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PERSONNEL POLICIES AND PROCEDURES

OF

MIGRANTS IN ACTION

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I. INTRODUCTION

STATEMENT OF PURPOSE

The Board of Directors of Migrants In Action, Inc. issues this statement of personnel policies and practices as the official understanding of the obligations of the Board of Directors and the employees to each other and to the public. Its purpose is to insure consistent personnel practices designed to utilize the human resources of the agency. This statement will function as the guide to development and maintenance of detailed personnel procedures.

STATEMENT OF RESPONSIBILITY

The Board of Directors is the source of authority concerned with setting personnel objectives and issuing policy statements All staff will be under the policy authority of the Board of Directors. The Executive Director will have the authority and be responsible for the implementation of this policy statement. for the development of detailed procedures consistent with its intent.

STATEMENT OF COVERAGE

This statement, as approved by Migrants In Action, Inc. establishes the standard of conformance for its personnel and any delegate agencies it may choose to contract. The personnel, including those staff members of any delegate agencies which may be contracted by Migrants In Action, Inc., shall hereafter be referred to as the members of M.I.A.

STATEMENT OF ORIENTATION

well receive and It is expected that each employee read the manual and be familiar with its contents. Temporary employees will not be provided with a copy of the manual but such employees will have available to them the policies and requirements of the agency.

II. NON-DISCRIMINATORY

Λ. POLICY

Migrants In Action, Inc. does not discriminate because of race, creed, age, sex, color, national origin, marital status, religious, union, or political affiliation in its procedures of employment, upgrading, demotion, lateral reassignment, transfer, recruitment, advertising, layoff, termination, rates of pay or other compensation, selection for training, or any other benefits.

ADVERTISING

1. All advertising will contain the statement, "Equal Opportunity Employer".

2. No position advertisement, nor job description or job analysis on which it is based, may be written or used in any manner designed to or in any manner resulting in discrimination. All such will contain notice of the equivalent experience which would qualified them for the position, in lieu of the formal qualifications.

C. GRIEVANCE

Any grievance arising under this section will be handled through the MIA grievance procedure.

III. RECRUITMENT

A. AUTHORITY

The Executive Director is hired by the Board of Directors and is authorized to hire all other personnel. In addition, the Executive Director may delegate the responsibility of hiring employees to the chief deputy, or deputies.

B. OPPORTUNITY

Recruitment of personnel will be designed to provide the maximum employment opportunity for area residents and groups served, including persons over 55 year of age.

C. NOTICE

In addition to any advertising, notice of all positions for which vacancie exist will be posted at each facility (address) of MIA. Program participants and present staff will have the right to apply to fill any vacancy.

D. APPLICATIONS FOR EMPLOYMENT

The following statement will be placed on M.I.A.'s application for employment forms in order to insure accurate information.

"A false or dishonest answer to any question on this application will be grounds for rating you ineligible for employment with this agency, or for dismissal after employment. All statements on this application are subject to verification. All information will be considered in determining your eligibility for employment with this agency."

F. RECRUITMENT EXPENSES

1. <u>Interview Expenses</u>. When an applicant is invited for an interview for the position of Executive Director of MIA, or the chief deputy or deputies, the travel and per diem for that interview will be paid. Such payment must be in accord with established funding source regulations. Employment agency fees will not be paid for by MIA.

IV. SELECTION FOR EMPLOYMENT

A. POLICY

It is the policy of MIA to fill vacancies with the best qualified candidate. Opportunity for employment will be open to any person, who on the basis of merit can present satisfactory evidence of qualifications for the position.

B. HIRING PROCEDURES

- I. Notifications Affirmative Action of position opening.
- II. MIA at this time recognizes three levels of hiring:
 - Executive Director
 - Supervisory
 - Staff

The Board of Directors is responsible for the hiring of the Executive Director.

The Executive Director is responsible for the hiring of the other personnel.

The administrative staff will act as a team to interview supervisory staff with the final authority to hire to be held by the administrative staff person who will have responsibility for the person being hired.

