

Employee Handbook

CENTRAL REGIONAL EDUCATION COOPERATIVE

Employee Handbook

Summary of Employee Benefits, General Employment Practices and Other Administrative Policies

www.CREAnd.org

7/19/2022



Employee Handbook

Handbook Overview and Purpose

The function of this Employee Handbook is to highlight and summarize some of CREA's Employee Benefits, General Employment Practices and other agency policies adopted by the Governing Board. CREA's leadership team understands that defined policies and other written guidelines are essential to a positive work environment and an effective organization. CREA staff are employed by CREA and are governed by the policies of our organization.

This handbook provides a summary of highlighted policies and does not replace or override the terms and language present in the CREA Policies approved by the Board. If there is a difference between the Employee Handbook and the CREA Policies, the terms of the CREA Policies provide the ultimate guidelines for decision making. This handbook has been developed and distributed with the purpose of providing a "quick" overview.

This Employee Handbook and CREA Policies are meant to provide guidelines for practice and to establish workplace expectations; they are not meant to be comprehensive and address every possible situation. Nothing in this handbook or the CREA Policies is meant to create an implied contract or promise that terms will be applied in all cases. This handbook and CREA Policies cannot override any state or federal laws.

The agency may add to, amend, modify or revoke items in the Employee Handbook and the CREA Policies at any time. The CEO is responsible for keeping the handbook and policy manuals current, but there may be times when changes are approved before written or electronic manuals can be revised, published and distributed. A complete up-to-date set of CREA Policies is available for review in the office of the CFO.

Employee Acknowledgement: I acknowledge I have received either a printed copy of this Employee Handbook or electronic access to the most current version. The full Administrative Policy Manual and this Employee Handbook will be maintained on the agency's website. I understand that my signature does not constitute an implied contract of continuing employment as North Dakota is an "at will" employment state.

"At will" employment means that I, as an employee, may terminate my employment with CREA at any time and CREA can terminate my employment at any time without notice and without cause in accordance with state and federal law.

Employee Printed Name and Signature

Date

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Employee Benefits

Alternative Work Arrangements – Working from Home

- Alternative Work Arrangements may be requested by a staff member or director. Each will be handled independently, but all alternative work arrangements must be entered into the calendaring system
- Each year, CREA Management will review conditions for and the approval process for alternative working arrangements and/or working from home. Alternative working arrangements applies to:
 - Employees working away from the main office at schools or other locations.
 - Requests for schedule variations from the standard posted office hours.
 - Requests to begin or end the work day at a location different from the main offices.
 - Requests to work from home.
- Alternative working arrangements and/or working from home is *not a universal employee benefit*. Those with alternative working arrangements will be held accountable for work hours, output, timeliness, quality, accessibility or location reporting and may be held to different reporting requirements than those in the office.
- See also the policies on: Attendance and Work Schedules; Compensation (sections on Documentation of Work Hours and Employee Classification); and Hours of Work and Overtime Approval.

Benefits Eligibility

- CREA intends to comply with all state and federal laws in determining benefits eligibility.
- The benefits eligibility date may be the first day of the month following employment or the benefits eligibility date specified by the contracted carrier of the benefits (insurance carrier for example).
- Please refer to the appropriate benefit package based on your employment status in the business office.
- Employees are not eligible to earn leave at a higher rate than dictated by their current number of work hours.
- Adjustments will be made to pay, benefits and benefits eligibility when changes occur in any terms of employment such as position assignments (by reassignment or self-initiated changes) and hours worked.
- Employees who are granted reasonable accommodation, FMLA or unpaid personal leave should consult with the CREA CFO and HR Director to determine how these accommodations or absences may impact their benefits.

Benefits Offered

- CREA offers all benefits required by state and federal law.
- Benefit package information will be available to employees through the business office. Please consult the appropriate benefit package based on your employment status and classification.
- Employees will be notified of benefit changes and the *agency reserves the right to alter the benefits package at any time* based on agency resources and Board Approval.
- See also policies on: Leave of Absence; Disaster or Emergency Services “Volunteers” Leave; Lactation; and Workers’ Compensation.

Breaks: Lunch and Other Work Breaks

- Lunch periods and Breaks are allowed as follows:
 - State Law requires allowing employees working five (5) or more hours per day to take a 30 minute uninterrupted lunch period; during which they perform no work tasks.
 - Employees may combine lunch breaks and other allocated work breaks into a larger block of time, however prior approval is required.
 - Non-Exempt employees working eight (8) hours per day may be granted two (2) fifteen minute periods per day for breaks. North Dakota Law does not require that employers offer any work breaks other than the 30 minute work break as applicable.
 - Non-Exempt employees working four to seven (4-7) hours per day may be granted one (1) fifteen minute period per day for a break. North Dakota Law does not require that employers offer any work breaks other than the 30 minute work break as applicable.
 - Employees working less than 4 hours a day are not granted any work breaks.

