

NE Colorado Association of Local Governments

(NECALG)

Employer Handbook

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IMPORTANT NOTICE

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH NECALG AND PROVIDE SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE ORGANIZATION'S GUIDELINES AND OUR EXPECTATIONS REGARDING YOUR CONDUCT. THIS EDITION SUPERCEDES AND REPLACES ALL PREVIOUSLY ISSUED EDITIONS AND ANY INCONSISTENT VERBAL OR WRITTEN POLICY STATEMENTS ISSUED PRIOR TO THIS HANDBOOK.

EXCEPT AS MAY BE REQUIRED BY STATE LAW, EMPLOYMENT WITH NECALG IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY REASON. THE ORGANIZATION HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK, ANY BENEFIT PLAN, AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED; NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF NECALG, OTHER THAN THE EXECUTIVE DIRECTOR OR HIS OR HER AUTHORIZED REPRESENTATIVE, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE EXECUTIVE DIRECTOR OR HIS OR HER AUTHORIZED REPRESENTATIVE AND THE EMPLOYEE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES WHO HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO REVISE, DELETE, OR ADD TO THE PROVISIONS IN THIS HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE ORGANIZATION, RESERVES THE RIGHT TO MAKE SUCH CHANGES WITH OR WITHOUT PRIOR NOTICE. NO ORAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THIS EMPLOYEE HANDBOOK.

Employment

EQUAL EMPLOYMENT OPPORTUNITY/UNLAWFUL HARASSMENT

The Organization is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law.¹ This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

ADA and Religious Accommodation

The Organization will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to NECALG or cause a direct threat to health or safety. The Organization will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the Organization. Employees needing such accommodation are instructed to contact their supervisor or the Human Resources Office immediately.

Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the Organization will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the NECALG's business operations.

The Organization may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact the Human Resources office. The Organization will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

Sexual Harassment

The Organization strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.

- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. NECALG expects employees to make a timely complaint to enable the Organization to investigate and correct any behavior that may be in violation of this policy.

Report the incident to your immediate supervisor, the Human Resources Office, or the Executive Director, who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. The Organization prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If the Organization determines an employee's behavior is in violation of this policy, disciplinary action will be taken, up to, and including termination of employment.

Hiring of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is defined as any person who is related to you by blood or marriage.

You may not occupy a position that works directly for or supervises a relative.

If two people who are in a reporting situation described above subsequently develop a relative relationship, the person in the relationship who is the supervisor is responsible and obligated to disclose the existence of the relationship to management. We will then ask the individuals involved to decide which one of them is to be transferred to another available position. If that decision is not made within 30 calendar days, NECALG will decide who is to be transferred or, if necessary, terminated from employment.

The Organization may hire spouses who are qualified for certain jobs. Should a spouse [or party to a civil union] be hired or should an employee marry [or form a civil union with] another employee, the following guidelines apply:

A spouse [or party to a civil union] may not directly or indirectly supervise or be supervised by the other spouse.

A spouse [or party to a civil union] may not be hired for a position that audits, verifies, receives, or is entrusted with monies received or handled by the other spouse.

Neither spouse [or party to a civil union] may work in a department that handles confidential matters including payroll and personnel records.

In the event two employees marry [or form a civil union] and one of the above situations applies, the Organization will try to arrange a transfer. If no such transfer is available, one of the employees must terminate within 90 days from date of marriage [or registration of the civil union certificate]. The decision as to which one resigns will be left to the two employees.

EMPLOYEE STATUS

Full-time Employee

An employee who is not in a temporary status AND who works an average of 40 hours per week at NECALG. Full-time employees are currently eligible for Organization benefits.

Part-time Employee

An employee not in a temporary status AND who works an average of 39 hours per week or less. Part time employees may be eligible for some Organizational benefits. Please see "Benefit Plans" on the following page for more information about eligibility. Those who work 30 hours or greater may be eligible for participation in health care. Status will be evaluated every six (6) months in November and May for this determination.

Temporary Employee

An employee who is hired to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond the initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until they are notified of a change. Temporary employees receive all legally mandated benefits (such as PERA and workers' compensation insurance), and may be eligible for other benefit programs.

Exempt Employee

An employee who is not eligible for overtime pay.

Nonexempt Employee

Nonexempt employees are eligible for paid overtime or compensatory time at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours per workweek.

