



Irene Gomez-Bethke Papers.

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CENTRO LEGAL, INC'S  
PERSONNEL MANUAL

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I. EMPLOYMENT

A. Definition of Status of Employees.

1. Permanent Full-Time. An employee hired for full-time work without a predetermined terminal point of employment. Such an employee is eligible for all employee benefits enumerated in this Manual.

2. Permanent Part-Time. An employee hired for part-time work and without a predetermined terminal point of employment who regularly works fifteen (15) hours or more per week. Such an employee is eligible for prorated benefits, according to the number of hours regularly worked as outlined in the Employees Benefits Eligibility Section ( See IV A-2).

3. Temporary Short-Term. An employee hired for part or full-time employment for a predetermined period of time, not exceeding six (6) months. Such an employee is eligible for the prorated benefits as outlined in the Employee Benefits Eligibility Section (See IV A-3).

4. Temporary Long-Term. An employee hired for part or full-time work for a predetermined period of time in excess of six (6) months. Such an employee is eligible for full benefits as outlined in Employee Benefits Eligibility (See IV A-4).

B. Provisional Employment. Except in case of hiring for a new position within an employee's office or unit not involving significantly different job responsibilities all new Centro Legal employees or persons re-hired or hired for a new position by Centro Legal shall be on provisional employment status for a period of six (6) months following their dates of employment. In addition, the



provisional status of attorney personnel who are not members of the Minnesota Bar shall continue sixty (60) days after they are admitted to membership.

During the period an employee is on provisional employment status, he or she may be terminated for cause, without right to review under the procedures provided herein or otherwise, by his or her managing attorney with the concurrence of the Executive Director.

C. Suspension and Termination.

1. Grounds for Suspension and Termination. Employees may be suspended or terminated for just cause, which shall include but not be limited to the following: a) non-performance of duties set forth in the applicable job description; b) incompetence (inexcusable failure to discharge such duties in a prompt and efficient manner); c) insubordination; d) breach of trust; e) excessive absenteeism; f) if funding for their position ceases or is substantially reduced.

2. Suspension Procedure. An employee who has completed his or her provisional employment period may be suspended by his or her supervisor. Suspensions shall be for periods not to exceed ten (10) days, and shall be effective immediately or on the date specified by the supervisor. Suspended employees shall be on leave without pay and shall not be allowed to use annual leave during the period of suspension. The procedure for suspending employees is:

a. The supervisor shall notify both the employee concerned and the Executive Director of the suspension, its cause, its effective date, and its duration;

b. Within forty-eight (48) hours of notification the Executive Director shall either confirm, modify or overrule the suspension;

c. In the event that the Executive Director overrules the suspension, the suspended employee shall be reinstated and paid whatever wages would have been accrued to him/her had there not been such suspension.

d. In all other cases the Executive Director shall inform the suspended employee of the right to appeal the suspension. If the employee requests a hearing, it shall be held within ten (10) working days of the date of the request before a special Grievance Committee;

e. The Grievance Committee shall be composed of three persons to be selected from among the Centro Legal staff in the following manner: the suspended employee shall select one member; the Executive Director shall select one member; and those two members shall select a third;

f. The suspended employee shall have the right to be present and present evidence on his or her behalf;

g. The Grievance Committee shall decide the matter by majority vote, subject to review by the Board of Director's Personnel Committee (See III B 1, 2, 3, & 4);

h. In the event that the Grievance Committee or the Board Personnel Committee overrules the suspension, the employee shall be reinstated with full rights and privileges and shall receive 110% of the pay accruing during the suspension.

3. Termination Procedure. An employee who has completed

his or her provisional employment period may be terminated by his or her supervisor. The procedure for terminating an employee is:

a. The supervisor shall notify both the employee concerned and the Executive Director of the termination, its cause, and its effective date;

b. The remaining procedure shall be as stated under the section for Suspension Procedure, I (C) (2) above.

D. Resignation by Employee. When an employee decides to resign from the Centro Legal, he or she must prepare a letter of resignation, containing the effective date and reason for leaving, not less than one month before he or she intends to leave the Centro Legal. Whenever possible, the employee should be requested to conduct an exit interview with the supervisor or Executive Director. The employee's supervisor is responsible for informing the Comptroller of the employee's obligations to petty cash, his or her unpaid vouchers, and for securing the return of all of Centro Legal's property, including keys, equipment, books and identification cards.

E. Termination Resulting from Reductions in Funding. The termination of employees under Section I (C) (1) (f) shall be subject to the procedures outlined in Section I (C) (3) above.

Employees terminated pursuant to these provisions shall have the right to fill the first Centro Legal position that becomes vacant, provided they meet the minimum qualifications for the positions; and have had satisfactory evaluations in all previous evaluations.

## II. REMUNERATION

A. Purpose and Responsibility. The Executive Director has the primary responsibility for the overall development and implementation of a salary administration plan and the salary schedule (Appendix A) for the program.

The attorney, secretary and paralegal/community worker salary scales are set by the Centro Legal Board of Directors upon the recommendation of the Executive Director. Salaries for support personnel are determined by the Executive Director in accordance with the procedures described above.

B. Salary, Promotion and Increase Approval. Prior to the initial employment of all personnel, and prior to giving increases in salary or promotions, a review shall be made to determine the availability of funds and the propriety of the intended action. Salary increases and promotions for all Centro Legal staff shall be made strictly in accordance with the pertinent salary scales or procedures and within the program's budget. Step increments shall take effect at the beginning of the fiscal year or the anniversary date of commencing employment. Salary increases for all employees shall take into account increases in the cost of living and shall be based on evaluations as set forth in "Staff Evaluation and Review" Section III (C). No employee shall receive a salary increase pursuant to scale unless they have received a satisfactory evaluation.

Salary increases for persons who are at the top of or who have exceeded the pertinent scale, shall be determined annually by the Executive Director. The amount of percentage of such

increase, if any, shall be the same for all persons regardless of scale or employment classifications and shall be based on funding increases, the cost of living and within the program's budget.

C. Salary Scale (Job Classification Schedule and Plan).

It is the policy of Centro Legal to maintain and further develop from time to time a salary scale (job classification schedule) and pay plan for all employees in order to insure objective and efficient management of personnel resources.

The Executive Director has a specific responsibility to prepare job descriptions for each employee in the office.

All new employees shall be hired at the beginning rate of the approved salary scale incorporated in this Manual for the position for which they are hired, except if the new employee has prior experience, in which case the employee shall be hired at the rate of the salary range that corresponds to their experience.

Persons hired for positions for which there is no established salary scale shall be compensated at a beginning salary level agreed upon by the employee and the Executive Director. In determining this salary the Executive Director shall be uniform and consistent in his or her application of factors which serve as the basis for the salary.

D. Promotions. An employee may be promoted to a new position and his or her salary adjusted according to the provisions of the salary scale. In order to decide upon such a promotion, the Executive Director may request his/her representatives to collect materials and/or conduct interviews. Promotions and the salary adjustments that accompany them will not be given simply on the

basis of excellent performances by an employee of current duties, but only on the basis of the additional duties and responsibilities undertaken in a new position.

E. Pay Checks. Regular Centro employees are paid semi-monthly. Payroll deductions include Federal Income Tax (F.I.T.), Social Security (F.I.C.A.), State Income Tax (S.I.T.) and other deductions specifically authorized by the employee or required by law.

F. Honoraria, Consultant Fees, and Gratuities. Honoraria and consultant fees earned by an employee while on Leave Without Pay or Annual Leave may be regarded as personal income. Honoraria earned during regular working hours or on sick leave must be turned over to the Comptroller, except if earned on compensatory or vacation time. Honoraria received for work directly related to the employee's responsibilities under the applicable job description need not be reimbursed if there is prior written authorization from the employee's supervisor. Centro Legal resources, including secretarial time, which are used in the course of activity for which an employee received compensation (e.g. an evaluation report of another legal services program), must be reimbursed to Centro Legal.

Employees may not accept money or any other gratuity offered to them by clients or from anyone else having a business relationship with the Centro Legal. Contributions may be made to the Centro Legal by sending a check or money order to the Comptroller.

G. Outside Gainful Employment.

1. Such employment shall not interfere with the



efficient performance of the employee's duties with the Centro Legal;

2. Such employment shall not involve conflict of interest or conflict with the employee's duties with the Centro Legal;
3. Such employment shall not involve the performance of duties which the employee should perform as part of his employment with the Centro Legal; and
4. Such employment shall not occur during the employee's regular or assigned working hours with the Centro Legal, unless the employee, during the entire day on which such employment occurs is on either annual leave, compensatory time off or leave without pay.

#### H. Severance Pay.

1. In Lieu of Notice. If, in the judgment of an employee's supervisor it would be adverse to the program's interests to provide an employee with two week's notice of termination, the terminated employee shall receive two weeks (10 work days) severance pay in lieu of notice. If the employee later prevails in his or her final termination hearing, he or she may retain that portion of the severance pay which represents the number of days that has elapsed since his or her termination. If the final termination hearing has not been conducted prior to the end of the two week period covered by the severance pay, however, he or she may not be granted further severance pay, but must go on annual leave or leave without pay.

2. In Case of Lay Off. An employee who is

involuntarily terminated from Centro Legal not for cause shall be entitled to severance pay at the time of his or her termination from the Centro Legal. An employee's termination shall not be considered involuntary if he or she was hired on a temporary basis or if he or she has not completed his or her provisional employment period. Nor shall termination be considered involuntary if the employee is offered and declines to accept a position with the Centro Legal which is equivalent in function, seniority, tenure, compensation and in the same commuting area. The amount of severance pay to which an eligible employee is normally entitled after he or she has worked for the Centro Legal for twenty-four (24) months shall be equivalent to his or her regular monthly pay check. Eligible employees who have not completed twenty-four (24) months of employment shall normally be entitled to 1/24th of their regular monthly wage for each month they have been employed by the Centro Legal.

3. Jury Duty Leave. An employee who is summoned to perform jury duty is required to show the summons to his or her managing attorney. He/she is then eligible to receive full pay for a maximum of two weeks, during which no loss of accrued sick leave or accrued Annual Leave or Comp. time will be sustained. However, any compensation received by the employee as a result of the jury duty service, excluding expenses (i.e. meals, transportation), must be surrendered to the Comptroller of Centro Legal. If a jury duty obligation should exceed two weeks, determination of subsequent action will be made by the employee's supervisor and the Office's Managing Attorney.



### III. PERSONNEL POLICIES

#### A. Grievance Procedure

Each Centro Legal employee has the right and the duty to appeal what he or she considers an unfair working condition caused by his or her supervisor, a fellow employee or a Centro Legal administrative rule or procedure. The following procedure must be followed in reviewing and settling an employee's grievance, with the understanding that he or she may be assisted by a representative of his or her choice at any level of review.

1. The employee shall first try to resolve his or her grievance with the supervisor, fellow employee or organizational official concerned.

2. If the employee is not satisfied with the understanding reached through such discussion, he or she shall take up the matter with his or her most immediate supervisor, or, if his or her most immediate supervisor was the person with whom he or she had the first discussion, he or she should follow step "3" below;

3. If the employee is dissatisfied with the understanding reached through consultation with his or her immediate supervisor he or she may appeal within five (5) working days in writing to the Executive Director or his or her designee. The Executive Director or his or her designee will consult with the employees and others concerned, and will try to resolve the grievance;

4. If the employee is dissatisfied with the Executive or designee efforts, he or she may so inform that person and request in writing a review of the matter by a special Grievance Committee.

The Grievance Committee must meet within ten (10) working days of the employee's request to the Executive Director or designee;

5. All members of the three member Grievance Committee shall be selected from among Centro Legal staff in the following manner; the employee shall select one member; the Executive Director shall select a second member; those two members shall select a third;

6. The employee has the right to present at all proceedings before the Grievance Committee witnesses and evidence on his/her own behalf and to examine all witnesses and evidence against him or her;

7. In the event a decision is rendered in favor of the employee, the Grievance Committee shall have the discretion to award to the employee and against the Centro Legal, the reasonable costs of the employee's travel to and from the hearing and the travel costs of any witnesses who appear on his or her behalf;

8. The Grievance Committee shall settle the grievance by majority vote subject to review by the Board of Directors' Affirmative Action/Personnel Committee.

B. Review by Affirmative Action/Personnel Committee of Board of Directors.

All Centro Legal employees, after following Centro Legal's established process for reviewing personnel management decisions shall have the right of appeal to the Affirmative Action/Personnel Committee of the Board of Directors on the basis that the decision was arbitrary, capricious or unsupported by substantial evidence. All such appeals shall be handled in the following manner:

1. Appeals shall, within four (4) calendar days of the completion of the staff review process, be directed to the Executive Director in writing and shall specify the issue of concern to the employee and why the staff review process has inadequately dealt with it.

2. The Executive Director shall distribute copies of the appeal to each member of the Board Personnel Committee, along with his or her own written statement specifying the disposition of the matter in the staff review process;

3. The Chairperson of the Board's Affirmative Action/Personnel Committee shall, within five (5) calendar days of receipt of the appeal, confer with his fellow Committee members regarding what further inquiry might be necessary prior to their deciding the matter.

4. After conducting whatever inquiry they feel is necessary, the Board Committee shall either 1) confirm the decision of the staff review process; or 2) overrule or modify the decision of the staff review process because it was arbitrary, capricious or unsupported by substantial evidence.

C. Staff Evaluations.

1. All part-time and full-time Centro Legal employees shall be evaluated semi-annually, or as necessary. Evaluations will assess the extent to which the employee is satisfactorily discharging and performing his or her duties and responsibilities as set forth in her or her job description, including and increase, decrease or other modification or change in the job description or the employee's duties, responsibilities or priorities, pursuant to

the written agreement of the staff person and the Executive Director, as set forth in the applicable job description.

2. The evaluation will include, as appropriate, any comments on the employee's adherence to the requirements of client confidentiality, dependability, honesty, resourcefulness judgment, ability to listen, cooperativeness and ability to work with others, concern and respect for others and ability to adjust to new situations. The evaluation shall comment on the employee's performance in all aspects of his or her job duties and responsibilities and shall include comments on any specific problems; areas for improvement; areas of strength; and activities designed to improve the employee's knowledge and skills. The evaluation shall be based on specific information and not opinions alone and the factual basis of the evaluation, including an identification of sources of information, shall be disclosed, as part of the written evaluation.

3. Performance of Evaluations. The evaluations shall be performed as follows:

a. Evaluations of attorneys and paralegal/community workers, and secretaries shall be done jointly by the assigned managing attorney and the assigned managing paralegal;

b. Evaluations of support staff shall be conducted by the Executive Director or by his or her designee;

c. Evaluations of managing attorneys and managing paralegal/community workers shall be conducted by the Executive Director;

d. Evaluations of the Executive Director shall be

conducted by the Board of Directors.

4. Evaluation Procedures.

a. Written evaluations shall be prepared every six months, or as necessary, except that newly hired personnel shall have a written evaluation every three months during their first six months of employment. In preparing the evaluation the evaluator(s) shall solicit input from persons who regularly work with the employee; and from five clients selected on a random basis. The written comments concerning cases reviewed, and meetings under the provisions of Section of this Policy shall also be considered.

b. After the written evaluation has been prepared it shall be submitted to the employee for his or her review. After the employee has had an opportunity to review the evaluation, the employee and the evaluator(s) shall discuss the evaluation and the work performance of the employee. The employee shall have the option to include other persons at the conference. At the conference, employees shall be given the opportunity to present information to the evaluator(s) covering matters with which the employee disagrees and to otherwise question persons in attendance at the conference.

c. After the conference the evaluator(s) may modify the written evaluation based on information received at the conference, prior to submitting it to the Executive Director. The employee may, if she or he agrees with the evaluation, sign it and/or prepare their own self-evaluation.

d. The written evaluation and the self evaluation shall be forwarded to the Executive Director for his or her review.

Following the review the Executive Director or his or her designee may discuss specific problems or performance with the employee and the evaluator(s) or may send the evaluation back to the evaluator(s) so that the evaluator(s) may discuss the specific problems or performance further with the employee; provided, however, that the Executive Director shall meet at least annually with each employee to discuss their evaluation and performance during the past year.

e. The time of evaluation shall be known in advance. Evaluations shall be a joint effort on the part of the employee and the evaluator(s); however, the major responsibility belongs to the evaluator.

f. In case of disagreement between the evaluator(s) and the employee concerning the evaluation, the employee shall have the right to appeal the evaluation to the Executive Director. In case of such appeal the Executive Director shall confer with both the evaluator(s) and the employee as well as any other person requested by either the evaluator(s) or the employee. Following this conference and review the Executive Director shall prepare his or her own written evaluation. Both the employee and evaluator(s) shall be given an opportunity to read and discuss the written evaluation and to present information to the Executive Director covering the points of disagreement and thereafter the Executive Director may amend the written evaluation.

g. In case of disagreement between the evaluator(s) concerning any aspect of the evaluation, the evaluator(s) may submit their own written comments as part of the written evaluation in addition to those aspects agreed upon.



h. In case of disagreement between the employee and the Executive Director concerning the evaluation, the employee shall have the right to appeal to the special grievance committee of the Centro Legal's Board Personnel Committee pursuant to the applicable provisions of the Centro Legal's "Personnel Manual".

i. All evaluation statements shall be made as part of the permanent record in the employee's personnel file and the employee shall receive a copy of all such evaluations. This information shall be considered to be private under Minnesota law and shall be protected against review or use by unauthorized personnel.

5. Non-Routine Evaluations. An evaluation as described above of an employee's work performance may be made at the direction of the Executive Director whenever there is a substantial question of job performance or conduct.

6. No employee's status shall be affected and no employee shall be suspended or terminated without an evaluation by the Executive Director as previously set forth.

D. Use of Centro Legal Resources for Non-Centro Legal Purposes

Consistent with the provisions of Sec. IV(I) long distance phone calls for personal purposes should be charged to the employee's home number and clearly marked as such on the telephone log of long distance phone calls.

Use of the duplicating machine for personal business should be paid for by the employee at whatever rate is appropriate for that machine, in order to reimburse Centro Legal for its cost.

Payment should be made to the Comptroller at the time of use.

Centro Legal supplies and office facilities including phones, may not be used by non-Centro Legal personnel except as specifically authorized by the Executive Director or responsible managing attorney of the Centro Legal office concerned. Requests for such use should be entertained pursuant to an Agreement with the group or only when the person or group is a member of the bar or is engaged in activities clearly beneficial to the client community of the Centro Legal office. Such use should not be allowed to interfere with the normal operation of the office.

When the managing attorney or Executive Director authorizes the use of Centro Legal equipment and/or supplies, he or she must provide the Comptroller with:

- 1) The full name and address of the person or group authorized.
- 2) The date of usage, and the date the equipment or supplies will be returned to Centro Legal.

