**Employment Policies and Procedures**

**Washington Access Fund**

**FY14**

# **I. INTRODUCTION**

The purpose of this document is to bring together in a convenient place a summary of some of the policies and procedures that affect employees. Employees should read this Handbook, become familiar with its contents and refer to it whenever a question regarding employment with the Access Fund arises. If this document does not answer the question, employees should contact the Executive Director for assistance.

This document revokes and supersedes any prior summaries or statements of employment policies and procedures. The Fund expects to revise and update this document from time to time. It will advise employees of changes, additions or deletions in policies and procedures by circulating such changes or additions or deletions in writing.

**II.** **EMPLOYMENT STATUS**

## **At-Will Employment**

This document is not a contract of employment nor is it a promise of specific treatment in specific circumstances or situations. Employment with the Fund is “at-will.” “At-will” means that either the Fund or the employee may terminate the employment relationship at any time, with or without cause, with or without notice. Only the Access Fund Board has the authority to enter into any agreement for employment for a specified period of time, or to make any representations or agreements that are inconsistent with the at-will status.

## **Classifications of Employees**

The following are the employee classifications used by the Access Fund. An employee may fall into more than one of these categories:

1. Regular Full-Time Employee: An employee who is hired to work at least 40 hours per week.
2. Regular Part-Time Employee: An employee who is hired to work less than 40 hours per week.
3. Temporary Employee: An employee who is hired with the expectation that he or she will be needed for a limited period of time, generally not more than six months.
4. Stipended Volunteers: An employee who is paid by another entity such as the Corporation for National Service (e.g., Americorps, VISTA ) but who is assigned to, and supervised by, the Fund. Stipended employees are subject to the terms and conditions of this employment policy except where such policies conflict with those set by the Corporation for National Service.
5. Nonexempt Employee: An hourly employee who is eligible for overtime pay for all hours actually worked in excess of 40 hours in a week in accordance with applicable federal and state wage and hour laws.
6. Exempt Employee: An employee who is paid a fixed salary on a weekly, monthly, or annual basis and who otherwise meets the criteria for exclusion under the applicable federal and state wage and hour laws, including but not limited to, executive, administrative, or professional employees. An exempt employee is not eligible to receive overtime pay.

# **III. WORK WEEK AND DAILY SCHEDULE**

## **Work Week and Scheduling**

The standard work week for all full-time employees is 40 hours.  Individual work schedules will be established by the Executive Director and may require work on evenings and weekends. If, owing to an unforeseen emergency, an employee is unable to work when scheduled, he/she should immediately notify their direct supervisor or the Executive Director.

For payroll and overtime computation purposes, the regular workweek begins at 12:01 a.m. on Monday and ends at 12:00 p.m. the following Sunday. The Fund’s normal business hours are from 9:00 am to 5:00 pm Monday through Friday. The Access Fund reserves the right to change the regular workweek, the normal business hours, or the normal workday with prior notice to employees.

## **Rest and Meal Periods**

All nonexempt employees receive a 10-minute paid rest break for each four hours of working time. The employee's supervisor may schedule the breaks which should generally occur near the midpoint of each four-hour work period. Nonexempt employees working more than five hours in a day are required to take a meal break two to five hours into their shift. The normal meal break is a 30-minute unpaid period. Any non-exempt employee who works at least ten hours in a day is required to take a second 30-minute unpaid meal period around the middle of the second five-hour period. Any non-exempt employee who is unable to take his or her rest or meal period must notify his or her supervisor promptly so that the Fund can reschedule the break/meal period or otherwise ensure that the employee receives proper compensation.

# **iV. COMPENSATION**

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## **Pay Periods and Paydays**

Access Fund employees are paid every other Friday (26 pay periods per year) for pay periods ending the prior Friday.

## **Payroll Deductions**

Law requires the following payroll deductions: FICA (social security), Medicare, and federal income tax. Other deductions require an employee’s written authorization. Examples of additional deductions include direct deposit, deductions for your portion of any insurance premiums, or retirement plan contributions.

