

Le Jardin Community Center, Inc.



# Human Resources Policies and Procedures Manual

Effective: December 9, 2021

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# Section 1

## Mission Statement

### **Mission Statement**

Enriched by the diversity of our community, Le Jardin Community Center, Inc. is dedicated to improving the quality of life for children and families. We provide high quality educational, recreational and cultural activities and comprehensive services in a safe, caring and nurturing environment. As a private, not-for-profit corporation, Le Jardin seeks opportunities, partnerships and resources to meet changing community needs.

### **Value Statement**

As an organization, Le Jardin promotes the following values as our guide in all relationships:

- Honesty through integrity, trust and accountability
- Respect and sensitivity to diversity
- Open mindedness
- Creativity
- Open and clear communications
- Professionalism
- Caring and understanding

### **Quality Statement**

Le Jardin Community Center, Inc. is a diverse team of professionals whom maximize resources to involve parents in a partnership that completes a circle of mutual support and to open the world to the inquisitive minds of children.

# **Policies and Procedures Manual**

## **PURPOSE**

Le Jardin's Human Resources Policies and Procedures Manual (hereby referred to as "Manual") provides management with a systematic approach to administering personnel policies and practices.

This policy provides guidelines for updating and distributing the Le Jardin Human Resources Policies and Procedures Manual.

## **POLICY**

For easy access and to accommodate all employees this manual is on the Le Jardin website at [www.lejardincinc.org](http://www.lejardincinc.org) under the Employee's tab. The policies in this Manual apply to the employees of Le Jardin Community Center, Inc.

## **PROCEDURE**

1. Due to changing regulations, laws, and Human Resources best practices, the Human Resources Policies and Procedures Manual is subject to change at any time.
2. No change in the Manual may be made without prior authorization from the Executive Director and/or designee. Changes will be submitted to the Executive Director and/or designee for consideration and final approval.
3. This manual contains specific Early/Head Start policies relating to Human Resources. All policies which have a direct impact upon Early/Head Start employees require approval of the Governing Board, Policy Committee and Policy Council.
4. Any changes made in the material will be brought forthwith to the attention of the appropriate groups of employees outlined above through any of the following means:
  - a. Meetings
  - b. Posting of the change(s) on the center bulletin board
  - c. Memorandum
  - d. Amendments to the documents themselves
  - e. Email

# Section 2

## Employment at Will

### **PURPOSE**

The purpose of this policy is to specify the employment-at-will doctrine and its impact on the employment relationships at Le Jardin.

### **POLICY**

An employee who does not have a written employment agreement for a definite period of time is employed at the will of the organization for an indefinite period. Any employee may resign from the organization at any time and also may be terminated by the organization at any time, for any reason or no reason, and with or without notice.

### **PROCEDURE**

1. No one may modify this policy for any employee or enter any agreement contrary to this policy. No administrator or coordinator shall make any representation to any employee or applicant concerning any term or condition of employment with the organization that is not consistent with this policy.
2. No statement contained in any employee employment application, recruiting material, organization memorandum, or other material provided to any employee in connection with his or her employment, shall be construed as contradicting this policy by creating any expressed or implied contract of employment.
3. At the time of hiring, each employee shall be informed of and required to sign an acknowledgement of his or her understanding that he or she is employed at the will of the organization and at their own will and is subject to termination at any time, for any reason or no reason, with or without notice and with or without cause.
4. Completion of introductory period or conferral of regular or permanent status shall not change an employee's status as an employee at will or in any way restrict the organization's right to terminate such an employee.

## **Equal Employment Opportunity**

### **PURPOSE**

To ensure that all employees understand and comply with all requirements pertaining to equal employment opportunity (EEO) regulations.

### **POLICY**

It is the policy of Le Jardin to provide equal employment opportunities without regard to race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, genetic information, medical condition (including AIDS, ARC and HIV), sexual orientation or any other status, as provided in applicable federal, state or local law. This policy applies to all terms and conditions of employment, including, but not limited to: recruitment, placement, promotion, transfer, demotion, disciplinary, termination, lay off, leaves of absence, advertising or solicitation for employment, compensation, benefits, and training. It is our policy to comply with all federal, state, and local laws and regulations.

### **PROCEDURE**

1. Human Resources Department will be responsible for the following:
  - a. Responding promptly to and investigating employees' complaints or inquiries regarding on-the-job discrimination
  - b. Ensuring Le Jardin meets all EEO-related requirements
  - c. Ensuring that appropriate Federal and State Labor Law posters and notices are posted on the bulletin boards of the various programs and sites
  
2. Coordinators will be responsible for the following:
  - a. Creating and maintaining a work environment free of discrimination and harassment
  - b. Promptly investigating complaints of discrimination or harassment within their programs or locations
  - c. Reporting discrimination and harassment complaints to the Executive Director and Human Resources Department
  - d. Take corrective action to prevent prohibited conduct from occurring or continuing, with the prior approval of the Executive Director and Human Resources Department

## **Employee Status Definition**

### **PURPOSE**

To define the various employment categories at Le Jardin; to define exempt and non-exempt employees.

### **POLICY**

It is the policy of Le Jardin to classify the exemption status of employees according to State and the Fair Labor Standards Act (FLSA) and to define all categories and responsibilities of employment at Le Jardin.

## **PROCEDURE**

### **Exempt Employee**

The Fair Labor Standards Act exempts certain employees such as executive, administrative and professional employees from the overtime provision of the law. According to the law, an employee's duties, authority and compensation determine whether the employee qualifies for the exemption. It is the responsibility of the Human Resources Director, using appropriate FLSA criteria, to identify exemption classification status.

### **Non-Exempt Employee**

Under the Fair Labor Standards Act, those employees not exempt from overtime provisions are paid overtime at the rate of one and one-half times their regular rate of pay for each hour worked in excess of forty (40) hours per week.

### **Administration Employee**

Employees working within the administration of Le Jardin are twelve (12) months employees. This will include the administration staff and the finance staff.

### **Head Start Employee**

Employees working within the Head Start program are classified as Head Start employees. These employees may operate on a ten (10) month calendar year and are subject to additional Head Start regulations and requirements and to the ten (10) month Le Jardin regulations and requirements.

### **Early Head Start Employee**

Employees working within the Early Head Start program will operate on a twelve (12) month calendar year providing funding permits twelve (12) months of operation and will be subject to additional Head Start regulations and requirements and the twelve (12) month Le Jardin regulations and requirements.

### **Voluntary Pre-Kindergarten Employee**

Employees not working in the regular Head Start program that are classified as VPK employees will work only during the VPK term and/or summer hours of operation and will be subject to applicable Le Jardin policies.

### **Introductory Employee (Probation Status)**

All exempt and non-exempt regular full-time and regular part-time employees are on introductory status for the first 180 days of employment and upon hire for a new position. At or within two (2) weeks of the end of the introductory period, a formal evaluation will be made by the employee's immediate supervisor using the Le Jardin electronic evaluation form. The purpose of the evaluation is to determine the employee's continued employment with the organization. If an evaluation is less than satisfactory a meeting will be held to determine continued employment and/or extending the probation period. In the event of a probation extension the employee will be re-evaluated to

determine continued employment. Nothing pertaining to this employment classification will impact the policy of employment-at-will.

### **Regular Full-Time Employee**

In compliance with the Affordable Care Act requirements, a regular full-time employee is an employee who is regularly scheduled to work at least thirty (30) hours per week, who may be exempt or non-exempt. Regular Full-Time employees are eligible for all standard benefits, subject to the terms, conditions, and limitations of each benefit program.

### **Regular Part-Time Employee**

A regular part-time employee is an employee who is regularly scheduled to work less than the full-time schedule of thirty (30) hours per week, who may be exempt or non-exempt. Regular part-time employees are not eligible for Le Jardin benefits except those that are legally required.

### **Consultants**

A consultant is a person or company that provides Le Jardin with a particular service(s) that is not needed full-time, but is required to meet the objectives of the program or project. Le Jardin pays the Consultant for the services provided for a specified period of time. Consultants that work directly with children are required to obtain Federal and Local Background Clearance and sign the Standards of Conduct Form as per HSPPS 1302.90, as well as receive an Orientation as per HSPPS 1302.92(a).

### **Temporary Employee**

A temporary employee is an employee who is hired for either of the following reasons:

1. As an interim replacement to temporarily supplement the work force
2. To work on a specific project.

Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a status change. Temporary employees receive all legally required benefits.

### **Service Providers**

A service provider is a person or company that provides services to Le Jardin and is not paid by Le Jardin.

### **Intern/Internships**

Program agreements with educational institutions providing for internships shall be subject to the prior approval of the Executive Director. Interns are subject to mandated benefits as required by law.

### **Volunteers**

Volunteer workers, when performing work for Le Jardin, are required to file personal information for identification purposes, observe established work hours, complete time and attendance records and be accountable to supervision. Volunteers are required to follow organization Policies and Procedures. Volunteers will sign and abide by the Standards of Conduct outlined in HSPPS 1302.90(c). As per HSPSS 1302.92 Volunteers are required to attend an orientation that focuses

on, at a minimum, the goals and philosophy of the program and the ways they are implemented. Regular Volunteers, as defined by DCF, will be screened for appropriate communicable diseases as per HSPPS 1302.94. Le Jardin will ensure that children are never left alone with volunteers.

### **Essential Staff**

Essential staff includes the Executive Director, CFO/COO, Program Manager, Director of Human Resources, Component Managers, Maintenance staff, and Family Workers.

## **Immigration**

### **PURPOSE**

To ensure that proper documentation is received in compliance with the Immigration Reform and Control Act of 1986.

### **POLICY**

Le Jardin fully complies with the regulations of the Immigration Reform and Control Act of 1986 as enforced by the Department of Homeland Security. This act requires that all employees hired to work for Le Jardin provide appropriate documentation to prove that they are eligible to work in the United States. It is the responsibility of the employee to furnish the appropriate documentation in a timely manner.

### **PROCEDURE**

1. In order to comply with this Act, Le Jardin requires, as a condition of employment, that all new hires must complete the employment eligibility verification INS Form I-9 before starting work.
2. In addition to completing the INS Form I-9, all new hires must present the required documentation establishing identity and employment eligibility before reporting to work. Failure to do so will result in the offer of employment being withdrawn or withheld.
3. All former employees who are rehired are also required to complete a new Form I-9.
4. I-9 forms will be maintained in a file separate from that of the employee's personnel file.
5. I-9 information is reported on the E-Verify website.

## **Persons with Disabilities**

### **PURPOSE**

To ensure Le Jardin complies with the Americans with Disabilities Act of 1990 (ADA) and Age Discrimination in Employment Act (ADEA).

## **POLICY**

It is the policy of Le Jardin to comply with the Americans with Disabilities Act and ensure equal employment opportunity for qualified persons with disabilities.

Le Jardin will not discriminate against such persons in employment opportunities or practices, including recruitment, hiring, promotion, training, layoff, termination, compensation, benefits, or other employment related activities.

## **PROCEDURE**

1. Employment opportunities will be afforded to persons with disabilities who are qualified to perform the essential functions of the job whether or not they need reasonable accommodation. Le Jardin will seek reasonable accommodations that do not result in undue hardship on business operations for qualified individuals with disabilities.
2. Overall implementation of this policy will be the responsibility of Human Resources. All managers will be responsible for implementation of guidelines and operational procedures related to ensuring organization compliance with the ADA.
3. Employees who experience a disability may be entitled to leave under the Family Medical Leave Act (FMLA) or an extension of their medical leave as a reasonable accommodation under the ADA. Questions regarding leave rights should be directed to an employee's supervisor who will in turn consult with and report to Human Resources to commence the ADA request process.
4. Le Jardin will comply with any Florida state or local law or regulation that provides persons with disabilities greater protection than the ADA.

## **Persons with Life Threatening Illnesses**

### **PURPOSE**

To specify Le Jardin's procedure in dealing with situations involving life threatening illnesses, including but not limited to cancer, heart disease, HIV and AIDS.

### **POLICY**

It is the policy of Le Jardin to comply with the Americans with Disabilities Act of 1990, which covers employees with HIV and AIDS.

Le Jardin will not discriminate against persons with non-communicable life threatening illnesses in the provision of employment opportunities and practices, including recruitment, hiring, promotion, training, lay-off, termination, pay, access to benefits, or other employment related activities. Employment opportunities will be afforded to such persons who are qualified to perform the essential functions of the job whether or not they need reasonable accommodation.

## **PROCEDURE**

1. Reasonable precautions will be taken to keep confidential the identity of an employee with a life-threatening illness. Without the employee's consent, no one may disclose information regarding the specifics of an employee's health, diagnosis, or prognosis, subject to limited information in order to conduct employment responsibilities.
2. Le Jardin will not terminate any employees on the basis of a non-communicable life-threatening illness unless the employee is unable to satisfy the requirements of his or her job satisfactorily. Requests for reasonable accommodation are made to the Executive Director, CFO/COO and Human Resources. Medical certification may be required to support a request for accommodation.
3. Insofar as practicable, the benefits for employees with life threatening illnesses will be kept the same as benefits for other employees. Insofar as practicable, Le Jardin's health insurance and leave policies will be kept available to assist employees with life threatening illnesses.

## **Orientation**

### **PURPOSE**

To assist new employees, consultants, and volunteers in understanding Le Jardin's mission, goals and objectives; the scope of Le Jardin services and facilities; and the importance of partnership in the accomplishment of the organization's goals and objectives.

### **POLICY**

A program must provide to all new employees, consultants, and volunteers an orientation that focuses on, at a minimum, the goals and underlying philosophy of the program and on the ways they are implemented. HSPPS 1302.92(a)

### **PROCEDURE**

1. Program Component Responsibilities:
  - a. Provide each new employee, consultant or volunteer with an orientation specific to his or her duties and workplace.

2. New Employee, Consultant, or Volunteer Responsibilities:
  - a. Participate in appropriate orientation processes.
  - b. Seek information to enhance his or her orientation process.
  
3. Human Resources Department Responsibilities:
  - a. Schedule sessions for orientation.
  - b. Provide information and resources concerning the goals and underlying philosophy of the program and on the ways they are implemented.
  - c. Provide program/components with strategies, resources and tools for development of its workplace orientation process.

For the convenience of all Le Jardin employees, Policies and Procedures Manuals, and other resources, are available on-line on the Le Jardin website under the employee's tab.

## **Introductory Period**

### **PURPOSE**

To specify the Introductory period for all employees and management's authority to extend that period, if deemed appropriate.

### **POLICY**

It is the policy of Le Jardin that all new and rehired regular employees and all current regular employees who have been hired, permanently transferred, promoted, or demoted to a job shall be placed on introductory status for a period of 180 eighty days. This policy will not apply to temporary employees, or to those employees who are provided employment opportunities through special employment and training program agreements.

This policy shall not change the policy of employment-at-will. Completion of the introductory period shall not be considered to mean that an employee is employed other than at-will. Further, the introductory period shall not be considered an employment contract of any kind.

### **PROCEDURE**

1. Employees will begin employment under a 180 calendar day introductory period.
  
2. Upon completion of this introductory period, supervisors will conduct a formal performance appraisal with the new, promoted, demoted, or permanently transferred employee to review the employee's progress/performance to date. See the Performance Management policy for more details.
  
3. Introductory periods may be extended by Le Jardin, if deemed appropriate, subject to prior consultation and approval of the Executive Director and Human Resources Department.

4. Transferred or promoted employees who are unable to perform satisfactorily in their new position during the 180-day probation, may be returned to their original job, if a vacancy exists, or be terminated.

## **Job Descriptions**

### **PURPOSE**

To set forth the procedures regarding creating job descriptions and classifications for all jobs within the organization.

### **POLICY**

It is the policy of the organization to utilize a job evaluation plan to measure all jobs, create job descriptions for every job, and properly determine exemption status for every job according to the Fair Labor Standards Act (FLSA) and state requirement. Human Resources will maintain records of all authorized positions within the organization.

### **PROCEDURE**

1. Each Coordinator will be responsible for assuring that staff members reporting to him or her are performing the tasks included in his or her job description. Each description will include the job's:
  - a. Purpose and function
  - b. Title of the supervisor
  - c. Principal duties and responsibilities
  - d. Education and experience qualifications
  - e. FLSA information
2. All new or revised job descriptions are subject to approval by the Executive Director.
3. Newly created positions or changes in position qualifications that may result in salary adjustment require the budget review and approval of the Executive Director and CFO.
4. After review, the CFO/COO and Human Resources will assign the position to a recommended salary grade and appropriate FLSA exemption status.

## **Outside Employment**

### **PURPOSE**

To define the organization's policy regarding outside employment.

## **POLICY**

Le Jardin expects that its employees will contribute their best efforts in pursuit of the organization's goals and objectives. A full-time employee may hold a job with another organization as long as he or she obtains prior permission from the Executive Director and satisfactorily meets his or her job responsibilities with Le Jardin in order to prevent conflict of interest.

## **PROCEDURE**

1. A Le Jardin employee who is employed outside the organization, or who anticipates employment outside the organization, is required to receive prior written permission from the Executive Director or his or her designee.
2. When an employee provides consultation or training to other organizations on his or her own time and the service is rendered entirely outside of the employee's working hours, the service is considered secondary employment. In this situation, the use of Le Jardin office equipment and supplies and the utilization of Le Jardin personnel in the preparation of such service are prohibited.
3. Le Jardin employees are prohibited from utilizing other Le Jardin employees for services not related to organization business during an employee's regularly scheduled work hours.
4. If Le Jardin determines that an employee's outside work interferes with the employee's performance or ability to meet the requirements of Le Jardin as they are modified from time to time, or has an adverse impact on Le Jardin, the employee may be required to terminate the outside employment if he or she wishes to remain with Le Jardin.

## **Employee Participation in Program Services**

### **PURPOSE**

To outline the program services employees are allowed to participate in.

### **POLICY**

Le Jardin, by practice and philosophy, provides entry level employment to local community residents as an opportunity for them to avoid or remove themselves from public welfare dependency so that they can become self-sufficient. Therefore, in general it is the policy of Le Jardin that its employees are not, solely by virtue of their employment, prohibited from participation in programs of service operated by the agency – providing that these employees meet all economic and all other program eligibility requirements set by statute or regulation, and provided that they are not given priority or preferential treatment over other applicants because of their employment with Le Jardin.