Personnel will be interviewed by the Supervisor and his/her administrator however, the supervisor will maintain the authority to hire the staff person.

C. SUBVERSIVE ACTIVITIES

Membership in organizations whose objectives include overthrowing the government of the United States by force or violence is inconsistent with the aims of MIA and no such member may become or remain an employee of this agency.

D. PAST OFFENCES

MIA expects to employ only persons who can perform their duties with competence and integrity. In the case of professional, fiscal, and managerial personnel, recent conviction of a serious crime may be considered strong evidence of lack of fitness for the job. Before MIA employs anyone in such capacity, a person who has been convicted of a serious crime, MIA will conduct an investigation in accordance with fair standards and procedures. If MIA finds that the prior conviction does not disqualify the person for the proposed position and agrees to the appointment, they must notify the national DOL. In the case of other positions including clerical and non-professional jobs, criminal records by

themselves will not constitute a basis for disqualification for employment, but MIA will require full disclosure of any such record by the applicant and shall exercise prudent judgement in relation to the position to be filled.

E. CONFLICT OF INTEREST

It is expected that the staff of Migrants In Action regard their employment with dedication, loyalty, and sincerity. Therefore, employees will not accept part-time work or other employment outside the agency that will conflict with their MIA duties and responsibilities. Prior approval to accept any outside employment must be obtained from the Executive Director.

F. NEPOTISM

- 1. No employee shall hold a job with this agency while he/ she or any member of his/her immediate family (as defined below) serves on the governing board.
- No employee will hold a job over which a member of his/ her immediate family exercises supervisory authority.
- 3. No two members of the same immediate family will work in or out of the same office, unless waived by the Executive Director and/or administrative staff.
- 4. Immediate family is defined to include:

Husband Father Aunts
Brother Mother Uncles
Father-in-law Daughter Nieces
Mother-in-law Son Nephews
Wife Son or daughter First Cousins

Sister in-law
Brother or Sister

Brother or Sister in-law

G. POLITICAL ACTIVITIES

Employment shall not be offered as a consideration or reward for the political support of any political party or candidate for public office. All personnel will comply with the provisions of the Hatch Act as amended, which limits political activities of employees.

V. CONDITIONS OF EMPLOYMENT

A. PROBATION

All new staff members will be hired for a ninety (90) calendar day probationary period. During such probationary period MIA or the individual may terminate the employment relationship without the usual advance notice. The employee accrues no rights or benefits during this period, except the accrued vacation & sick leave. At its successful completion, all rights and benefits accrued and annual leave will then become retroactive to the date of employment. This probationary period may not be extended,

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except with special authorization and by the authority of the Executive Director.

B. EMPLOYEE CONDUCT

All employees are expected to conduct themselves at all times in a manner befitting their status as employees of MIA. They will refrain from any action and avoid any kind of public pronouncement which reflects adversely upon MIA.

An employee should exercise the utmost discretion in regard to all matters of official business and records.

Any information which has been received by an employee on a confidential basis, whether written or oral, must be maintained in confidence.

C. PUBLIC STATEMENTS

An employee may not speak to the press as an official spokesman of MIA without prior clearance by the Executive Director. All inquiries from the press should be referred to the Executive Director. Any deviation from this policy will be considered a serious infraction of regulations.

D. PUBLIC APPEARANCE

An employee asked by an outside agency or organization to appear as a guest speaker, invited program participant, or representative from MIA, must obtain prior clearance from the Executive or Deputy Director. Honorariums received by any employee while speaking on behalf of MIA will be reported and turned in to the agency.

E GIFTS AND GRATUITIES

Members of MIA are prohibited from accepting gifts, money, and gratuities from persons receiving benefits or services under contract to MIA or otherwise in a position to benefit from an employee's action.

F. ORIENTATION

On or about the first day of work the employee will be informed of all MIA policies and practices, receive printed materials on policies and fringe benefits and complete a variety of payroll and fringe benefits.