If possible, the person or group responsible for the usage should pay in check or cash at the time usage takes place. Checks should be sent to the Comptroller upon their receipt. If the outside person or group cannot pay immediately, the above-mentioned information should be forwarded to the Comptroller, who will bill the appropriate party. A person or group who has an unpaid bill with Centro Legal should not use Centro Legal's facilities again until such bill is paid. All such reimbursement shall be sufficient to reimburse Centro Legal for its actual costs.

The above does not refer to use of Centro Legal



libraries which may be made available without charge as a courtesy to any other member of the bar, or other appropriate persons.

Employees using Centro Legal resources for personal or any other non-Centro Legal purpose must reimburse Centro Legal the cost of such resources. The Comptroller shall be consulted regarding other reimbursement of supplies and items for which Centro Legal's cost is not easily determined.

E. Solicitations.

No Centro Legal resources -- telephones, supplies, equipment, etc. -- may be used to solicit funds from Centro Legal employees or other persons. Nor may such efforts be made on Centro Legal time.

F. Long Distance Phone Calls.

Centro Legal employees should place long distance phone calls only when necessary for the effective representation of a client, or for the purpose of official Centro Legal business. Long distance phone calls should be made only when a letter or personal contact are not timely or feasible. Personal long distance phone calls are discouraged, but if they are made must be reported to the responsible employee or the Comptroller as provided herein and reimbursement made.

#### IV. EMPLOYEE BENEFITS

##### A. Eligibility for Benefits

1. A permanent full time employee (hired without a predetermined terminal point of employment) is eligible for all employee benefits enumerated in this Manual.

2. A permanent part-time employee (hired without a predetermined terminal point of employment) regularly working fifteen (15) hours or more per week is eligible for these benefits: Worker's Compensation; Annual and Sick Leave figured on a prorated basis according to the number of hours regularly worked; Maternity Leave; holidays falling on the days the employee regularly works; Election Day Leave; Severance Pay; and, if he or she works twenty (20) hours or more a week, Centro Legal's group hospital and medical insurance coverage.

3. A temporary full-time employee (hired with a predetermined employment period not exceeding six (6) months) is eligible for these benefits: Worker's Compensation; Centro Legal holidays falling on days the employee regularly works; and Election Day Leave.

4. A temporary full-time employee (hired with a predetermined employment period exceeding six (6) months) is eligible for these benefits: Worker's Compensation, unemployment Compensation, Centro Legal's group hospital and medical insurance coverage, Annual Leave and Sick Leave, Centro Legal paid holidays, and Election Day Leave.

5. A permanent employee on any kind of Leave Without Pay is eligible for this benefit: Centro Legal will, for a period

not to exceed ninety (90) days, maintain group hospital and medical insurance coverage for such employees.

When the employment status of a temporary employee is changed to permanent, the employee shall receive retroactively to the date of his temporary hire all fringe benefits he would have received had he been hired on a permanent basis originally.

B. Annual Leave.

For the first year, employees, receive approximately three weeks or 15 working days vacation leave. After the first year the employee receives four weeks or 20 working days vacation.

This Annual Leave begins to accrue at the pay period immediately following the date of employment at a rate of 4.5 hours per pay period. After the first year of employment, Annual Leave accrues at the rate of 6 hours per pay period (approximately 20 work days).

Permanent part-time employees earn Annual Leave according to the percentage of full-time employment they work.

Annual Leave may not be taken for 60 days after the beginning of employment. If an official holiday falls while an employee is on Annual Leave, that day will not be deducted from his accrued Annual Leave. If an employee is sick while on Annual Leave, he may not charge that time to his accrued Sick Leave. An employee may retain an Annual Leave accrual of no more than 225 hours (30 days). Hours accrued in excess of that amount will be forfeited.

Employees must submit a request for absence (available from the Administrator) and have it approved by his/her managing attorney at least one week before going on vacation. An employee

planning to go on vacation may receive, upon presentation to the Administrator or comptroller of his completed Time and Attendance Records for the anticipated vacation period, a pay check covering either the time he or she expects to be on vacation or the total amount of Annual Leave he or she has accrued, whichever is less.

No employee shall be paid for accrued Annual Leave except in the case of termination. If the employee is employed less than sixty (60) days, no payment for accrued Annual Leave shall be made upon termination. Payment for accrued Annual Leave may not be made until the employee's last regular working day has ended. A maximum of 187-1/2 hours (5 weeks) of accrued Annual Leave may be taken after the last regular working day.

C. Sick Leave.

Each eligible employee is entitled to 15 days Sick Leave per year. Permanent part-time employees are entitled to sick leave according to the percentage of full-time employment they work.

Sick Leave begins to accrue thirty (30) calendar days from the day of employment at the rate of 4.5 hours per pay period, but may not be taken until the employee has been employed for sixty (60) calendar days. Thereafter Sick Leave may be used only when an employee or a dependent child is actually ill or for an employee's or dependent child's doctor appointment. An employee's supervisor or the Administrator may require certification of eligibility for Sick Leave.

If an employee's accrued Sick Leave is depleted, any additional days he is not at work will be deducted from days of his or her leave.

Regarding the accrual of Annual and Sick Leave, employees on Voluntary Leave of Absence for 50% or more of a pay period will accrue nothing for that pay period. If the employee is on Voluntary Leave of Absence for less than 50% of a pay period, he or she will accrue Annual Leave and Sick Leave at the normal rate. No other benefits will be accrued.

Because of the difficulties presented the organization by granting such leave, approval will not be easily given.

Involuntary Leave Without Pay - If an employee experiences a forced absence from his job because of sickness, or the like, and during said absence he or she exhausts all his or her Annual Leave and Sick Leave accruals, and is forced into Leave Without Pay, said employee will continue for ninety (90) calendar days to accrue Annual Leave and Sick Leave at his or her normal rate, and shall remain covered by Centro Legal's group medical insurance policy with Physicians Health Plan for the same period.

D. Holidays.

Centro Legal employees may observe the following holidays with pay:

New Year's Day - January 1

(Dr. Martin Luther King's Birthday - January 15)  
OR personal holiday to commemorate any event

Washington's Birthday - 3rd Monday in February

Memorial Day - last Monday in May

Independence Day - July 4

Labor Day - First Monday of September

Veteran's Day - 4th Monday of October or Friday immediately following Thanksgiving.\*

Thanksgiving Day - 4th Thursday of November

Christmas Day - December 25th or Religious Holiday  
of the person's religious preference

One Personal holiday of employee's or local office's  
choice in addition to the above options.\*\*

When New Year's Day, Independence Day, or Christmas fall  
on a Saturday, the Friday immediately preceding shall be taken as  
holiday leave; when one of these days falls on Sunday, the immediate  
succeeding Monday shall be observed.

Employees who request time off to attend services for  
religious occasions which are not holidays (such as Good Friday, Yom  
Kippur, etc.) may be granted up to three (3) hours off with pay.  
Additional hours off may be taken as Annual Leave.

In order to be paid for a holiday near the time of an  
employee's termination from Centro Legal, he or she must work  
through the Friday following the holiday.

E. Maternity Leave.

A female employee will be allowed to leave work prior to  
the expected date of the birth of her child at a time which is  
mutually agreed to by the employee and the office's managing  
attorney. She is entitled to a maximum of twelve weeks of Maternity  
Leave to cover the six weeks prior and the six weeks following the  
birth of her child, or such other time which is required by  
Minnesota law.

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\* Instead of Columbus Day in October.

\*\* The Executive Director, in consultation with the staff, shall  
decide which holiday will be observed by the office. This decision  
should be made early enough to give the community reasonable  
notice of when the office will be closed.



The employee must notify her managing attorney at least three weeks prior to the day she expects to leave work and at least two weeks before she expects to return.

Consistent with the provisions of Minnesota Law, Sick Leave, and all accrued Annual Leave may be used during this period. When the aforementioned Leaves are exhausted, the employee will be considered to be on Voluntary Leave Without Pay, except in the case of an employee whose maternity results in personal illness which extends beyond twelve weeks. Such employee may continue to use her accrued Sick Leave, if such leave has not been previously exhausted, in the same manner she would were her illness due to other circumstances.

F. Other Types of Leave.

1) Death in the Immediate Family - An employee who suffers death in his or her immediate family will be given five days of time off with pay.

Immediate family shall be defined as including the employee's father, mother, husband, wife, brother and sister (including step or half), son or daughter (including step or adopted), father-in-law, mother-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents or grandchildren.

2) Election Day Leave - An employee will be given two hours off work with pay to vote on each official election day. The determination of which two hours off the day shall be taken off will be made by the employee's managing attorney so as to assure adequate staffing of his or her office at all times.

G. Health Insurance

Centro Legal pays the full premium for group health insurance coverage provided by the Physicians Health Plan. Each eligible employee is provided a Certificate and a booklet upon becoming insured. Please read carefully.

Centro Legal pays the premium for employee coverage as well as eligible dependents, which includes spouse (unless legally separated), and unmarried children under 19 years of age (unless a full-time student and still dependent on you for support and maintenance).



CENTRO LEGAL  
DECEMBER 7, 1984

Modifications to Personnel Policies

1. General Policy Statement  
delete §3 and re-number
2. Equal Opportunity Policies  
pg. §2 paragraph §2

Existing - It is further the policy of "Centro Legal, Inc." that this policy be implemented by means of an Affirmative Action Program. Affirmative Action is not mere passive non discrimination. It is action including procedures, methods, and practices which will equalize opportunities relating to recruiting, hiring, training, compensation, benefits, promotions, transfers, lay off, recall from lay offs, terminations and educational opportunities for all minorities and women.

Proposed - It is further the policy of "Centro Legal, Inc." that this policy be implemented by means of an Affirmative Action Program. Affirmative Action is not mere passive non discrimination. It is action including procedures, methods, (e.g. advertising) .... women.

Section 1 Personnel Policy  
pg. §3      B. Section

Existing - This policy will not apply in the following situations.

Proposed - Section 1A and 1B of this policy will not apply in the following situations.

Section 1-I Orientation  
pg. §5

Existing - Every new staff person shall be oriented to the programs, policies, and procedures of the agency and his/her particular job description by his/her immediate supervisor.

Proposed - Prior to starting work every new staff person .... supervisor.

Section 1- 4A Evaluation Procedures  
pg. £6

- Existing - Written evaluation shall be prepared every six months, or as necessary, except that newly hired personnel shall have a written evaluation every three months during their first six months of employment.
- Proposed - Written evaluations of staff performance shall be prepared at least 1 time each twelve months, or as necessary. Newly hired personnel shall be subject to continuous evaluation during their first six months, after which they shall be evaluated 1 time every twelve months.

Section 2 A.-Hours of Work  
pg. £8

- Existing - The scheduled work week for all regular full-time employee's consist of thirty seven and one half (37 1/2) hours. Split shifts should be avoided. Hours should be scheduled in such a way as to provide forty-eight (48) consecutive hours off each week. It is desirable that full-time professional workers be scheduled for not more than four (4) nights a week; and no more than two (2) periods a day. Periods are to be understood as morning, afternoon and evening. Weekend schedules should be distributed equally among the staff.
- Proposed - The scheduled work week for all regular full-time employee's consists of thirty-seven and on half (37 1/2) hours.

Section 3 Outside Gainful Employment  
pg. £12

- Add £5 - Staff attorneys may not provide legal assistance to clients other than those of Centro Legal without prior consent of the Board of Directions.

Section 3 6 Leave Regulations  
pg. £13

- Existing - For the purpose of computing vacation and sick leave, the calendar year, January through December will be used.
- Proposed - For the purpose of computing vacation and sick leave, The employees anniversary date will be used.

Section 3 6-3 Maternity Leave  
pg. £16

- Existing - Maternity Leave shall be allowable up to one year without pay.  
Proposed - Maternity Leave shall be allowable up to one year without pay.

Section 3 6-8 Paternity Leave  
pg. £18

- Existing - Paternity Leave shall be allowable up to one year without pay. Any accumulated sick time may be requested and payment received at any time during the scheduled Paternity Leave time.  
Proposed - Paternity Leave for birth and or adoption shall be allowable up to one year without pay. Any accumulated vacation, sick leave, and compensatory time (if applicable) may be requested and payment received at any time during the scheduled Paternity Leave time.

Section 4 C. Employee Benefits  
1- Group Insurance  
pg £19

- Existing - Centro Legal shall provide Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all employee's. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a major medical feature) is available and optional at cost to the employee, which is paid through payroll deduction.  
Proposed - Centro Legal shall provide Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all employees. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a major medical feature) is available and optional at no additional cost to the employee, which is paid for by Centro Legal.

Section 8 Miscellaneous  
pg. £26

- Add - D - These Personnel Policies are subject to review and amendment on an annual basis by the Board of Directors.

## Modifications to Personnel Policies

p. 9 ADD:

Compensatory Time Off Policy. Any staff member who works more than 7-1/2 hours per day or more than 37-1/2 hours per week shall be compensated one hour compensatory time off for every hour of overtime worked. Compensatory time off may be used by any employee only with prior approval from administration. No more than two days (15 hours) compensatory time off may be taken at one time. If more than two days (15 hours) time off is requested by an employee, the time in excess of two days (15 hours) shall be deducted from accrued annual leave. This limit of two days (15 hours) shall not apply to those situations specifically described in Section 3.G.2 and 3.G.3. of the Personnel Policies. Compensatory time off may accumulate without limit. However, no employee will receive any credit, payment or other compensation for accumulated compensatory time upon termination of employment for any reason.

p. 7 (and other appropriate places) Change "Administrative designee" to "Managing Attorney".

p. 14 Current: All vacation time accrued shall be utilized in each calendar year and shall not be cumulative.

Proposed: Delete this sentence.

p. 15 Current: If an employee's accrued sick leave is depleted, any additional days they are not at work will be deducted from days of their leave.

Proposed: If an employee's accrued sick leave is depleted, any additional days they are not at work will be deducted from accrued annual leave or accrued compensatory time off.

p. 16 Current: Consistent with the provisions of Minnesota law, sick leave, and all accrued annual leave may be used...

Proposed: Consistent with the provisions of Minnesota law, sick leave, and all accrued annual leave and accrued compensatory time off may be used...

p. 18 sec. 9 Current: An employee who suffers death in his or her immediate family will be given five days of time off with pay.

Proposed: An employee who suffers death in his or her immediate family will be given five days of Administrative Leave with pay, not to be deducted from accrued sick leave, annual leave or compensatory time off.

p. 20 #3 Current: In case of short term illness, the employee can use vacation time and sick days toward work days...

Proposed: In case of short term illness, the employee can use accrued sick leave, annual leave and compensatory time off toward ...

p. 25, #4 Current: ...be granted a review and hearing by the Chairperson or a committee the Chairperson may appoint.

Proposed: ...be granted a review and hearing by the Chairperson(s) of the Board of Directors or a committee....

## Compensatory Time Off Policy

Any staff member who works more than 7-1/2 hours per day or more than 37-1/2 hours per week shall be compensated one hour compensatory time off for every hour of overtime worked. Compensatory time off may be used by any employee only with prior approval from administration. No more than two days (15 hours) compensatory time off may be taken at one time. If more than two days (15 hours) time off is requested by an employee, the time in excess of two days (15 hours) shall be deducted from accrued annual leave. This limit of two days (15 hours) shall not apply to those situations specifically described in Section ~~3.8.2~~<sup>3.8.2.36</sup> of the Personnel Policies. Compensatory time off may accumulate without limit. However, no employee will receive any credit, payment or other compensation for accumulated compensatory time upon termination of employment for any reason.



## GENERAL POLICY STATEMENTS

1. The Personnel Policies of Centro Legal, Inc. have been established and recorded in order that all employees have a clear understanding of their rights and obligations.
2. The Managing Attorney of Centro Legal, Inc. is responsible for the employment of all legal staff.
3. The Administrator of Centro Legal Inc. is responsible for the employment of all support staff.
4. The personnel policies including hiring, promotion, employee benefits, reassignment, termination, etc. will be conducted in such a manner as to ensure that no discrimination shall exist because of race, color, religion, national origin, age, sex and/or any physical handicap.
5. Sexual harassment by any employee is strictly prohibited and is cause of immediate termination. Clients engaging in sexual harassment shall be refused service. Administrative staff, male or female, shall not use their authority to solicit sexual favors from subordinates e.g. failure to submit to sexual overtures would result in adverse wage or working conditions. Employees who feel that administrative personnel are conditioning promotions, increases in wages, continuance of one's job, etc. on sexual favors should contact the Managing Attorney or Administrator. If facts support such complaint, immediate action will be taken.
6. An Affirmative Action Program of Equal Employment Opportunity is and shall continue to be maintained.
7. A yearly review of the Personnel Policies will be made by the Personnel Committee to ensure that they are kept current and up to date.

Personnel Policies - Draft Amendments

Page 7

Section I letter J. 4e Evaluation Procedures  
Whenever the term "Administrative designee" appears  
substitute with the term "administrator". only.

Page 9

Section II Letter D Overtime & Compensation time

Note: State of Minnesota "Fair Labor Act" states that  
overtime pay shall be paid to non-exempt staff if they  
work in excess of 48 hours per week or more.

Centro Legal can determine the number of hours needed  
beyond the regularly scheduled 37.5 in order to  
qualify for overtime pay.

Page 11

Section III Letter C Salary Payment

Note: The Executive Committee has recommended that the  
payroll schedule be determined by the Board of  
Directors. Currently staff are paid twice per month  
(1st and 15th), the Personnel Committee recommended  
payments be made on alternative Fridays.



June 26, 1987

CENTRO LEGAL, INC.  
PERSONNEL POLICIES AND PRACTICES

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## GENERAL POLICY STATEMENTS

1. The Personnel Policies of Centro Legal, Inc. have been established and recorded in order that all employees have a clear understanding of their rights and obligations.
2. The Chief Legal Officer of Centro Legal, Inc. is responsible for the employment of all staff.
3. The personnel policies including hiring, promotion, employee benefits, reassignment, termination, etc. will be conducted in such a manner as to ensure that no discrimination shall exist because of race, color, religion, national origin, age, sex and/or any physical handicap.
4. Sexual harassment by any employee is strictly prohibited and is cause for immediate termination. Clients engaging in sexual harassment shall be refused service. Administrative staff, male or female, shall not use their authority to solicit sexual favors from subordinates e.g. failure to submit to sexual overtures would result in adverse wage or working conditions. Employees who feel that administrative personnel are conditioning promotions, increases in wages, continuance of one's job, etc. on sexual favors should contact the Chief Legal Officer or Administrator. If facts support such complaint, immediate action will be taken.
5. An Affirmative Action Program of Equal Employment Opportunity is and shall continue to be maintained.
6. A yearly review of the Personnel Policies will be made by the Personnel Committee to ensure that they are kept current and up to date.