## **PROCEDURE**

1. Le Jardin will provide notice that participation in a particular program is either authorized or prohibited to employees. To the extent that employees may participate, notification will be provided of the eligibility requirements and procedures to obtain particular program benefits.
2. Employees who abuse this policy and receive program benefits through fraud, concealment, or other improper means of conduct shall be subject to disciplinary action up to and including termination.
3. Supervisors of employees who knowingly certify the eligibility of an ineligible employee for program benefits, or who are aware of an employee's abuse of program guidelines and fail to report said ineligibility, shall be subject to disciplinary procedures up to and including termination.
4. Each employee should be advised to consult with his or her supervisor prior to participation in a particular program.
5. Educational staff may not have their children, or other family member, as a student in their classroom. Relatives may work in the same building so long as the relationship is not disruptive to either party. Violations of this policy will result in disciplinary action up to and including termination.

## **Law Enforcement Participation**

### **PURPOSE**

To set forth the organization's general standards concerning employee participation with law enforcement.

### **POLICY/PROCEDURE**

Le Jardin will not take any adverse action against an employee in retaliation for providing to a law enforcement officer or law enforcement agency any truthful information relating to the commission or possible commission of a federal or state offense.

## **Political Participation**

### **PURPOSE**

To set forth the organization's general standards concerning employee participation with politics or political figures.

## **POLICY/PROCEDURE**

All employees are free to engage in political activity to the widest extent consistent with restrictions imposed by law and regulations. Head Start employees may not, however, use his or her official authority or influence for the purpose of interfering with or affecting the result of an election; coerce or advise an employee to pay, lend or contribute anything of value to a political party, committee, agency, organization or person for a political purpose; or be a candidate for elective public office in a partisan election. Furthermore, no use of program funds, services, or personnel is allowed to support or identify with any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; any voter registration activity; or any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election. Any employees that are found to be in violation will have disciplinary action taken leading up to and including termination.

## **Outside Employment**

### **PURPOSE**

To define the organization's policy regarding outside employment.

### **POLICY**

Le Jardin expects that its employees will contribute their best efforts in pursuit of the organization's goals and objectives. A full-time employee may hold a job with another organization as long as he or she obtains prior permission from the Executive Director and satisfactorily meets his or her job responsibilities with Le Jardin in order to prevent conflict of interest.

### **PROCEDURE**

1. A Le Jardin employee who is employed outside the organization, or who anticipates employment outside the organization, is required to receive prior written permission from the Executive Director or his or her designee.
2. When an employee provides consultation or training to other organizations on his or her own time and the service is rendered entirely outside of the employee's working hours, the service is considered secondary employment. In this situation, the use of Le Jardin office equipment and supplies and the utilization of Le Jardin personnel in the preparation of such service are prohibited.
3. Le Jardin employees are prohibited from utilizing other Le Jardin employees for services not related to organization business during an employee's regularly scheduled work hours.

4. If Le Jardin determines that an employee's outside work interferes with the employee's performance or ability to meet the requirements of Le Jardin as they are modified from time to time, or has an adverse impact on Le Jardin, the employee may be required to terminate the outside employment if he or she wishes to remain with Le Jardin.

## **Performance Management**

### **PURPOSE**

To set forth the organization's procedures to evaluate the performance of all employees in a fair and equitable manner.

### **POLICY**

It is the policy of the organization that each employee's performance be evaluated at or within two (2) weeks after the 90 day and 180-day introductory period and at least once annually thereafter, or more frequently if needed. The performance appraisal is completed to assist staff in improving skills and competencies and to identify training and development needs. As per HSPPS 1302.91(a) Le Jardin will ensure all staff, consultants, and contractors engaged in the delivery of program services have sufficient knowledge, training and experience, and competencies to fulfill the roles and responsibilities of their positions and to ensure high-quality service delivery in accordance with the program performance standards. Le Jardin will provide ongoing training and professional development to support staff in fulfilling their roles and responsibilities.

### **PROCEDURE**

1. Human Resources Department will provide notification of upcoming evaluations on each Coordinator's calendar. Performance evaluations will be conducted on the electronic evaluation form, and are conducted objectively.
2. The schedule for performance evaluations is:
  - a. After hire, or starting a new position, each employee's performance will be evaluated at or within two (2) weeks after the first 90 days, then again at or within two (2) weeks after the 180-day introductory period, and at least once annually thereafter.
  - b. Twelve (12) month employees will be evaluated on their hire anniversary dates for their current position.
  - c. Ten (10) month employees will be evaluated annually between April - May.
  - d. Supervisors may perform evaluations more frequently as needed.
3. The supervisor responsible will complete the performance evaluation and then schedule a review with the employee.

4. The reviewer and the employee will meet to discuss the following topics:
  - a. Previous performance plans and achievement of past goals
  - b. Current performance appraisal including demonstration by the evaluator of appreciation for the employee's contributions
  - c. Providing constructive feedback on employee's performance
  - d. Setting future expectations and goals
  - e. Identifying employee training needs and complete and/or update professional development plan, as applicable.
  
5. The employee may suggest revisions or comments. Mutually agreed upon changes to the performance evaluation shall be entered in writing on the form and sent to Human Resources to correct the digital score.
  - a. The employee may submit his or her own comments or statements on the evaluation form.
  - b. The supervisor shall sign the completed form. The employee shall be asked to sign the completed evaluation acknowledging that he or she has read and understood it, but may not necessarily agree with the evaluation. Failure by the employee to sign the evaluation will result in disciplinary action.
  
6. While evaluating, each supervisor will consider each employee's:
  - a. Successes
  - b. Additional responsibilities
  - c. Awards or recognitions
  - d. Attendance at training, where applicable
  - e. Comments from parents, peers, and supervisor
  - f. Professional Development Plan
  
7. Performance evaluations will be placed in the employee's personnel file and may be used for such actions as transfers, promotions, pay adjustments, and salary considerations.

## **Training and Professional Development**

### **PURPOSE**

To set forth the responsibilities of the organization regarding training and development opportunities for its employees.

### **POLICY**

As per HSPPS 1302.91(a) Le Jardin will ensure all staff, consultants, and contractors engaged in the delivery of program services have sufficient knowledge, training and experience, and competencies to fulfill the roles and responsibilities of their positions and to ensure high-quality service delivery in accordance with the program performance standards. Le Jardin will provide ongoing training and professional development to support staff in fulfilling their roles and

responsibilities. The organization supports the development of employee skills through both in-house and outside training opportunities. It is a joint responsibility of supervisors and employees to identify training opportunities and needs.

### **PROCEDURE**

1. As per HSPPS 1302.92(a) Le Jardin will provide to all new staff, consultants, and volunteers an orientation that focuses on, at a minimum, the goals and underlying philosophy of the program and on the ways they are implemented.
2. In accordance with HSPPS 1302.92(b) Le Jardin has established and implements a systematic approach to staff training and professional development designed to assist staff in acquiring or increasing the knowledge and skills needed to provide high-quality, comprehensive services within the scope of their job responsibilities, and attached to academic credit as appropriate. This system includes:
  - a. Staff completing a minimum of 15 clock hours of professional development per year. For teaching staff, such professional development must meet the requirements described in section 648A(a)(5) of the Act.
  - b. Training on methods to handle suspected or known child abuse and neglect cases, that comply with applicable federal, state, local, and tribal laws;
  - c. Training for child and family services staff on best practices for implementing family engagement strategies in a systemic way, as described throughout this part;
  - d. Training for child and family services staff, including staff that work on family services, health, and disabilities, that builds their knowledge, experience, and competencies to improve child and family outcomes; and,
  - e. Research-based approaches to professional development for education staff, that are focused on effective curricula implementation, knowledge of the content in Head Start Early Learning Outcomes Framework: Ages Birth to Five, partnering with families, supporting children with disabilities and their families, providing effective and nurturing adult-child interactions, supporting dual language learners as appropriate, addressing challenging behaviors, preparing children and families for transitions (as described in subpart G of this part), and use of data to individualize learning experiences to improve outcomes for all children.
  - f. Cardiopulmonary resuscitation and first aid certification for staff that work in a facility licensed to care for children.
  - g. Fire extinguisher training for staff that work in a facility licensed to care for children.
3. As per HSPPS 1302.92(c), Le Jardin will implement a researched-based, coordinated coaching strategy that:
  - a. Assesses all education staff to identify strengths, areas of needed support, and which staff would benefit most from intensive coaching;
  - b. At a minimum, provides opportunities for intensive coaching to those education staff identified through the process in paragraph (c)(1) of this section, including

- opportunities to be observed and receive feedback and modeling of effective teacher practices directly related to program performance goals;
- c. At a minimum, provides opportunities for education staff not identified for intensive coaching through the process in paragraph (c)(1) of this section to receive other forms of research-based professional development aligned with program performance goals;
  - d. Ensures intensive coaching opportunities for the staff identified through the assessment of all education staff.
  - e. Establishes policies that ensure assessment results are not used to solely determine punitive actions for staff identified as needing support, without providing time and resources for staff to improve.
4. Le Jardin makes mental health and wellness information available to staff regarding health issues that may affect their job performance, and must provide regularly scheduled opportunities to learn about mental health, wellness, and health education, as per HSPPS 1302.93
  5. Professional Development Plans will be created during the annual evaluation, but may be created earlier in order to assist employees with meeting required credentials or improving performance.
  6. The supervisor and employee will meet every six (6) months to update the employee's Professional Development Plan, or more frequently as applicable.
  7. It is the responsibility of the Coordinators to assign employees to the training sessions to ensure that they receive the required training on a regular basis.
  8. An employee desiring training must complete a written request for the specific training to his or her supervisor for review. Upon supervisor approval, the request is to be submitted to the Program Manager for review, then the Executive Director and CFO for approval and Human Resources Department for scheduling purposes. Approval of training is contingent on budgetary restrictions and available funding.
  9. As per HSPPS 1302.102(c)(2)(v), program improvement plans may be used, as needed, to either strengthen or adjust content and strategies for professional development, change program scope and services, refine school readiness and other program goals, and adapt strategies to better address the needs of sub-groups.
  10. See the Educational Assistance policy for more information.

## **Educational Assistance**

### **PURPOSE**

To set forth the procedures of the organization regarding educational assistance for employees.

## **POLICY**

Le Jardin recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job related skills or enhance their ability to compete for reasonably attainable jobs within Le Jardin.

## **PROCEDURE**

1. Employees must meet the following conditions to be eligible for educational reimbursement:
  - a. Have completed one (1) full year of service as a regular full-time employee and have received an above average rating on his or her performance evaluation
  - b. Remain on the active payroll and are performing their job satisfactorily through completion of each course
  - c. Have completed and submitted a written request and obtained prior approval from the employee's supervisor and the Chief Financial Officer
  - d. Submitted receipts for reimbursement. Courses submitted for reimbursement shall not exceed more than two (2) per semester or quarter unless otherwise approved by the Executive Director
  - e. Whose training is explicitly authorized by the Executive Director or a funding agency.
  
2. The guidelines for reimbursement include:
  - a. Courses taken pass/fail are not eligible for reimbursement at the undergraduate level. Exceptions will be made where the employee has no alternative. The rate of reimbursement will be determined by the Chief Financial Officer and will be determined by the availability of funds.
  - b. A grade of "A" in the course will entitle the employee to receive 100% reimbursement of tuition only.
  - c. A grade of "B" in the course will entitle the employee to receive 90% reimbursement of tuition only.
  - d. A grade of "C" in the course will entitle the employee to receive 70% reimbursement of tuition only
  - e. There will be no reimbursement for grades of "D" and "F".
  
3. Priority will be given to those employees in need of credits to meet credential requirements as per the HSPPS, and have no alternative tuition reimbursement resource.
  
4. The administration must be notified of an employee's intention to apply for educational assistance two (2) months prior to attending an approved college or technical program; exceptions are only granted through the fiscal department with approval from the CFO/COO. Approval for participation in the program will depend on availability of funds in the budget. Employees are encouraged to seek alternative payment methods and grants for tuition. Employees will not be paid for courses where financial aid, a grant, or an alternative provider has already covered the cost. Employees are eligible to receive

reimbursement for a loan used to cover the cost of the course(s) directly. Le Jardin is not liable for the repayment of loans; repayment is between the employee and lender.

5. Individual courses or classes that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable future position in the organization in order to be eligible for educational assistance. Le Jardin has the sole discretion to determine whether a course satisfies this requirement.
6. While educational assistance is expected to enhance employee performance and professional abilities, Le Jardin cannot guarantee that participation in formal education will entitle the employee to advancement, a different job assignment, or any pay increase.
7. If an employee voluntarily separates from Le Jardin's employment within less than one (1) year of the last educational assistance payment, the amount of the entire reimbursement is then considered a loan. Accordingly, the employee will be required to repay up to 100% of any reimbursement made during the employee's last year of employment. Percentage of repayment amount is determined by the calendar date and CFO.
8. Upon entering the tuition reimbursement program, Le Jardin reserves the right to enter into an agreement with an employee for the employee to repay Le Jardin if he or she leaves before one year of the last educational assistance payment. Employees will be permitted to use their Le Jardin retirement funds to repay tuition if they are vested and if a prior agreement has been made.
9. Registration fees will be paid by Le Jardin for students in the tuition reimbursement program for special classes and training required towards the acquisition of a degree and without which, the degree cannot be obtained; prior approval must be received.
10. Educational leave will be unpaid leave and may be granted under conditions where the required class or training can only be taken during the hours of work; prior approval must be received.
11. Tuition will be reimbursed only for regionally accredited, academic institutions.
12. To receive funds for tuition for the same course(s) that are being reimbursed by Le Jardin is fraudulent and will result in disciplinary action up to and including termination in addition to repayment of funds.

## **Employee Arrest Policy**

### **PURPOSE**

To set forth the responsibilities of the employee when an employee is arrested for any reason.

### **POLICY**

Employees arrested must inform their supervisor of the arrest in writing within five (5) business days of the arrest. Arrests must be reported to the supervisor whether the arrest took place while the employee was conducting business or on the employee's personal time. The employee is required to report any arrest, regardless of the nature of the arrest. Employees that do not comply with this policy will be subject to disciplinary action up to and including termination. It is at the discretion of Administration and Human Resources as to the action, if any, that will take place following the report of an employee's arrest.

### **PROCEDURE**

1. Employees that are arrested for any reason, at any time, must submit a notice to their supervisor in writing within five (5) business days of the arrest.
2. Supervisors must forward the written notice of arrest to Human Resources and the Executive Director.
3. Human Resources in collaboration with the Executive Director will determine if the arrest is relevant to their job and what actions will be taken. Human Resources, with approval from the Executive Director, reserves the right to suspend and/or terminate an employee for any arrest.
4. Employees will not be paid for time off to attend personal legal proceedings for which the employee is a party unless they are using PTO.

# Section 3

## Drug and Alcohol Use

### PURPOSE

To specify Le Jardin's position on the use of alcohol and/or drugs in the workplace.

### POLICY

This policy is implemented pursuant to the drug free workplace requirements under Florida Statute 44.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration. It is Le Jardin's policy to provide for the health and safety of its employees and to ensure the health and safety of others in accordance with the Drug Free Workplace Act of 1988. Accordingly, the manufacture, distribution, dispensing, possession, use, and being under the influence of a controlled substance, including cannabis and alcohol, are prohibited on Le Jardin premises. Any employee who violates any drug law will be subject to disciplinary action up to and including termination.

### PROCEDURE

1. Drug testing is required prior to hire for any position. Drugs sought in a test are below.
  - a. Alcohol Liquor, Beer, Booze
  - b. Amphetamines Biphphetamine, Desoxyn, Dexedrine
  - c. Cannabinoids Marijuana, Pot, Grass
  - d. Cocaine Coke, Flake, Snow, Crack
  - e. Phencyclidine HCl PCP, Angel Dust
  - f. Methaqualone HCl Quaalude
  - g. Opiates Paregoric, Morphine, Tylenol with Codeine
  - h. Barbituates Phenobarbital, Amytal, Nembutal, Seconal
  - i. Benzodiazepines Librium, Valium, Halcion, Restoril
  - j. Synthetic Narcotics Methadone-Polophine, Methadose
  - k. Propoxyphene-Darvocet, Darvon-N, Dolene
2. Employees are required to notify Le Jardin of any criminal conviction under a drug or alcohol statute for a violation occurring in the workplace no later than five (5) days after such conviction.
3. Le Jardin will notify CAHSD within ten (10) days of conviction for a drug violation for employees in the CAHSD Delegate programs.
4. Le Jardin will send drug free awareness information to employees about:
  - a. The dangers of drug abuse in the workplace;
  - b. Le Jardin's policy of maintaining a drug free workplace; and
  - c. Available drug counseling and rehabilitation programs at the employee's expense.