Disaster or Emergency Services “Volunteers” Leave

- Leave may be granted to emergency service volunteers and military personnel, as necessary.
- See also handbook guidance on: Leave of Absence

Lactation

- CREA intends to comply with North Dakota Century Code 23-12-16 that allows a woman the right to breastfeed her child in any location, public or private where the woman and the child are otherwise authorized to be. Under North Dakota Century Code

23-12-17 and the Affordable Care Act, employers are to accommodate breastfeeding mothers for up to one year after a child's birth.

Leave of Absence; Paid Time off (PTO) and Unpaid Time off (UPTO)

- CREA intends to comply with all federal and state laws concerning paid and unpaid leave.
- Your immediate Supervisor or the CFO and CEO can discuss specific eligibility for time off benefits. Eligibility for paid time off varies depending on a number of circumstances and will be covered in CREA Benefits guidance. Some leave types may not be options for all employees.
- Leave requests (except sick leave) are to be submitted *at least 48 hours* in advance to your direct Supervisor and may be requested further in advance. Approval for any leave request is not automatic or guaranteed as management's first priority is delivering the programs, services and goals expected from the agency.
- Supervisors are required to keep accurate records pertaining to any Leave of Absence; either paid time off or unpaid time off.
- Employees are prohibited from keeping the "official agency record" of their absences.
- The agency reserves the right to designate a limited number of days each calendar year as being unavailable for paid time off.
- **Unpaid Time off (UPTO):** Employees must receive approval from their immediate supervisor and the CEO for unpaid leave and the request should be made as far in advance as possible. It may be requested by leadership that all vacation, personal and sick time be exhausted before an employee can request time off without pay.
- **Unannounced Absences:** Consistent or continuing patterns of unannounced absences undermine the effectiveness of the agency. Without an acceptable explanation, unannounced absences may result in disciplinary action up to and including termination.
- **Paid time Off (Vacation- PTO):** Consists of earned time off the employee may use for any purpose he/she wishes. Consult benefit packages in the business office.
 - While the agency will make every attempt to allow employees to take vacation time when it is requested; CREA may elect to deny the request based on operating demands.
 - Earned vacation is to be used at a minimum increment of one hour.
 - Paid vacation time cannot be granted before it is earned. Meaning "an advance" on future earned vacation time is not an option for employees.
 - At termination, employees may be paid for their earned and unused vacation time per their Benefit Plan.
- **Medical / Sick Leave (PTO):** Consists of an approved absence from work when an employee, their spouse/domestic partner, their child (natural, adopted, foster, stepchild or under guardianship), parents (natural or step), or close family (aunt, unclie, brother, sister, etc) are ill or injured and in need of medical care (emergency or scheduled appointments); and the employee has sick leave available.
 - CREA reserves the right to require medical certification signed by a medical professional for any use of medical / sick leave.

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- Medical certification signed by medical personnel is required for any medical /sick leave extending longer than five (5) continuous work days.
 - Earned sick leave is to be used at a minimum increment of .5 days.
 - Paid sick leave cannot be granted before it is earned. Meaning “an advance” on future earned sick leave is not an option.
 - The maximum number of sick days that can be used for any one disability is limited to the number of work days that must be used prior to the start date of the long term disability coverage.
 - Employees, who are unable to work for the remainder of a fiscal year (FY running July 1-June 30) because of a disability, may continue to use the balance of their sick leave into the next FY. However, they are not eligible for additional sick leave days in the new FY until their doctor certifies they are able to return to work.
 - Please consult your Supervisor and the CFO and CEO to determine eligibility for FMLA (Family Medical Leave Act) when completing taking sick/medical leave.
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- **Holidays (PTO):** Consists of paid time off for agency recognized holidays. Consult your job description to determine your eligibility based on your employment classification. For example; Professional Support Staff who are 9-11 month employees may receive three (3) paid holidays. These may be: Veteran’s Day, Marin Luther King Day and Good Friday. If the holiday falls on a Saturday, the proceeding Friday will be the recognized holiday. If the holiday falls on a Sunday, the Monday following will be the recognized as the paid holiday. Employees do not receive paid time off for holidays unless that day is a regularly scheduled work day.
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- **Witness / Jury Duty (PTO)**
 - Employees working at least 30 hours per week, either on a 12 month or a 9-11 month basis, are eligible for up to two (2) paid work days for jury duty or for serving as a witness for matters related to their work.
 - The employee must provide copies of the subpoena or jury summons to their supervisor to be eligible for the paid witness/jury duty leave.
 - The employees must turn over any pay from their witness / jury duty time to the agency when the agency has paid them during their absence from work.
 - Employees appearing in their own case as a plaintiff or defendant or for a non-subpoenaed court appearance will not receive paid time off.
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- **Voting Time (PTO)**
 - Full time, 40 hour a week, 12 month employees and full time employees working 9-11 months a year are allowed one (1) hour within their normal work schedule to vote in any local, state or federal elections.