Employee Benefits

BENEFIT PLANS

The Organization's comprehensive benefits package includes a number of different plans for staff members. While some of the benefit programs offered may require you to contribute to the cost, some programs are fully paid by NECALG. The Organization currently offers these plans:

Medical Insurance Plan

Helps pay covered medical expenses for you and your family. Available to employees working an average of 30 or more hours per week.

Life Insurance Plan

Provides up to \$50,000 of Life Insurance to employees working at least 24 hours or more. Specific policy coverage is dependent upon age and employment category.

AFLAC

Supplemental insurance including accident, cancer, disability, etc. Available to all employees working an average of 20 hours or more per week.

Cafeteria 125 Plan

A Cafeteria Plan (Flexible Spending Account) is an employee benefits program designed to take advantage of Section 125 of the Internal Revenue Code. A Cafeteria Plan allows employees to pay certain qualified expenses (such as health insurance premiums) on a pre-tax basis, thereby reducing their total taxable income and increasing their spendable/take-home income. Funds set aside in Flexible Spending Accounts (FSAs) are not subject to federal, state, or Social Security taxes. Available to employees working an average of 20 hours or more per week.

Vision Insurance Plan

Provides to you and your eligible dependents vision coverage at group rates. Available to employees working an average of 30 or more hours per week.

Dental Insurance Plan

Provides to you and your eligible dependents dental coverage at group rates. Available to employees working an average of 30 or more hours per week.

PERA 401-k and Life Insurance

All employees are eligible for the 401-k savings plan and life insurance plan offered through PERA.

For more information about these Plans, please refer to the Summary Plan Description or contact the Human Resources Department. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

PERA RETIREMENT PLAN

NECALG does not participate in Social Security. NECALG is currently enrolled in the Public Employers Retirement Association of Colorado (PERA). All employees will be required to participate in this retirement plan.

Colorado Public Employees' Retirement Association (PERA) provides retirement and other benefits to the employees of more than 500 government agencies and public entities in the state of Colorado. Established by state law in 1931, PERA operates by authority of the Colorado General Assembly and is administered under Title 24, Article 51 of the Colorado Revised Statutes. In accordance with its duty to administer PERA, the Board of Trustees has the authority to adopt and revise Rules in accordance with state statutes.

Members of PERA include employees of the Colorado state government, public school teachers in the state, many university and college employees, judges, many employees of cities and towns, State Troopers, and the employees of many other public entities.

PERA is a substitute for Social Security for most of these public employees. Benefits are pre-funded, which means while a member is working, he or she is required to contribute a fixed percentage of their salary to the retirement trust funds. Employers also contribute a percentage of pay to the trust fund.

The trust funds are then invested by PERA under the direction of the Board of Trustees. PERA's investment strategy uses actuarially established investment objectives with long-term goals and policies.

HOLIDAYS

NECALG gives holiday time off to all fulltime employees on the following holidays:

- New Year's Day
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day

We provide holiday time off with pay to eligible employees immediately upon assignment to full time employment classification

Also, to be paid for a holiday, an eligible employee must not have time without pay on the last scheduled work day immediately preceding the holiday and the first scheduled day immediately following the holiday. Specifically, employees who terminate employment prior to a holiday will not be entitled to the holiday pay or employees whose hire date of employment is the day after a holiday.

When a holiday falls on a Saturday, it is observed on the preceding Friday. When the holiday falls on a Sunday, the following Monday is observed. Should any one of the observed holidays occur during an employee's vacation period, an additional day of vacation may be granted.

Holiday time is not counted as hours worked in the computation of overtime. Full-time employees receive eight hours of holiday pay at their regular rate of pay. If a staff person is scheduled to work other full-time hours such as four 10-hour days, Holiday pay will not be granted if falls on a day that employee is not scheduled to work.

For the above named NECALG Holidays, the compensated rate shall be time and a half for actual hours worked.

SICK LEAVE PAY

Full-time employees currently are credited eight hours of sick leave pay for each full month worked. Sick leave benefits will accrue at the rate of 8 hours per month. You may use sick leave benefits after one month of employment. Sick Leave cannot be used before it is accrued. The accrual date is the last working day of the pay cycle.

When unable to report to work due to illness, employees must give their supervisor as much advance notice as possible before the start of their shift.