5. Le Jardin encourages employees who have a problem with the use of controlled substances to seek professional advice and assistance. One source of assistance is a drug rehabilitation program acquired through the employee's health insurance. If job performance is adversely affected by the use of a controlled substance, the employee will be instructed to seek help from his or her health provider. Participation in the rehabilitation program is confidential and is encouraged by Le Jardin; however, it will not preclude normal disciplinary action or relieve an employee of responsibility for performing assigned duties.
  - a. If an employee in the course of employment enters an employee assistant program for drug-related problems, or a drug rehabilitation program, Le Jardin will require the employee to submit to a drug test as a follow-up to such program, unless the employee voluntarily entered the program. In those cases, Le Jardin has the option to not require follow-up testing. If follow-up testing is required, it must be conducted at least once a year for a 2-year period after completion of the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.
  - b. All information, interviews, reports, statement memoranda, and drug test results, written or otherwise, received by Le Jardin through a drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with this rule or in determining compensability under Chapter 440, Florida Statutes.
  - c. A local list of rehabilitation providers is provided below in case the employee cannot access Employee Assistant Programs (EAP) through the health insurance company.
    - i. New Hope CORPS  
(305) 278-2773  
1020 North Krome Avenue  
Homestead, FL
    - ii. American Therapeutic Corporation  
(305) 245-5341  
27112 South Dixie Highway  
Naranja, FL
    - iii. Heres Help Inc.  
(305) 238-8500x0  
9016 SW 152nd Street  
Miami, FL
    - iv. Community Health of South Florida Inc.  
(305) 242-6069  
810 West Mowry Drive  
Homestead, FL

- v. Miami Dade Bureau of Rehab Services  
(305) 242-7680  
1600 NW 6th Court  
Florida City, FL
  - vi. Comprehensive Psychiatric Center  
(305) 238-5121  
9735 East Fern Street  
Miami, FL
  - vii. Fellowship House  
(305) 667-1036  
9723 Hibiscus Street  
Miami, FL
6. An employee with a drug or alcohol problem that has not resulted in, and is not the immediate subject of, disciplinary action, may request approval to take unpaid time off, up to twelve (12) weeks (in accordance with FMLA as applicable), to participate in a rehabilitation or treatment program under Le Jardin's health insurance benefit coverage or another legitimately recognized rehabilitation program. Provided that such leave will not cause Le Jardin undue hardship, leave may be granted if the employee agrees to abstain from use of the problem substance and abides by all Le Jardin policies, rules and prohibitions relating to conduct in the workplace. The employee may be covered under the Family Medical Leave act if the employee's healthcare provider feels that the employee is unable to perform their job duties while undergoing treatment. Counselors for rehabilitation programs are not authorized to determine eligibility for FMLA leave.
7. The legal use of controlled substances prescribed by a licensed medical doctor is permitted and will not be considered a violation of this policy so long as it does not impair the employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other persons in the workplace. As an educational institution in the state of Florida, Le Jardin upholds its right not to accommodate the medical use of marijuana in any workplace or any employee working while under the influence of marijuana. Le Jardin encourages employees to volunteer this information to their supervisors, Human Resources Department, or the Executive Director to ensure that all health and safety precautions are taken for the employee and his or her coworkers. Employees and applicants have the right to consult with the Medical Review Officer, Dr. Chapnick/Nelson/Cardela of Physicians Health Center Homestead Medical Center, for technical information regarding prescription and nonprescription medications.
- a. Employees or job applicants may confidentially report to the Medical Review Officer, Dr. Chapnick/Nelson/Cardela of Physicians Health Center Homestead Medical Center, the use of prescription or nonprescription medications both before and after being tested. Additionally, employees and job applicants shall receive notice of the most common drugs or medications – by brand name or common name, as

applicable, as well as by chemical name – which may alter or affect a drug test. A listing of these is below.

b. Over the counter and prescription drugs which could affect or alter drug test results

Alcohol	All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick’s Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof)
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine
Cannabinoids	Marinol (Dronabinol, THC)
Cocaine	Cocaine HCl topical solution (Roxanne)
Phencyclidine	Not legal by prescription
Methaqualone	Not legal by prescription
Opiates	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectoant, dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbituates	Phenobarbitol, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc.
Benzodiazepines	Ativan, Azene, Clonopin, dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax
Methadone	Dolphine, Metadose
Propoxyphene	Darvocet, Darvon N, Dolene, etc.

\*Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive

8. Le Jardin has the right to require blood and/or urine samples in any of the following situations:
  - a. Candidates for employment may be required to submit blood and/or urine samples as a condition of an employment offer. In the event that the drug test is positive, the employment offer will immediately be rescinded. Each prospective employee will be informed of our drug free workplace policy at the time of the interview and again at the time of the employment offer.
  - b. A current employee is involved in any accident involving injury or organization property damage at the work site or while on duty.
  - c. Le Jardin has reasonable suspicion that an employee's behavior is being influenced by one or more illegal drugs, alcohol, or misuse of a controlled substance.
  - d. Random screenings to be compliant with the Drug Free Act
  - e. During workplace injuries whether or not a Workers Compensation claim is filed

9. Refusing to take a company-required drug test is considered a violation of the Drug Free Workplace policy and is subject to discipline, including discharge or suspension from employment without pay and loss of Worker's Compensation benefits, even for the first offense.
10. An employee or job applicant who receives a positive confirmed test result may contest or explain the result to the Medical Review Officer, Dr. Chapnick/Nelson/Cardela of Physicians Health Center Homestead Medical Center, within five (5) working days after receiving written notification of the test results; that if an employee's or job applicant's explanation or challenge is unsatisfactory to the Medical Review Officer, the Medical Review Officer shall report a positive test result; and that a person may contest the drug test result pursuant to law or to rules adopted by Le Jardin for Health Care Administration.
  - a. When an employee undertakes a challenge to the result of a test, it shall be the employee's responsibility to notify the laboratory, and the sample shall be retained by the laboratory until the case is settled.
  - b. The re-testing and submission of specimen must be conducted by a certified medical provider within 72 hours of the initial test
11. Four (4) drug screenings will be conducted annually on randomly selected employees. Employees are required to participate in the drug screening on the same day they are selected; coverage will be made available for the employee to participate.

## **Harassment**

### **PURPOSE**

To specify the organization's position with regard to any form of illegal harassment in the workplace.

### **POLICY**

Le Jardin is committed to maintaining a work environment that is free from harassment where employees at all levels of the organization are able to devote their full attention and best efforts to the job. Harassment, either intentional or unintentional, will not be allowed in the workplace. Accordingly, the organization prohibits and will not tolerate any form of harassment of or by any employee (whether managerial, non-managerial, clients or volunteers) based on race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, medical condition (for example, AIDS, ARC, HIV), sexual orientation, or any status protected under federal, state or local law or regulation.

### **PROCEDURE**

#### **Sexual Harassment**

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it includes any of the following:
  - a. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment.
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment for working.
  
2. Examples of sexual harassment may include, but are not limited to:
  - b. Some incidents of physical assault.
  - c. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, or promotion.
  - d. Direct propositions of a sexual nature and/or subtle pressure for sexual activity.
  - e. Sexual comments or inappropriate references to gender or physical characteristics.
  - f. Sexually explicit statements, questions, jokes, or anecdotes regardless of the means of communication (verbal, written, electronic, etc.).
  - g. Unwanted touching, patting, hugging, brushing against a person's body, or staring.
  - h. Inquiries and comments about sexual activity, experience, or orientation.
  - i. The display of inappropriate sexually oriented materials in a location where others can see them.

### **Other Harassment**

1. All employees are entitled to work in an atmosphere free of harassment of any kind. Employees may not make statements or use words, objects, or pictures that others could interpret as being insulting or derogatory toward persons based on their race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, medical condition (AIDS, ARC, HIV), sexual orientation or any other status protected by federal, state or local law or regulation.
  
2. Such conduct may make individuals uncomfortable in the work environment or could interfere with an employee's performance of his or her job. Comments or actions of this type, even if intended as a joking matter, are always inappropriate in the workplace and will not be tolerated.

### **Reporting Procedures**

1. Any employee, regardless of position, who has a complaint of, or who witnesses, harassment at work by anyone has a responsibility to immediately bring the matter to his or her supervisor, the attention of the Executive Director and Human Resources Department. If an employee reports the incident to a supervisor, the supervisor must immediately contact Human Resources, who is responsible for investigating the alleged incident.

2. Le Jardin will make every reasonable effort to conduct all proceedings in a manner that will protect the confidentiality of all parties. Parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.
3. Complainants will be asked to provide a written description of their complaint to their immediate supervisor with a copy to the Executive Director and Human Resources.
4. Once a complaint has been filed, an investigation will begin. The investigation may include, but is not limited to, review of written statements from both parties, witness interviews, obtaining witness declarations, review of documentation, and on-site investigation. Any person conducting an investigation will maintain a written record of all witness interviews, evidence gathered, the outcome of the investigation, and any other appropriate documents in a confidential manner to preserve the authenticity of the investigation. Records of such an investigation will not be maintained in personnel files unless they are part of a formal corrective action.
5. Results of the investigation will be shared with the complainant and the respondent in a limited format determined by the nature of the incident, and when there is sufficient evidence to support the complaint, written notification of investigative findings will be sent to the complainant and the respondent.
6. If it is concluded that discrimination, harassment or retaliation has occurred, a determination will be made as to the appropriate sanctions or corrective action. Le Jardin has the right to and will include other prior violations when sanctions or corrective action are determined.

Human Resources is ultimately responsible for the administration of this policy and the associated procedures. Any individual who obtains information that would lead a reasonable person to believe that this policy has been violated must refer the matter to the Executive Director or his or her designee for investigation.

## **Workplace Violence**

### **PURPOSE**

This policy has been established to prevent workplace violence and to maintain a safe work environment.

### **POLICY**

Le Jardin does not tolerate acts of workplace violence committed by or against employees or anyone else on organization premises. Le Jardin strictly prohibits employees from exhibiting threatening or violent behavior or language.

### **PROCEDURE**

1. All employees, including supervisors and temporary employees, are to be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, horseplay, and other conduct that may alarm, or be dangerous to others.

2. Firearms, weapons, and other dangerous, hazardous, or illegal devices or substances are prohibited on the premises of Le Jardin, regardless if the employee has a concealed weapons permit.
3. All threats of violence, or violence itself, whether direct or indirect, should be reported as soon as possible to a Coordinator or Administrator. This includes threats by or to employees, customers, vendors, solicitors, or other members of the public. Coordinators should attempt to obtain as specific and detailed information as possible from the affected person(s).
4. All suspicious individuals or activities should also be reported immediately to an immediate supervisor, maintenance staff or member of administration.
5. Conduct that threatens, intimidates, or coerces another employee, a parent, or a child, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment.
6. Le Jardin will thoroughly and promptly investigate all reports of threats of violence, or actual violence, or of suspicious individuals or activities. The identity of the individual making a report will be protected.
7. Anyone determined to be responsible for a threat of, or actual, violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination.
8. Le Jardin encourages employees to bring their disputes or differences with other employees to the attention of their Coordinator or Human Resources before the situation escalates into potential violence. Le Jardin is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **Smoking**

### **PURPOSE**

This policy has been developed to protect the health of all Le Jardin employees and visitors.

### **POLICY**

In order to promote wellness and maintain a safe, healthy, and efficient work environment, and in particular to protect our children, all Le Jardin programs and services will be conducted in a smoke free environment. This includes the use of electronic cigarettes or e-cigarettes. This policy includes employees, as well as all visitors to Le Jardin facilities. No smoking is permitted on Le Jardin premises.

## **PROCEDURE**

1. No one may smoke anywhere on Le Jardin premises at any time.
2. Employees who want to smoke during work hours must leave the premises during designated breaks.
3. Responsibility for compliance with this policy rests with Coordinators and Administrators.
4. Complaints for violation to this policy should be submitted to a Coordinator.

## **Solicitation**

### **PURPOSE**

To set forth the responsibilities of employees and the organization regarding the solicitation of outside products and services on Le Jardin property.

### **POLICY**

It is the policy of the organization to prohibit outside solicitation of products and services during work hours by both employees and non-employees.

### **PROCEDURE**

1. Solicitation includes, but is not limited to:
  - a. Asking for outside funds or contributions
  - b. Offering outside goods or services for sale
  - c. Asking employees to sign a petition
  - d. Requesting employees to join a group, or otherwise requesting employees' support or commitment with respect to causes, groups, interests, goods, or services.
2. Employees are prohibited from soliciting or distributing literature that is not approved through administration. Regular work hours refer to any portion of the workday in which an employee is expected to be performing actual job duties.
3. An employee who is not working may not solicit or distribute literature to an employee who is working.

## **Conflict of Interest**

### **PURPOSE**

To outline employee actions that would be considered a conflict of interest for the organization.

### **POLICY**

It is the policy of Le Jardin to prohibit its employees from engaging in any activity or relationship that may conflict with Le Jardin's interests or adversely affect Le Jardin's reputation.

### **PROCEDURE**

1. Each employee shall provide full disclosure of any business or financial enterprise or activity in which he or she is involved which might influence, or might appear to have the capacity to influence, his or her official decisions or actions on organization matters. Disclosure shall be in writing submitted to the Executive Director.
2. It is sound practice to discourage personal gifts and favors from people with whom the agency has a business relationship. Personal gifts worth more than \$25.00 should be tactfully declined or returned, to avoid any appearance or suggestion of improper influence.
3. Members or immediate family of the Board of Directors or any private or non-profit organization funded by Le Jardin or members of any major policy advisory bodies are not eligible for employment with Le Jardin. Former members of the Board and advisory bodies are eligible for employment following their resignation.
4. Members or immediate family of the Policy Committee or Policy Council are not eligible for employment with Le Jardin. Former members of the Policy Committee/Council are eligible for employment following their resignation from the position.

## **Dress Code Policy and Appearance**

### **PURPOSE**

To establish uniform guidelines for appropriate professional attire at the workplace and while conducting business outside the workplace.

### **POLICY**

Le Jardin requires all employees to present a professional image to the public and clients. Accordingly, each employee is required to wear appropriate business attire while working at the

centers, office or while conducting Le Jardin business. What is considered appropriate attire is defined below. Keep in mind that job and work location should be taken into account as well.

## **PROCEDURE**

Supervisors are responsible for employee adherence to the dress policy, as expressed in the following appearance and dress code guidelines:

1. At all times, employees shall be professional and neat in appearance. Employees with parent contact will be expected to wear appropriate business casual attire, and on special occasions may be asked to wear traditional business apparel.
2. All Employees must visibly wear their Le Jardin-issued identification (ID) badge while on Le Jardin premises.
3. Special dress code conditions may apply for field trips, spirit week, and other events.

## **CENTER DRESS CODE**

- **Shirts** – Polo shirts, blouses, button downs, turtlenecks and sweaters are acceptable. Tops that do not leave the shoulders bare. Minimum acceptable sleeve length is at least three (3) inches.  
**Inappropriate items include:** t-shirts, sweatshirts, tank tops, halter tops, shirts with large lettering or logos. Avoid clothes that are distracting, tight-fitting and revealing.
- **Slacks/pants** – Wool and cotton slacks and pants are acceptable, provided they are clean and wrinkle free. Jeans are permitted only on Fridays.  
**Inappropriate items include:** sweat pants, shorts, overalls, spandex form-fitting pants, and pants that are noticeably worn, torn, or frayed.
- **Dresses/skirts** – Business-casual dresses and skirts with modest hemlines are acceptable. Dresses that do not leave the shoulders bare are acceptable. Minimum acceptable sleeve length is at least three (3) inches.  
**Inappropriate items include:** Mini-skirts and spaghetti strap dresses are considered inappropriate.
- **Footwear** – Items such as loafers, boots, flats, appropriate heels and leather casual shoes are acceptable. Formal or solid-colored sneakers are also acceptable so long as they are professionally appropriate.  
**Inappropriate items include:** Heels over 3 inches, dirty or worn-down sneakers and thong/beach sandals. Also, open toe with open heel sandals or shoes
- **Accessories** – **Inappropriate items include:** Hats, caps, sweat bands, bandanas, long flowing jewelry or other items that can be pulled by children.

## ADMINISTRATION OFFICE DRESS CODE

- **Shirts** – Blouses, button downs, turtlenecks and sweaters are acceptable. Tops that do not leave the shoulders bare. Minimum acceptable sleeve length is at least three (3) inches. Polos are acceptable on Fridays.  
**Inappropriate items include:** t-shirts, sweatshirts, tank tops, halter tops, shirts with large lettering or logos. Avoid clothes that are distracting, tight-fitting and revealing.
  - **Slacks/pants** – Wool and cotton slacks and pants are acceptable, provided they are clean and wrinkle free. Jeans are permitted only on Fridays.  
**Inappropriate items include:** sweat pants, shorts, overalls, spandex form-fitting pants, and pants that are noticeably worn, torn, or frayed.
  - **Dresses/skirts** – Business-casual dresses and skirts with modest hemlines are acceptable. Dresses that do not leave the shoulders bare are acceptable. Minimum acceptable sleeve length is at least three (3) inches.  
**Inappropriate items include:** Mini-skirts and spaghetti strap dresses are considered inappropriate.
  - **Footwear** – Items such as loafers, boots, flats, professional heels/wedges, dress-shoes, and sandals that include a back strap are acceptable.  
**Inappropriate items include:** Athletic sneakers and thong/beach sandals.
  - **Accessories** – **Inappropriate items include:** Hats, caps, sweat bands, and bandanas
4. Maintenance workers are required to wear appropriate clothing or a uniform during working hours regardless of the location where they are working.
  5. Clothing that contains extensive and/or offensive graphics or messages are not permitted in the workplace or outside the workplace while conducting business.
  6. Staff members working with the children, on or off the playground, must wear closed toe and closed heel shoes with heels less than three inches.
  7. Long fingernails and loose, flowing garments that can be caught or pulled on by a child or object are prohibited.
  8. Clothing may not reveal the employees midsection, front or back, or any undergarments.
  9. T-shirts are not acceptable for a business environment and are not to be worn any day of the week.
  10. Jeans are allowed on Fridays, but are to be worn with an appropriate shirt depending on your location (center or administration office). Jeans should look presentable and may not be frayed, torn, ripped, or have excessive designs or graphics.

11. Employees must follow dress code for the entire duration they are conducting business for Le Jardin, regardless of the location where they are conducting business.
12. Employees that do not follow dress code will be subject to disciplinary action.

## **Personal Visitors**

### **PURPOSE**

To set forth the organization's policies concerning personal visitations on Le Jardin's premises.

### **POLICY**

It is the policy of Le Jardin that personal visitations on site are kept to a minimum.

### **PROCEDURE**

1. Personal visitors include family, friends, past employees, acquaintances, and other individuals that do not currently work for Le Jardin and are not on site for professional or business reasons.
2. Personal visitations should only occur during an employee's break time or for an infrequent short visit.
3. Personal visitations must not interfere or distract any employee from performing their job duties.
4. Visitors are expected to be appropriately dressed while on site.
5. Visitors are expected to be respectful to all persons while on Le Jardin property; harassment, disrespect, and other negative behavior will not be tolerated.
6. Frequent visitations, visitors that cause distractions or are disrespectful may be barred from returned to Le Jardin's premises at the discretion of the Executive Director.
7. Disciplinary action may result for an employee that participates or encourages negative behavior from visitors.

## Safety

### **PURPOSE**

To establish the duty of Le Jardin to provide employees with a safe place to work.