## **Overtime**

Non-exempt employees will receive overtime at one- and one-half times the regular rate of pay for all hours actually worked over 40 hours in one week. All overtime work must be authorized in advance, unless an emergency, by a supervisor. Exempt employees work whatever hours are necessary to complete their work and do not receive overtime compensation but, with the approval of the Executive Director may take compensatory time off.

Time that is paid, but not actually worked, like sick leave, vacation, and holidays, does not count as “hours actually worked” when computing overtime.

## **Timekeeping**

Employees shall maintain accurate and complete records of hours worked and record absences due to illness, injury, vacation or holidays on a daily basis on timesheets provided by the Access Fund.

## V. **Performance Appraisals**

Regular performance appraisals provide an opportunity to clarify job responsibilities and goals for employment, to discuss how well the employee is meeting expectations, and to explore possibilities for development and advancement. Performance appraisals are also part of the Fund’s personnel records. Employees will be required to sign each performance appraisal to indicate that it was reviewed; an employee’s signature does not signify that the employee agrees with the Fund’s evaluation of the employee’s performance.

Performance appraisals of all regular employees and stipended volunteers occur at the discretion of the Executive Director and may be conducted by the Executive Director:

* after the employee’s first three months in a new position;
* annually to coincide with the employee’s anniversary date.

Performance appraisals may be conducted at other times at the sole discretion of the Fund.

Performance appraisals of the Executive Director will be conducted by the Board’s Executive Committee (President, Vice President, Treasurer and Secretary) annually – such review to be completed at least one month prior to the annual meeting.

**VI. EMPLOYEE RELATIONS**

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## **Personnel Records**

Personnel records, including medical information about an employee, are confidential. Access will generally be limited to those who have a need to know the information. Under some circumstances, the Fund may be required to provide personnel records under federal or state law, or in response to a court order. Employees may discuss their wages, benefits, or other terms and conditions of employment with other employees or third parties at their choosing. Employees may review their personnel records at a mutually convenient time during business hours and may add additional items to the file. Any concerns regarding the completeness or accuracy of the information contained in the personnel file should be discussed with the Executive Director. The Fund also reserves the right to provide references regarding former employees.

## **Personal Information**

Employees should notify the Executive Director of any personal changes relevant to Access Fund operations, including but not limited to addresses, telephone numbers, number of dependents, change in marital status or other personal information so that the Fund may keep personnel and benefits records accurate and up-to-date and so that it can communicate with employees as needed.

## **Expense Reimbursement**

Reimbursable employee expenses include: mileage for use of a personal vehicle on Access Fund business and parking. Other transportation expenses and meals and lodging also are reimbursable when the employee is out of town or when such expenses are approved by the Executive Director. Mileage for use of personal vehicles on Access Fund business will be reimbursed at the IRS rate then in effect. Employees must obtain prior approval from the Executive Director for any meal, lodging or other expense and/or to use a personal vehicle on Fund business. To receive reimbursement, an employee must complete and return to the Executive Director (or in the case of the Executive Director, to the Board Treasurer), a reimbursement request with original receipts attached within 30 days.

## **Equal Employment Opportunity & ANTI-HARASSMENT**

The Access Fund’s Equal Employment Opportunity and anti-harassment policies apply to, and are intended to protect, employees, Board members, volunteers, clients and business associates.

The primary mission of the Washington Access Fund is to promote access to technology and economic opportunity for individuals with disabilities. The Access Fund is an equal employment opportunity employer. Every employee has the right to work in surroundings that are free from all forms of unlawful discrimination. The Fund will not engage in or tolerate any discrimination in the workplace prohibited by local, state or federal law. Specifically, no employee will be discriminated against on the basis of his or her race, gender, religion, creed, age, physical or mental disability, marital status, sexual orientation, national origin, ancestry, genetics or genetic markers, political ideology, veteran status or any other basis prohibited by applicable federal, state or local law.

*Disability Accommodations:* Any employee who needs reasonable accommodations for a disability, as defined under state or federal law, should notify the Executive Director. The need for accommodations is determined on a case by case basis.

