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**Employee Handbook Changes Approved since 09/10**  
**The date of Board approval is in parentheses**

- **Created and added New Social Media Addendum (12/10)**
- **Revised Family & Medical Leave Policy Addendum (10/11)**

## I. Introduction

- 1.1 CAP Services, Inc. is a private, non-profit corporation whose primary purpose is to provide services and advocacy to alleviate problems and support the efforts of low-income persons in Marquette, Portage, Outagamie, Waupaca, and Waushara Counties in achieving self-sufficiency.

This Employee Handbook is designed to assist in establishing, to the extent practical, continuity of policy, procedure, and protection for employees and the Board of Directors. They are not meant to be so rigid as to restrict achievement of goals due to incompatible conditions, but instead, to provide a reference point in achieving these goals. These policies and procedures will be binding upon the Board of Directors, staff, Head Start Policy Council, program volunteers, and advisory committees of CAP Services.



This handbook does not constitute a contract between CAP Services and any one, or all, of its employees. CAP Services is an *at will* employer, meaning that both CAP and the employee have the right to terminate the employment relationship at any time, for any reason, with or without notice.

No manager or supervisor has any authority to vary, by contract or otherwise, the employment-at-will relationship between an employee and CAP Services

Not every policy or procedure is completely set forth in this handbook. Every effort has been made to accurately describe applicable laws, but such laws or interpretations may change over time. Each employee is advised to check specific laws that may apply to their specific situation

- 1.2 These policies may be revised at any time according to the following procedures:
- A. Impetus for change may come from either the staff or the Board of Directors.
  - B. Changes or amendments must be made available to the employees and the Head Start Policy Council prior to being presented to the Board.
  - C. Proposed changes or amendments shall then be submitted to the Personnel Committee of the Board for review and approval.
  - D. Final review and adoption shall be made by the Board of Directors.
  - E. Changes required by funding source directives will be made per funding source request. Such changes must be incorporated after being presented to the staff, the Head Start Policy Council, and the Board of Directors.
  - F. Periodic evaluation and review will be conducted by the designated authority to maintain compliance to all funding source directives, equal opportunity guidelines and Federal and State rules and regulations.
  - G. Once approved, the changes or amendments shall be made a part of the CAP's published Employee Handbook and all employees will be notified of said changes.

- 1.3. When referring to these policies, use Article number and section letter, sub-section number, and part letter.

## II. Recruitment & Non-Discrimination

- 2.1 CAP Services is committed to the belief each individual is entitled to equal employment opportunities without regard to race, creed, color, ethnic or national origin, sex, sexual orientation, age, non-job related characteristics, economic status, or political affiliations. CAP Services pledges to apply this commitment to recruiting, hiring, compensation, fringe benefits, staff development and training, promotions, terminations, and all other conditions of employment. Except in cases where there are compelling reasons for demanding a specific level of educational achievement for a position, all positions will stipulate a preferred educational level, but equivalent experience, both paid and volunteer, will be given consideration. CAP also recognizes that, because some groups have long been excluded from opportunities, clear and specific steps to overcome the imbalance are required. These steps are detailed in the Affirmative Action Plan adopted by the Board of Directors and implemented by staff a copy of which is available at [www.capservices.org](http://www.capservices.org) or by contacting the Human Resources Manager.
- 2.2 All positions for employment within CAP Services and for delegates of CAP of seven and one half (7 ½) or more hours per week, will be advertised except as noted below. The recruitment procedure is explained in the Fiscal and Administrative Procedures Manual.
- A. The Department Director may waive any or all advertising and/or posting requirement but must inform the Human Resources Manager of the waiver.
  - B. The Department Director may waive all advertising and announcement requirements for positions where employment is expected to be limited term (less than 20 hours per week or for a period of less than 6 months).
  - C. The Department Director may waive advertising for vacant positions that can be filled with eligible staff on layoff from the same position or who have been demoted due to a reduction in staff or change in staffing pattern.
  - D. Positions filled as a result of demotion are exempt from advertising.
  - E. If a vacancy occurs in a position that had been advertised within the previous 90 days, the Department Director may refill the position using the list of applicants generated by the advertising.
  - F. When vacancies occur, all employees in positions with the same title but assigned to different geographic locations will be allowed to bid for transfer. The Department Director will be responsible for notifying all eligible employees in writing or by e-mail of the position's availability with documentation provided to the Human Resources Department. Advertising and posting will be waived if positions can be filled by transfer.
- 2.3 CAP Services' Board of Directors has the final authority for employing or terminating the Chief Executive Officer. The Board has invested the Chief Executive Officer with the authority to select other staff. The Personnel Com-