### **POLICY**

Safety is a priority to all Le Jardin employees. It is the policy of Le Jardin to maintain and operate its facilities as safely as possible in accordance with the Occupational Safety and Health Act of 1970 and other applicable federal, state, and local laws and regulations pertaining to safety and health practices.

### **PROCEDURE**

1. The Executive Director, in conjunction with the Human Resources and Site Coordinators, is responsible for establishing and communicating organization safety policies and programs. As an employee for Le Jardin, if any employee sees a health or safety issue, they are to report it to maintenance and your supervisor immediately if you are unable to resolve the hazard yourself immediately. If it is possible for the employee to remove the safety concern please do so immediately in order to prevent an incident. All safety-related inspections, accidents, and other safety or health related incidents shall be reported to the Supervisor immediately. The Supervisor will then contact the Executive Director, Chief Financial Officer and Human Resources. The Executive Director or his or her designee will facilitate the establishment and meetings of an agency-wide Safety and Health Committee. The Committee will meet monthly and monitor the safety of all employees and facilities.
2. All Employees must visibly wear their Le Jardin-issued identification (ID) badge while on Le Jardin premises.
3. The responsibilities of the Custodians and Coordinators include, but are not limited to:
  - a. Inspecting their work areas
  - b. Training employees in health and safety matters
  - c. Identifying unsafe conditions
  - d. Reporting all accidents immediately
  - e. Providing security to the centers
4. Employees should know the location of the fire alarms and firefighting equipment in their area. “No Smoking” restrictions must be carefully observed. In order to promote wellness and maintain a safe, healthy, and efficient work environment, and in particular to protect our children, all Le Jardin programs and services will be conducted in a smoke free environment. This policy includes employees, as well as all visitors to Le Jardin facilities. No smoking is permitted on Le Jardin premises.
5. Employees should ensure that electrical panels, aisles, fire lanes, fire escapes, extinguishers, sprinkler control valves, stairs and exits are not blocked or obstructed. Fire doors should not be blocked or tied open.

6. Each employee, as a condition of continuing employment, is required to work safely, to observe all safety rules and regulations, to wear required safety equipment, and to perform his or her job in a manner to avoid accidents and injury to others.
7. Employees should follow good lifting practices and lift with their legs, not with their back. If the object is too heavy or bulky, the employee should ask for assistance. The stacking of items should be done in a safe manner
8. The designated family worker at each Le Jardin work site will post a list of emergency telephone numbers that are readily accessible to employees.
9. Employees should first attempt to resolve any health and safety concern themselves immediately, if possible. If the employee is unable to resolve the concern, the employee must report any safety or health deficiencies they to their supervisor or the maintenance staff.
10. Le Jardin shall maintain records and make reports in the form and detail and within the time limits established by OSHA and the Department of Labor.
  - b. A log of all recordable occupational injuries and illnesses shall be maintained by Human Resources.
  - c. Human Resources will coordinate information and services with the insurance carrier.
11. Alcohol, firearms, explosives, illegal drugs, and other improper materials are not allowed on Le Jardin's premises. Le Jardin prohibits the possession, transfer, sale, or use of such materials on its premises. Desks, lockers, and other storage devices provided for the convenience of employees remain the sole property of Le Jardin. Accordingly these storage devices and the articles found within them may be inspected at any time by a designated representative or agent of Le Jardin either with or without prior notice.
12. Maintaining appropriate security in Le Jardin facilities, such as keeping access to certain areas locked, is every employee's responsibility. Employees should familiarize themselves with all relevant security information, which may be obtained from their supervisor. Employees who become aware of a theft or other security problem, or observe anything suspicious (such as people removing items from the building), should immediately notify their supervisor. It is also important that employees avoid having personal valuables at the workplace and safeguard their personal belongings, as Le Jardin is not liable for their loss or damage.
13. It is recommended that employees keep their cars locked while in the parking lot. Le Jardin does not assume responsibility for any damage to or theft of any automobile or personal property left in any automobile in a Le Jardin parking lot.

## Standard of Conduct

### **PURPOSE**

To provide guidelines for required behaviors, responsibilities and actions expected of employees.

### **POLICY**

It is the policy of Le Jardin that employees will conduct themselves with the highest ethical standards of a child care professional and abide by HSPPS 1302.90.

### **PROCEDURE**

1. Be sure that all actions comply with Le Jardin policies and standards of conduct outlined in HSPPS 1302.90.
2. Adhere to the Le Jardin Mission to provide high quality education, recreational and cultural activities and comprehensive services in a safe, caring and nurturing environment.
3. To adhere to Le Jardin's values of:
  - Honesty through integrity, trust and accountability
  - Respect and sensitivity to diversity
  - Open mindedness
  - Creativity
  - Open and clear communications
  - Professionalism
  - Caring and understanding
4. It is important that all actions taken are legal and ethical.
5. If an employee has a question or is in doubt about an action, they should check with their supervisor immediately
6. All Le Jardin employees shall immediately report knowledge or reasonable suspicion of abuse, neglect, or abandonment of a child, aged person, or disabled adult to the Florida abuse hotline, at the statewide toll-free number 1-800-96-abuse. Le Jardin Community Center will ensure 100% compliance with the county incident reporting procedures. The program has a zero tolerance policy for abuse and neglect.
7. Employees will sign an acknowledgement of the below standards of conduct prior to hire and be trained on them in detail during orientation.
8. Le Jardin will ensure all staff, consultants, contractors, and volunteers abide by the program's standards of conduct that:
  - a. Ensure staff, consultants, contractors, and volunteers implement positive strategies to support children's well-being and prevent and address challenging behavior;

- b. Ensure staff, consultants, contractors, and volunteers do not maltreat or endanger the health or safety of children, including, at a minimum, that staff must not:
    - i. Use corporal punishment;
    - ii. Use isolation to discipline a child;
    - iii. Bind or tie a child to restrict movement or tape a child's mouth;
    - iv. Use or withhold food as a punishment or reward;
    - v. Use toilet learning/training methods that punish, demean, or humiliate a child;
    - vi. Use any form of emotional abuse, including public or private humiliation, rejecting, terrorizing, extended ignoring, or corrupting a child;
    - vii. Physically abuse a child;
    - viii. Use any form of verbal abuse, including profane, sarcastic language, threats, or derogatory remarks about the child or child's family; or,
    - ix. Use physical activity or outdoor time as a punishment or reward;
  - c. Ensure staff, consultants, contractors, and volunteers respect and promote the unique identity of each child and family and do not stereotype on any basis, including gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition;
  - d. Require staff, consultants, contractors, and volunteers to comply with program confidentiality policies concerning personally identifiable information about children, families, and other staff members in accordance with subpart C of part 1303 of this chapter and applicable federal, state, local, and tribal laws; and,
  - e. Ensure no child is left alone or unsupervised by staff, consultants, contractors, or volunteers while under their care.
9. Failure to comply with the standards of conduct will result in disciplinary action up to and including termination.

# Section 4

## Attendance

### **PURPOSE**

To establish attendance standards and a method of encouraging employees to meet their work schedules.

### **POLICY**

Le Jardin understands that occasions may arise when an employee must be absent from work. This policy has been established to recognize the need for employees to be excused from work and outline how that need can be accommodated.

It is important for employees to understand that in order for Le Jardin to operate efficiently, regular attendance of all employees is imperative. Le Jardin depends on its employees to be present and accountable during their scheduled work time. If an employee is not able to report to work during his or her scheduled shift, then it is his or her responsibility to ensure that the supervisor is aware of the absence so that the work to be performed is covered by another qualified employee.

### **PROCEDURE**

#### **Authorized Absence**

An authorized absence includes only Paid Time Off, Exempt Time Off, bereavement leave, and jury duty. Scheduled absences are pre-planned with the supervisor in accordance with organization guidelines, resulting in the least impact to the work area.

#### **Covering an Authorized Absence**

The immediate supervisor will determine if there is a need to fill an authorized absence and notify the Executive Director, Chief Financial Officer, and Human Resources. Approval of coverage is contingent upon coverage availability and Administrative approval.

#### **Return from Authorized Leave**

To the extent practicable, employees returning from leave will be reinstated to the same or an equivalent job.

#### **Unauthorized Absence**

1. An unauthorized absence is defined as not showing up for work, not calling in, job abandonment, and/or not having a valid reason for an absence, as determined by the administration. Advance notification of an absence is necessary to make arrangements to handle work in the absence of a scheduled employee.

2. A non-exempt employee who does not make it to work or does not work his or her full shift will be paid only for the actual time worked. If an employee has not called in to the supervisor before the start of a scheduled shift, the employee will be considered as having an unauthorized absence without pay for the first day. His or her timesheet will be noted accordingly. Please see Job Abandonment for more than one (1) day.

### **Job Abandonment**

Job Abandonment is grounds for immediate termination at the discretion of the Executive Director. An employee will be considered to have committed job abandonment in the following situations, including, but not limited to:

1. An employee received disapproval for time off and does not report to work
2. An employee was scheduled to work, but did not report and did not call or inform their supervisor for two (2) days.
3. The supervisor has attempted to contact the employee and they are unreachable for two (2) days
4. Other cases may apply as approved by the Executive Director

### **Tardiness**

Tardiness is defined as being late for work more than ten (10) minutes after the scheduled arrival time, or leaving early from work on any work day without giving prior notification and receiving approval for the tardiness.

### **Leaving Work Early**

Leaving work early is defined as leaving prior to the end of an employee's scheduled shift. In the event that an employee needs to leave early from work, prior notification must be given and a request made to the supervisor and approval must be given to the employee.

Supervisors may approve or deny an employee's request to leave work early, as they should consider how the employee's early departure would affect the job component, organization performance and the fiscal impact it may have on the organization.

Leaving your job without approval may be considered job abandonment and will result in disciplinary action, up to termination. Permission will be considered based on employee's reason to leave early, as well as coverage availability during employee's shift.

A non-exempt employee who does not work his or her full shift will be paid only for the actual time worked.

### **Excessive Absence/Tardiness**

Excessive absence is considered as using more than four (4) unpaid days off consecutively or using more than eight (8) unpaid days off per program year (program years are determined per contract). Excessive absence or tardiness affects the job component, organization performance,

and often has a negative fiscal impact. If it is determined that absenteeism or tardiness has become unreasonable, the supervisor will consult the Human Resources to determine the appropriate action.

Under no circumstances will accumulated paid time off be used to cover tardiness without prior approval from the supervisor.

## **Hours of Work**

### **PURPOSE**

To specify designated hours of work at Le Jardin.

### **POLICY**

It is the policy of the organization to maintain work hours in accordance with federal and state regulations and in accordance with workload, student and parent requirements, and the efficient management of personnel resources.

### **PROCEDURE**

1. The official workweek of the organization begins Saturday at midnight and ends the following Friday at 11:59 p.m.
2. Standard administration office hours are 8:00 a.m. – 5:00 p.m. Monday through Friday.
3. The standard hours at each center are 7:30 a.m. – 6:00 p.m. Monday through Friday. Special evening or weekend hours may be regularly scheduled for meetings, classes and/or public access to Le Jardin services.
4. All non-education staff members at the centers should take lunch between the hours of 12:00 p.m. and 2:00 p.m. Lunches will be taken to accommodate operating requirements.
5. The work schedule for full-time employees is thirty (30) hours per week in compliance with the Affordable Care Act. Supervisors will advise employees of the times their schedules begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.
6. Part-time employees are required to work their scheduled hours as described by their supervisor and approved by Administration.

## **Timekeeping**

## **PURPOSE**

To specify the procedures for the reporting of time worked.

## **POLICY**

It is the policy of the organization that all employees are required keep accurate records of their working hours and report those hours in accordance with this policy. Log-in information will be given to non-exempt and exempt employees for the purpose of recording his or her work hours.

## **PROCEDURE**

1. Human Resources grants access to an employee in the ADP system. Credentials are sent to the supervisor. Supervisors are responsible for training all new hires in how to use clock in/out through the clocking system.
2. All non-exempt employees will maintain records of their time by clocking in and out using their own user ID and password. Each staff member will accurately record the time he or she begins and ends his or her work, as well as the beginning and ending time of each lunch period, and also record the beginning and ending time of any split shift or departure from work for personal reasons.
3. With the exception of emergency leave, all paid employees will request prior approval for leave by submitting a Leave Request form to their supervisor for leave such as paid time off, bereavement leave, etc.
4. Unapproved absences shall not be considered as hours worked for pay purposes.
5. Employees who falsify information relating to their working hours or record time on another employee's time record are subject to discipline, up to and including termination of employment. Under no circumstances, is an employee allowed to clock in or out for another employee.
6. Each component manager will review the time sheets and verify that they are accurate. The designated staff member will cooperate fully with the Accountant in resolving any problem arising from the submission of questionable or incomplete time sheets.
7. Managers may not remove any time or hours worked from an employee, but may correct time clock mistakes.
8. Employees are to bring the signed Personnel Activity Report (PAR) and the printed and signed Time Card from ADP to the supervisor biweekly on Fridays before leaving work.
9. ADP Time cards and Personnel Activity Reports (PAR's) are submitted to the Accounting Clerk from the supervisor biweekly by noon on Mondays. Time cards and PAR's are expected to be accurate and match. Errors on time cards or PAR's will be sent back to the supervisor for correction with a new deadline. Failure to meet deadlines may result in disciplinary action.

10. Payroll will be processed on time; errors that are not corrected by the deadline will be corrected on the following paycheck.
11. Supervisors must assign another employee to bring in payroll documents in the event of an absence.
12. Any exceptions to the above procedures must be approved by the CFO/COO.

## **Overtime**

### **PURPOSE**

To set forth the responsibilities of the organization and its employees regarding the consistent application of overtime pay.

### **POLICY**

This policy has been established to implement the provision of overtime compensation granted to non-exempt employees, as mandated by the Fair Labor Standards Act (FLSA).

### **PROCEDURE**

1. Non-exempt hourly employees will be paid for hours worked in excess of forty (40) hours per week at one and one-half (1.5) times their regular hourly rate.
2. Employees should check their hours daily to ensure that no overtime will be worked. Employees must notify their supervisor in the event of possible overtime so the supervisor can flex the employee's schedule to prevent overtime.
3. Supervisors must check their employee's hours at least once per week to ensure that there will not be overtime for any employees. In the event of possible overtime, supervisors are encouraged to flex the schedule of that employee in order to avoid overtime. Supervisor's must consider required ratio requirements when scheduling flexed time for an employee.
4. Employees must obtain prior approval from their supervisors who will in turn obtain prior approval from their supervisor and CFO/COO before working overtime. Employees that do not receive prior approval may receive disciplinary action up to and including termination.
5. Exempt employees are compensated through their base salary for the job to be done, not for the time it takes to perform the work. It is recognized that from time to time these employees will find it necessary to work beyond the standard forty (40) hours per week, and they should not expect to be granted additional compensation for this extra time worked.

6. Overtime payments must be made without exception. Time off will not be given in lieu of overtime.

## Holidays

### PURPOSE

To designate the holidays which are observed by Le Jardin.

### POLICY

It is the organization's intent that these holidays be enjoyed as non-working days for employees. It is the policy of the agency to provide regular full-time employees the benefit of paid holidays whenever fiscally possible.

### PROCEDURE

1. The following days are typically recognized by the organization as holidays:
  1. New Year's Day
  2. Martin Luther King, Jr. Day
  3. Presidents' Day
  4. Memorial Day
  5. Independence Day
  6. Labor Day
  7. Veterans' Day
  8. Thanksgiving Day
  9. Day after Thanksgiving
  10. Christmas Day
2. Holiday pay will be calculated based on the employee's regular hourly pay rate multiplied by the standard number of hours for that current position.
  - a. Holiday pay rate may be different for certain situations, such as when an employee is being paid at 2/3 their regular hourly pay rate the day before the Holiday. In this case, the employee will be paid at 2/3 their rate for the Holiday.
2. A full-time employee who has an *unpaid day off* the working day prior to *and/or* following a holiday, the employee will *not* be paid for that holiday, even if the unpaid day was approved. If an employee has *any paid hours* the working day prior *and* after the holiday, they *will* be paid for the holiday, except where funding restrictions apply. This policy is still applicable to staff that have not yet accumulated or have exhausted available PTO. This policy is still applicable during break periods when the children are not in session.

3. A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.
4. If an employee enters a holiday during their PTO period, the holiday will be charged from the employee's PTO balance. An employee should omit the holiday when requesting a period of PTO in order to correctly charge the holiday.
  - a. For example, if an employee requests PTO from July 3<sup>rd</sup> *through* July 5<sup>th</sup> the holiday of July 4<sup>th</sup> will be charged to the employee's PTO balance. The employee should request only July 3<sup>rd</sup> and July 5<sup>th</sup> in order to charge July 4<sup>th</sup> as a holiday.
5. Teacher planning days are not holidays. All employees will work on teacher planning days unless otherwise approved.
6. Holiday pay will not be counted as hours worked for the purposes of determining overtime.
7. Some funding sources do not allow for Holiday pay. Paid holidays are at the discretion of the funding source.

## **Paid Time Off**

### **PURPOSE**

To establish the conditions under which Paid Time Off (PTO) is granted and authorized.

### **POLICY**

It is the policy of Le Jardin that all regular full-time employees will earn PTO in accordance with the guidelines outlined below.

### **PROCEDURE**

1. Employees that are rehired will count as new employees as it relates to this policy.
  - a. New employees will not be approved to use PTO until after six (6) months of employment with the agency.
  - b. Effective October 1, 2018, employees that change from part-time to full-time will be required to fulfill the 6-month waiting period.
  - c. New employees that are within the 6-month waiting period to use PTO may request unpaid time off which is subject to approval.
2. This policy applies to both 10-month and 12-month employees.
3. PTO is based on a calendar year which is from January 1<sup>st</sup> to December 31<sup>st</sup> of the same year.