VI. EMPLOYEE DEVELOPMENT

A. CAREER DEVELOPMENT

MIA will provide its employees the opportunity for career

development and advancement by building into its programs and positions, plans enabling job progression vertifically and horizontally.

B. TRAINING

In-service training will be provided by MIA within available resources, which will provide staff with the skills, training, and experience necessary to enable job progression. Attendance at training meetings is mandatory and is recognized as an important means for staff development. Within budget limitations, expenses may be paid by MIA for such meetings. Upon the discretion of the Executive Director, attendance at formal education institutions, where such contributes to increased job capability. may be arranged by an employee during regular working hours, provided that time off from work does not exceed regular working hours, provided that time off from work does not exceed eight (8) hours per week, and travel allowances and/or tuition assistance may be granted upon the discretion of the Executive Director to members of MIA who wish to increase their job capabilities through GED, college, vocational training, etc. The Executive Director will be advised of any employee attendance at formal education institutes.

C. PROMOTIONS AND TRANSFERS

Effort will be made to fill position vacancies by promoting qualified persons from within MIA. Position vacancies will be posted at every facility of MIA. Present staff may apply for any vacancy and the personnel records will be reviewed to determine if the employee has the qualifications necessary to fill the vacancy.

Transfer from one location to another or one position to another, will be made in the best interest of MIA, the individual, and the community.

D. PERFORMANCE EVALUATIONS

- 1. Performance evaluation is designed to improve the employee's understanding of her/his job, the standards for her/his work and to encourage employee development. Additionally, it provides a basis for periodic salary adjustments.
- 2. A written performance evaluation of each new employee will be performed by his/her immediate supervisor at the end of the first 90 calendar days of employment.
- 3. An employee who assumes a new job position will be evaluated at the end of 90 calendar days.
 - 4. All employees will be evaluated semi-annually by the Supervisor.
 - 5. Each evaluation will be reviewed by the supervisor. The employee being evaluated will have the opportunity to comment upon and sign the evaluation.

- 6. The Executive Director will be evaluated by the Board of Directors.
- 7. Any employee dissatisfied with his/her evaluation may appeal it through the chain of command to the level of the Executive Director. Evaluations which do not result in disciplinary action such as probation are not appealable to the Board of Directors.
- 8. Any employee whose work does not merit a positive evaluation may be placed on probation for a period not to exceed 30 days. The probation must include written notification to the employee of the probation as well as the steps to be taken to get off probation. During the time of probation, she/he is to be given every opportunity, including intensive supervision to bring her/his performance up to standard. Failure to improve will result in termination. An employee who improves satisfactory must be so informed in writing at the end of the 30 day probationary period. There will be a performance evaluation ar the end of the probationary period.

VII. POSITIONS AND SALARIES

A. POLICY

MIA will maintain a program which established and monitors job qualifications, responsibilities, and salary standards for its employees.

B. JOB ANALYSIS - JOB DESCRIPTIONS

MIA will annually conduct a job analysis - job evaluation on each position of MIA., following recommended standard procedures. From this, job descriptions will be rewritten for each position if deemed necessary. Every employee will be given a copy of his/her individual job description and asked to sign and a copy will be filed in his/her personnel folder.

C. WAGE COMPARABILITY

MIA will annually conduct Wage and Salary Comparability studies following recommended standard procedures. Salaries will be comparable for similar responsibilities in other public agency program areas.

D. SALARY SCHEDULES

Salary ranges and schedules will be determined for each job title annually. When at all possible all budget projections will be based on the salary schedules. The Board of Directors set the salary of the Executive Director. The Executive Director set the salaries of all other employees.

E. MINIMUM WAGE

All employees of MIA will be paid at least the minimum wage.