- **Family Medical Leave Act (FMLA)**
 - Employees should check with their immediate supervisor or the CFO and CEO to determine eligibility for FMLA when faced with a medical situation.
 - Under FMLA, the agency may grant up to 12 weeks (or up to 26 weeks for a military caregiver) during a 12-month period to eligible employees. Leave may be paid or unpaid or some combination of both.
- **Bereavement (Funeral) Leave (PTO)**
 - Employee should notify their supervisor as soon as feasible. Bereavement/funeral leave may be taken for a maximum of two (2) working days with pay.
 - Bereavement / funeral leave applies to the death of the employee's spouse, children, father, mother, brother, sister, grandparents, grandchildren, aunts/uncles of employee or like in-law and any relative residing with the immediate family of the employee.
- **Maternity, Paternity, and Adoptions** leaves are covered by the Family Medical Leave Act.
- **Military Leave**
 - Will be granted in accordance with North Dakota Law.
 - The first 20 days of such leave of absence shall be without loss of pay.
 - If the leave of absence is necessitated by a full or partial mobilization of the National Guard or armed forces reserve, or emergency state active duty, the first 30 days of leave shall be without loss of pay. (North Dakota Century Code 37-01-25).
 - See also policy on Disaster or Emergency Services "Volunteers" Leave.
- **Long Term Disability**
 - Employees who may face a condition that necessitates long term disability should consult with the payroll administrator, their immediate supervisor and the CEO. If the disability was caused by a work related injury, the agency should contact the North Dakota Workforce Safety Department. As feasible, the agency will establish a "return to work program" within restrictions.
 - See also policies on Workers' Compensation and Accident Reporting.

Workers' Compensation

- The North Dakota's Workers' Compensation law requires all employers to insure all employees including fulltime, part-time, seasonal, and occasional workers. This insurance provides for medical treatment, wage coverage and assistance in returning to work should the injury require it.

- If an injury occurs or has already occurred while on the job, report the accident to your supervisor and file a “First Report of Injury” as soon as possible; specifically within 24 hours after the injury occurred. The WSI system allows for on line reporting and information can be obtained from <https://www.workforcesafety.com>. If no medical treatment is necessary and nothing further is reported the “First Report of Injury” drops off the system after 10 days and nothing further needs to be done.
- The agency reserves the right to require post-accident drug testing.
- See also policy on Accident Reporting and Drug Free Workplace.

General Employment Practices

Accommodation also known as Reasonable Accommodation

- CREA fully intends to comply with all federal and state laws related to accommodations. This can include but not be limited to: accommodations for mental or physical health; religious beliefs, practices and observances; and for pregnancy, childbirth and related medical issues.
- To provide equal access to those with disabilities, modifications should be made in advertisements for employment, the employment application processes, employment interview process, employment testing, post-offer medical examinations and modifications for positions held by current employees meet ADA/.
 - Reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process, to perform essential job functions or have access to all the benefits offered to employees. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities. See <https://www.ada.gov/> for more information.
 - Examples of reasonable accommodation include but are not limited to making existing facilities readily accessible to and usable by an individual with a disability (modification provided with ramps/doorways for example); job restructuring (removing non-essential functions from a job for example); modified work schedules (modifying when or where the work occurs for example); or acquiring or modifying equipment such as chairs, keyboards, phones, screens, desks and lighting. Depending on the disability, another modification might be producing documents with larger font sizes.
 - Employers are *not required to lower quality or quantity job standards* as an accommodation.
- Those seeking a reasonable accommodation must inform the agency (through their immediate supervisor) of their request; provide relevant details and supporting information so the agency can determine if the request can be met. Requests can be made at any time either verbally or in writing.
- The agency intends to comply with these requests when reasonable.

Attendance and Work Schedules

- Work schedules are to be established that best serve the needs of our schools and clients.
- All employees will have their work day/work week defined by their immediate supervisor and this may change at any time to meet the needs of the agency.
- Less-than-twelve month employees are required to complete the yearly calendar, listing their intended days off and days working for the number of days indicated in their job description.
- Supervisors are responsible for tracking attendance against the established work schedule for each employee. *Employees are prohibited from keeping the “official agency record” of their attendance and absences.*
- Standard office hours are 8:00-4:30. But an employee’s schedule may vary from the stated office hours based on the needs of the agency.
- Nonexempt employees (hourly employees) are expected to maintain a “time and effort log” or use of a time clock or other designated process to record “starting and ending work times” as well as total hours worked.
 - *Nonexempt employees are not allowed to work over 40 hours per week without prior approval from their immediate supervisor. Working overtime without prior approval may result in disciplinary action.*
 - Nonexempt employees are required to record all hours worked outside their standard office hours and work hours away from their assigned office space.
 - Nonexempt employees should not access job related emails or conduct other business outside of work hours or without approval by their immediate supervisor.
 - Nonexempt employees cannot work “off the clock” to meet any deadlines.
- Exempt employees (salaried professional and management employees) may be required to keep time and effort logs based on the needs of the agency.
 - *Exempt employees are not paid for each hour worked, but paid to produce results and outcomes expected of their position.*
 - *Exempt employees should regularly expect work weeks in excess of 40 hours at multiple times and are not eligible for “comp time.”*
- Certain patterns of absenteeism or tardiness may result in disciplinary action even if the employee has not yet exhausted available paid time off.
- Employees may request reduced employment hours under FMLA/ADA.
- Not reporting to work and not calling to report an absence at least 15 minutes before the scheduled start time is a “no-call/no-show” and will result in disciplinary action up to and including termination.
- See policies on Leave of Absence, Employee Disciplinary Process, Hours of Work and Performance Management.