4. All Full-Time Employees will begin accruing PTO at the following rate after six (6) months in their full-time position:
  - a. Employed six (6) months to five (5) years – 3.70 hours per pay period
  - b. Employed between six (6) years and ten (10) years – 4 hours per pay period
  - c. Employed between eleven (11) years and fifteen (15) years – 4.31 hours per pay period
  - d. Employed sixteen (16) years or greater – 4.62 hours per pay period
5. Employees that change from full-time to part-time will forfeit any remaining PTO balance and will not be eligible to use PTO after the part-time position has become effective.
  - a. If an employee temporarily transfers to a part-time position (i.e. summer employment) the employee will not forfeit their PTO balance, but will not accrue PTO or be eligible to use PTO while on part-time assignment. The employee's PTO accrual schedule and eligibility to use PTO will resume once the employee has returned to his or her full-time position.
  - b. If an employee changes to a permanent part-time position and then eventually changes back to a permanent full-time position, they will be required to wait the 6-month period and begin accruing PTO at the accrual schedule. The accrual schedule will be determined using the job start date in the full-time position.
6. Employees will not earn PTO for pay periods that have no hours reported, such as 10-month employees that will not accrue PTO during Summer Recess.
7. If an employee runs out of PTO, they may request approval of unpaid time off at the discretion of their supervisor.
8. *Up to* 80 hours of PTO can be carried over from one calendar year to the next. PTO in excess of 80 hours will not be carried over to the next calendar year and will not be paid out.
  - a. Example 1: An employee that has a PTO balance of 72 hours on December 31<sup>st</sup> will carry over 72 hours to the next calendar year.
  - b. Example 2: An employee that has a PTO balance of 88 hours on December 31<sup>st</sup> will carry over 80 hours to the next calendar year, and will forfeit the remaining 8 hours. Forfeited PTO will not be paid out.
9. There will be no pay-out for unused PTO. PTO will not be paid upon termination of employment regardless of the terms of departure from employment, e.g., resignation or dismissal. Employees that have submitted notice of resignation (verbal or written) will not be approved for any further PTO; these employees may request approval for unpaid time off at the discretion of their supervisor.
10. PTO must be taken in increments of eight (8) hours for exempt (salary) employees. Non-exempt (hourly) employees may take PTO in increments of four (4) hours and must be approved by their supervisor. PTO approval may also be subject to funding restrictions.

11. Employees must request PTO, in advance, through the ADP system for approval at the description of their supervisor. PTO approval may also be subject to funding restrictions. Supervisors or administration may request documentation at any time.
12. Supervisors should not approve time off that would leave the classroom or program services without adequate personnel to operate effectively. Instructional staff is strongly encouraged to take PTO during spring break and winter break.
13. If a scheduling conflict arises, PTO requests shall be granted in the sequential order of documented PTO approval from the supervisor. PTO approval may also be subject to funding restrictions.
14. One (1) month advance notice is required for time off requests exceeding a week in length. One (1) week notice is required for time off requests a week or less. Scheduled absences must be pre-planned with the supervisor in accordance with component guidelines, negotiating the least impact to the program and pending available coverage if applicable. Exceptions can be made by the Executive Director or his designee. PTO approval may also be subject to funding restrictions.
15. Employees may request an Unpaid Extended Personal Leave of Absence from the Program Manager which may be granted at the discretion of the Program Manager and Executive Director on a case-by-case basis. The FMLA provisions may also cover such leaves of absence depending on the event. Please speak to the Human Resources Department for more information.
16. *Up to* two (2) days of pay will be awarded to full-time employees each program year (program years are determined by each grant contract) in the event of closure due to a natural disaster.
  - a. Employees will not be paid out for unused days if there are no closures due to a natural disaster that year.
  - b. If an employee has *any paid hours* the working day prior *and* the working day after the “natural disaster day”, they will be paid for that day, except where funding restrictions apply.
  - c. If an employee has scheduled to use PTO for that “natural disaster day” then the day will be paid through PTO instead.
17. Violation of this policy may result in disciplinary action up to and including termination.

## **PTO for Exempt Employees and Exempt Time Off**

### **PURPOSE**

To clarify the Paid Time Off (PTO) policy for exempt (salary) employees. This policy will also explain Exempt Time Off (ETO), when it may be used and the responsibilities of the employee under ETO. This policy is not applicable to non-exempt (hourly) employees.

## **POLICY**

Exempt employees are paid for the work they perform; regardless of the time it takes to complete their work. Exempt employees may take time off (half-day or full-day) provided they follow the procedures outlined below. Exempt employees can use available PTO when they need to take a full day off from work and will not be working. ETO is only available to exempt employees and is used when the employee will be working remotely.

## **PROCEDURE**

1. If an exempt employee would like to take *partial time off*, the exempt employee must request permission from their supervisor. The employee is still responsible to perform their job duties. This time off will not be deducted from the employee's PTO bank and the PTO request is not required through the ADP system.
2. If an exempt employee wishes to take an *entire day off, and will not be working*, they must complete a PTO request through the ADP system for approval at the discretion of their supervisor and use any available PTO.
3. If an exempt employee wishes to take an *entire day off, but will be working*, they may ask their supervisor to take ETO. ETO is paid, however the employee is required to perform all of their job duties remotely. If the employee cannot perform their job remotely, they will not be able to use ETO. ETO is not accrued, and exempt employees will only be able to use it at the discretion of their supervisor and administration. ETO must be submitted, in advance, to their supervisor for approval. Supervisors or administration may request documentation at any time.
4. ETO is approved at the discretion of the supervisor and administration who will take into account the following when determining if an employee is approved to use ETO:
  - a. Does the employee consistently miss deadlines for projects
  - b. Has the employee asked for excessive time off recently
  - c. Is the employee difficult to reach when they are not in the office
  - d. Does the employee have difficulty completing their job duties even when they are in the office
  - e. Does the employee exhibit a poor attitude
  - f. Other factors may also affect consideration for approval

If the supervisor feels that any of the above statements are true, they may disapprove of the ETO request.

5. Exempt employees may not take PTO, ETO or any partial time off, without approval from their supervisor.
6. It is the responsibility of the exempt employee to ensure that all of their work will be completed and any deadlines met as specified by their supervisor. Approval of any time off does not mean that an exempt employee is no longer responsible for completing their

job duties. Failure to complete job duties may result in disciplinary action up to and including termination of employment.

7. Excessive use may result in disciplinary action.
8. Supervisors must designate an employee to turn in payroll in the event of an absence.

## **Jury Duty**

### **PURPOSE**

To set forth the responsibilities of the organization regarding employees called for jury duty.

### **POLICY**

It is the policy of Le Jardin to accommodate all employees who are called for jury duty.

A regular full-time employee who serves as a juror in Miami-Dade County and gives his or her supervisor a summons and notice of jury service at least five (5) working days prior to absence from work must be paid for all of his or her time spent on jury duty (Sections 11-31, et seq., of the Code of Metropolitan Dade County).

Part-time employees will be granted authorized, but unpaid, leave for jury duty.

### **PROCEDURE**

1. When an employee receives a summons for jury duty, he or she must present a copy of the summons to his or her supervisor and Human Resources.
2. Employees are expected to report for work whenever the court schedule permits.
3. Once an employee is released from court or jury duty, he or she is required to immediately contact his or her supervisor.
4. A Court issued document showing attendance for jury duty must be submitted to the Accountant in order to receive compensation for jury duty.
5. Employees will continue to receive and accrue benefits during jury duty including paid time off, holiday pay and health insurance coverage.
6. If an employee must attend legal proceedings on behalf of Le Jardin Community Center, they will be compensated for their time.
7. Supervisors will enter the code of Jury Duty, as applicable, into the ADP payroll system.

## Family and Medical Leave

### **PURPOSE**

The purpose of this policy is to set forth the provisions of the Federal Family Medical Leave Act (FMLA) of 1993.

### **POLICY**

It is the policy of Le Jardin to provide leave in compliance with the FMLA.

### **PROCEDURE**

1. Employees are eligible for leave under the Federal FMLA if they have been employed by Le Jardin for at least twelve (12) months and have worked at least 1,250 hours for Le Jardin during the most recent twelve (12) consecutive month period.
2. When possible, the employee should notify his or her supervisor at least thirty (30) days before the date of the anticipated leave. The appropriate forms must be completed by the employee and medical practitioner, when necessary, and returned to Human Resources within thirty (30) days of receiving the forms. In an emergency situation, notice must be given as soon as possible, but no later than forty-eight (48) hours after the occurrence of the reason for leave. Failure to make timely notification of the need for leave may result in the delaying of leave until proper notification is received. If employee meets the requirements set by FMLA rules, the leave will be approved.
3. Under the Family and Medical Leave Act, up to twelve (12) workweeks of leave may be taken during a twelve (12) month period; since the workweek at Le Jardin is considered five (5) days, Monday through Friday, twelve (12) workweeks is equivalent to sixty (60) calendar days. FMLA leave begins on the employee's first day of leave related to the condition and may include dates prior to submission of the FMLA documents. FMLA leave will be approved for any one or more of the following reasons:
  - a. An employee's own serious health condition. Administration may request documentation.
  - b. To care for a spouse (heterosexual or homosexual legal marriage), parent or child with a serious health condition. Administration may request documentation.
  - c. For the birth of an employee's child, or placement of a child with an employee for adoption or foster care. Leave for birth, adoption or foster care must conclude within twelve (12) weeks of the birth or placement. Administration may request documentation.

4. Married employee couples may be restricted to a combined total of twelve (12) weeks leave within any twelve (12) month period for childbirth, adoption, or placement of a foster child, or to care for a parent with a serious health condition.
5. A serious health condition is one in which inpatient care or continuing treatment by a health care provider on an outpatient basis is required. For federal purposes, this specifically includes prenatal care. A bad cold or the flu, even if it requires absence from work or school, will usually not rise to the level of a “serious health condition.” Le Jardin will require certification from the employee’s or family member’s health care provider for leave related to a serious health condition within thirty (30) days of receiving the FMLA request for leave forms.
6. Family and medical leave is unpaid. However, Le Jardin requires that employees take any accrued, unused paid time off to substitute for the unpaid leave. This substitution of paid time off will not increase the amount of leave granted under FMLA.
7. If the employee would like to return to work before the leave has ended, Le Jardin may require certification of fitness for return to work from the healthcare practitioner.
8. Le Jardin will continue to provide benefit coverage during the leave, not to exceed twelve (12) workweeks, equivalent to sixty (60) calendar days. If the employee fails to return from leave the employee will be required to pay back all benefit costs during their leave. Whenever possible, arrangements will be made to cover benefit costs in advance. At a minimum, employee benefit premiums must be paid by the employee monthly by the fifth (5<sup>th</sup>) working day of the month.
  - a. Example: the employee’s responsibility of benefit premiums for March’s invoice must be received by the Fiscal Department by the fifth (5<sup>th</sup>) working day of March.
  - b. Failure to pay premiums on time may result in a cancellation of benefits due to nonpayment.
9. Employees will be restored to their former position, with equivalent pay, status, responsibility and authority after completion of their leave. If the employee’s former position is no longer available, the employee will be transferred to an equivalent position with equivalent pay and benefits. If the organization is required to eliminate the employee’s position because of funding decreases or program requirements during the employee’s leave, the organization will notify the employee in writing at the same time the lay-off or termination notices are sent to active employees in the same or similar positions.
10. If more than twelve (12) workweeks of leave are taken, the employee is no longer under the protection of FMLA and reinstatement will be at the discretion and terms of Le Jardin. The provisions of the American’s with Disabilities Act (ADA) may cover reasonable extensions of leave, past the 12-weeks, where the extension would not cause undue hardship to the organization.
11. Additional leave is allowed under FMLA for Military personnel and their spouse, but only under certain qualifying situations. Please speak to Human Resources regarding what constitutes a qualifying event for military extended FMLA leave.

## **Bereavement Leave**

### **PURPOSE**

To provide compensation for regular, full-time employees only who must be absent during a period of bereavement as defined in this policy.

### **POLICY**

Employees will be paid their regular hourly rate for up to two (2) work days lost due to the death of an immediate family member as defined in this policy. The bereavement leave may be taken to make funeral arrangements, to attend a funeral and/or to take care of personal affairs normally associated with a death. Documentation may be requested by administration at any time.

#### **Immediate family includes:**

- Spouse
- Parent
- Child
- Sibling
- Employee Spouse's Parent
- Daughter-in-law / Son-in-law
- Grandparents
- Grandchildren

Other family members may be included with approval at the discretion of the Executive Director.

Bereavement leave will not be paid for Saturday or Sunday, or any day on which holiday pay or paid time off is paid.

### **PROCEDURE**

1. An employee who is unable to work due to a death must notify his or her supervisor as soon as possible of the anticipated dates of absence.
2. Supervisors may allow employees to use any available paid leave (PTO) for additional time as necessary.
3. Supervisors will enter the code of Bereavement, as applicable, into the ADP payroll system.
4. Paid time off will continue to accrue during the bereavement leave.
5. In the event that it is determined and documented that an employee has abused this policy, that employee will receive no pay for such time off, and may be subject to disciplinary action up to and including termination.

## **Personal Leave of Absence**

### **PURPOSE**

To establish the organization's policy and to define the conditions under which a leave of absence is authorized.

### **POLICY**

It is the policy of Le Jardin to provide leaves of absence without pay to full-time employees with one (1) or more years of continuous service in order to encourage them to return to active employment with the organization.

### **PROCEDURE**

1. The Executive Director or his or her designee may authorize personal leaves of absence.
2. Employees are required to use any remaining PTO during the leave of absence.
3. Employees who wish to continue benefits coverage during their leave of absence must bear the full cost of those benefits.
4. An employee on extended personal leave of absence will be informed prior to the leave as to whether or not he or she is guaranteed that his or her position or a similar position will be available when he or she requests to return to work. If a comparable position is not available at the time the employee returns to work, the employee may be offered a lesser position. If no acceptable position is available at the time the leave expires, the employee's employment with Le Jardin will be terminated.
5. Some leaves of absence may fall under FMLA, please see the Family and Medical Leave policy for more information.

## **Military Service**

### **PURPOSE**

To outline the procedure for those employees called to active military duty or required to attend summer training as a reservist or a member of the National Guard, as mandated by the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994.

## **POLICY**

It is the policy of the organization to comply with all applicable statutes that require active military personnel to be given leave of absence for active duty and training exercises.

## **PROCEDURE**

1. It is the employee's responsibility to inform his or her supervisor as soon as orders to military duty are received. When requesting a military leave of absence, the employee should present a copy of the training orders signed by the Commanding Officer to his or her supervisor. The supervisor must then notify the Chief Financial Officer and Human Resources.
2. Employees will continue to receive full pay while on leave for those military related absences that are two (2) weeks or less. The portion of any military leave of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.
3. Under USERRA, an employee may take a maximum of five (5) years leave for military service.
4. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Le Jardin will pay for the continuation of health insurance for eligible employees if the employee has no other option, i.e., a military health benefit.
5. Benefit accruals, such as paid time off and holiday benefits will be suspended during the USERRA leave and will resume upon the employee's return to active employment.
6. Employees on military leave for up to thirty (30) days are required to return to work for the first regularly scheduled day of work after the end of service, allowing reasonable travel time.
7. When an employee returns from military leave, he or she will be assigned to a position as required by law. Military leave time is immediately credited to the employee's length of service and all benefits would apply as if the employee had never left his or her job. The employee's salary will be equal to or greater than the salary at the time the leave commenced unless salaries have declined. If automatic increases, cost of living increases or benefit changes would have been granted during the leave time, the employee will be given the increase and the benefits when he or she returns to work. Eligibility for merit increases and promotional increases will be determined by the Executive Director and Chief Financial Officer.
8. Contact Human Resources if you require additional information about this policy.

## **Special Scheduling Arrangements**

### **PURPOSE**

To provide guidelines for employees requiring temporary special scheduling arrangements.

### **POLICY**

Employees of Le Jardin that have been an exceptional employee for at least one (1) year may request special scheduling arrangements from the Executive Director for matters such as education continuation, or other reasons as approved by the Executive Director.

### **PROCEDURE**

1. Employees that require special scheduling arrangements may request a temporary schedule change for an approved period of time for an approved reason from Executive Director.
2. The employee must also have approval from their supervisor to ensure that they can complete all of their duties in the proposed schedule and/or remotely.
3. If the employee fails to complete their duties or performs poorly with the new schedule the Executive Director may terminate the agreement at any time.
4. Once an employee has been given approval for the special schedule they will sign an agreement to work for the agency at least three (3) months after the special scheduling has been completed at their regular schedule.

## Section 5

### Paycheck Distribution

#### **PURPOSE**

To specify the responsibilities of the organization and its employees regarding the distribution of paychecks.

#### **POLICY**

It is the policy of the organization to distribute paychecks in a consistent manner that supports its operational requirements.

#### **PROCEDURE**

1. The pay period runs from midnight Saturday and ends at 11:59 p.m. Friday.
2. Payroll checks are issued biweekly, twenty-six (26) times per year, on Fridays.
3. Each new employee is strongly encouraged to have direct deposit setup. Payroll stubs are available online for employees to view, save and print on the ADP employee portal.
4. Checks will be hand delivered to employees who do not have direct deposit within the first ninety (90) days of employment. If instructed, employees may come to the administration office to pick up checks. In the event an employee cannot be reached, check will be mailed to address on file. All employees are responsible for keeping their mailing address current.
5. Lost, stolen, or destroyed paychecks should immediately be reported to the employee's supervisor and Accountant. If the check has not been negotiated, a duplicate check will be issued to the employee, but the employee will be responsible for any stop payment charges assessed by the banking institution. If determined that a check was cashed after being reported as lost or stolen employee is required to reimburse all advanced wages in connection with wage replacement check.
6. Paycheck deductions are made from employee paychecks as required by law, and to pay for elected benefits where necessary. The law requires that Le Jardin make deductions for federal,

state, and local income taxes and payments as well as Social Security. In addition, eligible employees may voluntarily authorize deductions from their paychecks to cover contributions to the pension plan, health insurance, etc.

## **Wage and Salary Administration**

### **PURPOSE**

To set forth the responsibilities of the organization and its employees regarding the maintenance of wage and salary equity.

### **POLICY**

This policy outlines the mechanisms that have been established to:

- Maintain internal equity among employee salaries
- Provide controls that eliminate excessive or inadequate salary adjustments
- Provide a mechanism for maintaining market competitiveness
- Provide financial incentive for employees at all levels of the organization.