You may use sick leave benefits for an absence due to your own illness or injury, or that of your child, parent, or spouse. You may not use sick leave to supplement time lost due to a work-related injury or to supplement or fill in hours on a weekly timesheet.

Sick leave is allowed to accumulate from year to year up to a maximum of 72 days (576 hours). Each November, NECALG will pay employees who have unused sick leave in excess of 480 hours, 100% of the difference between hours accumulated and the hours that are allowed to be carried forward.

Upon termination of employment, employees will be reimbursed for unused accrued leave hours based upon a vested schedule. This is dependent upon program funding availability and approval, and is not guaranteed. For any employee that will not reach a minimum of five (5) years employment the following schedule will apply:

- Less than one (1) year, 0% of remaining accrual hours
- One (1) year, but less than two full years, 20% of accrual value
- Two (2) years, but less than three full years, 40% of accrual value
- Three (3) years, but less than four full years, 60 % of accrual value
- Four (4) years, but less than five full years, 80% of accrual value, and
- Five (5) years or greater, 100% of accrual value

Unless authorized by the Program Director/Executive Director, sick leave is not to be used in the last two (2) weeks of employment.

VACATION

Full-time employees are currently granted paid vacation.

The amount of paid vacation time you receive each year increases with the length of your employment. The length of eligible service is calculated on the basis of a "benefit year." A "benefit year" is defined as the 12-month period that begins when you start earning vacation time.

- Employees with less than 8 years of employment will earn leave at the rate of 5% of the hours worked per pay period with a maximum accumulation of 8 hours per month
- Employees between 8 and 15 years of employment will earn leave at the rate of 6.25% of the hours worked per pay period with a maximum accumulation of 10 hours per month
- Employees with 16 or more years of employment will earn leave at the rate of 7.5% of the hours worked per pay period with a maximum accumulation of 12 hours per month

Once you enter an eligible employment classification, you begin to earn paid vacation time according to the schedule in this policy. However, before you may use vacation time, you must complete a waiting period of 90 calendar days. After the waiting period, you may request to use earned vacation time including vacation time that accrued during the waiting period.

An employee shall not be permitted to utilize vacation leave prior to the completion of a leave request form with the written approval of his/her supervisor and Executive/Program Director. Utilization of vacation leave without the above authorization may result in the loss of pay for the period absent. Request for vacation leave in excess of three days shall be submitted at least one week in advance of the requested commencement date of such leave. Any failure to comply with these request requirements shall constitute grounds for the denial of vacation leave. PRIOR AUTHORIZATION IS REQUIRED.

Vacation leave may not be used before accruing the time. The accrual date is the last working day of the pay cycle.

Vacation must be used within twelve months after accrual or it will be lost. You may not carryover more than the maximum amount earned in the year. For employees with less than 8 years of service the carryover amount is 96 hours, employees between 8 and 16 years of service the carryover amount is 120 hours and employees with 16 or more years of service will have a carryover amount of 144 hours.

Vacation time is paid at your base pay rate at the time of the vacation.

Vacation time does not count towards the calculation of comp time and/or overtime. Compensatory time and overtime are paid based on actual hours worked.

Upon termination of employment, employees will be reimbursed for unused accrued leave hours based upon a vested schedule. This is dependent upon program funding availability and approval, and is not guaranteed. For any employee that will not reach a minimum of five (5) years employment the following schedule will apply:

- Less than one (1) year, 0% of remaining accrual hours
- One (1) year, but less than two full years, 20% of accrual value
- Two (2) years, but less than three full years, 40% of accrual value
- Three (3) years, but less than four full years, 60 % of accrual value
- Four (4) years, but less than five full years, 80% of accrual value, and
- Five (5) years or greater, 100% of accrual value

Unless authorized by the Program Director/Executive Director, vacation leave is not to be used in the last two (2) weeks of employment.

Leaves of Absence

DOMESTIC ABUSE LEAVE²

Employees subject to domestic abuse may be eligible for a leave of absence. Please see the Human Resources Department for more information.

BEREAVEMENT LEAVE

Full-time employees are currently eligible for paid leave of up to five days to attend the funeral of an immediate family member. Immediate family is defined as the employee's spouse, parents, children, sisters, brothers, grandparents, grandchildren, mother-in-law, and father-in-law.

In the event of a death of a near relative, full-time employees are currently granted up to one paid day to attend a funeral. Near relatives, include the employee's aunts, uncles, nieces, nephews, and their spouse's grandparents, brothers, sisters, and other close relatives.