Organizational Chart

- A formal organization chart is to be reviewed yearly. The organizational chart specifies position titles and reporting relationships. Changes to the organizational chart, reporting relationships and job duties can be made at any time.

- Supervisors are expected to meet with their employees on a regular basis to discuss policies, procedures, performance expectations, actual performance, progress to goals, teamwork, collaboration and a host of other employee's behaviors that impact their work and the effectiveness of the agency.
- Employees and contractors are expected to first consult with their immediate supervisor on any matters related to their work.

Compensation, Employee Classifications, Documentation of Work Hours, Payroll Processing and Severance Pay

- **Compensation System**
 - The agency maintains a compensation system as outlined by the Governing Board and created by the CEO and/or the Executive Committee.
 - Annual merit increases or cost of living increases are not required and are not guaranteed.
 - Employees', who begin their employment on or after January 1 of each fiscal year, are not eligible for merit or cost of living increases for that fiscal year.
 - Employees who transfer to another position, *whether by their own initiative or through agency reassignment*, may receive the pay and benefits appropriate to that position.
- **Employee Classification**
 - Federal wage and hour laws require all employees be designated as nonexempt or exempt.
 - Nonexempt employees' are not exempt from overtime pay and are paid time and a half (1.5) for each work hour over 40 in a work week.
 - Exempt employees' are managers, certified staff or administrators who are exempt from the minimum wage and overtime provisions in the Fair Labor Standards Act (FLSA). Exempt employees are not paid by each work hour; but paid for producing outcomes or results expected for their position. Exempt employees should reasonably expect work weeks in excess of 40 hours at multiple times and are not eligible for "comp time."
- **Documentation of Work Hours**
 - All employees are expected to maintain time and work records as directed by their immediate supervisor.
- **Payroll Processing**
 - Procedures for payroll processing will be established and communicated to all employees.
- **Payroll Deductions**
 - The agency will withhold the amounts required by law or based on a valid court order.

- **Payroll Adjustments and Corrections**

- The agency has up to 30 days to investigate and make any payroll adjustments.
 - Pay that is in excess of the employee's earnings (incorrect overpay) is the responsibility of the employee to recognize and report to the payroll department. Incorrect overpay is expected to be paid back to CREA. Incorrect underpay should be reported to the payroll department and will be corrected by CREA in future payroll periods.
- See also policies on: Promotions, Transfers, Demotions, Deployments and Lateral Moves; Reductions in Force, Position Elimination and Staff Reductions.

Credit Card Use: Use of Agency Credit Cards

- Employees who are issued agency credit cards are required to submit receipts in the month of purchase. Employees may be responsible for paying CREA for purchases made with a company credit card when receipts are not provided to the finance office.
- Employees who are issued agency credit cards are prohibited from allowing or authorizing the use of those credit cards by others and will face disciplinary action (including and up to termination) if their card is used by unauthorized personnel.
- A credit card authorization form shall be used upon issuance of a credit card and will outline the allowable purchases for the employee.
- Employees who use agency issued credit cards for unallowable purchases or personal items / personal benefit will face disciplinary actions; including restitution and up to termination.
- Employees who are issued agency credit cards are to inform their supervisor *immediately* in the event the card is lost or stolen.

Discrimination, Favoritism and Harassment

- The agency intends to fully comply with all state and federal laws related to discrimination and harassment. The agency is committed to a work and client service environment where all are treated with respect and dignity. All relationships and interactions created through work done by the agency's staff and Board Members will be conducted in a businesslike manner, free of bias, prejudice and harassment.
- The agency expects its employees and Board Members to avoid behaviors that provide an advantage (favoritism) or the perception of an advantage to potential employees, current/past employees, vendors, clients, stakeholders and contractors.
- Reports of discrimination, favoritism, or harassment should be made to the employee's supervisor, or in the case of the supervisor's involvement, the CEO.
- Retaliation for reporting harassment, favoritism or discrimination, or retaliation against those participating as a witness or in another role in an investigation related to these issues is a serious violation and will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be investigated and addressed.
- The agency cannot promise complete confidentiality to those reporting harassment, favoritism, discrimination or retaliation complaints; but the identity of those making complaints will be revealed only on a need-to-know basis.