PERSONNEL POLICIES AND PRACTICES  
CENTRO LEGAL, INC.  
EQUAL OPPORTUNITY POLICIES

The following is the Affirmative Action Plan adopted by the Board of Directors of Centro Legal, Inc. during 1985. The policy of "Centro Legal, Inc." is that all employees and applicants for employment are to be treated equally and that no distinction is to be made in its employment practices because of race, creed, color, age, religion, political origin, affectional or sexual preference, physical disability or sex, except where sex is a bona fide occupational qualification.

It is further the policy of "Centro Legal, Inc." that this policy will be implemented by means of an Affirmative Action Program. Affirmative Action is not mere passive non-discrimination. It is action including procedures, methods (e.g. advertising) and practices which will equalize opportunities relating to recruiting, hiring, training, compensation, benefits, promotions, transfers, layoffs, recall from layoffs, terminations and educational opportunities for all minorities and women.

"Centro Legal, Inc." assigns to "Board of Directors" the responsibility for the implementation of this policy and the Affirmative Action Program.

Any willful or deliberate violation by any employee of "Centro Legal, Inc." of our Affirmative Action Program policy or any procedure devised and implemented to give that policy less than full force and effect will be cause for appropriate disciplinary action.

"It is the responsibility of the Board of Directors to ensure the affirmative implementation of this policy."



## Section 1. Personnel Policy

### A. Authority -- Hiring Responsibility

The Board of Directors is responsible for hiring the agency's Chief Legal Officer. The Personnel Committee will supervise the search and screening process and will make recommendations to the Board of Directors for the purpose of hiring.

The Personnel Committee and the Chief Legal Officer or their agent (depending on vacancy) will screen applicants for employment. The Committee will then present the Chief Legal Officer or their agent with a slate of finalists from which to hire.

### B. Selection

Employees are selected on the basis of character, experience, education or training, proven skills, and employment stability. Qualifications for the position are given prime consideration.

Section 1A and 1B of this policy will not apply in the following situations:

1. Temporary opening in a position established for a specific period of time or for the duration of a specific project or group of assignments.
2. Re-assignment (not a promotion) of a number of employees in connection with an internal reorganization of a department or function.

3. Re-assignment (not a promotion) of an employee made at the discretion of the Chief Legal Officer to:

- a. Correct a faulty placement.
- b. Eliminate personal frictions.
- c. Compensate for physical disability.

C. Former Employees

Employees who leave the agency voluntarily or through no fault of their own who apply for re-employment will be given equal consideration. A re-employed person must waive all rights accruing from prior service except for retirement benefits (see National Health & Welfare Retirement).

D. Relatives

The employment of close relatives will be carefully scrutinized by the Personnel Committee before approval. Close relatives are defined as:

- 1. Blood relatives or direct lineage.
- 2. Relatives by marriage: spouses and the employee's in-laws.
- 3. Exceptions will be employees who marry each other while on the job.

E. Application Retention

Applications for employment will be retained by the agency for a period of not less than six (6) months.

F. Job Descriptions

Job descriptions shall be written by agency supervisors and appropriate administrative staff. In consultation with the Personnel Committee, a job description shall be on file for every authorized

agency position. No new positions will be created without approval from the Personnel Committee nor without an approved job description. Significant changes in job descriptions must be approved by the Personnel Committee and administration. As a matter of general policy, job descriptions will be reviewed on an annual basis by the Administration, and modified wherever appropriate.

G. Personal Interview

Final appointment to a position shall follow a personal interview between the applicant and the person or persons responsible for hiring.

H. References

References will be checked by the administration of the agency.

I. Orientation

Prior to starting work every new staff person shall be oriented to the programs, policies, and procedures of the agency and his/her particular job description by his/her immediate supervisor.

J. Staff Evaluations

1. All part-time and full-time Centro Legal employees shall be evaluated at least one (1) time per year. Evaluations will assess the extent to which the employee is satisfactorily discharging and performing his or her duties and responsibilities as set forth in her or her job description, including and increase, decrease or other modification or change in the job description or the employee's duties, responsibilities or priorities, pursuant to the written agreement of the staff person and Administration, as set forth in the applicable job description.

2. The evaluation will include, as appropriate, any comments on the employee's adherence to the requirements of client confidentiality, dependability, honesty, resourcefulness judgment, ability to listen, cooperativeness and ability to work with others, concern and respect for others and ability to adjust to new situations. The evaluation shall comment on the employee's performance in all aspects of his or her job duties and responsibilities and shall include comments on any specific problems; areas for improvement; areas of strength; and activities designed to improve the employee's knowledge and skills. The evaluation shall be based on specific information and not opinions alone and the factual basis of the evaluation, including an identification of sources of information, shall be disclosed, as part of the written evaluation.

3. Performance of Evaluations. The evaluations shall be performed as follows:

a. Evaluations of attorneys, paralegal/community workers and Administrator shall be done by the Chief Legal Officer.

b. Evaluations of support staff shall be conducted by the Administrator or by their designee;

c. Evaluation of the Chief Legal Officer shall be conducted by the Executive Committee of the Board of Directors;

4. Evaluation Procedures.

a. Written evaluations of staff performance shall be prepared at least 1 time each twelve months, or as necessary. Newly hired personnel shall be subject to continuous evaluations during their six months, after which they shall be evaluated 1 time every twelve months

b. After the written evaluation has been prepared it shall be submitted to the employee for his or her review. After the employee has had an opportunity to review the evaluation, the employee and the evaluator(s) shall discuss the evaluation and the work performance of the employee. At the conference, employees shall be given the opportunity to present information to the evaluator(s) covering matters with which the employee disagrees.

c. After the conference the evaluator(s) may modify the written evaluation based on information received at the conference, prior to submitting it to the employee's personnel file bearing the signature of both employee and evaluator.

d. The time of evaluation shall be known in advance. Evaluations shall be a joint effort on the part of the employee and the evaluator(s); however, the major responsibility belongs to the evaluator.

e. In case of disagreement between the evaluator(s) and the employee concerning the evaluation, the employee shall have the right to appeal the evaluation to the Chief Legal Officer. In case of such appeal the Chief Legal Officer shall confer with both the evaluator(s) and the employee as well as any other person requested by either the evaluator(s) or the employee. Following this conference and review the Chief Legal Officer shall prepare his or her own written evaluation. Both the employee and evaluator(s) shall be given an opportunity to read and discuss the written evaluation and to present information to the Chief Legal Officer covering the points of disagreement and thereafter the Chief Legal Officer may amend the written evaluation.

f. In case of disagreement between the evaluator(s) concerning any aspect of the evaluation, the evaluator(s) may submit their own written comments as part of the written evaluation in addition to those aspects agreed upon.

g. In case of disagreement between the employee and the Chief Legal Officer concerning the evaluation, the employee shall have the right to appeal using the grievance committee of Centro Legal pursuant to the applicable provisions of the Centro Legal's "Personnel Manual".

h. All evaluation statements shall be made as part of the permanent record in the employee's personnel file and the employee shall receive a copy of all such evaluations. This information shall be considered to be private under Minnesota law and shall be protected against review or use by unauthorized personnel.

i. Non-Routine Evaluations. An evaluation as described above of an employee's work performance may be made at the direction of the Administration whenever there is a substantial question of job performance or conduct.

j. No employee's status shall be affected and no employee shall be suspended or terminated without an evaluation by the Administration as previously set forth.

Section 2. Hours of Work, Remuneration, Definition of Status of Employee's, Overtime and Compensatory Time.

A. Hours of Work

The scheduled work week for all regular full-time employees consists of thirty seven and one half (37 1/2) hours.

B. Remuneration

All employees will be assigned a job classification and will receive a salary based upon the job classification in the salary schedule, which is reviewed annually.



The agency Administration in consultation with the Personnel Committee of the Board of Directors, will review the salary schedule of all staff on an annual basis.

The Board of Directors shall approve the salary schedule of all employees on an annual basis.

C. Definition of Status of Employees

1. Regular Full-Time. An employee hired for full time work. Such an employee is eligible for all benefits enumerated in this document.
2. Regular Part-Time. An employee hired for part-time work, who regularly works no more than twenty (20) hours per week. Regular part-time employees are not eligible for the benefit package.
3. Temporary Short-Term. An employee hired for part or full-time employment for a predetermined period of time, not to exceed six (6) months. Such an employee is not eligible for the benefit package.
4. Temporary Long-Term. An employee hired for part or full-time work for a predetermined period of time not to exceed of twelve (12) months. Such an employee is not eligible for the benefit package.

D. Overtime and Compensatory Time

Overtime shall be defined according to Minnesota Statutes and applicable Federal Law. It is the policy of the agency to minimize overtime. It is the responsibility of the Administration to examine the assignment schedule of any worker who constantly works overtime and make the necessary adjustments.

Any exempt staff member who works more than thirty seven and one half (37 1/2) hours per week shall be compensated one hour compensatory time off for every hour of overtime worked. Any non-exempt staff

shall be entitled to comp. time off for any hours over thirty seven and one half but less than forty eight (48) hours. Non-exempt staff shall be compensated at a rate of regular time plus one half time (1 1/2) for each hour worked beyond 48 hours per week. Compensatory time off may be used by an employee only with prior approval from administration. No more than two days (15 hours) compensatory time off may be taken at one time. If more than two days time off is requested by an employee, the time in excess of two days (15 hours) shall be deducted from accrued annual leave. This limit of two day (15 hours) shall not apply to those situations specifically describe in Section 3. G. 2. and 3. G. 3. of the Personnel Policies. Compensatory time off may accumulate up to but not exceed one hundred and twenty (120) hours. However, no employee shall receive any credit, payment or other compensation for accumulated compensatory time upon termination of employment for any reason.

Section 3. Probation, Travel Reimbursement, Salary Schedule, Honoraria, Consultant Fees, Gratuities, Outside Employment, Holidays and Leave Regulations.

A. Probation.

Except in case of hiring for a new position within an employee's office or unit not involving significantly different job responsibilities all new Centro Legal employees or persons re-hired or hired for a new position by Centro Legal shall be on provisional employment status for a period of three (3) months following their dates of employment. In addition, the provisional status of attorney personnel who are not members of the Minnesota Bar shall continue sixty (60) days after they are admitted to membership.

During the period an employee is on provisional employment status, he or she may be terminated for cause, without right to review under the procedures provided herein or otherwise, by his or her Chief Legal Officer.

B. Travel and Maintenance Expenses.

1. Reasonable travel expenses for trips outside the Metropolitan area will be allowed with the prior approval of Administration.
2. The use of personal vehicles in the discharge of official duties will require prior authorization of Administration. The employee will be reimbursed at a rate commensurate with that of other agencies, up to a specific amount per month as stated by the Chief Legal Officer. At the time of approval, the employee shall be required to keep a record of the mileage driven on official business for listing on the bi-weekly salary schedule for reimbursement.

C. Salary Payment

Regular Centro employees are paid semi-monthly. Payroll deductions include Federal Income Tax (F.I.T.), Social Security (F.I.C.A.), State Income Tax (S.I.T.) and other deductions specifically authorized by the employee or required by law.

D. Honoraria, Consultant Fees, and Gratuities.

Honoraria and consultant fees earned by an employee while on Leave Without Pay or Annual Leave may be regarded as personal income. Honoraria earned during regular working hours or on sick leave must be turned over to the Administrator, except if earned on compensatory or vacation time. Centro Legal resources, including secretarial time, which are used in the course of activity for which an employee received compensation (e.g. an evaluation report of another legal services program), must be reimbursed to Centro Legal.

Employees may not accept money or any other gratuity offered to them by clients or from anyone else having a business relationship with the Centro Legal. Contributions may be made to the Centro Legal by sending a check or money order to the Administrator.

E. Outside Gainful Employment

1. Such employment shall not interfere with the efficient performance of the employee's duties with the Centro Legal;
2. Such employment shall not involve conflict of interest or conflict with the employee's duties with the Centro Legal;
3. Such employment shall not involve the performance of duties which the employee should perform as part of his employment with the Centro Legal; and
4. Such employment shall not occur during the employee's regular or assigned working hours with the Centro Legal, unless the employee, during the entire day on which such employment occurs is on either annual leave, compensatory time off or leave without pay.
5. Staff attorneys may not provide legal assistance to clients other than those of Centro Legal without prior consent of the Board of Directors

F. Holidays

Centro Legal employees may observe the following holidays with pay:

1. New Year's Day - January 1
2. Dr. Martin Luther King's Birthday - January 15
3. Washington's Birthday - 3rd Monday in February
4. Memorial Day - last Monday in May
5. Independence Day - July 4
6. Labor Day - First Monday of September
7. Columbus Day - 2nd Monday of October
8. Thanksgiving Day - 4th Thursday of November

9. Friday after Thanksgiving - 4th Friday of November
10. Christmas Day - December 25th or Religious Holiday of the person's religious preference
11. One floating holiday - (i.e., Birthday of employee choice)

When New Year's Day, Independence Day, or Christmas fall on a Saturday, the Friday immediately preceding shall be taken as holiday leave; when one of these days falls on Sunday, the immediate succeeding Monday shall be observed.

Employees who request time off to attend services for religious occasions which are not holidays (such as Good Friday, Yom Kippur, etc.) may be granted up to three (3) hours off with pay. Additional hours off may be taken as Annual Leave.

In order to be paid for a holiday near the time of an employee's termination from Centro Legal, he or she must work through the Friday following the holiday.

## 6. Leave Regulations

For the purpose of computing vacation and sick leave, the employees anniversary date will be used.

### 1. Vacations

Annual leave will be accrued and computed, but can not be utilized until an employee has successfully completed their probationary period.

Vacation time will be requested in writing on the appropriate form and must receive administrative approval one (1) month before the vacation is taken.

#### Vacation leave time delineation

1 year (12 mos.) of service earns 1 week (37.5 hrs) of vacation at the rate of 1.5625 hrs per pay period;

2 years ( 24 mos.) of service earns 2 weeks (75 hrs) of vacation at the rate of 3.125 hrs per pay period;

3 years (36 mos) of service earns 3 weeks (112.5 hrs.) of vacation at the rate of 4.6875 hrs. per pay period; and

4 years (48 mos.) of service earns 4 weeks (150 hrs) of vacation at the rate of 6.25 hrs per pay period.

There will be a cap of 4 weeks earned vacation time for all employees. Vacation time shall be coordinated by the Chief Legal Officer in a manner that will not jeopardize the effectiveness of Centro legal's work. this may preclude the use of long consecutive vacation usage, although staff requests will be honored to the fullest extent possible.

Employees will be entitled to monetary compensation for any vacation time earned and accrued beyond the cap limitations at the employees regular rate of pay and to coincide with the regular payroll scheduled.

In the event of an employee resigning with accrued vacation time, payment for any unused time will be made in installments to coincide with the regular payroll schedule.

An employee planning to go on vacation may receive, upon presentation to the Administrator of their completed Time and Attendance Records for the anticipated vacation period, a pay check covering either the time he or she expects to be on vacation or the total amount of Annual Leave he or she has accrued, whichever is less.

No employee shall be paid for accrued Annual Leave except in the case of termination. If the employee is employed less than sixty (60) days, no payment for accrued Annual Leave shall be made upon termination.



## 2. Sick Leave

Sick leave begins to accrue (30) calendar days from the day of employment at the rate of 4.5 hours per pay period; but may not be taken until the employee has been employed for sixty (60) calendar days. Thereafter sick leave may be used only when an employee or dependent child is actually ill or for an employees or dependent child(s) doctor appointment.

The maximum amount of sick leave an employee can accrue is set at 187.5 hours (25 days). Upon exceeding the cap limitations, employees will be entitled to monetary compensation at 25% of the employee's rate of pay. This will be distributed at the pay period immediately following the pay period of which the time was earned.

If an employees accrued sick leave is depleted, any additional days they are not at work will be deducted from accrued annual leave or accrued compensatory time off.

Regarding the accrual of Annual and Sick Leave, employees on Voluntary Leave of Absence for 50% or more of a pay period will accrue nothing for that pay period. If the employee is on Voluntary Leave of Absence for less than 50% of a pay period, he or she will accrue Annual Leave and Sick Leave at the normal rate. No other benefits will be accrued.

Because of the difficulties presented the organization by granting such leave, approval will not be easily given.

Credit for unused sick leave may not be applied to any other form of leave nor may an employee receive payment for unused sick leave upon termination of their services.

Sick leave will be granted by the immediate supervisor upon satisfactory proof of illness, exposure to contagious disease or need to care for a member of his/her immediate family due to serious illness. In the event of an absence due to illness, the employee or a member of the employee's family must call into their supervisors within 15 minutes of their scheduled reporting time. If the employee does not call in daily according to the established guidelines, disciplinary action will be taken by the employee's immediate supervisor. Failure to call in three days consecutively may be grounds for immediate dismissal.

### 3. Maternity Leave

Maternity leave for birth or adoption shall be allowable up to one year without pay.

A female employee will be allowed to leave work prior to the expected date of the birth of her child at a time which is mutually agreed to by the employee and the office's Chief Legal Officer.

Consistent with the provisions of Minnesota Law, sick leave, all accrued annual leave and accrued compensatory time off may be used during this period. When the aforementioned Leaves are exhausted, the employee will be considered to be on Voluntary Leave Without Pay, except in the case of an employee whose maternity results in personal illness which extends beyond twelve weeks. Such employee may continue to use her accrued Sick Leave, if such leave has not been previously exhausted, in the same manner she would were her illness due to other circumstances.

### 4. Paternity Leave

Paternity leave for birth or adoption shall be allowable up to one year without pay. Any accumulated vacation, sick leave and compensatory may be requested and payment received at any time during the scheduled Paternity Leave time.

#### 5. Jury Duty Leave

An employee who is summoned to perform jury duty is required to show the summons to his or her Chief Legal Officer. He/she is then eligible to receive full pay for a maximum of two weeks, during which no loss of accrued sick leave or accrued Annual Leave or Comp. time will be sustained. They shall be allowed to retain the full jury duty monetary compensation. If a jury duty obligation should exceed two weeks, determination of subsequent action will be made by the employee's supervisor and the Office's Chief Legal Officer.

#### 6. Voluntary Leave Without Pay

Leave without pay may be approved in unusual situations to preserve an employee's continuity of service through a planned or emergency period.

All requests for leave without pay must be made in advance in writing and approved in advance by Centro Legal. (During periods of leave without pay, the employee will be responsible for continuing payment of his/her premiums for group insurance. Centro Legal will continue to pay the employer's premiums on insurance.)

#### 7. Involuntary Leave Without Pay

If an employee experiences a forced absence from his job because of sickness, or the like, and during said absence he or she exhausts all his or her Annual Leave and Sick Leave accruals, and is forced into Leave Without Pay, said employee will continue for ninety (90) calendar days to accrue Annual Leave and Sick Leave at his or her normal rate, and shall remain covered by Centro Legal's group medical insurance policy with Physicians Health Plan for the same period.