If more time off is needed than provided above, other leave may be granted upon the approval of the supervisor/manager.

JURY DUTY³

The Organization recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform his or her duty as a juror. If the employee is excused from jury duty during his or her regular work hours, he or she is expected to report to work promptly.

Employees receive regular pay for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of ten days (80 hours). Jury duty beyond this time is without pay from the Organization.

FAMILY AND MEDICAL LEAVE

The Organization provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain

financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."

Benefits and Protections

During FMLA leave, the Organization maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the Organization for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave

Eligibility Requirements

Employees are eligible if they have worked for this Organization for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the Organization. The Organization uses the 12-month period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Organization's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Organization's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

The Organization requires employees to use accrued paid leave while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with the Organization's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the Organization's paid leave policies, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Organization's normal call-in procedures.

Employees must provide sufficient information for the Organization to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Organization if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The Organization may require second and third medical opinions at the Organization's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the Organization's attendance guideline. Employees on leave must contact the Human Resources Manager at least two days before their first day of return.

The Organization's Responsibilities

The Organization will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the Organization will provide a reason for the ineligibility.

The Organization will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Organization determines that the leave is not FMLA-protected, the Organization will notify the employee.

Unlawful Acts

FMLA makes it unlawful for the Organization to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Organization.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

MILITARY LEAVE

Employees granted a military leave of absence are re-employed and paid in accordance with the laws governing veteran's re-employment rights. The Organization pays for the first 15 days of leave. After that time, leave is without pay.⁴

The Organization may deny leave where the employee's leave may endanger a person's health or safety or result in a halt of service or production.

PERSONAL LEAVE

Normally, personal leaves of absence are not granted. If, on rare occasions, management deems the circumstances warrant approval, an unpaid leave for non-medical reasons would be granted for not more than 30 days.

Pay

BUSINESS TRAVEL EXPENSES

NECALG will reimburse employees for reasonable business travel expenses under the following circumstances:

1. Travel has been approved in writing by the Executive Director or appropriate Program Director.
2. The authorized trip is to a destination outside of Northeastern Colorado Region.
3. An authorized trip generally includes overnight travel for business or training, but could be authorized if the employee is out of the Region for at least seven (7) hours. See your Program Director before assuming any non-overnight trip will include a paid meal(s).
4. A meal is served as part of a scheduled meeting or training

Expenses that generally will be reimbursed include the following:

- * Per Diem Rates
- * Airfare or train fare for travel in coach or economy class or the lowest available fare.
- * Car rental fees, only for compact or mid-sized cars.
- * Mileage costs for use of personal cars, only when less expensive transportation is not available.
- * Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- * Cost of meals, no more lavish than would be eaten at the employee's own expense.

The State of Colorado has adopted the CONUS Rate system for reimbursement of personal expenses. NECALG will utilize the greater of the CONUS rates or the local rate established by the Board of Directors.

See your Program Director or Finance/HR Officer for current reimbursement rates

Reimbursement for actual costs of commercial air travel will be allowed. Only the lowest fare available will be reimbursed such as coach or tourist class seating. Documentation will be an airline passenger coupon.

Reimbursement for actual cost of rental cars will be allowed when a rental car is required. The lowest practical rate should be obtained. Additional insurance coverage should be waived if your own car insurance covers rental cars.

Mileage for the use of private vehicle for NECALG business will be allowed for only one person in the vehicle and will be reimbursed at the rate established by the Board of Directors.

Lodging accommodations will be reimbursed at the actual cost. Employees are encouraged to be reasonable in their lodging choices.

Incidentals such as taxi fares, bus fares, toll fees, baggage tips, and parking will be reimbursed at actual costs. Receipts are required.

At the discretion of the Executive Director or Program Directors, NECALG may provide cash advances to cover the reasonably anticipated expenses for an approved trip. If you think you need a cash advance, submit a written request to your supervisor if possible three (3) weeks in advance of travel

A combination of per diem and actual receipts may be used for any trip. However, one method or the other must be used for each full day.

OVERTIME/COMPENSATORY TIME⁵

All nonexempt employees must record all time worked and all compensatory time taken on departmental timesheets. All overtime must be approved in advance by the supervisor.