- mittee should be involved in the hiring and terminating of Vice Presidents. In the case of Head Start employees, the Head Start Policy Council must participate in the hiring and firing of staff and the Early Childhood Director. This involvement will include being a part of the interview and selection process as determined by agreement between the Personnel Committee and the Chief Executive Officer.
- 2.4 All persons considered for employment or re-employment with CAP Services will complete an application form, and, for positions of Department Director, attach a resume. Prior to employment, individuals must be interviewed and their employment references checked.
  - 2.5 Employment of low-income persons is a goal of CAP Services. As a result, any person applying for employment with CAP Services will be given a low-income preference, when equal in qualifications, if their family income is below the Federal Poverty Guidelines at the time of application. Head Start parents will be given preference for Head Start positions when equal in qualifications.
  - 2.6 Experience and demonstrated ability for all positions will be considered on an equal basis with educational achievements. There will be no formal education requirements without providing a work experience alternative for any position unless stipulated by Board, funding source or licensing regulations. The Chief Executive Officer's position requires a Bachelor's degree.
  - 2.7 It is the policy of CAP Services to fill vacancies with the best-qualified candidates. Opportunity for employment will be open to any person who, on the basis of merit, can present satisfactory evidence of qualifications required for the position. The Chief Executive Officer may waive minimum education and work experience requirements for limited-term employees. The Board of Directors may waive minimum education and work experience requirements for part and full-time employees including limited-term employees changing to part or full-time status.
  - 2.8 All persons selected will receive written notification of appointment. Such notification will include position title, starting salary and starting date. Candidates not selected will be notified that the position has been filled.
  - 2.9 The following are restrictions on employment with CAP Services:
    - A. No person will hold any position over which any member of his/her immediate family or household has authority or responsibility to influence personnel or job related actions. Immediate family is defined as husband, wife, father, mother, brother, sister, son, daughter, grandparents, grandchild, aunt, uncle, niece, nephew, or any above relative by marriage, including step families.
    - B. No person will apply for or hold a position with CAP Services while serving on the Board of Directors.
    - C. No applicant for employment will be considered where placement in that position would constitute a conflict of interest, nor will any existing employee be placed in or hold a position that would constitute a conflict of interest. Conflict of interest is defined as the use of one's position to obtain financial gains for themselves, their family, or business. Outside

employment does not constitute conflict of interest as long as it does not interfere with the full and faithful discharge of the employee's responsibilities.

- D. CAP Services will employ only persons who can perform their duties with competency and integrity. Human Resource staff will conduct an investigation at time of hire for all employees to determine or verify background information, including criminal history, to determine if the candidate has any convictions substantially related to the job. Criminal background checks will be done periodically on certain staff as required by funding sources or licensing entities. In no case will the above restrictions apply to a program designed to employ ex-offenders.
- E. All Early Childhood Department employees will have on record in their personnel file a background disclosure form that specifies they have no pending and/or prior criminal arrests or charges related to child sexual abuse, convictions related to other forms of child abuse or neglect, or convictions of violent felonies.
- F. Employees of CAP Services may engage in outside employment as outlined in Section 4.
- G. No CAP employee may, while employed at CAP Services, run for a partisan political office. This includes being an announced candidate for election to a partisan public office.

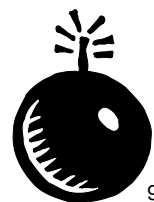
### **III. Position Assessment, Job Qualification & Compensation**

- 3.1 CAP shall establish a position assessment system that defines the requirements for each position and provides starting rate of pay and step increases for each position. All positions must be approved by the Personnel Committee of the Board of Directors prior to advertising and hiring. (See Salary Schedule at the end of the Employee Handbook.)
- 3.2 Wage increases for any position will be based upon a cost-of-living raise, an increase in responsibility raise and/or a longevity increase.
- 3.3 A written job description and job expectations will be provided to each employee. It will be the responsibility of the Chief Executive Officer in conjunction with the Board of Director's Personnel Committee to insure that job descriptions are current and accurate. Job expectations shall be the primary tool of employee evaluations. Evaluations are to be done at least annually for all employees. Employees receiving an unsatisfactory evaluation may be placed in a period of reassessment for up to six months.
- 3.4 The starting wage/salary compensation will not exceed the amount stated in Section 3.1 for any position without individual consideration and approval by a majority vote of the Board of Directors. All wages must be in compliance with any applicable grant regulations, such as the Head Start Executive Level II salary cap.
- 3.5 Certain Departments may offer merit or performance incentive pay based on criteria approved by the Personnel Committee and the Chief Executive Officer.