### **PROCEDURE**

1. Cost of Living Allowance (COLA) Increase:
  - a. Notice of COLAs are typically communicated to Head Start and Early Head Start programs via Program Instruction (PI), which explains the requirements for applying for the funds. When funds are to be used to increase staff salaries, the increase must comply with section 653 of the Head Start Act (the Act). The Act prohibits any HS/EHS employee from being compensated at a rate higher than that of an Executive Schedule Level II position, including employees being paid through indirect costs. Further, section 640 (j) of the Act requires that the compensation of HS/EHS employees must be improved regardless of whether the agency has the ability to improve the compensation of staff employed by the agency that do not provide HS/EHS services.
  - b. COLAs are generally awarded through a grant amendment. Once approved by the funding source, wages will be adjusted based on funder instructions.
  - c. To be eligible for a COLA increase, an employee must be currently employed by Le Jardin at the time the grand amendment is approved.
  - d. COLA funds may also be used for higher operational costs as allowed by the funding source.
  - e. COLA increases, if any, are determined annually, and are subject to approval by the Le Jardin Board of Directors and the funding agency.
  - f. COLA increases, when given, are given at the beginning of August.
2. Increase in Assigned Work Load or Job Responsibilities:

- a. Any increase in salary must be able to be sustained by the funding source on a long-term basis. Therefore, salary increases will not exceed 10% of an employee's existing base salary without approval by the Executive Director and CFO/COO. Additional compensation is contingent on budget restrictions and subject to approval from the CFO/COO and Executive Director.
3. Additional Program(s) to be Implemented:
    - a. Employees who are assigned to perform different duties for a fixed period of time due to new program implementation responsibilities may be granted temporary compensation commensurate with the additional duties and responsibilities assigned.
    - b. Compensation received must be within approved budget guidelines, and approvals must be obtained from the Chief Financial Officer and the Executive Director.
    - c. For new funds or one-time funding used for program service expansion and/or funds that are limited to fixed or specific time frames, compensation may be provided to the employee in the form of a one-time incentive. Incentive compensation may not exceed 10% of an employee's base salary. Incentives will be made payable as program goals and objectives are attained. Incentive compensation awards that are the result of one-time funding will not be used to increase an employee's existing base salary and will require the approval of the CFO/COO and the Executive Director. Incentives are subject to the availability of funds.
  4. Program Restructuring:
    - a. When program restructuring necessitates additional training and/or a revision of a position's minimum qualifications for compliance with new or altered regulations, an employee may receive additional compensation. An alteration of responsibilities alone may or may not result in additional compensation. Additional compensation is contingent on budget restrictions and subject to approval from the CFO/COO and Executive Director.
  5. Promotional Increase:
    - a. Employees who are promoted to a position of higher classification should be granted an increase in salary to at least the minimum of the new grade scale. Newly budgeted positions require the approval of the Executive Director with the guidance of the CFO/COO.
  6. Education Increase:
    - a. Per HSPPS 1302.92(b), Le Jardin supports professional development designed to assist staff in acquiring or increasing the knowledge and skills needed to provide high-quality, comprehensive services within the scope of their job responsibilities, and attached to academic credit as appropriate. Therefore, employees who receive the next level of education will receive an increase as per the pay scale. Education includes High School Diploma or GED, Associates Degree, Bachelors Degree, Masters degree, and Doctorate Degree. Other education may also be accepted and receive an increase depending on the position and HSPPS requirements such as

FCCPC Birth through Five, National CDA Preschool or National CDA Infants and Toddlers. Details on approved education can be found on the job description and pay scale. Requirements for Regional and/or National Accreditation are determined by the HSPPS. Degrees from other countries and/or in other languages must be translated by an approved professional translation company.

- b. Because Le Jardin encourages professional development tied to academic credit as appropriate, a degree in an area out of field may also be approved for an increase contingent on the HSPPS and if the degree would be beneficial to any component area of Le Jardin currently or in the foreseeable future.
7. Tenure Increase:
    - a. An employee that has worked for Le Jardin directly (not as a volunteer, consultant, or under third-party contract) as either full-time or part-time is eligible for a pay rate increase after a specified number of years. The increase amounts and tenure classifications are listed on the agency pay scale.
  8. Merit Increase:
    - a. An employee whose performance is outstanding may receive a merit increase if funding can sustain the increase. Merit increases, if ever given, will be given only upon the employee receiving an outstanding evaluation. Additional compensation is contingent on budget restrictions and subject to approval from the CFO/COO and Executive Director.
  9. Amounts of the above salary increases are contained in the Le Jardin salary scale which is updated regularly. All increases depend upon the financial status of the organization.
  10. Retroactive limits for salary increases will be a maximum of two (2) pay periods unless the documentation required for the increase precludes timely submission.

## **Garnishments**

### **PURPOSE**

To set forth the responsibilities of the organization in regard to employee's financial obligations.

### **POLICY**

It is the policy of Le Jardin to comply with wage garnishments against employees.

### **PROCEDURE**

1. Court orders, wage deduction summonses, tax levies and other similar orders against an employee must be immediately forwarded to the Chief Financial Officer.
2. The Accountant will:

- a. Notify the employee of the legal action being taken against him or her,
  - b. Provide the employee with a copy of the official copy of the court order or tax levy
  - c. Inform the employee of the dates the garnishment will be deducted from the employee's paycheck
  - d. Advise the employee of his or her rights under the Consumer Credit Protection Act (CCPA)
  - e. Handle the above actions confidentially
  - f. Inform the Executive Director and CFO of the garnishment activities
3. In the event that garnishment or similar proceedings are instituted against an employee, the organization will deduct and remit the required amount from the employee's paycheck. The amount deducted will not exceed what is permitted by the Consumer Credit Protection Act.
  4. An employee may not be terminated for having a garnishment served against him or her or for filing a petition for bankruptcy.

## **Expenses**

### **PURPOSE**

To define allowable and non-allowable expenses for reimbursement.

### **POLICY/PROCEDURE**

Refer directly to the Accounting policies and procedures

# Section 6

## Promotions

### PURPOSE

To ensure a consistent procedure for promoting employees within the organization.

### POLICY

Le Jardin believes that each employee should have equal access to opportunities for growth and development and will give first consideration to internal candidates who have a history of satisfactory Le Jardin performance and meet the qualifications for job vacancies. In all its selection and promotion decisions, Le Jardin makes every effort to ensure all employees equal employment opportunity. This means that all promotion decisions are made without regard to race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, medical condition (AIDS, ARC, HIV), sexual orientation, or any other status protected under federal, state or local law.

### PROCEDURE

Two (2) types of promotions exist at Le Jardin:

- a. A promotion is defined as the movement from one position to another position which is in a higher salary grade and will involve a salary increase. A promotion may be within a component or between components and may result in a title change. The promotion process begins with the job posting procedure.
- b. A reclassification is defined as an approved change in pay grade of an existing position as a result of significant changes in the duties and responsibilities of that position. A reclassification may result in a pay grade and/or title change. A reclassification of a current employee's position does not require internal posting or advertisement.

Every effort is made to fill vacancies by promoting qualified staff members. Supervisors are encouraged to identify employees for promotion. Employees must possess the necessary skills, capabilities, and potential to satisfactorily perform the work of the advanced position. Past work history, including attendance will also be reviewed in order to make this determination.

Employees are encouraged to maintain an awareness of vacancies and to seek job opportunities for which they qualify. An expression of interest in a promotion, either by submitting an

application to Human Resources as a result of a job posting, or through discussions with a supervisor, will not adversely affect the status of the employee's current position.

The Executive Director, in conjunction with Coordinators, Supervisors and Human Resources, will recommend the appropriate candidate for promotion. The Executive Director will have final approval of all candidates for promotion. Refer to the policy on Recruitment and Selection for more information.

The newly promoted employee will be on probation for the first 180 days in the new position. At any time during the introductory period, the supervisor may determine that the employee is not succeeding in the position and may terminate the introductory period. The employee is then returned to his or her former position, if available. The employee may also request to be returned to his or her previous position during the introductory period. This request may or may not be granted.

Newly promoted employees are paid at the rate on the pay scale of the job they are promoted to for their currently completed education level. If the pay rate is lower than what the employee was earning in his or her previous position, the employee will acknowledge the reduction in pay and, if they still desire to move to the new position, will start at the lower pay rate for the new position.

If needed, an employee will provide Human Resources with a copy of his or her college transcripts, or any other proof of education, or other qualifications requested by the administration, to meet the requirements of the new position.

## **Demotions**

### **PURPOSE**

To ensure a consistent procedure for demoting employees within the organization.

### **POLICY**

Employees who do not meet the requirements for a position cannot remain in that position and must be demoted, transferred, or terminated. The decision to demote an employee is made without regard to race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, medical condition (AIDS, ARC, HIV), sexual orientation, or any other status protected under federal, state or local law.

### **PROCEDURE**

1. Employees may be demoted for the following reasons:
  - a. The employee has not met the requirements for their current position within the allotted time frame.
  - b. The employee's performance is insufficient for their current position.
  - c. The employee requests the change.
  - d. Any other reason approved by the Executive Director

2. Employees that are demoted may or may not keep their current pay depending on their current salary in relation to the average salary of the new position. The salary of the demoted employee will be at the discretion the CFO/COO and Executive Director.

## **Transfers**

### **PURPOSE**

To provide guidelines for the temporary or permanent transfer of employees within the agency.

### **POLICY**

Transfers among components or programs will be encouraged when the transferring employee meets the job qualifications of another job and when the transfer will benefit both the employee and the organization.

### **PROCEDURE**

1. Employees who requests a transfer, whether temporary or permanent, will be paid at the pay rate for the new position. Employees will acknowledge the difference in pay rates and decide if they would like to continue with the transfer request.
2. Employees who did not request a transfer, whether temporary or permanent, will be paid at their previous pay rate unless otherwise noted by the Executive Director. Employees transferred due to poor performance may fall under the guidelines of the demotion policy; please refer to the demotion policy for more information.
3. If an employee is on temporary transfer, and the employee has not been returned to his or her regular position at the end of ninety (90) days from the date of temporary transfer, Le Jardin will review the situation and either return the employee to his or her former position, extend the period of the temporary transfer, or make the transfer permanent.

## **Termination**

### **PURPOSE**

To specify the voluntary or involuntary termination process of Le Jardin employees.

### **POLICY**

In accordance with the Employment At-Will Doctrine, either the employer or employee may terminate the employment relationship at any time for any reason or no reason at all. Although the organization wishes that employment relationships with its employees be continuous and mutually satisfactory, nothing contained herein shall be construed to modify the employment-at-will relationship that exists between Le Jardin and its employees.

Voluntary terminations are those initiated by the employee and include:

- Resignation
- Retirement
- Failing to report to work as scheduled
- Failing to return from an approved extended leave of absence
- Failing to provide notification and obtain approval for absences of two or more consecutive days

Involuntary terminations are those initiated by the organization in such situations as the following:

- Inability or failure to perform duties or to meet prescribed standards on the job
- Conduct considered harmful to the organization
- Layoff resulting from changes in services, resources, or qualification requirements for designated programs or projects

Mutual terminations are those in which both the employee and the employer feel that the employee is not a good fit for the organization, or when the termination is predetermined. Temporary employees fall under the category of mutual separation when their employment with Le Jardin has ended.

## **PROCEDURE**

1. The Head Start and Early Head Start Policy Committee/Council approve termination procedures annually.
2. In the event that unsatisfactory performance continues after the steps of the Discipline Procedure have been followed, the entire matter will be reviewed by the Human Resources Department and the appropriate supervisor. If the Human Resources and the supervisor are satisfied that the employee has been given sufficient guidance and time to improve, a request for termination will be submitted to the Executive Director for approval.
3. Please refer to the Paid Time Off policy and the COBRA policy for detailed information about benefits upon termination.
4. A voluntary exit interview will be conducted by Human Resources, documented, and made a part of the employee's personnel record should the terminated employee wish to participate. See the Exit Interview policy for more information.

## **Exit Interviews**

### **PURPOSE**

To set forth the responsibilities of the organization regarding the conducting of exit interviews of terminated employees.

### **POLICY**

It is the policy of Le Jardin to conduct an exit interview for any employee leaving the organization who is willing to be interviewed. A well-conducted exit interview may provide insights into specific areas of achievement or concern within the workplace. The interview is completely voluntary on the part of the employee.

### **PROCEDURE**

1. Human Resources will utilize a standard exit interview form to conduct an exit interview with the terminating employee. Exit interviews are conducted with any employee willing to do so.
2. Information gathered during the exit interview will be shared with the former supervisor and Executive Team only with permission.
3. Human Resources is responsible for following up on issues identified in exit interviews to ensure resolution.

## **Problem Resolution**

### **PURPOSE**

The purpose of this policy is to specify the procedures that have been instituted to resolve employee complaints.

### **POLICY**

It is the policy of Le Jardin to provide an effective means for employees to bring problems and complaints concerning their employment to the attention of management. Le Jardin strives to give full consideration to the problems and complaints brought forth by employees. Employees will be given an opportunity to present their complaints and to appeal decisions by management through a formal complaint and grievance procedure. All complaints or incidents will be documented and placed in the employee's personnel file. This policy in no way alters the policy of employment at will.

### **PROCEDURE**

1. **Direct Employee of Concern:** An employee must first present his or her grievance to the direct employee for which the concern is regarding. The employee should attend to discuss and work together to resolve issues directly whenever possible. If the problem cannot be resolved, please proceed to the next step.
2. **Immediate Supervisor:** If an employee cannot resolve the concern with the other employee directly they should speak to their immediate supervisor for assistance. At this time, the employee and their supervisor should attempt to address the problem through discussion or after consulting with appropriate higher management, when necessary. The supervisor will document the discussion and provide information to HR. If the concern is with an employee of another department, the immediate supervisor must contact the immediate supervisor of the other employee to keep them involved. If the problem involves the employee's immediate supervisor or if the immediate supervisor cannot resolve the issue, the employee should proceed to Human Resources and/or the Program Manager, as applicable.
3. **Human Resources and/or Program Manager:** If all previous efforts fail to bring a satisfactory resolution, the employee may petition Human Resources and/or the Program Manager in order to address the complaint. Human Resources and/or the Program Manager will counsel and advise the employee, assist in putting the problem in writing, and visit with supervisor(s), if necessary. If the problem is not resolved by the Program Manager please seek assistance from Human Resources, or if Human Resources is unable to assist please consult with the Program Manager before proceeding to the next step, whenever possible.
4. **Executive Director:** The employee must present the problem to the Executive Director in writing. The Executive Director will review and consider the problem. The Executive Director will inform the employee of his/her decision and forward a copy of the written response to Human Resources for the employee's file. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem.

## **Discipline Procedure**

### **PURPOSE**

To set forth the guidelines which supervisors must follow in the application of employee discipline.

### **POLICY**

To be effective, disciplinary action should emphasize correcting the problem rather than punishing the offender. Le Jardin's policy provides for progressive disciplinary action to change an employee's performance or behavior from unacceptable to acceptable. This policy in no way alters the policy of employment at-will.

### **PROCEDURE**

Supervisors will be responsible for following the progressive disciplinary action steps. Before contacting the employee, each supervisor must obtain the Human Resources authorization for any action adverse to an employee, including any of the steps described below. This notification is required to ensure consistent, fair and equal treatment of all employees subject to disciplinary action. The Executive Director has the right to and will bypass any of the steps listed at his or her discretion, depending on the nature and severity of the violation.

The general steps are outlined below, but will also depend upon the seriousness and nature of the offense. The severity of the offense will dictate the step in which the progressive action will begin. There may be circumstances when one or more steps are bypassed.

The general progressive disciplinary action steps are outlined below:

1. **Verbal Warning:** All verbal warnings will be documented by the employee's supervisor. The supervisor will meet with the employee to discuss the behavior that is at issue or organizational policy that was violated. The supervisor will ensure that the employee understands the behavior or organizational policy violation, and communicate the specific changes that must be made to prevent recurrence of the problem. One copy provided to the employee, and one copy will be transmitted to Human Resources to be filed in the employee's personnel file.
2. **Written Warning:** Each written warning, via the "Report of Discipline" form will be signed by both the supervisor and the employee. Supervisors are required to identify the behavior that is at issue or the organization policy that was violated, how the violation occurred, and the steps that will be taken to prevent recurrence of the problem. The Report of Discipline form is to be turned in to Human Resources and filed in the employee's personnel file; a copy will also be provided to the employee. Supervisors should also utilize the Report of Discipline Training Plan form in an attempt to resolve the situation. If the employee refuses to sign the Report of Discipline form it will be documented on the form.
3. **Suspension:** If the employee's misconduct or poor work performance continues, the employee may be suspended with or without pay. Notice of suspension will be given to the employee in writing and the original document placed in the employee's official personnel file. A copy of the notice will be provided upon request
4. **Termination:** Reasons for the termination will be documented by the supervisor in the termination report. Once this document has been completed, it must be signed by the supervisor, the Executive Director, CFO/COO, Program Manager, and Human Resources. This document will be placed in the employee's permanent personnel file; a copy will also be provided to the employee. If the employee refuses to sign or is unavailable to sign the Termination Report, it will be documented on the form.

Termination of Head Start employees must follow the specific procedure outlined in the Termination policy.

# Section 7

## Computer, Equipment, and Internet Use

### **PURPOSE**

To set forth the organization's policies concerning use of organization equipment.

### **POLICY**

Le Jardin utilizes the Internet and e-mail to conduct business in a quick and efficient manner. Each employee with access to the Internet or e-mail is responsible for seeing that the Internet and e-mail system is used properly and in accordance with the following policy. Questions concerning the policy should be directed to the employee's supervisor for clarification with the administration.