- See also policy on: Employee Disciplinary Process, Sexual Harassment, Sexually Explicit Materials, Whistle Blower Protection

Dress Code

- Staff is expected to dress in professional office attire that is equal to or greater than the professional attire being worn by clients, stakeholders and other partners with whom they may interact. Supervisors are the judges of the employees' attire. Employees not meeting the professional dress standards may be sent home to change and nonexempt employees will not be paid for that time off.

Drug Free Workplace

- This policy applies to the use or abuse of alcohol; narcotics; illegal drugs; prescription medications taken without a legal and valid prescription; over the counter drugs taken or used in a manner different than their intended purposes; household, industrial or office chemicals or products used differently than their intended purpose and all tobacco related products including electronic nicotine delivery systems. The agency has the right to inspect its work premises and may ask for cooperation. Those who refuse are subject to discipline up to and including discharge.
- The agency may require drug tests for pre-employment vetting and post-accident investigations.
- The agency reserves the right to request a drug test if there is a reasonable suspicion the substance use or abuse is occurring.

Electronic Communication Standards

- All electronic communications of significance must be saved as prescribed in the Records Retention Policy.
- All employees are expected to use only their work devices for agency work and other agency electronic communication methods for agency business. If an employee is using their personal electronic devices for work related activities, they are at risk of open records requests of their personal device.
- Employees are expected to only use agency approved apps/software on agency devices and are expected to download and store work related text messages as directed.
- Employees are not to leave agency electronic devices in vehicles and must immediately report any lost or stolen devices.
- Employees have no right to privacy when accessing social media or any internet site at work or at any time on agency devices.
- Employees retain their free speech rights as granted by the National Labor Relations Act (NLRA).

Employee Disciplinary Process

- Policy reinforces that North Dakota is an “at will” employment state and there is no promise or guarantee of continuing employment.
- Supervisors are expected to meet with their employees on a regular basis to discuss policies, procedures, performance expectations, actual performance, progress to goals, teamwork, collaboration and a host of other employee’s behaviors that impact their work and the effectiveness of the agency.
- The agency defines four (4) levels of disciplinary action and some examples of behaviors warranting disciplinary action. These levels are:
 - Formal Verbal Warning,
 - Formal Written Warning,
 - Suspension With or Without Pay, and
 - Termination.
- These ***levels are not sequential*** and employees may receive harsher sanctions, up to and including dismissal, depending on the nature of their actions.

Employee and Client Privacy

- The agency will protect the privacy and security of personal information, personally identifiable information (PII) and protected health information (PHI) obtained from employees and clients and follow all FERPA and HIPPA regulations.
- Only employees with job duties requiring access to personal information, PPI, or PHI will access this information in the normal course of their jobs. Employees handling this sensitive information should guard against inadvertent disclosure during personal conversations, telephone conversations, through e-mails or other electronic means.
- Employees required to access PPI shall undergo training in accordance with ND State Longitudinal Data System requirements.
- If an employee becomes aware of a breach in the confidentiality of their or a clients’ personal information or PHI, the employee should report the incident to the CEO.
- *Employees can have no expectation of privacy* for data, texts, pictures, photographs, emails, messages, text messages, internet usage or calls sent or received on work computers, phones and networks. The agency leadership retains the right to search and monitor all agency property or personal property on agency grounds. Personal phones subsidized with agency funds are subject to search and monitoring at any time by agency leadership.
- Employees are prohibited from taking and/or posting photos of employees and clients without their permission. If the client is under the age of 18, permission must be obtained from their school, parent or guardian.
- Employees retain their free speech rights as granted by the National Labor Relations Act (NLRA).

Employment of Relatives and Romantic Relationships

- All other potential / current employees must disclose the names of their relatives employed at or contracted by the agency during the hiring, employment, transfer or promotion process.
- If employees begin dating, enter into a romantic or sexual relationship, become members of the same household, or become the relative of another employee, they are to inform the CEO in a timely manner.
- Relatives and romantic partners cannot have a direct or indirect reporting relationship.
 - An example of a prohibited indirect reporting relationship would be an Assistant Director's spouse working under a subordinate of the Assistant Director. Meaning, there is a "chain of command" link between the Assistant Director and their spouse.
 - If the organizational chart requires the position remain in the chain of command of a relative or romantic partner, then a discretionary agreement must be created to sever or divert the chain of command for that individual.
 - A permissible example of employment of relatives would be the Assistant Director's spouse working under the CEO where the "chain of command" does not link back to the Assistant Director. Additionally, an Assistant Director's spouse could work for ESP Director, if the ESP Director was the highest level of authority for that employee or the chain diverted to another Assistant Director.

