### Disciplinary Probation.

- Probation requires prior approval of the Executive Director and is documented by the Executive Director's signature on the Employee Warning Notice
- Probation will be in writing and must be signed by both the supervisor and the employee. A copy will be given to the employee, one filed in the Personnel File and one forwarded to the supervisor's superior. The document must contain both the specifics of the conduct for which the employee is being placed on probation and the specific criteria which must be met for the employee to terminate probation.
- Probation is for a period of not more than 90 days and may not be extended. At the end of the probationary period, the employee must be informed, in writing, that he has completed the probation satisfactorily, or that he is being terminated. The Employee Warning Notice should be used for this purpose.
- Any two disciplinary probations in any 12 month period are cause for termination.
- The employee's immediate supervisor may initiate a probation. The signature of the next higher level of supervision is required.
- Probations may be appealed one level higher than the concurring level referred to above.

#### C. SPECIFIC GROUNDS FOR DISMISSAL

Any of the following acts or conduct on the part of a West Texas Opportunities, Inc. employee may constitute grounds for prompt dismissal.

This list is not inclusive of all grounds for dismissal or termination.

- Use of intoxicants or drugs while on duty, or repeated off-duty intoxication, regardless of whether or not legally convicted of same.
- Harassment and/or discriminating conduct.
- Flagrant or persistent insubordination.
- Inciting or engaging in strikes or riots
- Misappropriation, negligence or unauthorized use of West Texas Opportunities, Inc. funds, equipment, vehicles, tools, machines, etc.
- Incompetence or repeated neglect of duty.
- Repeated failure or neglect to meet credit obligations.
- Unauthorized absence from duty without satisfactory explanation.
- Failure to abide by written Governing Board Policy or activity in opposition to the stated aims or goals of West Texas Opportunities, Inc.
- Fighting or attempting to injure others.
- Possessing a handgun or other weapon while on duty or on agency property.
- Falsifying, forging or misusing records, including applications and time and attendance records.
- Acceptance of gifts or gratuities valued at \$10 or greater from individuals receiving services from West Texas Opportunities, Inc., or from other organizations desiring or conducting business with West Texas Opportunities, Inc.
- Rudeness or ill treatment of any person(s) while on the job.

## **XI. GRIEVANCE PROCEDURES**

### Definitions

- Grievanceô An action initiated by an employee resulting from the employee's dissatisfaction with working conditions.
- Adverse Actionô Any disciplinary action or personnel action taken by management that results in actual loss or reductions of salary to an employee or adversely affects his career.
- Appealô An employee's request to management to reconsider an adverse action, which may include a full and impartial hearing, if required.
- Chargeô An action taken by an employee claiming alleged discrimination on the part of management. Discrimination charges are not subject to review through these procedures, but are processed under the procedures outlined in Subtitle B or Public Law 97-35.

### Procedures

- A grievance will be brought to the attention of the employee's immediate supervisor, or the supervisor's supervisor if the supervisor is involved. If it is not resolved to the satisfaction of the employee, he/she will reduce it to writing and transmit it to the next

higher level of supervision. If the employee is not satisfied with the results of this review, he/she may escalate it to the level of Executive Director. The decision of the Executive Director is final. The grievance will be acted on at each point in the proceedings within five working days.

- An adverse action taken by management will be reduced in writing and transmitted to the employee. The notification will contain all particulars of the adverse action including the rights of the employee to request reconsideration and the right to submit evidence in support of the request.
- An appeal of an adverse action will be sent to the Executive Director within ten (10) working days, along with all evidence which the employee feels is relevant to the case and which he wishes the Executive Director and/or the Personnel Committee to consider. The employee will be notified in writing of action taken on the appeal and this notification will include rights of the employee to escalate the appeal to the Personnel Committee of the Board of Directors. The decision of the Committee is final. Action will be taken by each appellate level within ten (10) working days.

## **XII. TERMINATION POLICY AND PROCEDURES**

Voluntary Termination Employees may terminate their employment voluntarily, at any time. Employees who terminate their employment voluntarily, and who have successfully completed their 60 day trial period are entitled to any due pay plus payment for earned, unused Annual and Sick Leave. Employees are asked to give a two week written notice prior to the effective termination date.

Involuntary Terminations Employees being terminated involuntarily for specific grounds for dismissal and who have successfully completed their 60 day trial period will be entitled to any due pay plus payment of earned, unused Annual Leave and Sick Leave. If an employee resigns after having been informed he is to be terminated involuntarily, it will still be considered as involuntary termination. The appeal procedure shall apply to involuntary termination. Involuntary termination must be approved by the Executive Director.