#### 8. Military Leave

Military leave will be given to employees who are member of the armed forces of the National Guard to enable them to meet the requirements of military service without loss of their benefits as employees. Such leave will be administered in accordance with provisions of the Universal Military Training and Service Act and the Reserve Forces Act of 1955.

#### 9. Funeral Leave

Death in the Immediate Family - An employee who suffers death in his or her immediate family may request up to five days of Administrative leave with pay, not to be deducted from accrued sick leave, annual leave or compensatory time off.

Immediate family shall be defined as including the employee's natural parents/surrogate parents, siblings (including step or half), child(ren) (including step or adopted),

All other relatives, the employee may request time off not to exceed four (4) hours to attend the funeral held on the same day.

#### 10. Election Day Leave

An employee will be given two hours off work with pay to vote on each official election day. The determination of which two hours off the day shall be taken off will be made by the employee's supervisor so as to assure adequate staffing of his or her office at all times.

## Section 4. Office Procedures

### A. Employment Procedures

1. Persons accepting employment with Centro Legal will be required to:
  - a. Complete an application for employment. Resumes will be submitted by all applicants.
  - b. Provide satisfactory references.
  - c. Enroll in the Group Insurance Plan for Centro Legal which is effective after thirty (30) days of employment.
  - d. Prepare Employee's Withholding Exemption Certificates.
  - e. Supply Social Security registration number.
  - f. Provide names, addresses and telephone numbers of their closest relatives who may be notified in case of accident or serious illness. The employee is also responsible for keeping this information current.
2. When the decision to hire an employee has been made, Centro Legal will confirm the details of employment in writing. A copy of this letter will be retained in the personnel file and another copy will be sent to the Chairperson of the Personnel Committee of Centro Legal's Board of Directors.
3. As a matter of policy and good practice, Centro Legal will not employ immediate family members of its staff, unless marriage occurs after employment.

### B. Office Hours

Regular office hours are to be set by the Administration in accordance with program needs.

## C. Employee Benefits

### 1. Group Insurance

Centro Legal shall provide Dental Insurance, Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all eligible employees. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a major medical feature) is available and optional at no additional cost to the employee, which is paid for by Centro Legal.

A booklet, prepared by the insurance company, explaining the details of the plan is given to each employee at the time of his/her enrollment.

### 2. Worker's Compensation

Centro Legal provides Worker's Compensation protection to compensate employees for accidents and illness arising out of and as a result of employment.

### 3. Disability

In case on short term illness, the employee can use accrued sick leave, annual leave and compensatory time off toward work days that fall within ninety (90) day period. Once illness is prolonged past ninety (90) days, the employee must apply for long term disability through their group insurance contract in order to be paid during that period.

### 4. Social Security

All employees are covered by Social Security benefits through their participation in this system. The employee contribution is made by payroll deduction.



## Section 5. Termination of Service

### A. Release

The term "release" refers to termination of employment by the agency for reasons beyond the control of the employee and bears no relation to employee job performance or conduct.

Should the agency be unable to continue a full-time employee (who has rendered satisfactory service) in his/her current position because of budget cuts, reorganization or discontinuance or curtailment of a department, division or area of service, and is unable to offer some other mutually satisfactory assignment, the employee shall be released. Notification of release shall be given to the employee in writing by the agency Administration thirty (30) days in advance of date of separation. Accrued vacation credit will be paid upon termination of employment, in accordance with the schedule delineated in Section 3, 6 Leave Regulations, 1 Vacations.

### B. Dismissal

The term "dismissal" refers to termination of employment by the agency because of unsatisfactory job performance or misconduct. The employee shall receive a written notice of the reasons for dismissal. (Refer to causes for Disciplinary Action). An employee who has been notified of dismissal shall be entitled to an immediate appeal before a committee of the Board of Directors, appointed by the Chairperson within five (5) working days of notice of the appeal. This committee shall hear such an appeal within five (5) working days. If the appeal is sustained, the employee shall be reinstated without loss of salary or other benefits.

### C. Resignation

The term "resignation" refers to the voluntary termination of employment on the part of the employee. In the event of resignation, the agency must receive written notice Fourteen (14) days in advance of the date of termination from support staff and thirty (30) days in advance of the date of termination from a profession employee. Accrued vacation time will be paid upon termination of employment as per the formula delineation in Section 3, 6. Leave Regulations

#### 1. Vacation Restrictions

Upon resignation the employee will continue to accrue Annual leave time, and sick time, however, they will not be allowed to take any time off during their resignation period. If an employee fails to submit a resignation, they will not be given credit for any accrued time for 30 days prior to their termination of service date.

### Section 6. Disciplinary Action

Disciplinary action may be taken against any employee for good cause as specified in the following section. Such action is taken by Centro Legal in consultation with the immediate supervisor. Such action will include either, I. written reprimand in employee's file, II. probation, III. suspension without pay, or IV. dismissal.

- I. Written reprimand in employee file. - In consultation with the Administration and use of Personnel Policies, the immediate supervisor of the accused employee shall determine severity of the offense and if deemed appropriate, a written reprimand shall be placed in the employee's personnel file.
- II. Probation - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall have a written reprimand placed in their file and placed on probation not to exceed 30 days in length. If the employee repeats the offense within that 30 day period, she/he shall face immediate suspension without pay not to exceed one week in length. Upon return if the employee

again repeats the offense, it would be grounds for immediate dismissal. All action shall be recorded and placed in the employee's personnel file.

III. Suspension Without Pay. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall receive an immediate suspension without pay not to exceed one week in length and placed on probation not to exceed 30 days. Upon the employee's return, if she/he repeats the offense within the probationary period, it may be grounds for immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

IV. Dismissal. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, recommend immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

The following will be cause of disciplinary action:

- a. Incompetency or inefficiency.
- b. Neglect of duty.
- c. Insubordination or willful disobedience of a lawful order of a supervisor.
- d. Dishonest/malfeasance.
- e. While under the influence of alcohol or drugs, an employee was engaged in service for Centro.
- f. Discourteous or offensive treatment to the general public or to other employees.
- g. Incapacity due to mental or physical disability that impairs job functions.
- h. Fraud.
- i. Theft, abuse, damage or willful negligence of agency property, equipment or supplies, pilfering.
- j. Absence without proper leave.
- k. Violations of the provisions of these personnel policies and procedures concerned with regulation of employees.

1. Soliciting or taking money as gifts in connection with duty.
- m. Verbal/physical/sexual/racial harassment.
- n. Conviction of a felony, in accordance with statutes.
- o. Employee irresponsibility due to excessive absences.

## Section 7. Grievance Procedure

### A. Employees

The grievance procedure is a method established by Centro Legal to settle grievances on the part of any employee or group of employees.

Each Centro Legal employee has the right and the duty to appeal what he or she considers an unfair working condition caused by his or her supervisor, a fellow employee or a Centro Legal administrative rule or procedure. The following procedure must be followed in reviewing and settling an employee's grievance, with the understanding that he or she may be assisted by a representative of his or her choice at any level of review.

1. The employee shall first try to resolve his or her grievance with the supervisor, fellow employee or organizational official concerned.
2. If the employee is not satisfied with the understanding reached through such discussion, he or she shall take up the matter with his or her most immediate supervisor, or, if his or her most immediate supervisor was the person with whom he or she had the first discussion, he or she should follow step "3" below;
3. If the employee is dissatisfied with the understanding reached through consultation with his or her immediate supervisor he or she may appeal within five (5) working days in writing to the Chief Legal

Officer or his or her designee. The Chief Legal Officer or his or her designee will consult with the employees and others concerned, and will try to resolve the grievance;

4. If suitable adjustment cannot be reached throughout consultation with the Administration the aggrieved may request in writing and be granted a review and hearing by the President of the Board of Directors or a committee the President may appoint.

5. If further satisfaction is desired, a written report with evidence bearing on the issues submitted to the President or his/her committee shall next be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of action taken at each level of the grievance procedure to be filed with the Administration. No more than seven (7) calendar days shall elapse from the date of receipt of the grievance before action is taken on each level of procedure. Any grievance filed by the agency management shall be submitted in writing to the President or a committee the President may appoint.

#### B. Clients

The grievance procedure is a method established by Centro Legal, Inc. to settle grievances by any clients.

1. The most effective way of preventing and adjusting grievances is through a formal complaint in writing between the client and the supervisor of the accused. The supervisor shall give prompt and fair attention to any such grievance presented. After reviewing the client's written complaint and the staff's written interpretation of the incident in question, the supervisor of the accused shall render a decision.



2. If the aggrieved person is not fully satisfied with a decision at this level, the matter shall be presented in writing to the Administration.

3. If suitable adjustments cannot be reached through consultation with the Administration the aggrieved may make a request in writing and be granted a review and hearing by the President or a committee the President may appoint.

4. If further satisfaction is desired, a written report with evidence bearing on the case shall be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of actions taken at each level of the grievance procedure to be filed with the Administration. No more than seven calendar days shall elapse from the date of receipt of the grievance before action is taken at each level of the procedure.

#### Section 8. Miscellaneous

A. Reimbursement will be given for successful completion of post-secondary courses that are specifically job related not to exceed one (1) course per quarter. Reimbursement must be approved by the Administration in advance.

B. Affirmation Action Officer "A.A.O. Designee" - Chief Legal Officer

C. Equal Employment Opportunity Officer "E.E.O.O." - Administrator

D. These Personnel Policies are subject to review on an annual basis by a committee of the Board of Directors. When necessary and deemed appropriate, modifications will be submitted to the Board of Directors for ratification and implementation.

CENTRO LEGAL, INC.

PERSONNEL POLICIES AND PRACTICES

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## GENERAL POLICY STATEMENTS

1. The Personnel Policies of Centro Legal, Inc. have been established and recorded in order that all employees have a clear understanding of their rights and obligations.
2. The Managing Attorney of Centro Legal, Inc. is responsible for the employment of all staff.
3. The personnel policies including hiring, promotion, employee benefits, reassignment, termination, etc. will be conducted in, such a manner as to ensure that no discrimination shall exist because of race, color, religion, national origin, age, sex and/or any physical handicap.
4. Sexual harassment by any employee is strictly prohibited and is cause of immediate termination. Clients engaging in sexual harassment shall be refused service. Administrative staff, male or female, shall not use their authority to solicit sexual favors from subordinates e.g. failure to submit to sexual overtures would result in adverse wage or working conditions. Employees who feel that administrative personnel are conditioning promotions, increases in wages, continuance of one's job, etc. on sexual favors should contact the Managing Attorney or Administrator. If facts support such complaint, immediate action will be taken.
5. An Affirmative Action Program of Equal Employment Opportunity is and shall continue to be maintained.
6. A yearly review of the Personnel Policies will be made by the Personnel Committee to ensure that they are kept current and up to date.

PERSONNEL POLICIES AND PRACTICES  
CENTRO LEGAL, INC.  
EQUAL OPPORTUNITY POLICIES

The following is the Affirmative Action Plan adopted by the Board of Directors of Centro Legal, Inc. during

The policy of "Centro Legal, Inc." is that all employees and applicants for employment are to be treated equally and that no distinction is to be made in its employment practices because of race, creed, color, age, religion, political origin, affectional or sexual preference, physical disability or sex, except where sex is a bona fide occupational qualification.

It is further the policy of "Centro Legal, Inc." that this policy will be implemented by means of an Affirmative Action Program.

Affirmative Action is not mere passive non-discrimination. It is action including procedures, methods (e.g. advertising) and practices which will equalize opportunities relating to recruiting, hiring, training, compensation, benefits, promotions, transfers, layoffs, recall from layoffs, terminations and educational opportunities for all minorities and women.

"Centro Legal, Inc." assigns to "Board of Directors" the responsibility for the implementation of this policy and the Affirmative Action Program.

Any willful or deliberate violation by any employee of "Centro Legal, Inc." of our Affirmative Action Program policy or any procedure devised and implemented to give that policy less than full force and effect will be cause for appropriate disciplinary action.

"It is the responsibility of the Board of Directors to ensure the affirmative implementation of this policy."



## Section 1. Personnel Policy

### A. Authority -- Hiring Responsibility

The Board of Directors is responsible for hiring the agency's Managing Attorney. The Personnel Committee will supervise the search and screening process and will make recommendations to the Board of Directors for the purpose of hiring.

The Personnel Committee and the Managing Attorney or their agent (depending on vacancy) will screen applicants for employment. The Committee will then present the Managing Attorney or their agent with a slate of finalists from which to hire.

### B. Selection

Employees are selected on the basis of character, experience, education or training, proven skills, and employment stability. Qualifications for the position are given prime consideration.

Section 1A and 1B of ;this policy will not apply in the following situations:

1. Temporary opening in a position established for a specific period of time or for the duration of a specific project or group of assignments.
2. Re-assignment (not a promotion) of a number of employees in connection with an internal reorganization of a department or function.
3. Re-assignment (not a promotion) of an employee made at the discretion of the Executive Director to:
  - a. Correct a faulty placement.
  - b. Eliminate personal frictions.
  - c. Compensate for physical disability.

#### C. Former Employees

Employees who leave the agency voluntarily or through no fault of their own who apply for re-employment will be given equal consideration. A re-employed person must waive all rights accruing from prior service except for retirement benefits (see National Health & Welfare Retirement).

#### D. Relatives

The employment of close relatives will be carefully scrutinized by the Personnel Committee before approval. Close relatives are defined as:

1. Blood relatives or direct lineage.
2. Relatives by marriage: spouses and the employee's in-laws.
3. Exceptions will be employees who marry each other while on the job.

#### E. Application Retention

Applications for employment will be retained by the agency for a period of not less than six (6) months.

#### F. Job Descriptions

Job descriptions shall be written by agency supervisors and appropriate administrative staff. In consultation with the Personnel Committee, a job description shall be on file for every authorized agency position. No new positions will be created without approval from the Personnel Committee nor without an approved job description. Significant changes in job descriptions must be approved by the Personnel Committee and administration. As a matter of general policy, job descriptions will be reviewed on an annual basis by the Administration, and modified wherever appropriate.



#### G. Personal Interview

Final appointment to a position shall follow a personal interview between the applicant and the person or persons responsible for hiring.

#### H. References

References will be checked by the administration of the agency.

#### I. Orientation

Prior to starting work every new staff person shall be oriented to the programs, policies, and procedures of the agency and his/her particular job description by his/her immediate supervisor.

#### J. Staff Evaluations

1. All part-time and full-time Centro Legal employees shall be evaluated at least one (1) time per year. Evaluations will assess the extent to which the employee is satisfactorily discharging and performing his or her duties and responsibilities as set forth in her or her job description, including and increase, decrease or other modification or change in the job description or the employee's duties, responsibilities or priorities, pursuant to the written agreement of the staff person and Administration, as set forth in the applicable job description.

2. The evaluation will include, as appropriate, any comments on the employee's adherence to the requirements of client confidentiality, dependability, honesty, resourcefulness judgment, ability to listen, cooperativeness and ability to work with others, concern and respect for others and ability to adjust to new situations. The evaluation shall comment on the employee's

performance in all aspects of his or her job duties and responsibilities and shall include comments on any specific problems; areas for improvement; areas of strength; and activities designed to improve the employee's knowledge and skills. The evaluation shall be based on specific information and not opinions alone and the factual basis of the evaluation, including an identification of sources of information, shall be disclosed, as part of the written evaluation.

3. Performance of Evaluations. The evaluations shall be performed as follows:

a. Evaluations of attorneys, paralegal/community workers and Administrator shall be done by the Managing attorney.

b. Evaluations of support staff shall be conducted by the Administrator or by their designee;

c. Evaluation of the Managing attorney shall be conducted by the Executive Committee of the Board of Directors;

4. Evaluation Procedures.

a. Written evaluations of staff performance shall be prepared at least 1 time each twelve months, or as necessary. Newly hired personnel shall be subject to continuous evaluations during their six months, after which they shall be evaluated 1 time every twelve months

b. After the written evaluation has been prepared it shall be submitted to the employee for his or her review. After the employee has had an opportunity to review the evaluation, the employee and the evaluator(s) shall discuss the evaluation and the

work performance of the employee. At the conference, employees shall be given the opportunity to present information to the evaluator(s) covering matters with which the employee disagrees.

c. After the conference the evaluator(s) may modify the written evaluation based on information received at the conference, prior to submitting it to the employee's personnel file bearing the signature of both employee and evaluator.

d. The time of evaluation shall be known in advance. Evaluations shall be a joint effort on the part of the employee and the evaluator(s); however, the major responsibility belongs to the evaluator.

e. In case of disagreement between the evaluator(s) and the employee concerning the evaluation, the employee shall have the right to appeal the evaluation to the Managing Attorney. In case of such appeal the Managing Attorney shall confer with both the evaluator(s) and the employee as well as any other person requested by either the evaluator(s) or the employee. Following this conference and review the Managing Attorney shall prepare his or her own written evaluation. Both the employee and evaluator(s) shall be given an opportunity to read and discuss the written evaluation and to present information to the Managing Attorney covering the points of disagreement and thereafter the Managing Attorney may amend the written evaluation.

f. In case of disagreement between the evaluator(s) concerning any aspect of the evaluation, the evaluator(s) may submit their own written comments as part of the written evaluation in addition to those aspects agreed upon.

g. In case of disagreement between the employee and the Managing Attorney concerning the evaluation, the employee shall have the right to appeal using the grievance committee of Centro Legal pursuant to the applicable provisions of the Centro Legal's "Personnel Manual".

h. All evaluation statements shall be made as part of the permanent record in the employee's personnel file and the employee shall receive a copy of all such evaluations. This information shall be considered to be private under Minnesota law and shall be protected against review or use by unauthorized personnel.

i. Non-Routine Evaluations. An evaluation as described above of an employee's work performance may be made at the direction of the Administration whenever there is a substantial question of job performance or conduct.

j. No employee's status shall be affected and no employee shall be suspended or terminated without an evaluation by the Administration as previously set forth.

Section 2. Hours of Work, Remuneration, Definition of Status of Employee's, Overtime and Compensatory Time.

A. Hours of Work

The scheduled work week for all regular full-time employees consists of thirty seven and one half (37 1/2) hours.

B. Remuneration

All employees will be assigned a job classification and will receive a salary based upon the job classification in the salary schedule, which is reviewed annually.



The agency Administration in consultation with the Personnel Committee of the Board of Directors, will review the salary schedule of all staff on an annual basis.

The Board of Directors shall approve the salary schedule of all employees on an annual basis.

C. Definition of Status of Employees

1. Regular Full-Time. An employee hired for full time work. Such an employee is eligible for all benefits enumerated in this document.
2. Regular Part-Time. An employee hired for part-time work, who regularly works no more than twenty (20) hours per week. Regular part-time employees are not eligible for the benefit package.
3. Temporary Short-Term. An employee hired for part or full-time employment for a predetermined period of time, not to exceed six (6) months. Such an employee is not eligible for the benefit package.
4. Temporary Long-Term. An employee hired for part or full-time work for a predetermined period of time not to exceed of twelve (12) months. Such an employee is not eligible for the benefit package.