F. CLASSIFICATIONS OF POSITIONS

- 1. All positions will be classified as to permanent or temporary, full or part-time.
- 2. <u>Permanent Full Time</u>: Those employees who work a regularly schedules eight hours day, 40 hour week, for nine (9) or more months in any program year.
- 3. Permanent Part Time: Those employees who work a regularly scheduled time amounting to less than eighthours per day, 40 hours a week for nine (9) or more months in any program year.
- 4. Temporary Full Time: Those employees who work a regularly scheduled time amounting to an eight hour day, 40 hour week for less than nine months in any program year.
- 5. Temporary Part Time: Those employees who work a regularly scheduled time amounting to less than eight hours per day and/or 40 hours a week for less than nine months in any program year.
- 6. Temporary employees who work 9 or more months in any program year will be considered permanent employees beginning in the 10th month and be cligible for benefits accordingly.

G. PERSONNEL RECORDS

- 1. Personnel records, by individual, will be maintained centrally by MIA. Each file will contain the complete history of the person's employment, with MIA starting with the application and including all subsequent actions.
- 2. The individual personnel file is regarded as confidential material and will be treated as such. The only persons with access to the file will be the employee, his immediate supervisor, the Executive Director, and the person designated by the Executive Director to maintain the personnel files. The Executive Committee will have access to the files if a dispute arises concerning the employee which requires committee action.
- 3. By law, employee names, salaries, and job descriptions are public information.
- 4. Reprimands and warnings in the employee's file will be removed after twelve months. Records of probation will be removed after 24 months. Records of suspension and/or termination will not be removed.

VIII. PAYROLL AND WORK SCHEDULES

A. PAY PERIOD

There will be 26 pay periods per year issued semi-monthly.

B. PAY DAY

Pay day is 31st. and the 15th. When pay day falls on an official holiday, checks will be issued the preceeding day.

- C. <u>DEDUCTIONS</u>: Deductions from pay checks will include:
 - 1. Mandatory Federal and state taxes; social security.
 - 2. Voluntary (upon written authorization of employee) Credit union, Pension Plan, United Fund, and Federal Savings Bond.
 - 3. Involuntary By court order only.

MIA - Participation in Insurance plans is approved by the Board of Directors.

D. SALARY ADVANCES

- 1. Employees taking annual leave may request payment in advance for the pay period encompassed by the leave whenever a pay day falls furing the time of paid leave. No advance payment may be made for unearned annual leave.
- 2. There will be salary advances to an employee for emergencies if approved by supervisor.

E. WORK SCHEDULE

- 1. Regular working hours for all full-time personnel will be 7½ hours per day excluding one hour for lunch based on a scheduled assignment by immediate supervisor. Part-time personnel will work an established schedule. May September 8:30 6:00 pm.
- 2. The regular work week will consist of five consecutive days, Monday through Friday.
- 3. In field locations, an employee's work week may vary from this form and will be established by the appropriate division or department head. Scheduling will insure that personnel are available whenever field locations are open to the public.
- 4. Any change in the established work schedule must be authorized in advance in writing by the appropriate division or department head. Employees requesting a change must do so in writing and provide full justification.
- 5. Employees who find they will be unable to work on time or unable to report for a full day must inform their immediate supervisor at their earliest opportunity. Failure to do so will result in no pay for the time missed. Good and sufficient reason must be provided for any tardiness or absence.

F. OVERTIME - COMPENSATORY TIME

- 1. Overtime will not be paid to any member of MIA. MIA will neither expect nor require continous overtime.
- 2. Such overtime work as is required will be compensated for by time off, provided that no more than 40 hours may be accumulated at one time. Compensatory time will be on a one-to-one basis to regular working hours. In addition, over-time hours will be assigned. Not more than 3 days of comptime may be used consecutively. Comp-time not used will be lose after December 31st. Using comp-time must be pre-authorized by Supervisor.
- 3. Overtime work for which compensatory time is arranged is work which:
- a. is established as a specific MIA function.
- b. is accomplished at time other than the normal working hours of the employee; and
- c. is requested by the employee's supervisor.
- 4. Failure to take compensatory time within calendar year will result in that time being lost, unless such failure is due to a crisis that demands that the employee be present. In such cases, the Executive Director will approve compensatory time when suitable. Such exceptions will be in writing.