Equal Employment Opportunities

- The agency is an Equal Employment Opportunity Employer and prohibits discrimination and harassment of any type. The agency provides equal employment opportunities to employees and applicants without regard to race, color, religion, sex, national origin, age, disability, genetic information or sexual orientation. Additionally the agency will take action to employ or advance employment and treat qualified veterans without discrimination in all employment practices.
- Equal Employment Opportunity (EEO) and anti-discrimination apply to all aspects of employment including recruitment, employment, promotion, transfer, training, working conditions, and wage / salary administration and employee benefits.

Hours of Work and Overtime Approval

- The CEO or his/her designee is accountable for establishing and monitoring the work hours and work schedules of all employees. For both exempt and nonexempt employees, their daily and weekly schedules will be established by their immediate supervisor to maximize the service to clients.
- See also policies on Attendance and Work Schedules, Breaks: Lunch and Other Work Breaks, Leave of Absence, Compensation-Documentation of Work Hours, Employee Disciplinary Process and Performance Management.

Offers of Employment

- An “Offer Letter” from the agency to the employee falls under the guidelines of employment “at will” and cannot be construed as a guarantee or promise of continuing employment or as binding contracts.

Performance Management

- Supervisors are expected to meet with their employees on a regular basis to discuss policies, procedures, performance expectations, actual performance, progress to goals, teamwork, collaboration and a host of other employee’s behaviors that impact their work and the effectiveness of the agency.
- *Supervisors are expected to conduct one oral interim review and one written annual review* for each employee each year and these events should take place at least 5 months apart.
- Reviews will include demonstration of the agency values and ability to deliver on the programs/projects with which the employee is engaged.

Personal Vehicles (Use of)

- Some employees may be required to use their personal vehicles for agency approved business.
- Reimbursements for mileage to employees authorized to use their personal vehicles for agency business will be made at the rate allowed by the State of North Dakota. Mileage logs must be submitted to receive reimbursements.
- Travel from home to and from the work location is not reimbursable mileage.
- Employees who use their personal vehicles for work related tasks are expected to report those activities to their personal automobile liability and property damage insurance carriers and are expected to assume any additional costs the carrier may impose for those activities.

Political Activities

- CREA employees, volunteers and Board members have certain civic rights (e.g., the right to be an active member of a political party of choice; the right to seek, campaign for, and serve in public office; the right to vote).
- CREA prohibits the use of agency property, resources or time for political purposes except as authorized by law and supervisor approval.
- Employees and Board Members shall not utilize the agency’s delivery system for political purposes.
- Employees shall not use on-duty hours for political purposes and shall observe state law prohibiting political activities by public employees.
- No employee or volunteer shall exploit students for political purposes.

Promotions, Transfers, Demotions, Deployments and Lateral Moves

- Current employees may not have “first choice” for promotions, transfers and lateral moves when there is an open position.
- Employees can be transferred to other positions or assigned different job duties at any time to meet the work demands of the agency due to reorganization and/or reductions in force.
- When an employee chooses to move to a new position, they will be allowed to return to their previous position up to the time their previous position has been offered and accepted by another individual.

Purchasing Authority

- No employee may obligate CREA for the costs of goods and services unless duly authorized by the CEO or the Governing Board.
- Without prior permission from a duly authorized agent, employees cannot expect reimbursement for charges they made on behalf of CREA using their personal resources.

Recruitment, Hiring and Background Checks

- Open positions may be advertised in a variety of venues. Applications will be submitted to the appropriate Director. Applications not received through the posted venues may not be considered.
- Current employees are not given preferential treatment in the application and hiring process.
- Once a decision is made to hire a particular candidate, a verbal offer is made to that individual contingent on satisfactory completion of reference, background, driving and credit checks (as applicable by law) plus required drug screenings.
- When satisfactory results from the applicable checks and screenings are received, a written confirmation of the job offer will be sent to the prospective employee.

Reductions in Force, Position Eliminations and Staff Reductions

- North Dakota is an “at will” employment state and there is no guarantee of continuing employment for any employee at any time.
- Reductions in Force (RIF), elimination of positions or other staff reductions occur when there has been a change in agency priorities, budgetary resources or business conditions. A RIF or other staff reductions can take place when the duties of a position are significantly altered and the incumbent employee is unable to perform the required duties or does not meet the minimal qualifications of the position.
- *The agency has the authority to alter work responsibilities and duties at any time.*

Sexual Harassment

- Sexual harassment is discrimination and is illegal.
- Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment can be physical and/or psychological in nature.
- If you have been or believe you have been subjected to discrimination, favoritism or harassment; report your concerns to your immediate supervisor or the CEO as soon as possible.
- Retaliation against those reporting discrimination, favoritism, harassment or sexual harassment will not be tolerated and may result in disciplinary action or termination.
- Acts of retaliation should be reported immediately and will be investigated and addressed. The agency cannot promise complete confidentiality to those reporting harassment, favoritism, discrimination or retaliation complaints; but the identity of those making complaints will be revealed only on a need-to-know basis.