D. Overtime and Compensatory Time

Overtime shall be defined according to Minnesota Statutes and applicable Federal Law. It is the policy of the agency to minimize overtime. It is the responsibility of the Administration to examine the assignment schedule of any worker who constantly works overtime and make the necessary adjustments.

Any exempt staff member who works more than thirty seven and one half (37 1/2) hours per week shall be compensated one hour compensatory time off for every hour of overtime worked. Any non-exempt staff shall be entitled to comp. time off for any hours over thirty seven and one half but less than forty eight (48) hours. Non-exempt staff shall be compensated at a rate of regular time plus one half time (1 1/2) for each hour worked beyond 48 hours per week. Compensatory time off may be used by an employee only with prior approval from administration. No more than two days (15 hours) compensatory time off may be taken at one time. If more than two days time off is requested by an employee, the time in excess of two days (15 hours) shall be deducted from accrued annual leave. This limit of two day (15 hours) shall not apply to those situations specifically describe in Section 3. G. 2. and 3. G. 3. of the Personnel Policies. Compensatory time off may accumulate up to but not exceed one hundred and twenty (120) hours. However, no employee shall receive any credit, payment or other compensation for accumulated compensatory time upon termination of employment for any reason.

Section 3. Probation, Travel Reimbursement, Salary Schedule, Honoraria, Consultant Fees, Gratuities, Outside Employment, Holidays and Leave Regulations.

A. Probation.

Except in case of hiring for a new position within an employee's office or unit not involving significantly different job responsibilities all new Centro Legal employees or persons re-hired or hired for a new position by Centro Legal shall be on provisional employment status for a period of three (3) months following their



dates of employment. In addition, the provisional status of attorney personnel who are not members of the Minnesota Bar shall continue sixty (60) days after they are admitted to membership.

During the period an employee is on provisional employment status, he or she may be terminated for cause, without right to review under the procedures provided herein or otherwise, by his or her Managing attorney.

B. Travel and Maintenance Expenses.

1. Reasonable travel expenses for trips outside the Metropolitan area will be allowed with the prior approval of Administration.
2. The use of personal vehicles in the discharge of official duties will require prior authorization of Administration. The employee will be reimbursed at a rate commensurate with that of other agencies, up to a specific amount per month as stated by the Managing Attorney. At the time of approval, the employee shall be required to keep a record of the mileage driven on official business for listing on the bi-weekly salary schedule for reimbursement.

C. Salary Payment

Regular Centro employees are paid semi-monthly. Payroll deductions include Federal Income Tax (F.I.T.), Social Security (F.I.C.A.), State Income Tax (S.I.T.) and other deductions specifically authorized by the employee or required by law.

D. Honoraria, Consultant Fees, and Gratuities.

Honoraria and consultant fees earned by an employee while on Leave Without Pay or Annual Leave may be regarded as personal income. Honoraria earned during regular working hours or on sick leave must

be turned over to the Administrator, except if earned on compensatory or vacation time. Centro Legal resources, including secretarial time, which are used in the course of activity for which an employee received compensation (e.g. an evaluation report of another legal services program), must be reimbursed to Centro Legal.

Employees may not accept money or any other gratuity offered to them by clients or from anyone else having a business relationship with the Centro Legal. Contributions may be made to the Centro Legal by sending a check or money order to the Administrator.

E. Outside Gainful Employment

1. Such employment shall not interfere with the efficient performance of the employee's duties with the Centro Legal;
2. Such employment shall not involve conflict of interest or conflict with the employee's duties with the Centro Legal;
3. Such employment shall not involve the performance of duties which the employee should perform as part of his employment with the Centro Legal; and
4. Such employment shall not occur during the employee's regular or assigned working hours with the Centro Legal, unless the employee, during the entire day on which such employment occurs is on either annual leave, compensatory time off or leave without pay.
5. Staff attorneys may not provide legal assistance to clients other than those of Centro Legal without prior consent of the Board of Directors

## F. Holidays

Centro Legal employees may observe the following holidays with pay:

New Year's Day - January 1

Dr. Martin Luther King's Birthday - January 15

Washington's Birthday - 3rd Monday in February

Memorial Day - last Monday in May

Independence Day - July 4

Labor Day - First Monday of September

Columbus Day - 2nd Monday of October or Friday immediately following Thanksgiving.

Veteran's Day - November 11

Thanksgiving Day - 4th Thursday of November

Christmas Day - December 25th or Religious Holiday of the person's religious preference

One Personal holiday - Birthday of employee choice  
When New Year's Day, Independence Day, or Christmas fall on a "

Saturday, the Friday immediately preceding shall be taken as holiday leave; when one of these days falls on Sunday, the immediate succeeding Monday shall be observed.

Employees who request time off to attend services for religious occasions which are not holidays (such as Good Friday, Yom Kippur, etc.) may be granted up to three (3) hours off with pay. Additional hours off may be taken as Annual Leave.

In order to be paid for a holiday near the time of an employee's termination from Centro Legal, he or she must work through the Friday following the holiday.

## G. Leave Regulations

For the purpose of computing vacation and sick leave, the employees anniversary date will be used.

### 1. Vacations

Annual leave will be accrued and computed once an employee has successfully completed the probationary period.

Vacation time will be requested in writing on the appropriate form and must receive administrative approval one (1) month before the vacation is taken.

For the first year, employees, receive approximately three weeks or 15 working days vacation leave. After the first year the employee receives four weeks or 20 working days vacation.

This Annual Leave begins to accrue at the pay period immediately following the date of employment at a rate of 4.5 hours per pay period. After the first year of employment, Annual Leave accrues at the rate of 6 hours per pay period (approximately 20 work days).

Annual Leave may not be taken for 60 days after the beginning of employment. If an official holiday falls while an employee is on Annual Leave, that day will not be deducted from their accrued Annual Leave. If an employee is sick while on Annual Leave, they may not charge that time to their accrued Sick Leave. An employee may retain an Annual Leave accrual of no more than 187.5 hours (25 days). Hours accrued in excess of that amount will be forfeited.

An employee planning to go on vacation may receive, upon presentation to the Administrator of their completed Time and Attendance Records for the anticipated vacation period, a pay check



covering either the time he or she expects to be on vacation or the total amount of Annual Leave he or she has accrued, whichever is less.

No employee shall be paid for accrued Annual Leave except in the case of termination. If the employee is employed less than sixty (60) days, no payment for accrued Annual Leave shall be made upon termination. Payment for accrued Annual Leave may not be made until the employee's last regular working day has ended. A maximum of 187-1/2 hours of accrued Annual Leave may be taken after the last regular working day.

## 2. Sick Leave.

Each eligible employee is entitled to 15 days Sick Leave per year.

Sick Leave begins to accrue thirty (30) calendar days from the day of employment at the rate of 4.5 hours per pay period, but may not be taken until the employee has been employed for sixty (60) calendar days. Thereafter Sick Leave may be used only when an employee or a dependent child is actually ill or for an employee's or dependent child's doctor appointment.

If an employees accrued sick leave is depleted, any additional days they are not at work will be deducted from accrued annual leave or accrued compensatory time off.

Regarding the accrual of Annual and Sick Leave, employees on Voluntary Leave of Absence for 50% or more of a pay period will accrue nothing for that pay period. If the employee is on Voluntary Leave of Absence for less than 50% of a pay period, he or she will accrue Annual Leave and Sick Leave at the normal rate. No other benefits will be accrued.

Because of the difficulties presented the organization by granting such leave, approval will not be easily given.

Credit for unused sick leave may not be applied to any other form of leave nor may an employee receive payment for unused sick leave upon termination of their services.

Sick leave will be granted by the immediate supervisor upon satisfactory proof of illness, exposure to contagious disease or need to care for a member of his/her immediate family due to serious illness. In the event of an absence due to illness, the employee or a member of the employee's family must call in daily by 10:00 a.m. to the employee's immediate supervisor. If the illness is such that the employee will be absent more than one day, the employee must call in by 3:30 p.m. the day before. If the employee does not call in daily according to the established guidelines, disciplinary action will be taken by the employee's immediate supervisor. Failure to call in three days consecutively may be grounds for immediate dismissal.

### 3. Maternity Leave

Maternity leave for birth or adoption shall be allowable up to one year without pay.

A female employee will be allowed to leave work prior to the expected date of the birth of her child at a time which is mutually agreed to by the employee and the office's managing attorney.

Consistent with the provisions of Minnesota Law, sick leave, all accrued annual leave and accrued compensatory time off may be used during this period. When the aforementioned Leaves are exhausted, the employee will be considered to be on Voluntary Leave



Without Pay, except in the case of an employee whose maternity results in personal illness which extends beyond twelve weeks. Such employee may continue to use her accrued Sick Leave, if such leave has not been previously exhausted, in the same manner she would were her illness due to other circumstances.

#### 4. Paternity Leave

Paternity leave for birth or adoption shall be allowable up to one year without pay. Any accumulated vacation, sick leave and compensatory may be requested and payment received at any time during the scheduled Paternity Leave time.

#### 5. Jury Duty Leave

An employee who is summoned to perform jury duty is required to show the summons to his or her managing attorney. He/she is then eligible to receive full pay for a maximum of two weeks, during which no loss of accrued sick leave or accrued Annual Leave or Comp. time will be sustained. They shall be allowed to retain the full jury duty monetary compensation. If a jury duty obligation should exceed two weeks, determination of subsequent action will be made by the employee's supervisor and the Office's Managing Attorney.

#### 6. Leave Without Pay

Leave without pay may be approved in unusual situations to preserve an employee's continuity of service through a planned or emergency period.

All requests for leave without pay must be made in advance in writing and approved in advance by Centro Legal. (During periods of leave without pay, the employee will be responsible for continuing payment of his/her premiums for group insurance. Centro Legal will continue to pay the employer's premiums on insurance.)

#### 7. Involuntary Leave Without Pay

If an employee experiences a forced absence from his job because of sickness, or the like, and during said absence he or she exhausts all his or her Annual Leave and Sick Leave accruals, and is forced into Leave Without Pay, said employee will continue for ninety (90) calendar days to accrue Annual Leave and Sick Leave at his or her normal rate, and shall remain covered by Centro Legal's group medical insurance policy with Physicians Health Plan for the same period.

#### 8. Military Leave

Military leave will be given to employees who are member of the armed forces of the National Guard to enable them to meet the requirements of military service without loss of their benefits as employees. Such leave will be administered in accordance with provisions of the Universal Military Training and Service Act and the Reserve Forces Act of 1955.

#### 9. Funeral Leave

Death in the Immediate Family - An employee who suffers death in his or her immediate family will be given five days of Administrative leave with pay, not to be deducted from accrued sick leave, annual leave or compensatory time off.

Immediate family shall be defined as including the employee's father, mother, husband, wife, brother and sister (including step or half), son or daughter (including step or adopted), father-in-law, mother-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents, grandchildren or compadres.

All other relatives, the employee may request time off not to exceed four (4) hours to attend the funeral held on the same day.

#### 11. Election Day Leave

An employee will be given two hours off work with pay to vote on each official election day. The determination of which two hours off the day shall be taken off will be made by the employee's supervisor so as to assure adequate staffing of his or her office at all times.

### Section 4. Office Procedures

#### A. Employment Procedures

1. Persons accepting employment with Centro Legal will be required to:
  - a. Complete an application for employment. Resumes will be submitted by all applicants.
  - b. Provide satisfactory references.
  - c. Enroll in the Group Insurance Plan for Centro Legal which is effective after thirty (30) days of employment.
  - d. Prepare Employee's Withholding Exemption Certificates.
  - e. Supply Social Security registration number.
  - f. Provide names, addresses and telephone numbers of their closest relatives who may be notified in case of accident or serious illness. The employee is also responsible for keeping this information current.

2. When the decision to hire an employee has been made, Centro Legal will confirm the details of employment in writing. A copy of this letter will be retained in the personnel file and another copy will be sent to the Chairperson of the Personnel Committee of Centro Legal's Board of Directors.
3. As a matter of policy and good practice, Centro Legal will not employ immediate family members of its staff, unless marriage occurs after employment.

#### B. Office Hours

Regular office hours are to be set by the Administration in accordance with program needs.

#### C. Employee Benefits

##### 1. Group Insurance

Centro Legal shall provide Dental Insurance, Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all eligible employees. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a major medical feature) is available and optional at no additional cost to the employee, which is paid for by Centro Legal.

A booklet, prepared by the insurance company, explaining the details of the plan is given to each employee at the time of his/her enrollment.

##### 2. Worker's Compensation

Centro Legal provides Worker's Compensation protection to compensate employees for accidents and illness arising out of and as a result of employment.



### 3. Disability

In case on short term illness, the employee can use accrued sick leave, annual leave and compensatory time off toward work days that fall within thirty (30) day period. Once illness is prolonged past thirty (30) days, the employee must apply for long term disability through their group insurance contract in order to be paid during that period.

### 4. Social Security

All employees are covered by Social Security benefits through their participation in this system. The employee contribution is made by payroll deduction.

## Section 5. Termination of Service

### A. Release

The term "release" refers to termination of employment by the agency for reasons beyond the control of the employee and bears no relation to employee job performance or conduct.

Should the agency be unable to continue a full-time employee (who has rendered satisfactory service) in his/her current position because of budget cuts, reorganization or discontinuance or curtailment of a department, division or area of service, and is unable to offer some other mutually satisfactory assignment, the employee shall be released. Notification of release shall be given to the employee in writing by the agency Administration thirty (30) days in advance of date of separation. Accrued vacation credit will be paid upon termination of employment.

## B. Dismissal

The term "dismissal" refers to termination of employment by the agency because of unsatisfactory job performance or misconduct. The employee shall receive a written notice of the reasons for dismissal. (Refer to causes for Disciplinary Action). An employee who has been notified of dismissal shall be entitled to an immediate appeal before a committee of the Board of Directors, appointed by the Chairperson within five (5) working days of notice of the appeal. This committee shall hear such an appeal within five (5) working days. If the appeal is sustained, the employee shall be reinstated without loss of salary or other benefits.

## C. Resignation

The term "resignation" refers to the voluntary termination of employment on the part of the employee. In the event of resignation, the agency must receive written notice two (2) weeks in advance of the date of termination from support staff and thirty (30) days in advance of the date of termination from a profession employee. Accrued vacation credit will be paid upon termination of employment.

## Section 6. Disciplinary Action

Disciplinary action may be taken against any employee for good cause as specified in the following section. Such action is taken by Centro Legal in consultation with the immediate supervisor. Such action will include either, I. written reprimand in employee's file, II. probation, III. suspension without pay, or IV. dismissal.

- I. Written reprimand in employee file. - In consultation with the Administration and use of Personnel Policies, the immediate supervisor of the accused employee shall



determine severity of the offense and if deemed appropriate, a written reprimand shall be placed in the employee's personnel file.

II. Probation - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall have a written reprimand placed in their file and placed on probation not to exceed 30 days in length. If the employee repeats the offense within that 30 day period, she/he shall face immediate suspension without pay not to exceed one week in length. Upon return if the employee again repeats the offense, it would be grounds for immediate dismissal. All action shall be recorded and placed in the employee's personnel file.

III. Suspension Without Pay. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall receive an immediate suspension without pay not to exceed one week in length and placed on probation not to exceed 30 days. Upon the employee's return, if she/he repeats the offense within the probationary period, it may be grounds for immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

IV. Dismissal. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, recommend immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

The following will be cause of disciplinary action:

- a. Incompetency or inefficiency.
- b. Neglect of duty.
- c. Insubordination or willful disobedience of a lawful order of a supervisor.
- d. Dishonest/malfeasance.
- e. While under the influence of alcohol or drugs, an employee was engaged in service for Centro.
- f. Discourteous or offensive treatment to the general public or to other employees.
- g. Incapacity due to mental or physical disability that impairs job functions.
- h. Fraud.
- i. Theft, abuse, damage or willful negligence of agency property, equipment or supplies, pilfering.
- j. Absence without proper leave.
- k. Violations of the provisions of these personnel policies and procedures concerned with regulation of employees.
- l. Soliciting or taking money as gifts in connection with duty.
- m. Verbal/physical/sexual/racial harassment.
- n. Conviction of a felony, in accordance with statutes.
- o. Employee irresponsibility due to excessive absences.

## Section 7. Grievance Procedure

### A. Employees

The grievance procedure is a method established by Centro Legal to settle grievances on the part of any employee or group of employees.

Each Centro Legal employee has the right and the duty to appeal what he or she considers an unfair working condition caused by his or her supervisor, a fellow employee or a Centro Legal administrative rule or procedure. The following procedure must be followed in reviewing and settling an employee's grievance, with the understanding that he or she may be assisted by a representative of his or her choice at any level of review.

1. The employee shall first try to resolve his or her grievance with the supervisor, fellow employee or organizational official concerned.

2. If the employee is not satisfied with the understanding reached through such discussion, he or she shall take up the matter with his or her most immediate supervisor, or, if his or her most immediate supervisor was the person with whom he or she had the first discussion, he or she should follow step "3" below;

3. If the employee is dissatisfied with the understanding reached through consultation with his or her immediate supervisor he or she may appeal within five (5) working days in writing to the Managing Attorney or his or her designee. The Managing Attorney or his or her designee will consult with the employees and others concerned, and will try to resolve the grievance;

4. If suitable adjustment cannot be reached throughout consultation with the Administration the aggrieved may request in writing and be granted a review and hearing by the President of the Board of Directors or a committee the President may appoint.

5. If further satisfaction is desired, a written report with evidence bearing on the issues submitted to the President or his/her committee shall next be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of action taken at each level of the grievance procedure to be filed with the Administration. No more than seven (7) calendar days shall elapse from the date of receipt of the grievance before action is taken on each level of procedure. Any grievance filed by the agency management shall be submitted in writing and submitted to the President or a committee the President may appoint.

#### B. Clients

The grievance procedure is a method established by Centro Legal, Inc. to settle grievances by any clients.

1. The most effective way of preventing and adjusting grievances is through a formal complaint in writing between the client and the supervisor of the accused. The supervisor shall give prompt and fair attention to any such grievance presented. After reviewing the client's written complaint and the staff's written interpretation of the incident in question, the supervisor of the accused shall render a decision.



2. If the aggrieved person is not fully satisfied with a decision at this level, the matter shall be presented in writing to the Administration.

3. If suitable adjustments cannot be reached through consultation with the Administration the aggrieved may make a request in writing and be granted a review and hearing by the President of a committee the President may appoint.

4. If further satisfaction is desired, a written report with evidence bearing on the case shall be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of actions taken at each level of the grievance procedure to be filed with the Administration. No more than seven calendar days shall elapse from the date of receipt of the grievance before action is taken at each level of the procedure.