G. SALARY INCREASES

- 1. Merit Increases Salary Increasements (raises) will be awarded on a merit basis and/or at the time of following promotion.
- 2. Cost of Living Increases.
- a. Cost of living increases may be given an employee at the recommendation of the Executive Director, provided that the Board of Directors has authorized the expenditure of funds in this manner.
- b. Cost of Iiving increases are restricted to employees who have not received a merit increase of over three percent (3%) in the current program year.
- 3. Cost of living increases may be received at the beginning of each program year following the annual anniversary date of the employee's starting work for the agency.

IX. EMPLOYEE BENEFITS

A. SICK LEAVE RATES

- 1. Permanent full-time employees will earn sick leave at the rate of 8 hrs. per month of employment, accrued on the first day of the month following the month of employment, and retroactive to their date of employment.
- 2. Permanent part-time will earn sick leave according to the fraction of the full-time rate they work. That is, the employee who works 20 hours per week or one-half the full-time rate will earn sick leave at the rate of onehalf (4 hrs.) per month accrued on the 1st day of the month following the month of employment.
- 3. Temporary employees will not earn sick leave.
- 4. Sick leave will be pro-rated in cases where the employee is employed or resumes employment during the month.

B. SICK LEAVE POLICIES

- 1. No sick leave may be taken in advance of being earned.
- 2. Illness extending beyond earned sick leave will be charged against earned annual leave.
- 3. Sick leave may be accrued up to a total of 480 hrs.
- 4. Sick leave is taken only for employee illness or illness in the employee's immediate family. The employee's immediate family for sick leave purposes includes:

Husband Brother Daughter
Wife Sister Son
Father-in-law Mother Son or Daughter - in-law
Mother-in-law Father Brother or Sister -in-law

- 5. At the discretion of the Executive Director, absences due to serious illness extending beyond earned leaves may be extended on a "leave without pay" basis.
- 6. No payment shall be made for unused earned sick leave at termination of employment.
- 7. Sick leave may be taken during probationary period.

C. ANNUAL LEAVE RATES

1. Permanent full-time employees will earn annual leave according to their length of employment, accrued on the first day of the month following the month of employment. First year employees will earn eight (8) hours per month. Second year employees will earn ten (10) hours. Five years or more, eleven hours per month will be earned.

- 2. Permanent part-time employees will earn annual leave according to the fraction of the full-time rate they work. That is, the employees who work 20 hours per week or one-half the full-time rate, will earn annual leave at the rate of four (4) hours per month accrued on the first day of the month following the month of employment.
- 3. Temporary employees will not earn annual leave.
- 4. Annual leave will be pro-rated in cases where the employee is employed or resumes employment during the month.

D. ANNUAL LEAVE POLICIES

- 1. No annual leave may be taken in advance of being earned.
- 2. Annual leave may be accrued up to a total of 260 hrs. Annual leave in excess of 260 hrs. will be lost.
- 3. Holidays occurring during the time of annual leave will not be charged against such leave.
- 4. Annual leave may not be taken during any period of probation.
- 5. Employees leaving the staff of MIA, whether voluntarily or involuntarily, will be paid for all accrued annual leave.
- 6. All absences from work not covered by sick leave will be charged against annual leave, or leave without pay.
- 7. Requests to take annual leave must be made in advance of the date and must be authorized in writing by the employee's supervisor.
- 8. Plans for scheduling of annual leave will be formulated by the respective division or department head as feasible.

E. MATERNITY & PATERNITY LEAVE

- 1. The purpose of maternity leave is so that the parent may physically recover and care for the child in the crucial six weeks after birth.
- 2. Recognizing that pregnancy is a natural function and not an illness, the policy for maternity leave will be that permanent full-time employees will be compensated with full salary up to six (6) calendar weeks after the birth of the baby. The leave must be authorized by the Executive Directo and will not be charged to annual or sick leave.
- 3. A minimum of seven (7) months of full-time employment will render employees eleigible for maternity and paternity leave.

4. Remuneration for leave will be paid according to the following schedule:

Three days after the birth - three regular working weeks salary.

Three calendar weeks after returning to work - three regular working weeks salary.

Both payments will be by lump sum.