Sexually Explicit Materials

- Board Members or employees may not use the agency's internet, e-mail system, phones, servers, networks, other electronic communication modes or any agency resources or equipment to create, transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing, sexually explicit or pornographic nature. Violations will result in immediate termination.

Safety, Health and Wellness

- The agency and its leadership team are committed to complying with all federal and state laws regarding the safety, health and wellness of all who are employed by or have contact with the agency.
- While the various regulations are too numerous to list in this policy, employees can consult:
 - The North Dakota Department of Labor and Human Rights
<http://www.nd.gov/labor/>
 - OSHA – Federal Government Occupational Health and Safety Agency
<http://www.osha.gov>

Terminations

- Employees are expected to provide a resignation letter indicating their last day of work at least two (2) weeks in advance.
- North Dakota is an “at will” employment state and as such, employees have no guarantee or promise of continuing employment.
- Employees may be discharged for any reason.

Weapons on Premises

- The possession or use of dangerous weapons on agency property for all Board Members, employees, temporary employees, vendors, clients and guests are prohibited.
- Dangerous weapons are classified in the North Dakota Century Code (<http://www.legis.nd.gov/cencode/t62-1c01.pdf?20150906200551>)

Summary of Other Agency Procedures

Accident Reporting

- Any work related accidents are to be reported within 24 hours whether these occur at our offices, at off site locations or involve vehicle accidents when traveling between sites.
- Employees may be subject to “post-accident” drug testing.

Agency Procedures: Development, Review, Revisions and Communications

- CREA may add to, amend, modify or revoke items in the handbook at any time. Nothing in handbook constitutes an implied contract of continuing employment.

Board Operations

- Policy specifies various operational parameters for the Governing Board.

Client and Stakeholder Communication Standards

- Outlines standards expected of employees in their verbal, written, electronic, presentation and other communications internally and externally.
- Requires that all materials and documents of significance be saved electronically as prescribed by the agency.
- Specifies that staff is expected to use their work email for all agency related communications. CREA may require staff to utilize apps to retain the content of work text messages.
- Specifies that staff is expected to follow any standardized signature protocols, branding or agency image guidelines in their communications
- Policy dictates communication expectations with the board and the community
- *All media inquiries to be directed to the CEO.*

Client Complaints and Grievances

- Outlines expectations for handling client complaints.

Employee Handbook

- Employees should make every reasonable effort to resolve complaints. Even if resolved by the employee, complaints should be documented and forwarded to the program supervisor by email.
- If the client complaint cannot be resolved by the employee or his/her direct supervisor, the CEO is responsible for working to resolve the complaint.
- If the complaint involves allegations of harassment, discrimination, fraud, actions of a lewd or sexual nature, mistreatment of minors, inappropriate sexual contact with a minor or sexual misconduct of employees, the employee maybe be suspended without pay until an investigation is completed.
- Acts of retaliation should be reported immediately and will be investigated and addressed. The agency cannot promise complete confidentiality to those reporting harassment, favoritism, discrimination or retaliation complaints; but the identity of those making complaints will be revealed only on a need-to-know basis.

Code of Ethics

- CREA Values and CEO Expectations outline the ethical behavior expected of all employees.

Confidentially: Breaches of Confidentially

- Examples of confidential information may include but are not limited to proprietary and commercial information, intellectual property, trade secrets, student records, test scores, personnel files, grievances, disciplinary actions, performance improvement plans, hiring and dismissal decisions, social security numbers, birth dates, driver's license numbers, phone numbers, home addresses, personal photographs, public employee identification numbers, payroll deduction information, credit card numbers, medical information, public assistance records, ethnicity, religious affiliation, sexual orientation, political party affiliation and personal passwords or information concerning employees' families or emergency contacts.
- It is the policy of the Board of Education that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the REA on a database, the REA will take appropriate action to assess the risk, and notify the affected individuals in accordance with its legal obligations.
- A "security breach" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the REA as part of a database of personal information covering multiple individuals. Unauthorized access may be considered incidental access by an employee or other individual if the access meets all of the following:

- A. the individual acted in good faith in accessing the data
- B. the access was related to the activities of the agency or person
- C. the individual did not misuse any personal information or disclose any personal information to an unauthorized person

- Personal information for purposes of this policy means the persons last name, with either the first name or initial when linked to one or more of the following:

- A. social security number
 - B. driver's license or State Personal Identification
 - C. demand deposit or other financial account numbers, credit or debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts
- Promptly upon determining that a security breach has occurred, the employee shall notify the CEO in writing.
 - The CEO and Data Steward shall promptly determine and implement the steps necessary to correct the unauthorized access and any legal requirements for notifying those individuals whose personal information may have been compromised.
 - Employees who intentionally violate this policy are subject to discipline, up to and including discharge and may be subject to criminal penalties.