Overtime and/or compensatory time at the rate of time and one-half the employee's base rate will be earned when work is performed in excess of 40 hours in one week. For purposes of calculating overtime, the workweek begins at 12:00 a.m. midnight Sunday and ends at 11:59 p.m. Saturday. The 40-hours threshold is based on actual hours worked in the week. Therefore, sick time, vacation, holiday, or other paid or unpaid leave time is not included in calculating the 40-hours threshold.

The compensatory time balance is payable to the nonexempt employee at termination.

Compensation during Leave

Paid vacation and sick leave taken will be paid at the employee's regular rate.

Holiday Pay

For eligible employee's holiday pay will be paid at the regular rate. For NECALG Holidays (See Page 8), the compensated rate shall be time and a half for actual hours worked.

Eligible Hours Tracking

It is the responsibility of the supervisor to maintain all appropriate records, which identify and track schedules, hours, and leave availability.

PAYDAYS

Employees are paid on the last business day of every month. If the regular payday occurs on a holiday, the payday is the last working day prior to the holiday.

On each payday, employees receive a statement showing gross pay, deductions, and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through the Human Resources office.

Monthly payroll will be direct deposited to a bank or credit union of your choice. If you do not have and do not wish to open a bank/credit union account, you will be issued a "pay card" that your pay will be credited. See the Finance/HR Officer for specifics.

Your monthly payroll statement or "pay stub" information will be emailed to you at an address of your choosing.

PAY FOR EXEMPT EMPLOYEES

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a monthly basis. The Organization is committed to complying with salary basis requirements which allows properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to the Finance and Human Resources office. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

TIME REPORTING

Nonexempt employees are required to maintain a time card and time sheet daily. At the conclusion of each pay period (the 16th of the month), employees must sign the time card and timesheet and submit it to their immediate supervisor for signature and approval

Nonexempt employees must take a full 30-minute lunch period. Notify your supervisor immediately, if your lunch is shorter than 30 minutes or if your lunch is interrupted by work.

Exempt employees are required to maintain a monthly timesheet and submit a signed copy to their supervisor on the 16th of each month.

These records are the only ones used by the Organization to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Employees are expected to submit accurate and complete time records reflecting all hours worked. Employees who also choose to keep their own personal time records must provide them to the Organization if they find a discrepancy between the Organization's records and their records. Employees should contact their supervisors with any questions about how their pay is calculated. Employees must promptly notify their supervisors of any mistakes in their time records or pay. Employees also must notify one of these individuals if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated and appropriate corrective action will be taken. The Organization will not tolerate retaliation against employees for making a report or participating in an investigation.

WORK ENVIRONMENT

ALCOHOL AND DRUGS⁶

NECALG wants to provide a drug-free, healthful, and safe workplace. To meet this goal, we expect you to report to work in a mental and physical condition that enables you to perform your job in a satisfactory manner. While on NECALG premises or while conducting business-related activities off NECALG premises, you may not use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. We permit the legal use of prescribed drugs on the job only if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering others.

It is a violation of policy for any employee to report to work under the influence of illegal drugs. An employee must notify the Executive Director of NECALG within 5 days if he or she is charged with or convicted of a violation of any criminal drug statute, in the workplace or while performing any work for NECALG.

Any individual applying for a position within NECALG will be required to pass a pre-employment drug test. Any employee driving a vehicle owned by NECALG who is involved in an automobile accident must advise his/her immediate supervisor as soon as possible. Prior to returning to work, the employee must complete a drug and alcohol test.

NECALG also participates in random and reasonable suspicion testing. Any employee tested for reasonable suspicion or asked to take a random test in accordance with policy for either drug or alcohol misuse will be suspended from duty with pay until the results of the test are received. If the result is negative, the employee will be returned to work. If the result of the test is positive, the employee will be terminated.

Compliance with a drug-free workplace is a condition of employment with NECALG. If you violate this policy, it may lead to disciplinary action, up to and including immediate termination of your employment.

ANTI-VIOLENCE⁷

Employees must not engage in intimidation, threats or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on to Organization property, or any other act, which in management's opinion is inappropriate to the workplace. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any prohibited conduct to management.

Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

APPEARANCE AND ATTIRE

At NECALG, personal appearance, hygiene, and attire are very important. A professional image must be maintained to instill confidence in the minds of our customers. This helps ensure our Organization's success. Employees' appearance should be consistent with good hygiene, safety, and what our Organization considers appropriate business attire.