- 5. Leave without pay may be taken in combination with maternity leave.
- 6. The employee will accrue annual or sick leave while on maternity leave.
- 7. Paid paternity leave up to four (4) working days may be granted to fathers of newborn children. This leave will not be charged to sick or annual leave and must be approved by the Executive Director.

F. JURY DUTY

Leave with full pay (less pay received for jury service) will be granted for those on jury duty. The employee must provide verification of jury duty and jury pay.

G. MILITARY LEAVE

- 1. Any employee who presents official orders requiring his/ her attendance for a period of training or other active duty as a member of the United States Armed Forces, State Reserve Corps, or State Guard will be entitled to military leave for a period not to exceed two (2) weeks or ten (10) working days.
- 2. Military leave is without pay.

H. EXCUSED ABSENCES

- Supervisors may excuse employees they supervise for such reasons as: Reasonable time in which to vote, to permit saf travel under hazardous road conditions, for the purpose of donating blood, etc.
- 2. Absences due to death in the employee's immediate family will not exceed five (5) days. This absence will be authorized in writing by the Executive Director and will not be charged to leave.

I. LEAVE WITHOUT PAY

1. All other leaves are without pay and must be authorized in advance in writing by the immediate supervisor.

- 2. An employee who has been an employee for a period of six months is eligible for leave without pay for a period not to exceed six months. This will apply mainly to maternity cases.
- 3. The employee who has unused annual leave may use this in addision to leave without pay.
- 4. With the employee's written consent, the necessary funds may be deducted from the last pay check to pay Health & Life Insurance costs while the employee is on maternity leave.
- 5. An employee on leave without pay will have retention rights to her/his position. Her/his replacement, while on leave, will be classified as a temporary employee.

J. HOLIDAYS

 There will be (10) ten officially observed holidays for MIA personnel. All classifications of MIA personnel will observe the following:

Floating Holiday
Mexican Independence Day
New Years Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day
Veteran's Day
Easter
President's Day

September 16
January 1
July 4
1st Monday in September
4th Thursday in November
December 25

Easter Monday February

- 2. In addition, the Executive Director, on special occasions and consistent with religious and local business practices, may excuse staff member or members.
 - 3. If a holiday occurs on Saturday, the preceeding Friday will be observed; if on Sunday, the following Monday will be observed.

K. INSURANCE

- 1. All full-time permanent employees will be enrolled in an on-going group health and life insurance policy paid by MIA, the first 10.00 paid by employee, after thirty (30) days of employment.
- 2. Temporary full-time employees will not be enrolled; however, they will have the option to join and pay for their own insurance.
- 3. Any employee enrolled in the policy has the option to continue on the policy after termination, providing that she/he assumes the cost of coverage.

- 4. Each employee is responsible for completing and returning their portion of insurance claim forms.
- 5. When an employee is injured in the performance of their job, it is their responsibility to immediately report the injury to their supervisor and the main office of MIA.
- 6. All employees will be covered by Workmen's Compensation Insurance.
- 7. If an employee of the agency is receiving disability payments from MIA group health policy and/or workmen's compensation insurance policy, his/her salary from sick and/or annual leave will be reduced in such a way that the employee will be compensated for no more than his/her full salary.
- 8. While on disabled status, (receiving disability payments), an employee's sick and/or annual leave will be charged for his/her salary according to what is actually paid by MIA.
- 9. The employee must immediately report and provide verification of disability payments.

X. EMPLOYEE EXPENSES

A. REIMBURSEMENT POLICY

Employees will be reimbursed for on-the-job expenses such as official telephone calls, parking, and the like, subject to the established travel policies and consistent with budgets of MIA and by the policies of the funding sources. Lunches must be pre-authorized.

B. OUT-OF-TOWN EXPENSES

Within budget limitations, out of town, on-the-job expenses may be paid subject to the authorization of the Executive-Director. Travel and per diem payments may not exceed the limits set by funding sources and agency policies for travel.