- 3.6 Department Directors may award bonuses for extraordinary performance. Employees may be nominated for the bonus by their supervisors or co-workers, including those from other departments. Department Directors will report the bonus awards to the Human Resource Manager. A \$40 gift certificate will be awarded at the discretion of the Department Director.

## IV. Employment at CAP and Code of Conduct

- 4.1 All new employees or existing employees assuming a new position must serve a six (6) month training period. The training period served by newly hired employees is referred to as primary training.
- A. The following conditions apply to all employees during their training period:
    - 1. Raises are not awarded for successful completion of the training period except where approved by the Board as part of the Department's wage and salary plan.
    - 2. Employees will be evaluated at the end of their training period; employees receiving an unsatisfactory evaluation will be dismissed or have their training period extended.
    - 3. Employees may be dismissed at any time during their training period for any violation of the Employee Handbook.
  - B. In addition to the conditions listed in 4.1A, the following policies apply to newly-hired employees during their primary training period:
    - 1. With the exception of the staff at the Family Crisis Center and Head Start centers, newly hired employees may not take Vacation leave until satisfactorily completing their primary training period.
    - 2. Employees who have not completed their primary training period will not be paid accrued vacation or personal leave benefits upon termination.
    - 3. Continuing Education Loan Program (CELP) funds and the vacation cash-out option are not available to employees during their primary training period.
- 4.2 Reassessment is a period during which an employee is more closely supervised than normally expected and may be dismissed at any time for any violation of the Employee Handbook. An employee may be placed on a period of reassessment for the following reasons. The list is not all-inclusive and reassessment is not specifically limited to these areas:
- A. The employee is unwilling or unable to perform at the expected level of responsibility or proficiency.
  - B. The employee received an unsatisfactory evaluation.
  - C. As a result of disciplinary action or reassignment.
- 4.3 As an at-will employer, CAP Services may terminate an employee at any time, for any reason. The following list is not all-inclusive; it provides examples of conduct which may be considered grounds for



disciplinary action that can include immediate termination. Funding sources will be notified of violations per contract requirements.

- A. Attempt to defraud CAP Services by drawing pay for time not worked, falsification of expense or travel vouchers, sale of CAP property, the receipt of kickbacks, failure to report errors in payment, drawing pay from another source for work paid for by CAP or any other such act which results in a personal monetary gain.
- B. Refusal to obey a supervisor's order when such order does not require the employee to violate a law, regulation, or CAP policy.
- C. Releasing information about clients to staff members who do not require the information to perform their jobs; releasing information about clients to persons outside CAP Services without authorization from the client, failure to prudently safeguard confidential information; or the use of confidential information for other than the purpose for which it was collected without the client's permission, except in those cases where required by law.
- D. Conviction of a criminal act which impairs the employee's ability to perform her/his job.
- E. The use of a position within CAP Services to influence the outcome of any election or appointment to a partisan office or running for a partisan office.
- F. Acceptance of a gift or gratuity by an employee or a member of their immediate family from a client, vendor or business which appears to be a conflict of interest, an attempt to influence CAP purchasing or the provision of services.
- G. Lobbying activities or the use of CAP Services' staff, position, authority, or influence for the purpose of interfering with or affecting the outcome of any election or appointment to public 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
- H. Circumvention of proper lines of authority.
- I. Violation of the Drug Free Work Place Policy. The unlawful manufacture, distribution, dispensing, possession or use of alcohol or an illegal drug at the workplace or reporting to work impaired as a result of consumption of alcohol or any other substance. (See Addendum – Drug Free Workplace Policy)
- J. Violation of the Sexual Harassment Policy or harassment or intimidation of any type toward a CAP employee, volunteer, client, vendor or third party. (See Addendum – Sexual Harassment Policy).
- K. Physical aggression or any threatening behavior against a person or persons during working hours.
- L. Solicitation of funds or goods on behalf of CAP Services without the approval of the Department Director.
- M. Absence of three consecutive workdays without proper notice.
- N. Tardiness or absence without proper notice, absence without leave or without proper excuse.
- O. A failure to perform job duties as outlined in the job expectations, failure to meet those expectations.
- P. Failure to maintain required licenses or certifications.