Copyright and Intellectual Property

- All those associated with the agency; employees, contractors, Board Members, clients, stakeholders, suppliers and vendors, are expected to adhere to all international, federal and state laws and legal standards governing copyrights and intellectual property.
- CREA retains the rights to all resources created by CREA staff as a part of CREA programming, including intellectual property.
- Professional staff members are encouraged to engage in approved professional research and to contribute articles and resources to professional publications and productions. Materials which might be considered for publication and/or production, which identify the REA in any manner, shall be cleared with the Director prior to publication and/or production. Further, the author shall identify their role with the REA in the article or accompanying published materials.
- Publications and productions shall be subject to the following copyright provisions:
 1. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the REA. The REA shall retain all rights and privileges pertaining to the ownership thereof. This includes presentations and consultant work developed through the REA.
 2. In the event that any of these products have commercial possibilities, the CEO is authorized to secure payments, copyrights, patents, etc. which will ensure the ownership of the product by the REA.
 1. The CEO is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including the possibility of sharing royalties, for the staff member(s) who developed the products.
 2. The percentage of payment for outside consultation by an REA professional shall be negotiable and the baseline is as follows:
 1. 60% REA
 2. 40% Professional Staff member

Professional staff members who desire to publish or produce materials on their own time should make such action known to the CEO prior to the time such work is started in order that proper procedures can be established to assure that REA interests and the interests of the staff member are protected.

Rights to copyrights or patents of books, materials, devices, etc. developed by professional staff members on their own time will be relinquished by the Board upon request of the staff member provided that:

- the books, materials, devices, etc. were prepared without the use of REA data, facilities, and/or equipment;
- the REA is granted the privilege of utilizing the materials or products free of any copyright or royalty charges;
- the staff member does not become involved in any way in the selling of the product to the REA, and
- the materials are clearly not aligned with specific job duties or responsibilities.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Director.

Employee Complaints and Grievances

- Policy outlines the procedures for employee complaints and prohibits retaliation against those making complaints.
- Acts of retaliation should be reported immediately and will be investigated and addressed. The agency cannot promise complete confidentiality to those reporting harassment, favoritism, discrimination or retaliation complaints; but the identity of those making complaints will be revealed only on a need-to-know basis.

Expectations for Professional Practice

- All employees are expected to follow the Professional Practices Code of Conduct for Educators, the accreditation standards published by Cognia, the Code of Conduct for their respective professional group(s) and the Ethical Standards of the American Educational Research Association or other pertinent organization.

External Relationships Including Other State or Non-Profit Agencies, K-12 Schools, Post-Secondary Education, Funders and Vendors

- All external relationships established for the agency by its employees or Board Members are expected to further the growth, sustainability and impact of the agency's programs and services.
- Relationships should not be established with external entities whose mission and purpose is counterproductive to the mission, values, goals, programs, services and clients of the agency.

Legal Notices Served at the Work Site

- Legal papers will not be accepted on the employee's behalf
- Servers of legal documents, who inquire as to the employee's whereabouts will be told "that information is confidential per agency policies" and cannot be disclosed to them.

Personnel Files: Storage, Review, Retention and Release of Information Found In Personnel Files

- All personnel records are to be kept in locked files at the main administrative office and are considered confidential.
- Current and former employees may access their personnel file after completing a written request.
- The personnel file (excluding confidential information) is subject to the open records law. N.D.C.C.44-04-18.

Professional Development for Staff

- Each year the agency will set aside budget dollars for the training and professional development of staff as feasible based on the financial condition of the agency.
- Professional development funding dollars *will not be used to support* continuing education or professional presentations that *enable staff to maintain various certifications*.
- Professional Development budget dollars are to be prioritized to development that supports the strategic direction of the agency or to development that supports the programs and services that directly impact clients.

Public Records and Open Meetings

- All public entities in North Dakota are subject to open records and open meetings laws.

Records Requests

- CREA intends to comply with all aspects of the open records laws of North Dakota. Information can be found at <https://www.ag.nd.gov/Manuals/OROMManuals/OpenRecordsManual.pdf>

Records Retention

- Records retention periods vary depending on the types of records and returns.
- Some records should be kept permanently
- A list of retention recommendations can be searched on the following link: http://www.nd.gov/itd/files/retention/999/999001_descriptions.pdf

Solicitation

- Nonemployees may not solicit employees or distribute literature of any kind on work premises.

- *Employees may not distribute literature of any kind during work times or in any work area except in connection with a sponsored event or with prior approval.*

Whistle Blower Protection

- Protections are provided in two important areas – confidentiality and retaliation.
- State whistle-blower law does not guarantee privacy or anonymity for those who come forward.

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