#### Section 8. Miscellaneous

- A. Reimbursement will be given for successful completion of post-secondary courses that are specifically job related not to exceed one (1) course per quarter. Reimbursement must be approved by the Administration in advance.
- B. Affirmation Action Officer "A.A.O. Designee" - Managing Attorney
- C. Equal Employment Opportunity Officer "E.E.O.O." - Administrator
- D. These Personnel Policies re subjected to review and amendment on

an annual basis by the Board of Directors.



PERSONNEL POLICIES AND PRACTICES  
CENTRO LEGAL, INC.  
EQUAL OPPORTUNITY POLICIES

The following is the Affirmative Action Plan adopted by the Board of Directors of Centro Legal, Inc. during

The policy of "Centro Legal, Inc." is that all employees and applicants for employment are to be treated equally and that no distinction is to be made in its employment practices because of race, creed, color, age, religion political origin, affectional or sexual preference, physical disability or sex, except where sex is a bona fide occupational qualification.

It is further the policy of "Centro Legal, Inc." that this policy will be implemented by means of an Affirmative Action Program.

Affirmative Action is not mere passive non-discrimination. It is action including procedures, methods and practices which will equalize opportunities relating to recruiting, hiring, training, compensation, benefits, promotions, transfers, layoffs, recall from layoffs, terminations and educational opportunities for all minorities and women.

"Centro Legal, Inc." assigns to "Board of Directors" the responsibility for the implementation of this policy and the Affirmative Action Program.

Any willful or deliberate violation by any employee of "Centro Legal, Inc." of our Affirmative Action Program policy or any procedure devised and implemented to give that policy less than full force and effect will be cause for appropriate disciplinary action.

"It is the responsibility of the Board of Directors to ensure

the affirmative implementation of this policy."

## Section 1. Personnel Policy

### A. Authority -- Hiring Responsibility

The Board of Directors is responsible for hiring the agency's Managing Attorney. The Personnel Committee will supervise the search and screening process and will make recommendations to the Board of Directors for the purpose of hiring.

The Personnel Committee and the Managing Attorney or their agent (depending on vacancy) will screen applicants for employment. The Committee will then present the Managing Attorney or their agent with a slate of finalists from which to hire.

### B. Selection

Employees are selected on the basis of character, experience, education or training, proven skills, and employment stability. Qualifications for the position are given prime consideration.

This policy will not apply in the following situations:

1. Temporary opening in a position established for a specific period of time or for the duration of a specific project or group of assignments.
2. Re-assignment (not a promotion) of a number of employees in connection with an internal reorganization of a department or function.
3. Re-assignment (not a promotion) of an employee made at the discretion of the Executive Director to:
  - a. Correct a faulty placement.
  - b. Eliminate personal frictions.
  - c. Compensate for physical disability.

#### C. Former Employees

Employees who leave the agency voluntarily or through no fault of their own who apply for re-employment will be given equal consideration. A re-employed person must waive all rights accruing from prior service except for retirement benefits (see National Health & Welfare Retirement).

#### D. Relatives

The employment of close relatives will be carefully scrutinized by the Personnel Committee before approval. Close relatives are defined as:

1. Blood relatives or direct lineage.
2. Relatives by marriage: spouses and the employee's in-laws.
3. Exceptions will be employees who marry each other while on the job.

#### E. Application Retention

Applications for employment will be retained by the agency for a period of not less than six (6) months.

#### F. Job Descriptions

Job descriptions shall be written by agency supervisors and appropriate administrative staff. In consultation with the Personnel Committee, a job description shall be on file for every authorized agency position. No new positions will be created without approval from the Personnel Committee not without an approved job description. Significant changes in job descriptions must be approved by the Personnel Committee and administration. As a matter of general policy, job descriptions will be reviewed on an annual basis by the Administration, and modified wherever appropriate.

#### G. Personal Interview

Final appointment to a position shall follow a personal

interview between the applicant and the person or persons responsible for hiring.

#### H. References

References will be checked by the administrators of the agency.

#### I. Orientation

Every new staff person shall be oriented to the programs, policies, and procedures of the agency and his/her particular job description by his/her immediate supervisor. \* \*

#### J. Staff Evaluations

1. All part-time and full-time Centro Legal employees shall be evaluated at least one (1) time per year. Evaluations will assess the extent to which the employee is satisfactorily discharging and performing his or her duties and responsibilities as set forth in her or her job description, including and increase, decrease or other modification or change in the job description or the employee's duties, responsibilities or priorities, pursuant to the written agreement of the staff person and Administration, as set forth in the applicable job description.

2. The evaluation will include, as appropriate, any comments on the employee's adherence to the requirements of client confidentiality, dependability, honesty, resourcefulness judgment, ability to listen, cooperativeness and ability to work with others, concern and respect for others and ability to adjust to new situations. The evaluation shall comment on the employee's performance in all aspects of his or her job duties and responsibilities and shall include comments on any specific problems;

areas for improvement; areas of strength; and activities designed to improve the employee's knowledge and skills. The evaluation shall be based on specific information and not opinions alone and the factual basis of the evaluation, including an identification of sources of information, shall be disclosed, as part of the written evaluation.

3. Performance of Evaluations. The evaluations shall be performed as follows:

a. Evaluations of attorneys, paralegal/community workers and Administrator shall be done by the Managing attorney.

b. Evaluations of support staff shall be conducted by the Administrator or by their designee;

c. Evaluation of the Managing attorney shall be conducted by the Executive Committee of the Board of Directors;

4. Evaluation Procedures.

a. Written evaluations shall be prepared every six months, or as necessary, except that newly hired personnel shall have a written evaluation every three months during their first six months of employment. The written comments concerning cases reviewed, and meetings under the provisions of Section of this Policy shall also be considered.

b. After the written evaluation has been prepared it shall be submitted to the employee for his or her review. After the employee has had an opportunity to review the evaluation, the employee and the evaluator(s) shall discuss the evaluation and the work performance of the employee. At the conference, employees shall be given the opportunity to present information to the evaluator(s) covering matters with which the employee disagrees.



c. After the conference the evaluator(s) may modify the written evaluation based on information received at the conference, prior to submitting it to the employee's personnel file bearing the signature of both employee and evaluator.

d. The time of evaluation shall be known in advance. Evaluations shall be a joint effort on the part of the employee and the evaluator(s); however, the major responsibility belongs to the evaluator.

e. In case of disagreement between the evaluator(s) and the employee concerning the evaluation, the employee shall have the right to appeal the evaluation to the Administration designee. In case of such appeal the Administration designee shall confer with both the evaluator(s) and the employee as well as any other person requested by either the evaluator(s) or the employee. Following this conference and review the Administration designee shall prepare his or her own written evaluation. Both the employee and evaluator(s) shall be given an opportunity to read and discuss the written evaluation and to present information to the Administration designee covering the points of disagreement and thereafter the Administration designee may amend the written evaluation.

f. In case of disagreement between the evaluator(s) concerning any aspect of the evaluation, the evaluator(s) may submit their own written comments as part of the written evaluation in addition to those aspects agreed upon.

g. In case of disagreement between the employee and the Administration designee concerning the evaluation, the employee shall have the right to appeal using the grievance committee of Centro

Legal pursuant to the applicable provisions of the Centro Legal's "Personnel Manual".

h. All evaluation statements shall be made as part of the permanent record in the employee's personnel file and the employee shall receive a copy of all such evaluations. This information shall be considered to be private under Minnesota law and shall be protected against review or use by unauthorized personnel.

i. Non-Routine Evaluations. An evaluation as described above of an employee's work performance may be made at the direction of the Administration whenever there is a substantial question of job performance or conduct.

j. No employee's status shall be affected and no employee shall be suspended or terminated without an evaluation by the Administration as previously set forth.

Section 2. Hours of Work, Remuneration, Definition of Status of Employee's, Overtime and Compensatory Time.

A. Hours of Work

The scheduled work week for all regular full-time employees consists of thirty-seven and one half (37 1/2) hours. Split shifts should be avoided. Hours should be scheduled in such a way as to provide forty-eight (48) consecutive hours off each week. It is desirable that full-time professional workers be scheduled for not more than four (4) nights a week; and no more than two (2) periods a day. Periods are to be understood as morning, afternoon and evening. Weekend schedules should be distributed equitably among the staff.

B. Remuneration

All employees will be assigned a job classification and will receive a salary based upon the job classification in the salary

schedule, which is reviewed annually.

The agency Administration in consultation with the Personnel Committee of the Board of Directors, will review the salary schedule of all staff on an annual basis.

The Board of Directors shall approve the salary schedule of all employees on an annual basis.

C. Definition of Status of Employees

1. Regular Full-Time. An employee hired for full time work. Such an employee is eligible for all benefits enumerated in this document.
2. Regular Part-Time. An employee hired for part-time work, who regularly works no more than twenty (20) hours per week. Regular part-time employees are not eligible for the benefit package.
3. Temporary Short-Term. An employee hired for part or full-time employment for a predetermined period of time, not to exceed six (6) months. Such an employee is not eligible for the benefit package.
4. Temporary Long-Term. An employee hired for part or full-time work for a predetermined period of time not to exceed of twelve (12) months. Such an employee is not eligible for the benefit package.

D. Overtime and Compensatory Time

Overtime shall be defined according to Minnesota Statutes and applicable Federal Law. It is the policy of the agency to minimize overtime. It is the responsibility of the Administration to examine the assignment schedule of any worker who constantly works overtime and make the necessary adjustments.

Support staff who are required to work overtime shall be compensated for such overtime at a rate consistent with applicable state and federal law.

The immediate supervisor with whom the prospective support staff person is to work shall be consulted.

Section 3. Probation, Travel Reimbursement, Salary Schedule, Honoraria, Consultant Fees, Gratuities, Outside Employment, Holidays and Leave Regulations.

A. Probation.

Except in case of hiring for a new position within an employee's office or unit not involving significantly different job responsibilities all new Centro Legal employees or persons re-hired or hired for a new position by Centro Legal shall be on provisional employment status for a period of three (3) months following their dates of employment. In addition, the provisional status of attorney personnel who are not members of the Minnesota Bar shall continue sixty (60) days after they are admitted to membership.

During the period an employee is on provisional employment status, he or she may be terminated for cause, without right to review under the procedures provided herein or otherwise, by his or her Managing attorney.

B. Travel and Maintenance Expenses.

1. Reasonable travel expenses for trips outside the Metropolitan area will be allowed with the prior approval of Administration.
2. The use of personal vehicles in the discharge of official duties will require prior authorization of Administration. The employee will be reimbursed at a rate commensurate with that of other agencies, up to a specific amount per month as stated by the

Executive Director. At the time of approval, the employee shall be required to keep a record of the mileage driven pm official business for listing on the bi-weekly salary schedule for reimbursement.

C. Salary Payment

Regular Centro employees are paid bi-weekly. Payroll deductions include Federal Income Tax (F.I.T.), Social Security (F.I.C.A.), State Income Tax (S.I.T.) and other deductions specifically authorized by the employee or required by law.

D. Honoraria, Consultant Fees, and Gratuities.

Honoraria and consultant fees earned by an employee while on Leave Without Pay or Annual Leave may be regarded as personal income. Honoraria earned during regular working hours or on sick leave must be turned over to the Administrator, except if earned on compensatory or vacation time. Centro Legal resources, including secretarial time, which are used in the course of activity for which an employee received compensation (e.g. an evaluation report of another legal services program), must be reimbursed to Centro Legal.

Employees may not accept money or any other gratuity offered to them by clients or from anyone else having a business relationship with the Centro Legal. Contributions may be made to the Centro Legal by sending a check or money order to the Administrator.

E. Outside Gainful Employment

1. Such employment shall not interfere with the efficient performance of the employee's duties with the Centro Legal;
2. Such employment shall not involve conflict of interest or conflict with the employee's duties with the Centro Legal;



3. Such employment shall not involve the performance of duties which the employee should perform as part of his employment with the Centro Legal; and

4. Such employment shall not occur during the employee's regular or assigned working hours with the Centro Legal, unless the employee, during the entire day on which such employment occurs is on either annual leave, compensatory time off or leave without pay.

D. Holidays

Centro Legal employees may observe the following holidays with pay:

New Year's Day - January 1

Dr. Martin Luther King's Birthday - January 15

Washington's Birthday - 3rd Monday in February

Memorial Day - last Monday in May

Independence Day - July 4

Labor Day - First Monday of September

Columbus Day - 2nd Monday of October or Friday immediately following Thanksgiving.

Veteran's Day - November 11

Thanksgiving Day - 4th Thursday of November

Christmas Day - December 25th or Religious Holiday of the person's religious preference

One Personal holiday - Birthday of employee choice  
When New Year's Day, Independence Day, or Christmas fall on a

Saturday, the Friday immediately preceding shall be taken as holiday leave; when one of these days falls on Sunday, the immediate succeeding Monday shall be observed.

Employees who request time off to attend services for religious occasions which are not holidays (such as Good Friday, Yom Kippur, etc.) may be granted up to three (3) hours off with pay. Additional hours off may be taken as Annual Leave.

In order to be paid for a holiday near the time of an employee's termination from Centro Legal, he or she must work through the Friday following the holiday.

#### G. Leave Regulations

For the purpose of computing vacation and sick leave, the calendar year, January through December will be used.

##### 1. Vacations

Annual leave will be accrued and computed once an employee has successfully completed the probationary period.

Vacation time will be requested in writing on the appropriate form and must receive administrative approval one (1) month before the vacation is taken.

For the first year, employees, receive approximately three weeks or 15 working days vacation leave. After the first year the employee receives four weeks or 20 working days vacation.

This Annual Leave begins to accrue at the pay period immediately following the date of employment at a rate of 4.5 hours per pay period. After the first year of employment, Annual Leave accrues at the rate of 6 hours per pay period (approximately 20 work days).

Annual Leave may not be taken for 60 days after the beginning of employment. If an official holiday falls while an employee is on Annual Leave, that day will not be deducted from their accrued Annual

Leave. If an employee is sick while on Annual Leave, they may not charge that time to their accrued Sick Leave. An employee may retain an Annual Leave accrual of no more than 187.5 hours (25 days). Hours accrued in excess of that amount will be forfeited.

An employee planning to go on vacation may receive, upon presentation to the Administrator of their completed Time and Attendance Records for the anticipated vacation period, a pay check covering either the time he or she expects to be on vacation or the total amount of Annual Leave he or she has accrued, whichever is less.

No employee shall be paid for accrued Annual Leave except in the case of termination. If the employee is employed less than sixty (60) days, no payment for accrued Annual Leave shall be made upon termination. Payment for accrued Annual Leave may not be made until the employee's last regular working day has ended. A maximum of 187-1/2 hours (5 weeks) of accrued Annual Leave may be taken after the last regular working day.

All vacation time accrued shall be utilized in each calendar year and shall not be cumulative. Part-time employees and seasonal workers shall not accrue vacation leave.

## 2. Sick Leave.

Each eligible employee is entitled to 15 days Sick Leave per year.

Sick Leave begins to accrue thirty (30) calendar days from the day of employment at the rate of 4.5 hours per pay period, but may not be taken until the employee has been employed for sixty (60) calendar days. Thereafter Sick Leave may be used only when an

employee or a dependent child is actually ill or for an employee's or dependent child's doctor appointment.

If an employee's accrued Sick Leave is depleted, any additional days they are not at work will be deducted from days of their leave.

Regarding the accrual of Annual and Sick Leave, employees on Voluntary Leave of Absence for 50% or more of a pay period will accrue nothing for that pay period. If the employee is on Voluntary Leave of Absence for less than 50% of a pay period, he or she will accrue Annual Leave and Sick Leave at the normal rate. No other benefits will be accrued.

Because of the difficulties presented the organization by granting such leave, approval will not be easily given.

Credit for unused sick leave may not be applied to any other form of leave nor may an employee receive payment for unused sick leave upon termination of their services.

Sick leave will be granted by the immediate supervisor upon satisfactory proof of illness, exposure to contagious disease or need to care for a member of his/her immediate family due to serious illness. In the event of an absence due to illness, the employee or a member of the employee's family must call in daily by 10:00 a.m. to the employee's immediate supervisor. If the illness is such that the employee will be absent more than one day, the employee must call in by 3:30 p.m. the day before. If the employee does not call in daily according to the established guidelines, disciplinary action will be taken by the employee's immediate supervisor. Failure to call in three days consecutively may be grounds for immediate dismissal.

### 3. Maternity Leave

Maternity leave shall be allowable up to one year without pay.

A female employee will be allowed to leave work prior to the expected date of the birth of her child at a time which is mutually agreed to by the employee and the office's managing attorney.

Consistent with the provisions of Minnesota Law, Sick Leave, and all accrued Annual Leave may be used during this period. When the aforementioned Leaves are exhausted, the employee will be considered to be on Voluntary Leave Without Pay, except in the case of an employee whose maternity results in personal illness which extends beyond twelve weeks. Such employee may continue to use her accrued Sick Leave, if such leave has not been previously exhausted, in the same manner she would were her illness due to other circumstances.

### 4. Jury Duty Leave

An employee who is summoned to perform jury duty is required to show the summons to his or her managing attorney. He/she is then eligible to receive full pay for a maximum of two weeks, during which no loss of accrued sick leave or accrued Annual Leave or Comp. time will be sustained. They shall be allowed to retain the full jury duty monetary compensation. If a jury duty obligation should exceed two weeks, determination of subsequent action will be made by the employee's supervisor and the Office's Managing Attorney.



#### 5. Leave Without Pay

Leave without pay may be approved in unusual situations to preserve an employee's continuity of service through a planned or emergency period.

All requests for leave without pay must be made in advance in writing and approved in advance by Centro Legal. (During periods of leave without pay, the employee will be responsible for continuing payment of his/her premiums for group insurance. Centro Legal will continue to pay the employer's premiums on insurance.)

#### 6. Involuntary Leave Without Pay

If an employee experiences a forced absence from his job because of sickness, or the like, and during said absence he or she exhausts all his or her Annual Leave and Sick Leave accruals, and is forced into Leave Without Pay, said employee will continue for ninety (90) calendar days to accrue Annual Leave and Sick Leave at his or her normal rate, and shall remain covered by Centro Legal's group medical insurance policy with Physicians Health Plan for the same period.

#### 7. Military Leave

Military leave will be given to employees who are member of the armed forces of the National Guard to enable them to meet the requirements of military service without loss of their benefits as employees. Such leave will be administered in accordance with provisions of the Universal Military Training and Service Act and the Reserve Forces Act of 1955.

#### 8. Paternity Leave

Paternity leave shall be allowable up to one (1) year without pay. Any accumulated sick time may be requested and payment received at any time during the scheduled Paternity leave time.

#### 9. Funeral Leave

Death in the Immediate Family - An employee who suffers death in his or her immediate family will be given five days of time off with pay.

Immediate family shall be defined as including the employee's father, mother, husband, wife, brother and sister (including step or half), son or daughter (including step or adopted), father-in-law, mother-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents, grandchildren or compadres.