### **PROCEDURE**

1. The Internet and e-mail system are part of the business equipment and technology platform and are to be used only for organization purposes. The only circumstances under which the Internet can be used for other purposes are during meal periods or before or after regular working hours. However, only web sites approved of by the administration may be visited.
2. At no time should any subject matter of a sexual nature be viewed or e-mailed.
3. Information and messages that are sent or received via e-mail are to be disclosed only to authorized individuals.
4. There is no personal privacy in any matter created, received or sent from the Internet or e-mail system. The organization, in its discretion, reserves the right to monitor and access any matter created in, received through, or sent or received through the Internet or e-mail system.
5. At all times, messages sent on Le Jardin computers should be sent for only legitimate business reasons. Copies should be forwarded only for legitimate business reasons.
6. Each employee is responsible for the messages that are sent from a terminal assigned to him or her, or sent by him or her. Employees should not share their passwords with anyone. Le Jardin employee accounts can be accessed by Le Jardin at any time for verification that information being created, received or sent via the Internet or e-mail system is being created, received or sent for only legitimate business reasons, to check that personal e-mail is not being sent during working hours and to ensure that the information contained within all messages does not compromise, libel or slander Le Jardin or anyone else in any way.

7. All e-mail must follow agency policy banning solicitation and distribution. Chain letters, pyramid schemes and other solicitations are prohibited.
8. No e-mail that constitutes intimidating, hostile or offensive material on the basis of race, color, religion, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, marital status, medical condition (AIDS, ARC, HIV), sexual orientation or any other status protected by federal, state or local law or regulation may be created or at any time. In the event an employee receives inappropriate e-mail content they must notify their supervisor and Human Resources immediately. Le Jardin's policy against harassment applies fully to the internet, phone, e-mail system, and other company equipment.
9. Information that is considered sensitive, highly confidential should not be sent over the Internet or e-mail system whenever possible. If it is necessary to send confidential documents electronically, employees are encouraged to use password encryption. Employees must take every precaution to protect proprietary and confidential information about the organization and its children, parents and staff members.
10. The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not received authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.
11. To ensure a virus free environment, no files may be downloaded from the Internet unless the origin of the message is known. E-mail messages and attachments should not be opened unless the sender is known to the receiver. In the event of a virus, immediately disconnect the device from the shared network by unplugging the Ethernet cable or disconnecting from Wi-Fi; do not shut down the machine and contact Information Technology (IT) support immediately.
12. Le Jardin purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither Le Jardin nor any of its employees may reproduce such software for use on more than one computer.
13. Employees who become aware of misuse of the Internet or e-mail system by one of his or her peers should promptly contact their supervisor and Human Resources.

## **Personal/Business Phone Calls and Mail**

### **PURPOSE**

To set forth the organization's policies concerning use of telephone and mail facilities.

### **POLICY**

It is the policy of Le Jardin that telephone and mail facilities shall be available during working hours for effective communication with the organization's service recipients and business associates. Accordingly, the organization's facilities should not be used for personal telephone calls or personal mail except in cases of emergency. Personal phones are to be on silent or vibrate during working hours.

### **PROCEDURE**

1. Use of the organization's telephone lines should be confined to business calls. Incoming and outgoing personal telephone calls should be limited to those that are absolutely necessary and should be as brief as possible.
2. Where job or business needs demand, Le Jardin may issue a business cellular phone to an employee. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used primarily for business reasons
3. Use of personnel cellular telephones in the classroom and on the playground during scheduled classroom and playground activities is prohibited and subject to disciplinary action up to and including termination.
4. Employees whose job responsibilities include driving on work-related business and who are issued a cell phone for business use are expected to refrain from using their phone while driving. **Safety must come before all other concerns.**
5. In order to avoid adding to the increasing volume of mail, employees may not use the organization's address to receive personal mail without prior approval from the Executive Director.
6. Le Jardin stationary may not be used for personal correspondence due to the fact that any communication sent out on organization stationery might be considered official communication.

# Section 8

## Job Posting

### **PURPOSE**

To ensure a consistent procedure for posting available jobs.

### **POLICY**

Le Jardin believes that each employee should have equal access to opportunities for growth and development and will generally give first consideration to internal candidates who have an above satisfactory history of performance with Le Jardin and meet the qualifications for job vacancies. The organization's job posting mechanism provides employees with information regarding job opportunities.

### **PROCEDURE**

1. Job openings will be posted on the ADP Talent Management System and website (<http://www.lejardincinc.org>). Postings will be added to the website by the Human Resources Department. Posting notices through the Talent Management System will include the date of the posting, and the job title, component, skills and abilities necessary to perform the job, and degrees or certification required for the job.
2. To be eligible to apply for a posted job, an employee should have performed competently for at least 180 calendar days in his or her current position. Employees with documented disciplinary action received in the last 180 days, are not usually eligible to apply for posted jobs.
3. An employee who is interested in applying for an opening should submit his or her resume to Human Resources. An Employee must possess the necessary skills, capability, and potential to satisfactorily perform the work of the open position to be considered for an interview. Past work history, including attendance will also be reviewed in order to make this determination.
4. Human Resources and supervisor will determine the pool of candidates to be interviewed and conduct interviews in conjunction with the appropriate management staff and Policy Committee/Council Chair or his or her designee. Human Resources will extend offers of employment and inform candidates who were not selected.
5. All decisions concerning promotion, transfer, demotion, etc., will be made without regard to race, color, religion, sex, national origin, age, perceived disability (physical or mental), veteran status, pregnancy, marital status, medical condition (AIDS, ARC, HIV), sexual orientation, or any other status protected under federal, state or local law.

## **Recruitment and Selection**

### **PURPOSE**

To maintain a consistent procedure for recruiting and selecting the best applicants to work within the organization.

### **POLICY**

It is the policy of Le Jardin to recruit and select the best-suited applicants for available positions, in compliance with all applicable federal, state, and local laws and regulations and with the organization's commitment to Equal Employment Opportunity.

### **PROCEDURE**

1. The Head Start and Early Head Start Policy Council and Committee approve the procedures for hiring employees in HS/EHS programs annually.
2. The organization uses a variety of recruitment efforts to attract qualified applicants. Human Resources will coordinate recruitment and selection processes for staff in consultation with the program components.
3. In the event Le Jardin wishes to substitute key personnel (i.e.: Executive Director, CFO) Le Jardin must notify the Miami-Dade Community Action and Human Services Department in writing and request written approval for the substitution at least ten (10) business days prior to effecting such substitution.
4. Before internal posting or external advertising, positions are reviewed by Human Resources for appropriate title, pay range, educational requirements and exemption status.
5. Under no circumstances shall employees without the express written consent of the administration office issue or permit to be issued any press release, advertisement or literature of any kind which refers to Le Jardin, or the work being performed hereunder. Such approval may be withheld for any reason if Le Jardin administration believes that the publication of such information would be harmful to the public interest or is any way undesirable.
6. Newspaper advertising, when necessary, will be placed through the Finance Component with approval from the Chief Financial Officer.
7. To be considered a job applicant, a person must specify on the employment application, resume or letter of application the posted job vacancy for which he or she is applying.

Applications that do not specify a posted job vacancy may or may not be considered. Applications remain active for twelve (12) months.

8. All applicants for positions in the organization are entitled to a thorough and consistent evaluation of their qualifications for employment. Consistency will be maintained by having Human Resources perform the initial document screening of applications and resumes.
9. The Supervisor in consultation with Human Resources will develop a short list of candidates to be interviewed. The Policy Committee/Council President or his/her designee will be invited to attend interviews.
10. Human Resources will conduct pre-employment checks on the leading candidates for the position. The Pre-Employment screening includes, but is not limited to, verbal confirmation of salary and completed educational level, as well as the ability to participate and pass a Federal Background Screening, Local Background Screening, Drug Test, and Driving Record Check.
11. The supervisor and Human Resources will make recommendations for hire. Human Resources will review the completed employment application for consistency with organization policies. The supervisor will make the final hiring decision with approval from Human Resources and the Executive Director.
12. Human Resources will extend the offer to the selected candidate and notify all other candidates.
13. Human Resources shall maintain records of the selection process, such as applications, evaluation criteria, notes from interviews, and reference checks, in the administration office for one year.
14. The Executive Director is appointed by the Board of Directors.

<b>Activity</b>	<b>Responsibility</b>
Salary determination	Chief Financial Officer
Updating job descriptions and requirements	Supervisor and Human Resources
Determining FLSA exemption Status	Human Resources
Posting open positions	Human Resources
Initial document screening	Human Resources
Interviewing	Human Resources/ Supervisor/ Policy Committee/Council Chairperson
Hiring Decision	Supervisor with approval from Human Resources and the Executive Director
Pre-Employment Checking/Testing	Human Resources
Offers/Rejections	Human Resources

## **Pre-Employment Investigation**

### **PURPOSE**

To confirm a system of pre-employment checks whose purpose is to ascertain within legal and professional limits the qualifications and suitability of the candidate for the position for which the candidate is applying.

### **POLICY**

As per HSPPS 1302.90, before a person is hired, directly or through contract, including contractors, Le Jardin will conduct an interview, verify references, conduct a sex offender registry check, Federal Bureau of Investigation criminal history records, including fingerprint checks, and Child abuse and neglect state registry check, if available. All employees must also have a local background check, screening for communicable diseases, and satisfactory driving record, before they can begin working with Le Jardin. Having a criminal history or criminal conviction will most likely preclude employment with Le Jardin.

Volunteers will sign and abide by the Standards of Conduct outlined in HSPPS 1302.90(c). As per HSPSS 1302.92 Volunteers are required to attend an orientation that focuses on, at a minimum, the goals and philosophy of the program and the ways they are implemented. Regular Volunteers, as defined by DCF, will be screened for appropriate communicable diseases as per HSPPS 1302.94.

### **PROCEDURE**

1. Applicants are required to sign a release form authorizing the background check and the release of information by former employers, educational institutions, or other organizations as part of the reference and background checking process. A refusal to sign such a release form disqualifies the applicant from further consideration for employment.

2. Local and Federal checks must be obtained prior to the first day of employment. Employees are required to pay for the Local and Federal background check and must make appointments to be fingerprinted by an approved service. Disqualifying offenses are determined by the Florida Department of Children and Families.
3. An applicant who provides misleading, erroneous, or deceptive information on the application form, resume, or in an interview will be eliminated from further consideration for employment.
4. Employment reference checks will be conducted by Human Resources Department before a candidate's first day of employment for the past five (5) years. Offers of employment are contingent upon the results of the reference checks.
5. As per HSPPS 1302.93, Le Jardin must ensure each staff member has an initial health examination and a periodic re-examination in accordance with state and local requirements, which include screeners or tests for communicable diseases, as appropriate. The program must ensure staff do not, because of communicable diseases, pose a significant risk to the health or safety of others in the program that cannot be eliminated or reduced by reasonable accommodation, in accordance with the Americans with Disabilities Act and section 504 of the Rehabilitation Act. To ensure that employees are able to perform their duties safely and to comply with the requirements of the State of Florida Department of Children and Families, a physical examination and screening for tuberculosis (PPD or Chest X-Ray) are required after an offer of employment is made, with the offer being contingent on the results of the exam. Le Jardin will not bear the cost of these examinations.
6. A negative drug screening is required prior to employment.
7. In accordance with Health and Human Services guidelines, all employees hired to positions within the Head Start/Early Head Start program are required to declare all convictions related to child abuse and neglect, and all convictions of violent felonies through an Affidavit of Good Moral Character form provided by DCF.
8. As per HSPPS 1302.91(e)(1) As prescribed in section 645A(h) of the Act, Le Jardin will ensure teachers that provide direct services to infants and toddlers in Early Head Start centers have a minimum of a Child Development Associate (CDA) credential or comparable credential, and have been trained or have equivalent coursework in early childhood development with a focus on infant and toddler development.
9. As per HSPPS 1302.91(e)(2), Le Jardin will ensure all teachers have at least an associate's or bachelor's degree in child development or early childhood education, equivalent coursework, or otherwise meet the requirements of section 648A(a)(3)(B) of the Act.
10. As per HSPPS 1302.91(d) Le Jardin will ensure staff and consultants that serve as education managers or coordinators, including those that serve as curriculum specialists, have a baccalaureate or advanced degree in early childhood education or a baccalaureate

or advanced degree and equivalent coursework in early childhood education with early education teaching experience.

11. As per HSPPS 1302.91(e)(3), Le Jardin will ensure Head Start assistant teachers, at a minimum, have a CDA credential or a state-awarded certificate that meets or exceeds the requirements for a CDA credential, are enrolled in a program that will lead to an associate or baccalaureate degree or, are enrolled in a CDA credential program to be completed within two years of the time of hire.
12. As per HSPPS 1302.91(c), Le Jardin will ensure the fiscal officer hired after November 7, 2016, is a certified public accountant or has, at a minimum, a baccalaureate degree in accounting, business, fiscal management, or a related field.
13. As per HSPPS 1302.91(d) Le Jardin will ensure staff responsible for management and oversight of family services, health services, and services to children with disabilities hired after November 7, 2016 have, at a minimum, a baccalaureate degree, preferably related to one or more of the disciplines they oversee.
14. As per HSPPS 1302.91(e)(7) Le Jardin will ensure staff who work directly with families on the family partnership process hired after November 7, 2016, have within eighteen months of hire, at a minimum, a credential or certification in social work, human services, family services, counseling or a related field.

## **Substitutes and Special Agreement Employees**

### **PURPOSE**

To define the procedures concerning the utilization of substitutes and special agreement consultants.

### **POLICY**

It is the policy of Le Jardin to supplement the regular work force with substitutes and consultants when necessitated by periods of peak workload, employee absences, or other situations as determined by management. In addition, Le Jardin encourages employment opportunities for persons under the sponsorship of various employment programs, or those persons interested in utilizing the organization to complete professional and technical internships.

### **PROCEDURE**

#### **Substitutes**

A substitute employee is an individual who is hired either full-time or part-time for a limited period under the following conditions:

1. Substitute Teachers and Teacher Assistants can be requested through administration.
2. Cook Aid Substitutes can be requested by the Health/Nutrition Coordinator.

### **Consultants**

A consultant is a person or company that provides Le Jardin with a particular service(s) that is not needed full-time, but is required to meet the objectives of the program. Le Jardin pays the Consultant for the services provided, subject to the following:

1. The Consultant provides Le Jardin with the professional documents and certification giving evidence of the ability to legally conduct the services outlined in the contract.
2. The Consultant carries the appropriate liability insurance and provides Le Jardin with evidence of the insurance. Proper documentation of time and attendance will be maintained by the Consultant. In addition:
  - a. It is the responsibility of the Chief Financial Officer to ensure that all required reports supporting invoices are completed and submitted in a timely manner.
  - b. Consultants that work directly with children are required to obtain Federal and Local Background Clearance and sign the Standards of Conduct Form as per HSPPS 1302.90, as well as receive an Orientation as per HSPPS 1302.92(a).
3. All contracts for Consultants shall be forwarded to the Executive Director for review. Such contracts and work agreements shall be subject to final approval of the Executive Director.

### **Service Providers**

A service provider is a person or company that provides services to Le Jardin and is not paid by Le Jardin. In such cases the Service Provider must:

1. Request prior approval from the Executive Director to come to Le Jardin centers to provide services.
2. Provide Le Jardin with the professional documents and certification giving evidence of the ability to legally conduct the services outlined in the contract.
3. Carry the appropriate liability insurance and provide Le Jardin with evidence of the insurance. Proper documentation of time and attendance will be maintained by the service provider and given to the Executive Director or his or her designee. A level 2 background FBI/FDLE background is required for all employees of service providers with staff on site.

### **Internships**

Program agreements with educational institutions providing for internships shall be subject to the prior approval of the Executive Director.

### **Volunteers**

Volunteer workers, when performing work for Le Jardin, are required to file personal information for identification purposes, observe established work hours, complete time and attendance records

and be accountable to supervision. Volunteers are required to follow organization Policies and Procedures. Volunteers will sign and abide by the Standards of Conduct outlined in HSPPS 1302.90(c). As per HSPSS 1302.92 Volunteers are required to attend an orientation that focuses on, at a minimum, the goals and philosophy of the program and the ways they are implemented. Regular Volunteers, as defined by DCF, will be screened for appropriate communicable diseases as per HSPPS 1302.94. Le Jardin will ensure that children are never left alone with volunteers.

## **Employment of Former Employees**

### **PURPOSE**

To define Le Jardin's policy regarding the employment of former employees.

### **POLICY**

It is the policy of the organization to allow former employees to be rehired so long as there are no prior performance problems or organization policy violations.

### **PROCEDURE**

1. Employees rehired will be subject to all the policies applicable to new hires.

## **Employment of Relatives**

### **PURPOSE**

The purpose of this policy statement is to describe the organization's policy regarding the employment of immediate family members of employees.

### **POLICY**

It is the policy of Le Jardin to regulate the employment of relatives of employees to avoid creating or perpetuating circumstances in which the possibility, or appearance, of favoritism, conflict of interest, or impairment of efficient operations may occur. Therefore, while relatives of employees may be hired, relatives may not work in a direct reporting relationship.

Further, a person with an immediate family member serving on a Board or Committee, which either by rule or practice, regularly nominates, recommends or screens candidates for positions with Le Jardin may not be employed.

For purposes of this policy, relatives are defined as any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

## **PROCEDURE**

1. Administrators and Coordinators should exercise caution in hiring decisions to ensure that a new employee is not placed in a direct reporting relationship with a relative, defined by this policy.
2. If, due to promotion, a direct reporting relationship is created between relatives, the supervisor should work with the affected employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. Supervisors shall contact the Executive Director and Human Resources to discuss resolution options.
3. If the relative relationship is established after employment, the employee must report the relationship to the supervisor and Human Resources. The supervisor should work with the affected employees to resolve the situation. Resolution may include transfer of one family member or a change in reporting relationships. Supervisors shall contact the Executive Director and Human Resources to report the relationship and discuss resolution options.
4. Le Jardin educational staff may not have relatives as students in their classroom. In the event a relative is moved to the classroom, the employee must report it to the supervisor for a transfer.
5. Relatives may work in the same building so long as the relationship is not disruptive to either party. Violations of this policy will result in disciplinary action up to and including termination.

# Section 9

## Group Insurance Plans & Retirement

### **PURPOSE**

To provide a brief summary of medical insurance, dental insurance, life insurance, retirement benefits, and other benefits provided by Le Jardin. Employees should refer to their Summary Plan Description (SPD) for plan details. In the event of any discrepancy between this document and the SPD, the latter will prevail.

### **POLICY**

It is the policy of the organization to provide group insurance for its employees. The following section provides a summary of benefits provided by the organization's current insurance provider.