## ***ANTI-HARASSMENT POLICY***

Harassment in employment based on gender, race, creed, disability, national origin, religion, age, disability, pregnancy, ancestry, genetics or genetic markers, political ideology, veteran status, sexual orientation or any other status protected by local, state or federal law is strictly prohibited. The Access Fund does not tolerate harassment, based upon any protected status, by anyone in the workplace - supervisors, co-workers, or non-employees. Employees who violate this policy are subject to discipline, up to and including possible termination.

What Is Harassment?

Examples of harassment based on race, national origin, religion, age or disability can include, but are not limited to:

* Cartoons or other visual displays of objects, pictures or posters that depict such protected groups in a derogatory way;
* Verbal conduct, including making or using derogatory
comments, epithets, slurs and jokes towards such groups.

Sexual harassment is generally defined as unwelcome sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature when:

• Submission to such conduct is made either explicitly or implicitly a term or condition of employment;

• Submission to or rejection of such conduct affects employment opportunities; or

• The conduct interferes with an employee’s work or creates an intimidating, hostile or offensive work environment.

Sexual harassment includes harassment based on another person’s gender or harassment based upon pregnancy, childbirth, or related medical conditions. It also includes harassment of another employee of the same gender as the harasser.

Examples of sexual harassment include, but are not limited to, the following types of behavior:

• Unwelcome sexual advances, like requests for dates or propositions for sexual favors;

• Excessive, one-sided, romantic attention in the form of requests for dates, love letters, telephone calls, emails or gifts;

• Offering or conditioning an employment benefit, like a raise, a promotion or a special job assignment, in exchange for sexual favors;

• Making or threatening reprisals, or changing performance expectations after an employee has turned down a sexual advance;

• Visual or physical conduct, like leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, calendars or posters in the workplace;

• Verbal conduct, like making or using derogatory comments, epithets, slurs, teasing and jokes of a sexual nature;

• Graphic verbal or written comments (including emails or other electronic documents) about an individual’s sex life or body;

• Sexually degrading words used to describe an individual;

• Suggestive or obscene letters, emails, notes or invitations; and

• Unwelcome physical contact, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking
movements.

This policy is also violated if an employee or other protected person is fired, denied a job, or denied some other benefit because the employee refused to grant sexual favors, complained about harassment, or assisted in an investigation of harassment. The Fund is committed to taking reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when we know that unlawful harassment has occurred.

What To Do If Harassment Occurs

**Employees should promptly report any offending behavior, whether such behavior is directed towards them personally or to other employees. Reports of offending behavior should be made to the Executive Director or Board President.** Employees are strongly encouraged to report concerns about discrimination or harassment before behaviors become severe or pervasive, as the Fund prefers to stop discrimination or harassment before it rises to the level of a violation of the anti-discrimination laws. Employees who know or receive reports or complaints of offending behavior must promptly notify the Executive Director so that appropriate action can be taken. If the Executive Director is engaging in the offending behavior, reports and/or complaints should be promptly directed to the Board President.

The Fund will promptly and thoroughly investigate all claims of harassment. Complaints of discrimination or harassment will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally this means that allegations of discrimination or harassment are shared with those who have a need to know so that the Fund can conduct an effective investigation.

If the Fund concludes that unlawful harassment occurred, prompt and effective remedial action will be taken. This may include discipline of the harasser and other actions to remedy the effects of the harassment and prevent further harassment. No action will be taken against any employee who in good faith files a complaint of harassment or assists in the investigation of such a complaint. Employees who believe they have been retaliated against for having reported harassment or participated in an investigation must promptly notify any supervisor or the Executive Director so their concerns can be investigated. Appropriate corrective measures will be taken if allegations of retaliation are substantiated.

# **VII. EMPLOYEE RESPONSIBILITIES**

Attendance & Tardiness: Employees are expected to report for work when assigned. If an employee is unable to report to work, or will be late, the employee must contact his or her supervisor as soon as possible.

Recurring absenteeism or tardiness may result in discipline up to and including termination of employment.