All other relatives, the employee may request time off not to exceed four (4) hours to attend the funeral held on the same day.

#### 10. Election Day Leave

An employee will be given two hours off work with pay to vote on each official election day. The determination of which two hours off the day shall be taken off will be made by the employee's supervisor so as to assure adequate staffing of his or her office at all times.

### Section 4. Office Procedures

#### A. Employment Procedures

1. Persons accepting employment with Centro Legal will be required to:

- a. Complete an application for employment. Resumes will be submitted by all applicants.
- b. Provide satisfactory references.

- c. Enroll in the Group Insurance Plan for Centro Legal which is effective after thirty (30) days of employment.
  - d. Prepare Employee's Withholding Exemption Certificates.
  - e. Supply Social Security registration number.
  - f. Provide names, addresses and telephone numbers of their closest relatives who may be notified in case of accident or serious illness. The employee is also responsible for keeping this information current.
2. When the decision to hire an employee has been made, Centro Legal will confirm the details of employment in writing. A copy of this letter will be retained in the personnel file and another copy will be sent to the Chairperson of the Personnel Committee of Centro Legal's Board of Directors.
  3. As a matter of policy and good practice, Centro Legal will not employ immediate family members of its staff, unless marriage occurs after employment.

B. Office Hours

Regular office hours are to be set by the Administration in accordance with program needs.

C. Employee Benefits

1. Group Insurance

Centro Legal shall provide Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all employees. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a

major medical feature) is available and optional at cost to the employee, which is paid through payroll deduction.

A booklet, prepared by the insurance company, explaining the details of the plan is given to each employee at the time of his/her enrollment.

## 2. Worker's Compensation

Centro Legal provides Worker's Compensation protection to compensate employees for accidents and illness arising out of and as a result of employment.

## 3. Disability

In case of short term illness, the employee can use vacation time and sick days toward work days that fall within thirty (30) day period. Once illness is prolonged past thirty (30) days, the employee must apply for long term disability through their group insurance contract in order to be paid during that period.

## 4. Social Security

All employees are covered by Social Security benefits through their participation in this system. The employee contribution is made by payroll deduction.

## Section 5. Termination of Service

### A. Release

The term "release" refers to termination of employment by the agency for reasons beyond the control of the employee and bears no relation to employee job performance or conduct.

Should the agency be unable to continue a full-time employee (who has rendered satisfactory service) in his/her current position because of budget cuts, reorganization or discontinuance or

curtailment of a department, division or area of service, and is unable to offer some other mutually satisfactory assignment, the employee shall be released. Notification of release shall be given to the employee in writing by the agency Administration thirty (30) days in advance of date of separation. Accrued vacation credit will be paid upon termination of employment.

#### B. Dismissal

The term "dismissal" refers to termination of employment by the agency because of unsatisfactory job performance or misconduct. The employee shall receive a written notice of the reasons for dismissal. (Refer to causes for Disciplinary Action). An employee who has been notified of dismissal shall be entitled to an immediate appeal before a committee of the Board of Directors, appointed by the Chairperson within five (5) working days of notice of the appeal. This committee shall hear such an appeal within five (5) working days. If the appeal is sustained, the employee shall be reinstated without loss of salary or other benefits.

#### C. Resignation

The term "resignation" refers to the voluntary termination of employment on the part of the employee. In the event of resignation, the agency must receive written notice two (2) weeks in advance of the date of termination from support staff and thirty (30) days in advance of the date of termination from a profession employee. Accrued vacation credit will be paid upon termination of employment.

### Section 6. Disciplinary Action

Disciplinary action may be taken against any employee for good cause as specified in the following section. Such action is



taken by Centro Legal in consultation with the immediate supervisor. Such action will include either, I. written reprimand in employee's file, II. probation, III. suspension without pay, or IV. dismissal.

I. Written reprimand in employee file. - In consultation with the Administration and use of Personnel Policies, the immediate supervisor of the accused employee shall determine severity of the offense and if deemed appropriate, a written reprimand shall be placed in the employee's personnel file.

II. Probation - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall have a written reprimand placed in their file and placed on probation not to exceed 30 days in length. If the employee repeats the offense within that 30 day period, she/he shall face immediate suspension without pay not to exceed one week in length. Upon return if the employee again repeats the offense, it would be grounds for immediate dismissal. All action shall be recorded and placed in the employee's personnel file.

III. Suspension Without Pay. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall receive an immediate suspension without pay not to exceed one week in length

and placed on probation not to exceed 30 days. Upon the employee's return, if she/he repeats the offense within the probationary period, it may be grounds for immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

- IV. Dismissal. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, recommend immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

The following will be cause of disciplinary action:

- a. Incompetency or inefficiency.
- b. Neglect of duty.
- c. Insubordination or willful disobedience of a lawful order of a supervisor.
- d. Dishonest/malfeasance.
- e. While under the influence of alcohol or drugs, an employee was engaged in service for Centro.
- f. Discourteous or offensive treatment to the general public or to other employees.
- g. Incapacity due to mental or physical disability that impairs job functions.
- h. Fraud.
- i. Theft, abuse, damage or willful negligence of agency property, equipment or supplies, pilfering.
- j. Absence without proper leave.
- k. Violations of the provisions of these personnel policies and procedures concerned with regulation of employees.
- l. Soliciting or taking money as gifts in connection with duty.

m. Verbal/physical/sexual/racial harassment.

n. Conviction of a felony, in accordance with statutes.

o. Employee irresponsibility due to excessive absences.

#### Section 7. Grievance Procedure

##### A. Employees

The grievance procedure is a method established by Centro Legal to settle grievances on the part of any employee or group of employees.

Each Centro Legal employee has the right and the duty to appeal what he or she considers an unfair working condition caused by his or her supervisor, a fellow employee or a Centro Legal administrative rule or procedure. The following procedure must be followed in reviewing and settling and employee's grievance, with the understanding that he or she may be assisted by a representative of his or her choice at any level of review.

1. The employee shall first try to resolve his or her grievance with the supervisor, fellow employee or organizational official concerned.

2. If the employee is not satisfied with the understanding reached through such discussion, he or she shall take up the matter with his or her most immediate supervisor, or, if his or her most immediate supervisor was the person with whom he or she had the first discussion, he or she should follow step "3" below;

3. If the employee is dissatisfied with the understanding reached through consultation with his or her immediate supervisor he or she may appeal within five (5) working days in writing to the Managing Attorney or his or her designee. The

Managing Attorney or his or her designee will consult with the employees and others concerned, and will try to resolve the grievance;

4. If suitable adjustment cannot be reached throughout consultation with the Administration the aggrieved may request in writing and be granted a review and hearing by the Chairperson(s) or a committee the Chairperson may appoint.

5. If further satisfaction is desired, a written report with evidence bearing on the issues submitted to the Chairperson(s) or his/her committee shall next be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of action taken at each level of the grievance procedure to be filed with the Administration. No more than seven (7) calendar days shall elapse from the date of receipt of the grievance before action is taken on each level of procedure. Any grievance filed by the agency management shall be submitted in writing and submitted to the Chairperson(s) or a committee the Chairperson may appoint.

#### B. Clients

The grievance procedure is a method established by Centro Legal, Inc. to settle grievances by any clients.

1. The most effective way of preventing and adjusting grievances is through a formal complaint in writing between the client and the supervisor of the accused. The supervisor shall give prompt and fair attention to any such grievance presented. After reviewing the client's written complaint and the staff's written

interpretation of the incident in question, the supervisor of the accused shall render a decision.

2. If the aggrieved person is not fully satisfied with a decision at this level, the matter shall be presented in writing to the Administration.

3. If suitable adjustments cannot be reached through consultation with the Administration the aggrieved may make a request in writing and be granted a review and hearing by the chairperson(s) of a committee the Chairperson may appoint.

4. If further satisfaction is desired, a written report with evidence bearing on the case shall be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of actions taken at each level of the grievance procedure to be filed with the Administration. No more than seven calendar days shall elapse from the date of receipt of the grievance before action is taken at each level of the procedure.

#### Section 8. Miscellaneous

- A. Reimbursement will be given for successful completion of post-secondary courses that are specifically job related not to exceed one (1) course per quarter. Reimbursement must be approved by the Administration in advance.
- B. Affirmation Action Officer "A.A.O. Designee" - Managing Attorney
- C. Equal Employment Opportunity Officer "E.E.O.O." - Administrator



CENTRO LEGAL, INC.

PERSONNEL POLICIES AND PRACTICES

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## GENERAL POLICY STATEMENTS

1. The Personnel Policies of Centro Legal, Inc. have been established and recorded in order that all employees have a clear understanding of their rights and obligations.
2. The Managing Attorney of Centro Legal, Inc. is responsible for the employment of all ~~legal~~ staff.
- ~~3. The Administrator of Centro Legal Inc. is responsible for the employment of all support staff.~~
- 3<sup>4</sup>. The personnel policies including hiring, promotion, employee benefits, reassignment, termination, etc. will be conducted in such a manner as to ensure that no discrimination shall exist because of race, color, religion, national origin, age, sex and/or any physical handicap.
- 4<sup>5</sup>. Sexual harassment by any employee is strictly prohibited and is cause of immediate termination. Clients engaging in sexual harassment shall be refused service. Administrative staff, male or female, shall not use their authority to solicit sexual favors from subordinates e.g. failure to submit to sexual overtures would result in adverse wage or working conditions. Employees who feel that administrative personnel are conditioning promotions, increases in wages, continuance of one's job, etc. on sexual favors should contact the Managing Attorney or Administrator. If facts support such complaint, immediate action will be taken.
- 5<sup>6</sup>. An Affirmative Action Program of Equal Employment Opportunity is and shall continue to be maintained.
- 6<sup>7</sup>. A yearly review of the Personnel Policies will be made by the Personnel Committee to ensure that they are kept current and up to date.

PERSONNEL POLICIES AND PRACTICES  
CENTRO LEGAL, INC.  
EQUAL OPPORTUNITY POLICIES

The following is the Affirmative Action Plan adopted by the Board of Directors of Centro Legal, Inc. during

The policy of "Centro Legal, Inc." is that all employees and applicants for employment are to be treated equally and that no distinction is to be made in its employment practices because of race, creed, color, age, religion political origin, affectional or sexual preference, physical disability or sex, except where sex is a bona fide occupational qualification.

It is further the policy of "Centro Legal, Inc." that this policy will be implemented by means of an Affirmative Action Program.

Affirmative Action is not mere passive non-discrimination. It is action including procedures, methods and practices <sup>re-adapt</sup> which will equalize opportunities relating to recruiting, hiring, training, compensation, benefits, promotions, transfers, layoffs, recall from layoffs, terminations and educational opportunities for all minorities and women.

"Centro Legal, Inc." assigns to "Board of Directors" the responsibility for the implementation of this policy and the Affirmative Action Program.

Any willful or deliberate violation by any employee of "Centro Legal, Inc." of our Affirmative Action Program policy or any procedure devised and implemented to give that policy less than full force and effect will be cause for appropriate disciplinary action.

"It is the responsibility of the Board of Directors to ensure



the affirmative implementation of this policy."

## Section 1. Personnel Policy

### A. Authority -- Hiring Responsibility

The Board of Directors is responsible for hiring the agency's Managing Attorney. The Personnel Committee will supervise the search and screening process and will make recommendations to the Board of Directors for the purpose of hiring.

The Personnel Committee and the Managing Attorney or their agent (depending on vacancy) will screen applicants for employment. The Committee will then present the Managing Attorney or their agent with a slate of finalists from which to hire.

### B. Selection

Employees are selected on the basis of character, experience, education or training, proven skills, and employment stability. Qualifications for the position are given prime consideration.

*Sub 1-A/B of* This policy will not apply in the following situations:

1. Temporary opening in a position established for a specific period of time or for the duration of a specific project or group of assignments.
2. Re-assignment (not a promotion) of a number of employees in connection with an internal reorganization of a department or function.
3. Re-assignment (not a promotion) of an employee made at the discretion of the Executive Director to:
  - a. Correct a faulty placement.
  - b. Eliminate personal frictions.
  - c. Compensate for physical disability.

#### C. Former Employees

Employees who leave the agency voluntarily or through no fault of their own who apply for re-employment will be given equal consideration. A re-employed person must waive all rights accruing from prior service except for retirement benefits (see National Health & Welfare Retirement).

#### D. Relatives

The employment of close relatives will be carefully scrutinized by the Personnel Committee before approval. Close relatives are defined as:

1. Blood relatives or direct lineage.
2. Relatives by marriage: spouses and the employee's in-laws.
3. Exceptions will be employees who marry each other while on the job.

#### E. Application Retention

Applications for employment will be retained by the agency for a period of not less than six (6) months.

#### F. Job Descriptions

Job descriptions shall be written by agency supervisors and appropriate administrative staff. In consultation with the Personnel Committee, a job description shall be on file for every authorized agency position. No new positions will be created without approval from the Personnel Committee nor without an approved job description. Significant changes in job descriptions must be approved by the Personnel Committee and administration. As a matter of general policy, job descriptions will be reviewed on an annual basis by the Administration, and modified wherever appropriate.

#### G. Personal Interview

Final appointment to a position shall follow a personal

interview between the applicant and the person or persons responsible for hiring.

#### H. References

References will be checked by the administration of the agency.

#### I. Orientation

*Prior to starting*  
Every new staff person shall be oriented to the programs, policies, and procedures of the agency and his/her particular job description by his/her immediate supervisor. *prior to*

#### J. Staff Evaluations

1. All part-time and full-time Centro Legal employees shall be evaluated at least one (1) time per year. Evaluations will assess the extent to which the employee is satisfactorily discharging and performing his or her duties and responsibilities as set forth in her or her job description, including and increase, decrease or other modification or change in the job description or the employee's duties, responsibilities or priorities, pursuant to the written agreement of the staff person and Administration, as set forth in the applicable job description. *Time*

2. The evaluation will include, as appropriate, any comments on the employee's adherence to the requirements of client confidentiality, dependability, honesty, resourcefulness judgment, ability to listen, cooperativeness and ability to work with others, concern and respect for others and ability to adjust to new situations. The evaluation shall comment on the employee's performance in all aspects of his or her job duties and responsibilities and shall include comments on any specific problems;

areas for improvement; areas of strength; and activities designed to improve the employee's knowledge and skills. The evaluation shall be based on specific information and not opinions alone and the factual basis of the evaluation, including an identification of sources of information, shall be disclosed, as part of the written evaluation.

3. Performance of Evaluations. The evaluations shall be performed as follows:

a. Evaluations of attorneys, paralegal/community workers and Administrator shall be done by the Managing attorney.

b. Evaluations of support staff shall be conducted by the Administrator or by their designee;

c. Evaluation of the Managing attorney shall be conducted by the Executive Committee of the Board of Directors;

4. Evaluation Procedures.

a. Written evaluations shall be prepared every six months, or as necessary, except that newly hired personnel shall have a written evaluation every three months during their first six months of employment. The written comments concerning cases reviewed, and meetings under the provisions of Section of this Policy shall also be considered.

b. After the written evaluation has been prepared it shall be submitted to the employee for his or her review. After the employee has had an opportunity to review the evaluation, the employee and the evaluator(s) shall discuss the evaluation and the work performance of the employee. At the conference, employees shall be given the opportunity to present information to the evaluator(s) covering matters with which the employee disagrees.

c. After the conference the evaluator(s) may modify the written evaluation based on information received at the conference, prior to submitting it to the employee's personnel file bearing the signature of both employee and evaluator.

d. The time of evaluation shall be known in advance. Evaluations shall be a joint effort on the part of the employee and the evaluator(s); however, the major responsibility belongs to the evaluator.

e. In case of disagreement between the evaluator(s) and the employee concerning the evaluation, the employee shall have the right to appeal the evaluation to the ~~Administration designee~~ <sup>Manager, Attny</sup>. In case of such appeal the ~~Administration designee~~ <sup>Manager, Attny</sup> shall confer with both the evaluator(s) and the employee as well as any other person requested by either the evaluator(s) or the employee. Following this conference and review the ~~Administration designee~~ <sup>Manager, Attny</sup> shall prepare his or her own written evaluation. Both the employee and evaluator(s) shall be given an opportunity to read and discuss the written evaluation and to present information to the ~~Administration designee~~ <sup>Manager, Attny</sup> covering the points of disagreement and thereafter the Administration designee may amend the written evaluation.

f. In case of disagreement between the evaluator(s) concerning any aspect of the evaluation, the evaluator(s) may submit their own written comments as part of the written evaluation in addition to those aspects agreed upon.

g. In case of disagreement between the employee and the Administration designee concerning the evaluation, the employee shall have the right to appeal using the grievance committee of Centro



Legal pursuant to the applicable provisions of the Centro Legal's "Personnel Manual".

h. All evaluation statements shall be made as part of the permanent record in the employee's personnel file and the employee shall receive a copy of all such evaluations. This information shall be considered to be private under Minnesota law and shall be protected against review or use by unauthorized personnel.

i. Non-Routine Evaluations. An evaluation as described above of an employee's work performance may be made at the direction of the Administration whenever there is a substantial question of job performance or conduct.

j. No employee's status shall be affected and no employee shall be suspended or terminated without an evaluation by the Administration as previously set forth.

Section 2. Hours of Work, Remuneration, Definition of Status of Employee's, Overtime and Compensatory Time.

A. Hours of Work

The scheduled work week for all regular full-time employees consists of thirty-seven and one half (37 1/2) hours. ~~Split shifts~~ should be avoided. Hours should be scheduled in such a way as to provide forty-eight (48) consecutive hours off each week. It is desirable that full-time professional workers be scheduled for not more than four (4) nights a week; and no more than two (2) periods a day. Periods are to be understood as morning, afternoon and evening. Weekend schedules should be distributed equitably among the staff.

B. Remuneration

All employees will be assigned a job classification and will receive a salary based upon the job classification in the salary

schedule, which is reviewed annually.

*Comp time  
left in*

The agency Administration in consultation with the Personnel Committee of the Board of Directors, will review the salary schedule of all staff on an annual basis.

The Board of Directors shall approve the salary schedule of all employees on an annual basis.

C. Definition of Status of Employees

1. Regular Full-Time. An employee hired for full time work. Such an employee is eligible for all benefits enumerated in this document.
2. Regular Part-Time. An employee hired for part-time work, who regularly works no more than twenty (20) hours per week. Regular part-time employees are not eligible for the benefit package.
3. Temporary Short-Term. An employee hired for part or full-time employment for a predetermined period of time, not to exceed six (6) months. Such an employee is not eligible for the benefit package.
4. Temporary Long-Term. An employee hired for part or full-time work for a predetermined period of time not to exceed of twelve (12) months. Such an employee is not eligible for the benefit package.

D. ~~Overtime and Compensatory Time~~

Overtime shall be defined according to Minnesota Statutes and applicable Federal Law. It is the policy of the agency to minimize overtime. It is the responsibility of the Administration to examine the assignment schedule of any worker who constantly works overtime and make the necessary adjustments.