### **PROCEDURE**

1. Human Resources will provide informational meetings on the benefits offered to eligible Le Jardin employees prior to their eligible effective date for applicable benefits.
  - a. Informational meetings to elect medical, dental, vision, and life insurance will occur monthly.
  - b. Informational meetings for the retirement plan will occur monthly and are coordinated with the Retirement Plan Broker.
2. Employees are strongly encouraged to elect or waive medical, dental, vision and life insurance options by the 9<sup>th</sup> day of the previous month in order to ensure accuracy on benefit invoices. Employees that fail to make elections in this time period may be subject to additional deductions in order to reconcile missed contributions.
  - a. For example, if an employee is eligible to start medical, dental, vision, and life insurance on November 1<sup>st</sup>, they should, as much as possible, elect or waive coverage by October 9<sup>th</sup>.
  - b. Employees are still eligible to elect, waive, or change coverage 30 days after their election date. Once elections have been completed, any changes must be submitted to Human Resources for approval, regardless if the 30-day period has been completed. Additional deductions may need to be collected to reconcile any missed contributions due to delayed election choices.

### **Health Insurance, Dental Insurance, Vision Insurance, and Life Insurance**

1. On the first day of the month following sixty (60) days of full-time employment, but no more than ninety (90) days in accordance with Healthcare Reform, a regular full-time employee becomes eligible for the above insurance programs.

- a. Employees that change from part-time to full-time are eligible for benefits the first day of the month following sixty (60) days, but no more than ninety (90) days, in their full-time position.
2. An insurance information booklet and cost of coverage sheet will be provided to eligible employees in advance of enrollment. Contact Human Resources in the administration office for more information about the insurance programs and their costs.

### **Qualifying Life Event**

Due to IRS regulations, you can make **changes** (example: changing or canceling a benefit) outside the Open Enrollment period or your initial new hire enrollment period **only** if you have a change in family status as defined by the Internal Revenue Code or Affordable Care Act. You should make changes within thirty (30) days of the eligible event, and you can only make changes that are consistent with the event. If changes are not made within thirty (30) days of the eligible event, it is at the discretion of the insurance carrier if they will accept the changes. Only changes that are consistent with the event are eligible. Eligible change of family status events include the following:

- Marital Status Changes
- Covered Dependent Changes
- Legal marriage
- Death of Spouse
- Legal divorce
- Spouse gains or loses coverage from another source
- Spouse's employer's Open Enrollment
- Birth or legal adoption of child
- Death of dependent child
- Dependent becomes ineligible for coverage
- Change of Hours: Moving from Full-Time to Part-Time, or Part-Time to Full-Time

If you have an eligible event, please contact Human Resources to make changes to your benefits.

### **Other Insurance Options**

Employees may desire additional insurance such as Term Life Insurance, Short Term Disability and Long Term Disability. These policies can be purchased from a Le Jardin approved private insurance company through payroll deductions. The Human Resources component will provide information to employees who request information on these insurance plans.

### **Profit Sharing Retirement Plan**

Le Jardin provides a pension plan to employees age twenty-one (21) or older after twelve (12) months of employment with a minimum of 1,000 hours of work the first year and 500 hours of work annually thereafter. The amount of Le Jardin's contribution is up to 7% of the employee's salary. Le Jardin's contribution to the plan is determined each year in accordance with expected funding and revenue. Enrollment in the profit sharing plan takes place through a broker on the first date of the month following the employee satisfaction of eligibility requirements, unless such date falls on the first (1<sup>st</sup>) of the month. Employees can enroll only after they have met the initial 1,000-hour minimum employment requirement for a period of twelve (12) months and are age twenty-one (21) or older. Any active loan payment should be made in advance of leave, including summer recess, but no later than the fifth (5<sup>th</sup>) working day of the month for which payment is due.

- a. Example: If an employee becomes eligible for the Profit Sharing Plan any date between August 2<sup>nd</sup> through 31<sup>st</sup>, the employee will be enrolled in the plan effective September 1<sup>st</sup>.
  - i. Example: A full-time employee is hired on August 15, 2019. The employee will complete twelve (12) months of employment and 1,000 hours on August 15, 2020. The employee will begin the Profit Sharing on September 1, 2020.
- b. Example: If an employee becomes eligible for the Profit Sharing Plan on August 1<sup>st</sup>, the employee will be enrolled in the plan effective August 1<sup>st</sup>.
- c. For more information, please see the Plan Description Documents

### **Employee Contributions for Retirement**

Beginning January 2019, employees will be eligible to contribute to their own retirement plan through pre- or post-tax payroll deductions. Employees must meet the following eligibility requirements in order to participate in this benefit: age twenty-one (21) or older, complete twelve (12) months of employment with a minimum of 1,000 hours of work the first year, and 500 hours of work annually thereafter. More information is available in the Plan Description Documents.

**\*\*\*\*Any changes made to ANY benefit policies may only be made during a qualifying event or during open enrollment. A request must be submitted to Human Resources before changes will become effective.**

## **COBRA**

### **PURPOSE**

To provide a summary of the organization's procedures under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA.

### **POLICY**

Regardless of the circumstances, when an employee's employment with the organization ends, the employee or qualified beneficiary is entitled to continue participating in the organization's group health plan for a prescribed period of time, up to eighteen (18) months. In certain circumstances, such

as an employee's divorce or death, the length of coverage period may be longer for qualified dependents.

Employees on voluntary extended leave, with the exception of FMLA leave, for thirty (30) days or more are entitled to participate in the organization's group health plan through COBRA for the duration of their leave. Le Jardin will not pay premiums for employees on leave for thirty (30) days or more.

## **PROCEDURE**

1. Notice of continued health insurance coverage will be provided to the terminated employee and/or dependents by the Chief Financial Officer or his or her designee.
2. Notice of continued health insurance coverage will be provided to an employee on leave by the Chief Financial Officer or his or her designee.
3. If an employee on leave or a former employee chooses to continue group benefits under COBRA, he or she must pay the total applicable premium. The first payment must be received forty-five (45) days after initial election, and subsequent payments no later than the fifth (5<sup>th</sup>) working day of each month.
4. Coverage will cease if the employee fails to make premium payments as scheduled, becomes covered by another group plan, or when the plan terminates for all employees.
5. For detailed information or questions on COBRA, employees are requested to forward their questions to Human Resources.

## **Workers' Compensation**

### **PURPOSE**

To explain the handling of an on-the-job injury that may be covered under Workers' Compensation.

### **POLICY**

It is the policy of Le Jardin that employees hurt on the job, regardless of fault, be entitled to benefits under Workers' Compensation.

### **PROCEDURE**

#### **Employee Responsibilities**

1. Inform his or her supervisor of the injury or accident as soon as possible. The employee should immediately fill out a **FIRST REPORT OF INJURY OR ILLNESS** form which shall include the following:
  - a. Date, time and place of injury or accident
  - b. Brief description of and conditions that caused the injury or accident
  - c. Description of injured parts of the body or disease resulting from the injury or accident
  - d. The employee should view the Worker's Compensation Poster or contact their supervisor and Human Resources for referral to a designated Workers' Compensation doctor
2. Ask the doctor to promptly provide information requested by the employer about the condition of the employee.
3. Keep records of all bills, dates of treatment, compensation payments, dates worked and not worked, to whom the injury or accident was reported and any other information relating to the employee's injury or accident.
4. Abide by any light duty restrictions from the doctor, as applicable. See Light Duty policy for more information.

### **Supervisor Responsibilities**

1. Promptly conduct a thorough investigation to determine if the injury or accident was caused by a work-related injury or accident.
2. Notify Human Resources of the accident or injury and work with facilities, as applicable, to ensure that the cause of the accident or injury is eliminated as soon as possible.
3. Send the Accident/Incident Report form to Human Resources as soon as possible.
4. Ensure the employee abides by any applicable light duty restrictions. See Light Duty policy for more information.

### **Human Resources Responsibilities**

1. Ensure required Worker's Compensation Posters are visible and updated.
2. Forward accident/incident report information to the Worker's Compensation Insurance company.
3. Maintain records of reports, claims, and updates for each case.
4. Educate the supervisor on any applicable light duty restrictions. See Light Duty policy for more information.

## **Light Duty**

### **PURPOSE**

To provide employees with an understanding and description of light duty and the circumstances in which it may apply.

### **POLICY**

It is the policy of Le Jardin that employees who, because of a medically certified illness, injury, or disability, are temporarily unable to perform their regular assignments may be assigned to perform alternative assignments in a light duty capacity.

### **PROCEDURE**

1. Light duty placement may include a reduction in full time equivalency, limiting or altering duties in the employee's existing position, or temporarily reassigning the employee to another position that he or she is qualified and capable to perform.
2. In addition to considerations included in this policy, decisions on temporary light duty assignments shall be made based upon: the availability of an appropriate light duty assignment given the applicant's knowledge, skills and abilities; and the physical limitations to which the employee is subject.
3. No employee will be assigned to light duty unless he or she can productively be employed in the light duty position.
4. Assignment to temporary light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits such as incentive pay for special assignments.
5. Light duty assignments are strictly temporary and shall not exceed three (3) weeks in duration. After three (3) weeks, employees on temporary light duty who are not capable of resuming their original duty assignment shall pursue other options as provided by employment provisions of the organization or federal or state law.
6. Personnel on temporary light duty are prohibited from engaging in outside employment.
7. An employee may not refuse temporary light duty assignments that are supported by and consistent with the recommendations of an attending physician or certified health care provider. However, the employee may protest such an assignment through established grievance procedures.
9. All requests for temporary light duty assignment shall be submitted to the Executive Director through the employee's supervisor. Each request must be accompanied by a medical

certification to support a requested reassignment, which must be signed either by the treating physician or another licensed health care provider. The certificate must include an assessment of the nature and probable duration of the disability, prognosis for recovery, nature of work restrictions and an acknowledgment by the health care provider of familiarity with the light-duty assignment and the fact that the employee can physically assume the duties involved.

10. This policy shall in no way affect the rights of employees or employee under the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.

# Section 10

## Human Resources Records

### **PURPOSE**

To ensure the proper handling of requests for confidential information and records pertaining to employees and their personnel matters.

### **POLICY**

It is the policy of Le Jardin to ensure confidentiality for employees and limit organization liability in responding to requests for employee information.

### **PROCEDURE**

1. Human Resources Department is responsible for maintaining employee personnel files at the administration office, which includes such information as the employee's job application, resume, records of training, required childcare screening documentation, performance evaluations, salary history, increases, and other employment records.
2. All employee medical and health related documents shall be stored in a separate confidential folder, not in the personnel file. These files are kept in a locked, secured area limited to those on a need to know basis in order to perform job responsibilities.
3. Any Le Jardin employee shall comply with the Health Insurance Portability And Accountability Act (HIPPA) of 1996 and the Miami-Dade County privacy standards administrative order. HIPPA mandates for privacy, security and electronic transfer standards of "Individually Identifiable Health Information" and "Protected Health Information".
4. Supervisors who need access to an employee's file should contact the assigned employee with the Center Director Credential for that center.
5. Employees who wish to view their personnel files must notify Human Resources Department in writing. Human Resources Department will fulfill the request within ten (10) working days of the written request.
6. Employee files must be reviewed in Le Jardin's offices. At no time should employee files leave Le Jardin.
7. Verifications of employment will be completed in 48 hours by Human Resources Department. Only basic employment information, (i.e. dates of employment, title of position held, and confirmation of salary) for employment verifications and those requests meeting legal requirements, will be provided. Employee releases are required for all verifications.

8. Detailed personnel information will not be released to anyone outside the organization without prior written consent by the employee. Exceptions will only be made as required by law as in the case of subpoenas or other court orders.
9. Employees have the legal right to review their file contents. Exceptions include:
  - a. Letters of reference
  - b. Materials relating to employer staff planning and business development
  - c. Information of a personal nature about another person, the disclosure of which could constitute an unwarranted invasion of privacy
    - i. The name of any other employees will be blocked out prior to filing.
  - d. Investigatory or security records maintained by the employer to investigate employee misconduct or other conduct that could be harmful to the organization.
10. The following list explains how long certain Human Resource files must be kept after termination of employment:
  - a. Personnel Files – 7 years
  - b. Health Files – 30 years
  - c. FMLA Files – 4 years
  - d. Workers Comp Claims – 5 years
  - e. I-9 forms – 3 years from hire date or 1 year after termination
11. A file for licensing purposes will be kept at each center on each staff member working at the center. The files are subject to the following conditions:
  - a. The files will be maintained with information collected by the assigned employee with the Center Director Credential.
  - b. External agencies permitted to review the files are representatives from the grantee, the Florida Department of Children & Families, the Miami-Dade Health Department, Accreditation agencies, and an annual auditor.
  - c. The files will be kept under lock and key at all times except when review is needed by designated representatives.
12. Only the following items are required in the personnel files at the centers:
  - a. Hire Dates
  - b. Federal Background Screening Results
  - c. Local Background Screening Results
  - d. Affidavit of Good Moral Characters
  - e. Child Abuse and Neglect Form
  - f. Standard of Conduct
  - g. Credentials and Licenses specific to the program
  - h. Training and Professional Development including DCF Hours
  - i. Staff Credential Verification
  - j. Proof of Orientation
  - k. Proof of Program Procedures Updates and Reviews
  - l. Overview of NAEYC Program Standards
  - m. Child Abuse Trainings

- n. Professional Development Plan and Evaluations
  - o. Health Exams and TB Tests (stored separately)
13. No files may be discarded while any investigation or claim is active.
14. When a new employee is hired, the Human Resources Department will scan these documents, and email them to the assigned employee with the Center Director Credential. The assigned employee with the Center Director Credential will construct a center-level employee personnel file. It is the responsibility of that assigned employee to make sure the center's employee files are kept neat, organized and up to date. Upon the receipt of updated documents mentioned in the required list above, the Human Resources Department will scan and email it to the assigned employee with the Center Director Credential. Once that employee receives the updated information, it is their responsibility to ensure that it is printed and placed in the center-level employee personnel file(s).

## **Internal Monitoring of Human Resources**

### **PURPOSE**

To establish guidelines for monitoring of the human resources department to ensure compliance.

### **POLICY**

It is the policy of the organization to maintain all federal, state, local and contractual requirements at all times. Employees that do not meet the requirements of their position may be suspended without pay and/or terminated as per the Executive Director.

### **PROCEDURE**

1. The Human Resources department will maintain all records current in the digital and filing systems as needed.
2. Annually, a random selection of files will be chosen for a thorough monitoring to ensure that the information in the digital systems is correct.
3. Reports will be reviewed quarterly to ensure that Child Plus software is updated in preparation for the Program Information Report (PIR) at the end of each program year.
4. The Human Resources Department reviews digital systems to check for expired credentials and notifies the employee and their supervisor twice per year of credential expiration dates. Expired credentials are grounds for suspension without pay and/or termination. Human Resources will not be held responsible for employee suspensions resulting from expired credentials if notifications were sent; employees are expected to maintain their own credentials up-to-date.
5. In the event of a finding from external monitors in the area of Human Resources, the Corrective Action Plan will be uploaded into the Child Plus software. The Human

Resources Department will correct the areas of concern and attach backup as applicable. Within one (1) week following a non-compliance finding, the Human Resources team will determine an improvement to the system(s) responsible for the finding in order to prevent the incident from occurring again. New policies and procedures will be written and submitted to the Policy Committee, Policy Council and Board of Directors for approval as applicable.

## **Confidentiality of Organization Information**

### **PURPOSE**

To provide guidelines for the handling of confidential organization information.

### **POLICY**

It is the policy of Le Jardin that business affairs of the organization should not be discussed with anyone outside the organization except when required in the normal course of business. Information concerning the activities or operations of the organization, or concerning service recipients or their families must be treated as confidential or on a need-to-know basis.

### **PROCEDURE**

1. Many of the programs and projects discussed by Le Jardin staff may be in the tentative planning stages. To repeat or discuss these matters outside of Le Jardin could be unfair and perhaps detrimental to those who may be served or affected.
2. Until a program, policy or procedure is formally announced or published, it is to be treated as confidential by all Le Jardin employees; therefore, the utmost discretion must be used in sharing information or making authoritative statements in discussions about non-official tentative or formative programs, policies or procedures.
3. Employees may not, without Le Jardin's prior written permission, disclose to anyone outside the organization any confidential information or material belonging or pertaining to Le Jardin, or any information or material received in confidence from third parties such as parents or staff members, by Le Jardin.
4. Employees will comply, and do all things necessary for Le Jardin to comply with the following:
  - a. the laws and regulations of all governmental entities and service providers with which Le Jardin does business
  - b. all provisions of any contracts between any such entity, Le Jardin contractors and Le Jardin that relates to the safeguarding of information, confidential or not confidential
5. If an employee leaves the employment of Le Jardin, he or she must surrender to Le Jardin all information-bearing items in his or her possession, whether or not containing confidential information, including but not limited to, diskettes and other storage media,

company phones and laptops, notebooks, reports, and other documents belonging to Le Jardin, received by Le Jardin from any third party, or containing Le Jardin confidential information.

## **Organization Bulletin Boards**

### **PURPOSE**

To set forth the organization's general standards concerning bulletin boards and their use for communicating with parents and employees.

### **POLICY**

Only authorized organization bulletin boards may be displayed. Information on those boards must be approved in advance by the Program Manager or designee.

### **PROCEDURE**

1. Bulletin boards may not be erected without prior authorization of the Program Manager or designee.
2. The Program Manager or designee must approve and supervise the posting of all materials on authorized boards.
3. The designated Family Worker at each center is responsible for updating the boards and ensuring that no unapproved communication is posted.

## **Photo Release Statement**

### **PURPOSE**

To set understanding for all employees about photographs and uses of them for organizational purposes.

### **POLICY/PROCEDURE**

It is the policy of the organization that all employees grant to Le Jardin Community Center, Inc., the right to take photographs of them in connection with work related events. All employees authorize Le Jardin Community Center, Inc., its assigns and transferees to copyright, use and publish the same in print and/or electronically. Le Jardin Community Center, Inc. may use such photographs of me with or without my name and for any lawful purpose, including for example such purposes as publicity, illustration, advertising, and Web content. Employees will not be compensated for any photos taken.