C. <u>AUTOMOBILE EXPENSES</u>

Use of personal car:

- 1. All travel must be approved in advance by the employee's supervisors.
- 2. Employees will be reimbursed on a mileage basis, at the budget authorization rate, not to exceed limits set by funding sources, for the use of the personal car in connection with authorized work connected with job responsibilities.
- All employees using a personal car for MIA business must carry liability insurance, and proof of liability coverage must be filled annually with MIA Accounting Department.

4. All employees will comply with the travel policies contained in this manual immediately following the Personnel Policies.

XI. CONDUCT

A. POLICY

As the basic standard in MIA, employees are to be informed of the behavior expected of them and the rules, regulations, policies, procedures, and practices by which they must abide. Disciplinary action results from a failure to abide by such.

B. PRACTICE

It will be the practice of MIA to put in writing its rules, regulations, policies, and practices. All new employees will be orientated to such at the time of employment.

C. STANDARDS OF CONDUCT

The standards of employee conduct normally required in any place of employment (such as no fighting, obscenities, use of alcoholic beverages on the premises, theft or misuse of equipment or furnishings, or gambling) will be the standard of employee conduct of MIA. whether or not such are in writing.

D. DISCIPLINARY ACTIONS

Disciplinary action will be of four types:

Reprimand
 Probation

3. Suspension 4. Termination

E. REPRIMANDS

- Reprimands are placed in writing, signed by the Employee, with a copy given to the employee, and must contain the specifics of the conduct for which the employee is being reprimanded.
- Reprimands should be preceded by verbal warnings. A record of such warnings should be signed by the employee and supervisor and maintained in the appropriate department of division files.
- 3. Any two reprimends in any twelve month period automatically places the employee on probation. Three reprimends in any twelve month period constitute cause for termination.
- 4. The employee's immediate supervisor may initiate a reprimand. The department head or division director's signature is required.

- 5. Reprimands may be appealed to the level of the Executive Director and no higher, except when three (3) reprimands in twelve months are cause for termination.
- 6. Failure to perform efficiently in work situation is grounds. for reprimand.
- F. <u>DISCIPLINARY PROBATION</u> (Not to be confused with performance evaluation probation).
 - 1. Probation is in writing, signed by both the employee and Executive Director with a copy given to the employee, and must contain both:
 - a. The specifics of the conduct for which the employee is being placed on probation; and
 - b. The specific criteria which must be met for the employee to get off probation.
 - 2. Probation is for a period of not more than 90 days and may not be extended. At the end of the probationary period, the employee must be informed in writing that she/he has completed the probation satisfactorily, or that she/he is being terminated.
 - 3. Any two disciplinary probations in any twelve month period and/or any three such probations within any 24 month period is cause for termination. No employee may go on vacation while on probation.
 - 4. The employee's immediate supervisor may initiate a probation. The Executive Director's or Deputy Director's concurring signature is required.
 - 5. Probations may be appealed to the level of Executive Director and no higher except when several such results in termination, the Doard may review those probations on appeal of the termination.
 - 6. Failure to perform efficiently in work station is grounds for probation.

G. SUSPENSION

- 1. All suspensions are without pay and result in either full reinstatement with back pay or termination.
- 2. An employee is subject to suspension when there exists a question regarding either:
 - a. His violation of written DOL and/or MIA policy.
 - b. Activity in opposition to the stated aims or goals of the agency.

- 3. An employee on suspension is to leave work and not to report to work until instructed to do so.
- 4. All suspensions must be recommended to the Executive Director; only he/she may suspend an employee.
- 5. All suspensions are automatically appealed to the Board Committee. The Committee must initially review a suspension within five (5) working days of the suspension.
- 6. All suspensions must be in writing with a copy given to the employee.
- 7. The Board of Directors or its designated committee will be notified immediately of any suspension by the Executive Director.
- 8. Failure to perform efficiently in work station is grounds for suspension.