Support staff who are required to work overtime shall be compensated for such overtime at a rate consistent with applicable state and federal law.

The immediate supervisor with whom the prospective support staff person is to work shall be consulted.

Section 3. Probation, Travel Reimbursement, Salary Schedule, Honoraria, Consultant Fees, Gratuities, Outside Employment, Holidays and Leave Regulations.

A. Probation.

Except in case of hiring for a new position within an employee's office or unit not involving significantly different job responsibilities all new Centro Legal employees or persons re-hired or hired for a new position by Centro Legal shall be on provisional employment status for a period of three (3) months following their dates of employment. In addition, the provisional status of attorney personnel who are not members of the Minnesota Bar shall continue sixty (60) days after they are admitted to membership.

During the period an employee is on provisional employment status, he or she may be terminated for cause, without right to review under the procedures provided herein or otherwise, by his or her Managing attorney.

B. Travel and Maintenance Expenses.

1. Reasonable travel expenses for trips outside the Metropolitan area will be allowed with the prior approval of Administration.
2. The use of personal vehicles in the discharge of official duties will require prior authorization of Administration. The employee will be reimbursed at a rate commensurate with that of other agencies, up to a specific amount per month as stated by the

Executive Director. At the time of approval, the employee shall be required to keep a record of the mileage driven (pm) official business for listing on the bi-weekly salary schedule for reimbursement.

26-24-

1-15

#### C. Salary Payment

Regular Centro employees are paid bi-weekly. Payroll deductions include Federal Income Tax (F.I.T.), Social Security (F.I.C.A.), State Income Tax (S.I.T.) and other deductions specifically authorized by the employee or required by law.

#### D. Honoraria, Consultant Fees, and Gratuities.

Honoraria and consultant fees earned by an employee while on Leave Without Pay or Annual Leave may be regarded as personal income. Honoraria earned during regular working hours or on sick leave must be turned over to the Administrator, except if earned on compensatory or vacation time. Centro Legal resources, including secretarial time, which are used in the course of activity for which an employee received compensation (e.g. an evaluation report of another legal services program), must be reimbursed to Centro Legal.

Employees may not accept money or any other gratuity offered to them by clients or from anyone else having a business relationship with the Centro Legal. Contributions may be made to the Centro Legal by sending a check or money order to the Administrator.

#### E. Outside Gainful Employment

1. Such employment shall not interfere with the efficient performance of the employee's duties with the Centro Legal;
2. Such employment shall not involve conflict of interest or conflict with the employee's duties with the Centro Legal;

3. Such employment shall not involve the performance of duties which the employee should perform as part of his employment with the Centro Legal; and
4. Such employment shall not occur during the employee's regular or assigned working hours with the Centro Legal, unless the employee, during the entire day on which such employment occurs is on either annual leave, compensatory time off or leave without pay.

5- No Legal Representation etc,  
D. Holidays

Centro Legal employees may observe the following holidays with pay:

New Year's Day - January 1

Dr. Martin Luther King's Birthday - January 15

Washington's Birthday - 3rd Monday in February

Memorial Day - last Monday in May

Independence Day - July 4

Labor Day - First Monday of September

Columbus Day - 2nd Monday of October or Friday immediately following Thanksgiving.

Veteran's Day - November 11

Thanksgiving Day - 4th Thursday of November

Christmas Day - December 25th or Religious Holiday of the person's religious preference

One Personal holiday - Birthday of employee choice  
When New Year's Day, Independence Day, or Christmas fall on a

Saturday, the Friday immediately preceding shall be taken as holiday leave; when one of these days falls on Sunday, the immediate succeeding Monday shall be observed.



Employees who request time off to attend services for religious occasions which are not holidays (such as Good Friday, Yom Kippur, etc.) may be granted up to three (3) hours off with pay. Additional hours off may be taken as Annual Leave.

In order to be paid for a holiday near the time of an employee's termination from Centro Legal, he or she must work through the Friday following the holiday.

#### G. Leave Regulations

For the purpose of computing vacation and sick leave, the calendar year, January through December will be used.

##### 1. Vacations

Annual leave will be accrued and computed once an employee has successfully completed the probationary period.

Vacation time will be requested in writing on the appropriate form and must receive administrative approval one (1) month before the vacation is taken.

For the first year, employees, receive approximately three weeks or 15 working days vacation leave. After the first year the employee receives four weeks or 20 working days vacation.

This Annual Leave begins to accrue at the pay period immediately following the date of employment at a rate of 4.5 hours per pay period. After the first year of employment, Annual Leave accrues at the rate of 6 hours per pay period (approximately 20 work days).

Annual Leave may not be taken for 60 days after the beginning of employment. If an official holiday falls while an employee is on Annual Leave, that day will not be deducted from their accrued Annual

*Date of  
Employment*

Leave. If an employee is sick while on Annual Leave, they may not charge that time to their accrued Sick Leave. An employee may retain an Annual Leave accrual of no more than 187.5 hours (25 days). Hours accrued in excess of that amount will be forfeited.

An employee planning to go on vacation may receive, upon presentation to the Administrator of their completed Time and Attendance Records for the anticipated vacation period, a pay check covering either the time he or she expects to be on vacation or the total amount of Annual Leave he or she has accrued, whichever is less.

No employee shall be paid for accrued Annual Leave except in the case of termination. If the employee is employed less than sixty (60) days, no payment for accrued Annual Leave shall be made upon termination. Payment for accrued Annual Leave may not be made until the employee's last regular working day has ended. A maximum of 187-1/2 hours (5 weeks) of accrued Annual Leave may be taken after the last regular working day.

All vacation time accrued shall be utilized in each calendar year and shall not be cumulative. Part-time employees and seasonal workers shall not accrue vacation leave.

## 2. Sick Leave.

Each eligible employee is entitled to 15 days Sick Leave per year.

Sick Leave begins to accrue thirty (30) calendar days from the day of employment at the rate of 4.5 hours per pay period, but may not be taken until the employee has been employed for sixty (60) calendar days. Thereafter Sick Leave may be used only when an

*issue*

employee or a dependent child is actually ill or for an employee's or dependent child's doctor appointment.

If an employee's accrued Sick Leave is depleted, any additional days they are not at work will be deducted from days of their leave.

Regarding the accrual of Annual and Sick Leave, employees on Voluntary Leave of Absence for 50% or more of a pay period will accrue nothing for that pay period. If the employee is on Voluntary Leave of Absence for less than 50% of a pay period, he or she will accrue Annual Leave and Sick Leave at the normal rate. No other benefits will be accrued.

Because of the difficulties presented the organization by granting such leave, approval will not be easily given.

Credit for unused sick leave may not be applied to any other form of leave nor may an employee receive payment for unused sick leave upon termination of their services.

Sick leave will be granted by the immediate supervisor upon satisfactory proof of illness, exposure to contagious disease or need to care for a member of his/her immediate family due to serious illness. In the event of an absence due to illness, the employee or a member of the employee's family must call in daily by 10:00 a.m. to the employee's immediate supervisor. If the illness is such that the employee will be absent more than one day, the employee must call in by 3:30 p.m. the day before. If the employee does not call in daily according to the established guidelines, disciplinary action will be taken by the employee's immediate supervisor. Failure to call in three days consecutively may be grounds for immediate dismissal.

### 3. Maternity Leave

Maternity leave shall be allowable up to one year without pay.

A female employee will be allowed to leave work prior to the expected date of the birth of her child at a time which is mutually agreed to by the employee and the office's managing attorney.

Consistent with the provisions of Minnesota Law, Sick Leave, and all accrued Annual Leave may be used during this period. When the aforementioned Leaves are exhausted, the employee will be considered to be on Voluntary Leave Without Pay, except in the case of an employee whose maternity results in personal illness which extends beyond twelve weeks. Such employee may continue to use her accrued Sick Leave, if such leave has not been previously exhausted, in the same manner she would were her illness due to other circumstances.

### 4. Jury Duty Leave

An employee who is summoned to perform jury duty is required to show the summons to his or her managing attorney. He/she is then eligible to receive full pay for a maximum of two weeks, during which no loss of accrued sick leave or accrued Annual Leave or Comp. time will be sustained. They shall be allowed to retain the full jury duty monetary compensation. If a jury duty obligation should exceed two weeks, determination of subsequent action will be made by the employee's supervisor and the Office's Managing Attorney.

#### 5. Leave Without Pay

Leave without pay may be approved in unusual situations to preserve an employee's continuity of service through a planned or emergency period.

All requests for leave without pay must be made in advance in writing and approved ~~in advance by Centro Legal~~ <sup>who in?</sup> (During periods of leave without pay, the employee will be responsible for continuing payment of his/her premiums for group insurance. Centro Legal will continue to pay the employer's premiums on insurance.)

#### 6. Involuntary Leave Without Pay

If an employee experiences a forced absence from his job because of sickness, or the like, and during said absence he or she exhausts all his or her Annual Leave and Sick Leave accruals, and is forced into Leave Without Pay, said employee will continue for ninety (90) calendar days to accrue Annual Leave and Sick Leave at his or her normal rate, and shall remain covered by Centro Legal's group medical insurance policy with Physicians Health Plan for the same period.

#### 7. Military Leave

Military leave will be given to employees who are member of the armed forces of the National Guard to enable them to meet the requirements of military service without loss of their benefits as employees. Such leave will be administered in accordance with provisions of the Universal Military Training and Service Act and the Reserve Forces Act of 1955.



8. Paternity Leave

*for Sick / in adoption*  
*Vac. Sick request payment in kind.*  
Paternity leave shall be allowable up to one (1) year without pay. Any accumulated sick time may be requested and payment received at any time during the scheduled Paternity leave time.

9. Funeral Leave

Death in the Immediate Family - An employee who suffers death in his or her immediate family will be given five days of time off with pay.

Immediate family shall be defined as including the employee's father, mother, husband, wife, brother and sister (including step or half), son or daughter (including step or adopted), father-in-law, mother-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents, grandchildren or compadres.

All other relatives, the employee may request time off not to exceed four (4) hours to attend the funeral held on the same day.

10. Election Day Leave

An employee will be given two hours off work with pay to vote on each official election day. The determination of which two hours off the day shall be taken off will be made by the employee's supervisor so as to assure adequate staffing of his or her office at all times.

Section 4. Office Procedures

A. Employment Procedures

1. Persons accepting employment with Centro Legal will be required to:
  - a. Complete an application for employment. Resumes will be submitted by all applicants.
  - b. Provide satisfactory references.

- c. Enroll in the Group Insurance Plan for Centro Legal which is effective after thirty (30) days of employment.
  - d. Prepare Employee's Withholding Exemption Certificates.
  - e. Supply Social Security registration number.
  - f. Provide names, addresses and telephone numbers of their closest relatives who may be notified in case of accident or serious illness. The employee is also responsible for keeping this information current.
2. When the decision to hire an employee has been made, Centro Legal will confirm the details of employment in writing. A copy of this letter will be retained in the personnel file and another copy will be sent to the Chairperson of the Personnel Committee of Centro Legal's Board of Directors.
  3. As a matter of policy and good practice, Centro Legal will not employ immediate family members of its staff, unless marriage occurs after employment.

#### B. Office Hours

Regular office hours are to be set by the Administration in accordance with program needs.

#### C. Employee Benefits

1. Group Insurance *no dup. health coverage*

Centro Legal shall provide Life Insurance, Accidental Death and Dismemberment benefits, as well as hospital and extended medical coverage benefits for all employees. All of the cost of this insurance is paid by Centro Legal. Additional family coverage (a

*empl.  
only*

*67.50 mos.  
184.60*

*Annual Cost of ↑*

major medical feature) is available and optional at cost to the employee, which is paid through payroll deduction.

A booklet, prepared by the insurance company, explaining the details of the plan is given to each employee at the time of his/her enrollment.

## 2. Workers Compensation

Centro Legal provides Workers Compensation protection to compensate employees for accidents and illness arising out of and as a result of employment.

## 3. Disability

In case of short term illness, the employee can use vacation time and sick days toward work days that fall within thirty (30) day period. Once illness is prolonged past thirty (30) days, the employee must apply for long term disability through their group insurance contract in order to be paid during that period.

## 4. Social Security

All employees are covered by Social Security benefits through their participation in this system. The employee contribution is made by payroll deduction.

## Section 5. Termination of Service

### A. Release

The term "release" refers to termination of employment by the agency for reasons beyond the control of the employee and bears no relation to employee job performance or conduct.

Should the agency be unable to continue a full-time employee (who has rendered satisfactory service) in his/her current position because of budget cuts, reorganization or discontinuance or

curtailment of a department, division or area of service, and is unable to offer some other mutually satisfactory assignment, the employee shall be released. Notification of release shall be given to the employee in writing by the agency Administration thirty (30) days in advance of date of separation. Accrued vacation credit will be paid upon termination of employment.

#### B. Dismissal

The term "dismissal" refers to termination of employment by the agency because of unsatisfactory job performance or misconduct. The employee shall receive a written notice of the reasons for dismissal. (Refer to causes for Disciplinary Action). An employee who has been notified of dismissal shall be entitled to an immediate appeal before a committee of the Board of Directors, appointed by the Chairperson within five (5) working days of notice of the appeal. This committee shall hear such an appeal within five (5) working days. If the appeal is sustained, the employee shall be reinstated without loss of salary or other benefits.

#### C. Resignation

The term "resignation" refers to the voluntary termination of employment on the part of the employee. In the event of resignation, the agency must receive written notice two (2) weeks in advance of the date of termination from support staff and thirty (30) days in advance of the date of termination from a profession employee. Accrued vacation credit will be paid upon termination of employment.

### Section 6. Disciplinary Action

Disciplinary action may be taken against any employee for good cause as specified in the following section. Such action is

taken by Centro Legal in consultation with the immediate supervisor. Such action will include either, I. written reprimand in employee's file, II. probation, III. suspension without pay, or IV. dismissal.

- I. Written reprimand in employee file. - In consultation with the Administration and use of Personnel Policies, the immediate supervisor of the accused employee shall determine severity of the offense and if deemed appropriate, a written reprimand shall be placed in the employee's personnel file.
- II. Probation - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall have a written reprimand placed in their file and placed on probation not to exceed 30 days in length. If the employee repeats the offense within that 30 day period, she/he shall face immediate suspension without pay not to exceed one week in length. Upon return if the employee again repeats the offense, it would be grounds for immediate dismissal. All action shall be recorded and placed in the employee's personnel file.
- III. Suspension Without Pay. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, the employee shall receive an immediate suspension without pay not to exceed one week in length



and placed on probation not to exceed 30 days. Upon the employee's return, if she/he repeats the offense within the probationary period, it may be grounds for immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

- IV. Dismissal. - In consultation with the Administration and use of the Personnel Policies, the immediate supervisor of the accused employee shall determine the severity of the offense and if deemed appropriate, recommend immediate dismissal. All disciplinary action shall be recorded and placed in the employee's personnel file.

The following will be cause of disciplinary action:

- a. Incompetency or inefficiency.
- b. Neglect of duty.
- c. Insubordination or willful disobedience of a lawful order of a supervisor.
- d. Dishonest/malfeasance.
- e. While under the influence of alcohol or drugs, an employee was engaged in service for Centro.
- f. Discourteous or offensive treatment to the general public or to other employees.
- g. Incapacity due to mental or physical disability that impairs job functions.
- h. Fraud.
- i. Theft, abuse, damage or willful negligence of agency property, equipment or supplies, pilfering.
- j. Absence without proper leave.
- k. Violations of the provisions of these personnel policies and procedures concerned with regulation of employees.
- l. Soliciting or taking money as gifts in connection with duty.

- m. Verbal/physical/sexual/racial harassment.
- n. Conviction of a felony, in accordance with statutes.
- o. Employee irresponsibility due to excessive absences.

## Section 7. Grievance Procedure

### A. Employees

The grievance procedure is a method established by Centro Legal to settle grievances on the part of any employee or group of employees.

Each Centro Legal employee has the right and the duty to appeal what he or she considers an unfair working condition caused by his or her supervisor, a fellow employee or a Centro Legal administrative rule or procedure. The following procedure must be followed in reviewing and settling and employee's grievance, with the understanding that he or she may be assisted by a representative of his or her choice at any level of review.

1. The employee shall first try to resolve his or her grievance with the supervisor, fellow employee or organizational official concerned.

2. If the employee is not satisfied with the understanding reached through such discussion, he or she shall take up the matter with his or her most immediate supervisor, or, if his or her most immediate supervisor was the person with whom he or she had the first discussion, he or she should follow step "3" below;

3. If the employee is dissatisfied with the understanding reached through consultation with his or her immediate supervisor he or she may appeal within five (5) working days in writing to the Managing Attorney or his or her designee. The

Managing Attorney or his or her designee will consult with the employees and others concerned, and will try to resolve the grievance;

4. If suitable adjustment cannot be reached throughout consultation with the Administration the aggrieved may request in writing and be granted a review and hearing by the Chairperson(s) or a committee the Chairperson may appoint.

5. If further satisfaction is desired, a written report with evidence bearing on the issues submitted to the Chairperson(s) or his/her committee shall next be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of action taken at each level of the grievance procedure to be filed with the Administration. No more than seven (7) calendar days shall elapse from the date of receipt of the grievance before action is taken on each level of procedure. Any grievance filed by the agency management shall be submitted in writing and submitted to the Chairperson(s) or a committee the Chairperson may appoint.

#### B. Clients

The grievance procedure is a method established by Centro Legal, Inc. to settle grievances by any clients.

1. The most effective way of preventing and adjusting grievances is through a formal complaint in writing between the client and the supervisor of the accused. The supervisor shall give prompt and fair attention to any such grievance presented. After reviewing the client's written complaint and the staff's written

interpretation of the incident in question, the supervisor of the accused shall render a decision.

2. If the aggrieved person is not fully satisfied with a decision at this level, the matter shall be presented in writing to the Administration.

3. If suitable adjustments cannot be reached through consultation with the Administration the aggrieved may make a request in writing and be granted a review and hearing by the chairperson(s) of a committee the Chairperson may appoint.

4. If further satisfaction is desired, a written report with evidence bearing on the case shall be submitted to the Board of Directors for review, hearing and action. The decision of the Board shall be final and binding on all parties concerned.

A written record shall be kept of actions taken at each level of the grievance procedure to be filed with the Administration. No more than seven calendar days shall elapse from the date of receipt of the grievance before action is taken at each level of the procedure.

#### Section 8. Miscellaneous

A. Reimbursement will be given for successful completion of post-secondary courses that are specifically job related not to exceed one (1) course per quarter. Reimbursement must be approved by the Administration in advance.

B. Affirmation Action Officer "A.A.O. Designee" - Managing Attorney

C. Equal Employment Opportunity Officer "E.E.O.O." - Administrator