- Q. Theft or intentional destruction, misuse or abuse or negligently failing to maintain property belonging to CAP, a client, another employee, or third parties.
  - R. Failure to follow instructions, procedures or established CAP policy.
  - S. Failure to maintain a professional working relationship, and professional image in actions and dress with subordinates, clients, or staff.
  - T. Degrading other staff.
  - U. Public expression of disapproval of a decision made by CAP or those in authority over you unless first expressed in writing to your supervisor or through a formal complaint.
  - V. Making public appearances or statements on behalf of CAP without prior approval of the Chief Executive Officer or Department Director.
  - W. Instructing clients in a course of action rather than presenting alternatives and consequences.
  - X. Discrimination in the provision of service based on age, sex, race, color, or creed, or physical characteristics.
  - Y. Activities of a religious or anti-religious nature while on the job.
  - Z. Failure to wear seatbelts in vehicles during work related travel.
  - AA. Other reasons deemed sufficient by CAP Services.
- 4.4 CAP employees who also work for other employers or are self-employed must make every effort to avoid even an appearance of conflict of interest. To comply with federal and state regulations and to avoid any appearance of conflict of interest, the following protocols are in effect.
- A. No person employed by CAP can also be a consultant to CAP or perform work for a contractor paid by CAP.
  - B. No person employed by CAP can receive financial compensation that is in any way financed or provided by CAP to a program participant.
  - C. No person employed by CAP may solicit CAP program participants or staff to purchase goods or services provided by the employee or another employer for whom they work. Only sales of products for other non-profit organizations such as the Girl Scouts or school fundraising groups will be permitted on the premises.
  - D. No person employed by CAP may charge participants or other organizations for work done as part of their job at CAP.
  - E. Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions as outlined below.
    1. Activities and conduct away from the job must not compete, conflict with or compromise CAP's interests or adversely affect job performance and the ability to fulfill all responsibilities to CAP Services. Employees are prohibited from performing any services for clients on nonworking time that are normally performed by CAP Services. This prohibition also extends to the unauthorized use of any CAP tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.
    2. Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside

employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, it must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with the specific problem.

3. If a question of competition, conflict or compromise exists, the Department Director and the HR department will evaluate the outside work and will consider whether the proposed employment:
  - May reduce the employee's efficiency in working for CAP Services.
  - Involves working for an organization that does a significant amount of business with the CAP, such as major contractors, suppliers and customers.
  - May adversely affect the company's image.

The CEO will resolve an impasse, if one occurs.

4. Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

4.5 Basic working hours for all full-time employees of CAP Services, Inc. are thirty-seven and one-half (37 ½) hours per calendar week-Sunday through Saturday. For non-exempt employees, the Department Director must approve any work time in excess of this amount in advance. Overtime will be paid to non-exempt employees at the rate of one and one-half (1 ½) times the employee's regular rate of pay. The overtime rate will be paid when the employee works more than 40 hours in a calendar week, excluding any time claimed as vacation, personal or holiday. The Salary Schedule lists exempt and non-exempt positions.



- C. All employees' work hours must be scheduled in accordance with work responsibilities and must be approved by the Department Director and the with notice to Human Resources Manager. Work hour changes should be made and authorized using the Scheduled Hours Form.
- D. Employees who find they will not be able to report to work on time must call their supervisor and if they cannot reach their supervisor, they must call the Administrative Office and leave a message within one-half (½) hour of the scheduled starting time. Any failure to notify may be subject to disciplinary action. Employees who fail to notify their supervisor of their absence on three or more consecutive workdays will be considered to have resigned employment.
- E. Some employees work a four-day, thirty-eight hour week; vacation pay will be in 9 ½ hour increments, as will holiday pay for these staff. The holiday schedule for four-day, thirty-eight hour per week employees will be determined annually by the Board and shall total seventy-six (76) hours.