H. INVOLUNTARY TERMINATION

- 1. All involuntary terminations are ordered by the Executive Director upon the recommendation of the staff.
- 2. All terminations are in writing with a copy for the employee.
- 7. All involuntary terminations are for one of four causes:
 - a. Failure to perform efficiently in work station.
 - b. Failure to abide by written MIA policy or activity in opposition to the stated aims or goals of the agency. (This differs from suspension in that there is no question that the act occured).
 - c. Inappropriate behavior including but not limited to:
 - 1) Use of alcoholic beverages on the premises of the agency or during regular working hours.
 - Appearing for work under the influence of alcoholic beverages, unprescribed habit forming drugs or hallucinagenic materials.
 - Şexual indiscretions.
 - 4) Fighting or attempting to injure others.
 - 5) Falsifying or misusing records including applications
 - d. Failure to meet the terms of probation (performance) evaluation or disciplinary actions.
- 4. All involuntary terminations are automatically reviewed by the Personnel Committee of the Board of Directors within ten (10) days of the termination.

5. All involuntary terminations receive no severance pay apart from that time already worked and accrued annual leave.

XII. TERMINATION OF EMPLOYMENT

A. VOLUNTARY TERMINATION

Employees earning \$8,000/year or above will be required to give notice in writing of intent to leave not later than three weeks prior to their leaving, except during probationary periods. All employees making less than \$8,000/year will be required to give notice of intent to leave not later than two weeks prior to their leaving except during probationary periods.

B. AGENCY TERMINATIONS

- 1. Termination of an employee's services by the agency due to reduction on forces, budget cut-backs, reassignment of duties or as a result of probation for inefficiency will require the agency to give notice in writing to the employed
 - a. At least four weeks in advance for employees making \$8,000/year.
 - b. At least two weeks in advance for employees making under \$8,000/year.
- These terminations must be authorized by the Executive Director and are automatically appealed to the Board of Directors.

XIII. GRIEVANCES

A. <u>COVERAGE</u>

Any employee has the right to appeal personnel actions taken in regard to her/him.

- 1. Suspension (automatic to Personnel Committee)
- 2. Involuntary terminations (automatic to Personnel Committee)
- 3. Transfers to other positions Executive Director
- 4. Change in working hours or classification Exec. Director
- 5. Change in salary Executive Director.
- 6. Agency terminations Executive Director
- 7. Appeal to termination Board of Directors

B. APPEAL NOTICE

- 1. All appeals must be made in writing to the Executive Director.
- 2. All appeals must be made within ten (10) calendar days of the action.
- 3. If the employee is not satisfied with the decision of the Executive Director and administrative staff; then the employee may appeal in writing to the Board Chairperson.

C. INITIAL HEARING

All appeals will have at least an initial hearing or review within ten (10) working days of the filing of the appeal.

D. EMPLOYEE RIGHTS

The employee will have the right to appear with legal counsel and the right to hear charges, evidence, and witnesses agains him/her and the right to cross examine.

E. APPEAL PROCESS

If the action of the Board Committee is not satisfactory to the employee, final appeal may be made to the full board. Beyond this, remedy may be sought through any other measure available by law.

F. VICLATIONS

It will be a violation of the policies of MIA for any employee or member of the Board of Directors to interfere with, threaten, coerce, discharge, retain, or otherwide discriminate against any employee or other person because he has filed a complaint, given testimony, or otherwise appeared before the Board of any of its committees with a grievance or an appeal.

XIV. AMENDMENTS

A. OPERATIONAL STATEMENT

This policy statement supersedes and rescinds all previous personnel policy practices statements and becomes the official statement of MIA.

B. AMENDMENT PROCESS

- 1. Amendments may be recommended at any regular meeting of the Board of Directors by its designated committee.
- 2. After study by the Board of Directors or its designated committee and opportunity for comment by the Executive

Director, an amendment may be passed by one-half of the members of the full Board at any regular meeting, provided that all members of the Board have been mailed a copy of the proposed amendment at least five days in advance of the meeting.

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C. ANNUAL REVIEW

This policy statement will be reviewed annually by the Board of Directors through its designated committee. Employees of MIA will be advised in advance of the scheduled review and be given opportunity to submit recommended changes.