## **Employee Use of Vehicles**

Employees and volunteers are disqualified from using personal or rental vehicles on the Fund's behalf under the following circumstances:

a. If the driver has more than 2 moving violations or accidents within the past three years.

b. If the driver has any conviction for reckless driving, DUI or any felony driving offense within the past five years.

Annually, the Fund will obtain the following information on employees and volunteers who regularly use personal vehicles on the Fund’s behalf (e.g., to run errands, transport others, visit clients):

a**.** Annual DMV report

b. Proof of Personal Auto Insurance (upon renewal) with $100,000 liability coverage per incident and $300,000 in the aggregate.

If an employee uses the employee’s own vehicle for work, employees are expected to comply with the following requirements:

* Employees must have and carry a valid driver’s license and evidence of satisfactory insurance at all times when driving on Access Fund business. They may be required to provide the Fund or its insurers with access to their driving records as well. The Employee will be asked to provide a copy of these documents for his or her personnel file.
* Employees are expected to drive in a safe and lawful manner at all times and are prohibited from operating a personal vehicle used for Fund business under any influence of alcohol or any drug or medication when doing so would be unsafe.
* Employees may transport other individuals (including, for example, volunteers, family members, clients and colleagues) while using their personal vehicles for Access Fund business on an occasional basis but should not regularly do so without prior approval of the Executive Director.
* Employees are expected to promptly notify the Executive Director of any citations for moving violations or accidents involving the use of a personal vehicle which may be used for Access Fund business.

## **Conflict of Interest**

Employees are expected to avoid situations that might cause their personal interests to conflict with, or appear to conflict with, the interests of the Fund or which might compromise, or appear to compromise, the Fund’s reputation or integrity. A conflict of interest, or the appearance of one, occurs when the employee or a member of the employee’s immediate family uses the employee’s position for personal benefit or for personal gain. A financial interest or investment, personal association, or business relationship with a customer, supplier or competitor that interferes with the employee’s ability to exercise independent judgment on the Fund’s behalf is prohibited. “Immediate family” includes an employee’s spouse, siblings, parents and grandparents, children and grandchildren, nieces and nephews, and people living in the same household in a relationship substantially comparable to any of the above.

## **Secondary Employment**

All regular employees holding or considering second jobs must obtain written permission from the Executive Director, or in the case of the Executive Director, the Board in order to ensure that the second job will not create a conflict of interest with the Fund or interfere with the employee’s performance of their duties at the Fund.

## **Alcohol and Drug Use**

Employees are strictly prohibited from possessing, selling, consuming, or being under the influence of alcohol and illegal drugs (and legal drugs that are not used in a manner consistent with accepted frequency or dosage requirements) while on the job. Employees should notify the Executive Director if any prescription drugs the employee is taking would impact his/her ability to safely and effectively perform a particular job task in order that reasonable accommodations can be considered.

## **Electronic Communications**

This policy sets forth general principles to be applied to use of electronic media and services (computers, e-mail, telephones, voicemail, fax machines, external electronic bulletin boards, on-line services, and the Internet). It applies to all electronic media and services which are accessed on or from company premises; accessed using company computer equipment, or via company-paid access methods; and/or used in a manner which identifies the individual with the Fund.

**Prohibited Use of Electronic Systems**: Employees may not use electronic systems to send sexually-explicit or X-rated messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, disability status or religion or other protected basis. Downloading or viewing of materials that are pornographic, sexually-explicit or with content that could be construed to disparage others on the basis of gender, race, sexual orientation, age, national origin, religion, disability or other protected status also is strictly prohibited. Using electronic systems for any purpose, which is illegal, against Access Fund policy or contrary to its interests, may result in disciplinary action, up to and including termination.

**Management Right to Access Information - No Right of Privacy:** The Access Fund reserves the right, in its discretion and without employee permission, to review any employee’s electronic files, e-mail messages and Internet usage to the extent necessary to ensure that electronic systems are being used in compliance with the law and with Fund policies. The Fund respects the individual privacy of its employees. However, employee privacy does not extend to the employee’s work-related conduct or to the use of Fund-provided equipment or supplies. Therefore employees should never assume electronic communications are totally private and confidential.