Budget Cuts Employees being terminated involuntarily due to budget cuts (except temporary time limited employees) will be given advance notice of at least two weeks and shall be entitled to any salary due and any earned but not used Annual Leave and Sick Leave Pay.

Employees Re-Hired within 30 Days of Termination When an employee is receiving benefits prior to termination

- Sick Leave and Annual Leave are zeroed out at termination and cannot be restored.
- If the 60-Day waiting period for Health, Dental and Life insurance has been previously met, it will be waived.
- If Retirement has been paid out, it can be repaid by the employee and the Retirement Plan restored as it was prior to termination.
- The employee will maintain their tenure with the agency. The break in service will be deducted from the total time worked when figuring the length of service.

#### A. TERMINATING STAFF DUE TO BUDGET CONSTRAINTS POLICY

It is the policy of West Texas Opportunities, Inc. to avoid employee layoffs by cutting other operating costs if at all possible. If a layoff cannot be avoided, the following procedures will be followed:

- When funding for a program is cut, each department within that program will be reviewed to determine the minimum number of employees necessary to carry out the essential functions of that department or program. Our goal would be to maintain the employee level as long as each job is fully justified and funding is available.
- If the budget will allow, position elimination will be accomplished through attrition. As an employee vacates a position that has been targeted for elimination, the position will not be filled. If one or more positions must be eliminated in a specific department and there are vacancies in another department, a transfer may be an option. The employees to be retained or transferred to another department would be evaluated based on the following criteria:
  - Employee skills as specifically required for that position.
  - Employee performance ratings for the previous three years. If the employee has not worked for West Texas Opportunities, Inc. for three years, evaluation ratings would be considered for the period of time employed.
  - If skills and performance are equal, the determining factor would be tenure with the agency.
- If the employee is not willing to transfer, he/she will be laid off and the position may be offered to the employee with the next highest score or can be filled through the normal replacement policy. The salary to be paid the transferring employee will be the entry for that position unless it would be lower than their current salary. If the salary is lower, the employee may be considered for additional salary increments based on the years of service at West Texas Opportunities, Inc., only if skill level and job requirements are equal to their previous position. All benefits will remain in place unless the position being filled is part-time. Part-time employees are not eligible for benefits.
- Department supervisor positions may be cut if the number of employees in a unit is reduced and it has been determined that another supervisor can assume supervision of the unit.
- A minimum of two weeks notice will be given; however, an attempt will be made to give as much notice as possible. Employees who are being laid off will be allowed to take annual leave to attend job interviews and schedules will be altered when possible to allow them to seek employment.

#### B. ELIGIBILITY FOR REHIRE POLICY

Supervisors must confer with Program Directors and the Human Resource Director before determining an employee is "Not Eligible for Rehire". Staff who leave West Texas Opportunities, Inc. in good standing (break in service from a regular position due to resignation, layoff or, in some cases, discharge) and later want to return are eligible for consideration for rehire.

Applications will be accepted from anyone wishing to apply for a position at West Texas Opportunities, Inc.

The tables below provide examples of reasons for leaving West Texas Opportunities, Inc. and a corresponding classification of "Eligible for Rehire", "Rehire Subject to Consideration" and "Not Eligible for Rehire". These reasons are not all inclusive.

REASON FOR LEAVING

ELIGIBLE FOR REHIRE

Voluntary Resignation	Eligible
Retirement	Eligible
End of Position	Eligible
End of Program Funding	Eligible
Loss of Required Credential	Eligible once Credentials have been Reestablished
Attendance Violation	Rehire Subject to Consideration
Poor Performance	Rehire Subject to Consideration
Job Abandonment or Quit Without Notice	Rehire Subject to Consideration
Termination during 60 Day Trial Period	Rehire Subject to Consideration
Serious Behavior or Safety Violations	Not Eligible
Resignation in Lieu of Involuntary Termination	Not Eligible
Felony Conviction while Employed with WTO, Inc.	Not Eligible
Falsification of Credentials or Application Information	Not Eligible
Theft	Not Eligible
Weapons Possession	Not Eligible
Acts of Workplace Violence	Not Eligible
Loss of required credential for Criminal Conviction	Not Eligible
Breach of Confidentiality	Not Eligible

DEFINITIONS

ELIGIBLE FOR REHIRE: Staff who leave in good standing are eligible for rehire with West Texas Opportunities, Inc.

REHIRE SUBJECT TO CONSIDERATION: Staff who have been terminated for reasons other than serious conduct or behavior violations will be eligible to seek employment after having demonstrated acceptable work performance during the gap in separation and with the consensus of the Supervisor, Program Director, HR Director and/or the Executive Director.

NOT ELIGIBLE FOR REHIRE: Staff Terminated for serious conduct, behavior or safety violations are not eligible for rehire with West Texas Opportunities, Inc.