Business casual attire, designed to create a more relaxed way of dressing for employees, is often acceptable. Business casual means business appropriate. Business casual never means sloppy. All clothes must be clean, pressed, and wrinkle-free. The workday is not the weekend. If you are not sure, do not wear it.

ATTENDANCE AND PUNCTUALITY

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable.

Failure to call in when absent may result in termination.

COMMUNICATION SYSTEMS

The Organization's computer network, access to Internet, e-mail, and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the Organization. All information regarding access to the Organization's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential Organization information and may not be disclosed to non-Organization personnel.

All computer files, documents, and software created or stored on the Organization's computer systems are subject to review and inspection at any time. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Computer equipment should not be removed from the Organization premises without written approval from a department head. Upon separation of employment, all communication tools should be returned to the Organization.

Personal Use of the Internet

The Organization prohibits the display, transmittal, or downloading of material that is in violation of Organization guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

Software and Copyright

The Organization fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in Organization facilities.

Unauthorized Use

Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the Organization communication systems in ways that management deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

E-mail

E-mail is to be used for business purposes. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. The

Organization prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail or anywhere else on Organization premises at any time. Management may monitor e-mail from time to time.⁸ Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

Voice Mail

The Organization voice mail system is intended for transmitting business-related information. Although the Organization does not monitor voice messages as a routine matter, the Organization reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

Telephones/Cell Phones/Mobile Devices

Confidential information should not be discussed on a cell phone or mobile device. Phones and mobile devices with cameras should not be used in a way that violates other Organization guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest in a shoulder lane or lawfully parked.

The Organization telephone lines should not be used for personal long-distance calls.

CONFIDENTIAL INFORMATION

Employees of the Organization will have access to confidential information of the Organization and our clients.

Disclosure of confidential information might seriously damage the Organization and/or our clients and therefore such action will not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the employer and must be returned to the Organization upon separation or at any time upon demand.⁹

Employees will be required to sign a confidentiality agreement as a condition of employment.

CONFLICT OF INTEREST/OUTSIDE EMPLOYMENT

Employees involved in or contemplating outside work should discuss the issue with their supervisor. Despite any outside employment or business venture, employees are still required to perform their duties with Northeastern Colorado Association of Local Governments.

Any conflicts with a second job will not be acceptable excuses for not meeting expectations or attendance requirements, including any overtime work.

Any outside work must not create or appear to create a conflict with NECALG business interests. For example, any outside work must not compete with any current or planned products or activities at NECALG. Employees are not permitted to use any of NECALG's

equipment or paid time off benefits for purposes related to an outside job.

If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved, refer the matter to the Human Resources office for a final decision.

DISCIPLINE/DISCHARGE

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which in its opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

JOB RELATED PROBLEMS

Employees who disagree or are dissatisfied with an Organization practice should promptly discuss the matter with their immediate supervisor, where appropriate. Normally, this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while they are fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to the Human Resources office. If the problem still cannot be resolved, employees may submit a written complaint to the Executive Director and/or Board of Directors for review and final decision about the situation. Also see the EEO/Harassment Complaint Procedure on page 5.

REFERENCES

The Organization does not furnish open letters of recommendation addressed "To Whom It May Concern."

If employees receive a call inquiring about a former employee, please refer the caller to Human Resources. Only the Human Resources Officer and/or Human Resources Assistant has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

REPORTING RESPONSIBILITY/WHISTLEBLOWER PROTECTION

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that NECALG can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of NECALG's code of ethics or suspected violations of law or regulations that govern NECALG's operations.

No Retaliation: It is contrary to the values of NECALG for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of NECALG. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

PERSONNEL FILES

The Organization keeps a personnel file as a record of your employment. It is important for this record to be up-to-date and complete. This enables us to reach you in an emergency, forward your mail, and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other things that concern you as an individual.

Notify the Human Resources Department immediately if you have changes in any of the following areas: Name, residence, telephone, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information.

Additionally, you should notify the Human Resources Department if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the Organization.

If you want to look at your file or discuss it with someone, contact the Human Resources Department.

SAFETY/REPORTING OF INJURY OR ACCIDENT¹⁰

The Organization is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must immediately report this fact in writing to the Human Resources office.