**Personal Use of Electronic Systems**: Electronic media and services and telephone services are primarily for business use. Limited, occasional or incidental use of electronic media and Access Fund telephones for personal, non-business purposes is understandable and acceptable. The Fund reserves the right to access and disclose all messages sent over its e-mail system and to monitor Internet activity without regard to content. Employees are prohibited from using Fund telephones for personal long-distance or other toll calls. Any employee abusing the privilege of Fund-facilitated access to telephones or electronic media or services will be subject to corrective action up to and including termination.

## **Personal Mail and Copying/Facsimile**

Limited, occasional or incidental use of the Access Fund’s copy and facsimile machines and postage machines by employees is permissible. Employees will reimburse the Fund for the costs associated with such use.

## **Confidential Information**

Employees may have access to and learn confidential information about the Fund and its clients, donors and customers during employment with the Fund. Employees are expected to keep such information confidential and not disclose such information to any third party without prior written authorization from the Executive Director. This provision does not preclude an employee from discussing the employee’s terms and conditions of employment with other employees or a third party if the employee so chooses. As a matter of policy, the Fund does not sell or lease the names of its contributors.

## **Standards of Conduct**

The Fund expects each employee to demonstrate unquestionable integrity and to contribute to the quality and reliability of the Fund’s products and services within the scope of his or her job responsibilities. The Fund also expects each employee to comply with the guidelines as set forth in this document as well as any other policies or procedures communicated to the employee. Failure to meet these standards of performance or to comply with policies and procedures may be the basis for a negative or delayed adjustment in compensation and/or disciplinary action up to and including discharge.

# **VIII. SAFETY AND SECURITY**

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## **Safety**

Employees are expected to comply with the following specific safety rules, including but not limited to:

* Report immediately any injury or accident or safety hazard, or property needing repair to the Executive Director.
* Do not smoke or permit others to smoke in work premises.
* Do not engage in any unsafe conduct on work premises.
* Drive safely and courteously when operating a vehicle as part of work.
* Weapons (including all firearms and other items capable of harming others) and explosives are prohibited on Access Fund premises

The Fund endeavors to provide a safe workplace for all employees. We do not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. Any potentially dangerous situation must be reported immediately to the Executive Director.

## **Security**

Access to Access Fund premises is limited to persons who have a legitimate reason to visit. Unauthorized persons may present a risk to employees, customers, or legitimate visitors. If an employee notices an unauthorized person or witnesses conduct that is suspicious, please report it immediately to the Executive Director. If you believe there is a threat to personal safety involved, the police also should be summoned immediately.

## **Personal Possessions**

The Access Fund does not assume responsibility for any theft or damage to an employee’s personal possessions on Fund premises. The Fund reserves the right to search an employee’s desk, locker, or personal belongings brought onto Access Fund premises at any time, with or without advance notice or consent.

## **Accidents and Accident Reports**

If an Employee is injured or suspects that he or she has been injured on the job, or an employee is involved in an accident, the employee must notify the Executive Director promptly. As soon as practical, but in no case later than 24 hours following an injury or accident, or suspected injury or accident, the employee must submit an accident report describing the circumstances surrounding the incident.

# **IX. FRINGE BENEFITS & TIME OFF**

The Fund reserves the right to add to, amend, administer or interpret, and discontinue any of its employee benefit plans or programs at any time, subject to applicable laws and regulations, with notice.

## **FRINGE BENEFITS**

*Medical Benefits:* All full-time employees and part-time employees, except temporary employees, working at least 20 hours per week are eligible for medical benefits. Additional family members may be covered at the employee’s expense.

*Simple Ira*: Unless otherwise stated in IRS regulations, all employees who are expected to earn at least $5000 from the Access Fund during the calendar year are eligible to participate in the Fund’s Simple IRA retirement program the terms of which will be established on an annual basis.

## **Holidays**

The Fund observes the following paid holidays for all regular full-time and stipended employees and part-time employees who are scheduled to regularly work 20 or more hours per week:

* New Year’s Day
* Martin Luther King Day
* Presidents’ Day
* Memorial Day
* Independence Day
* Labor Day
* Veterans Day
* Thanksgiving
* Friday after Thanksgiving or alternative personal day of employee’s choosing
* Christmas Day
* Day before or after Christmas or alternative personal day of employee’s choosing

If a holiday falls during an employee’s vacation, the holiday will not count as a vacation day.

## **Annual Leave**

Regular full-time employees receive 18 days of paid annual leave which accrues at the rate of 1.5 days per month. Regular part-time employees who work at least 20 hours per week accrue annual leave on a pro-rated basis. Employees are eligible to take leave after the first three months of employment. Annual leave must be scheduled in advance and approved by the Executive Director. Employees may carry over up to 10 total days of annual leave at the end of each Fiscal Year.

An employee may use earned vacation for time off to care for his or her spouse, state-registered domestic partner, parent-in-law, child, parent, or grandparent with a serious health condition or an emergency condition.

**SICK LEAVE**

Regular full-time employees and regular part-time employees who work 20 hours or more hours per week accumulate sick leave at the rate of 1.25 days per month. Employees do not receive compensation for unused sick leave when they separate from the Access Fund. Part-time employees receive sick leave on a pro-rated basis.

Effective September 1, 2012, Access Fund employees also will be covered by the city of Seattle’s new Sick Leave Ordinance which may confer additional rights in terms of the accrual and use of sick leave.

## **Unpaid Leaves of Absence for Personal Reasons**

The Access Fund, in its sole discretion, may grant unpaid leaves of absence up to 3 months in duration to eligible employees based on an employee’s work record, the Fund’s staffing needs, and the request for leave. Employees are eligible to request an unpaid leave of absence after one year of employment with the Fund. Employees returning from a personal leave of absence are not guaranteed return to their former job. An employee will be terminated if the employee does not return from the authorized unpaid leave of absence at the agreed time or if there is no opening for which the employee is qualified or if the employee is not selected for the open position. A personal leave of absence must be requested in writing and submitted to the Executive Director as soon as the need for such a leave is known. No benefits are earned while the employee is on unpaid leave. This policy does not apply to unpaid leave taken under either the federal or a state family and medical leave or maternity/parental leave laws.

## **Military Leave Of Absence**

If an employee is required to attend annual military reserve training or other active military duty the employee may take the time as either paid time off or unpaid leave. If an employee takes military leave, he or she is entitled to return to the employee’s former job as provided under federal and state laws.

Any employee who works more than 20 hours per week and whose spouse or state-registered domestic partner is deployed or about to be deployed or is on leave from deployment in a military conflict declared by Congress or the President is entitled to up to fifteen (15) days of leave of absence per deployment. The leave is unpaid except that the employee can use his/her vacation or sick leave at the same time. An employee wishing to take this leave must notify his/her supervisor within five business days of receiving official notice that the spouse is being deployed or will be on leave form deployment. Upon conclusion of the leave, the employee will return to his/her position or an equivalent one unless the employee would otherwise have been terminated had he/she not taken the leave.

# **EMPLOYEE CHANGE OF STATUS AND TERMINATION**

## **Termination of Employment**

Consistent with the “at-will” employment relationship between the Fund and the employee, the Fund may terminate an employee at any time, with or without cause, with or without notice.Termination of the Executive Director is at the discretion of the the Access Fund Board of Directors. Termination of all other employees is within the discretion of the Executive Director.

## **Final Pay Upon Termination**

If an employee resigns or is terminated, his or her final paycheck shall be available at the next regular pay day. Terminating employees are not paid for unused sick leave.

# **EMPLOYEE’S STATEMENT OF UNDERSTANDING**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, acknowledge that I have received, read, and understand the document entitled the Access Fund’s Employment Policies as revised in September 2012.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Employee Signature)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Print Name)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Executive Director Signature)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_