If medical treatment for an on-the-job injury is needed, it must be obtained from one of the Organization's designated physicians. If not, the employee may be responsible for the cost of medical treatment.

In the event that you are involved in an accident while traveling on business, immediately report the incident to your supervisor and the Executive Director.

SMOKING¹¹

It is our objective to provide a smoke-free environment within our Organization. Smoking is prohibited within all areas of the building. Employees may smoke in designated outdoor areas. This restriction applies to all employees and visitors, at all times, including non-business hours. This is comprehensive of all NECALG properties, including vehicles.

SEPARATION OF EMPLOYMENT

We request that employees who wish to resign their positions notify the Organization of their anticipated departure date and go over the "check out" procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with the Organization maintained satisfactory performance and attendance.

WORK SCHEDULES

Work schedules for employees vary throughout NECALG. Your supervisor will advise you of your specific work schedule. Some positions may require flexibility in the hours of work. The supervisor will identify these positions and the hours of work will be approved by the Executive Director.

The standard workweek for full time employees of NECALG normally is as follows: Monday through Friday 8:00 a.m. to 4:30 p.m. including 1/2 hour per day for an unpaid meal break.

ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED_____. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH NORTHEASTERN CO ASSOCIATION OF LOCAL GOVERNMENTNS IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE ORGANIZATION HAS THE SAME RIGHT.¹²
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE ORGANIZATION'S GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE ORGANIZATION THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- NO REPRESENTATIVE OF NORTHEASTERN COLORADO ASSOCIATION OF LOCAL GOVERNMENTNS, OTHER THAN THE ELECTED OFFICAL OR AGENCY HEAD OF THE ORGANIZATION, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE ELECTED OFFICAL OR AGENCY HEAD AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Employee Name

Date

¹ The Colorado Anti-Discrimination Act adds sexual orientation (including gender identity) and marital status to the statuses protected by federal law. C.R.S. § 24-34-401, et seq. State law should be checked for use in other states. This catch-all language is intended to encompass all state and local protected statuses; however, employers who wish to may choose to list state and local protected classes here instead.

² Colorado law permits an employee to request or take up to three working days of leave from work in any 12-month period, with or without pay, if the employee is the victim of domestic abuse, stalking, sexual assault, or any other crime related to domestic abuse. C.R.S. § 24-34-402.7. Although a handbook guideline is not required by the law, employers may wish to have one to make employees aware of this leave. State law should be checked to see if leave similar to this is available in other states where the employer operates.

³ Colorado law requires employers to pay employees for the first three days of state or county jury service. C.R.S. §§ 13-71-126 and 13-71-133. Pay beyond this time is at the employer's discretion. State law should be checked for requirements outside Colorado.

⁴ Colorado law requires public sector employers to grant service members military leave without loss of wages for the first 15 days, and to maintain seniority, status, efficiency rating, vacation, sick leave, and other benefits of the service member for the first 15 days of a leave of absence. C.R.S. § 28-3-601.

⁵ To substitute compensatory time for overtime pay, federal law requires public sector employers to communicate the compensatory time guideline in writing at the beginning of employment.

⁶ Many public sector employers are covered by the federal Drug Free Workplace Act. A sample conforming to that Act's requirements is available in our Employee Handbook Planning Guide.

⁷ Colorado law requires public sector employers to allow employees with concealed weapons permits to have firearms at work, with some exceptions. Secured facilities, which are public buildings with security personnel or electronic weapon screening permanently in place, are exempted from this requirement and weapons can be banned. Additionally, schools are permitted to ban weapons.

⁸ The Colorado Open Records Act requires public sector employers to advise employees of the circumstances under which monitoring will be conducted.

⁹ Listed information should be consistent with any formal confidentiality agreements with individual employees and should not contain an overbroad definition of confidential information which would include an employee's terms and conditions of employment.

¹⁰ State workers' compensation laws may vary. Colorado law requires employees to report the illness or injury within four days or risk losing one day of benefits for each day they are late. Colorado's law also requires employers to designate two physicians for the employee to choose treatment from at the time of a job-related injury. State law should be checked for requirements in other states.

¹¹ Colorado's Clean Air Act and various local smoking ordinances restrict smoking in the workplace. State law should be checked for requirements in other states.

¹² If your organization follows due process rather than at-will employment, see Employee Handbook Planning Guide Acknowledgement of Receipt for sample language.