- 4.6 Employees of CAP Services have the right to organize, join and participate or refuse to organize, join and participate in any employee organization freely and without fear of penalty.
- 4.7 Smoking is prohibited in the buildings or space used by CAP Services programs except in a designated outdoor area at the Family Crisis Center. Smoking is prohibited in CAP-owned vehicles.
- 4.8 Employees are prohibited from bringing their children to the worksite for more than 60 minutes


## V. Career Development

- 5.1 All staff are eligible to apply for promotion or transfer to a vacant position. All staff applying for positions must meet minimum position qualifications or be granted a waiver by the Board of Directors.
- 5.2 All employees are required to attend those training sessions deemed necessary by their Department Director.
- 5.3 All full and part-time employees are eligible to receive up to four hundred dollars (\$400) per year reimbursement for all educational classes, seminars and Value Added Training satisfactorily completed providing such classes are work related. In those cases where the classes are not work related, reimbursement can be made up to the level of two hundred dollars (\$200) on a dollar match basis with prior approval of the Department Director. Employees being laid off due to funding cuts may request up to \$200 for non-work related training; the request must be made prior to the last day of employment and the class or seminar must start within 120 days of lay-off. No employee may receive more than four hundred dollars (\$400) per calendar year. Total budgetary limits may restrict these funds to a first-come, first-served basis. Limited Term Employees may access Career Development funds at the discretion of the Department Director.
- 5.4 CAP Services is committed to a program of staff development. Full and part-time employees who have completed their 6-month primary training period may be eligible for continuing education loans of up to \$1,500 per year for university and/or technical college tuition. Contact the Director of Administration for continuing education loan application forms and information.
- 5.5 Employees, with the approval of their Department Director, are eligible for up to 3 hours per week of paid time to attend work-related formal education classes when such classes cannot be attended during other than working hours. Personal non-medical time may be utilized if additional time off is needed. No paid time off will be granted for non-work-related classes, although flexible hours may be scheduled upon mutual agreement of the employee and Department Director. Department Directors have the discretion in determining the amount of time the employee may be away from their regular duties on a case-by-case basis.



5. 6 Tuition advances may be made against an employee's wages if no other obligation is held against this pay. The amount of the advance will be forgiven when the employee presents a grade slip showing course work has been satisfactorily completed. If an employee fails to satisfactorily complete course work, the full amount of any advance must be repaid either through a series of payroll deductions over a period of not more than six (6) months or through one (1) payroll deduction. Any employee terminating before completion of payroll deductions must repay the entire balance to be deducted from the final paycheck. All employees must sign an authorization for paycheck deduction to secure an advance. If employment is terminated prior to course completion, the employee will present evidence of satisfactory progress in the form of a note from the course instructor.

## VI. Compensation

- 6.1 As a general policy, CAP employees are paid on a semi-monthly basis and fringe benefits are calculated in the same manner. However, some employees may be paid on a weekly or bi-weekly basis as required by funding source or Davis Bacon regulations; fringe benefits will be adjusted accordingly.
- 
- A. Employees shall follow established CAP procedure in completing and submitting timesheets.
  - B. If paid semi-monthly, the length of the pay periods is from the first through the fifteenth of the month and the sixteenth through the last day of the month.
  - C. Direct deposit of employee wages will be made by the Finance Department no later than the 10th and 25th of each month (for semi-monthly payrolls) or the last banking day prior to that date. Employees subject to Davis Bacon regulations or participants on alternate pay schedules will generally be paid on Fridays or the last banking day prior. If the individual is paid by check, checks shall be considered issued when hand-delivered or deposited in the U.S. mail.
- 6.2 State, Federal, and Social Security taxes are mandatory deductions as well as those withheld by judicial or administrative order. Upon written authorization of the employee, health insurance premiums, union dues, or other deductions may be made. It is CAP's policy to promptly investigate and correct any improper payroll deductions or other payroll practices. If an employee believes that an improper payroll practice, such as an improper deduction, has occurred, he or she should contact the Human Resources Department. The matter will be appropriately reviewed and the employee will be reimbursed for the amount of any inappropriate deduction
6. 3 It is CAP's policy to fully comply with the Fair Labor Standards Act. In keeping with this commitment CAP will pay exempt employees their full salary for any workweek in which they perform work, regardless of the number of days or hours worked, subject only to deductions that are permitted by law. Full day deductions from pay that are permitted by law include, for example, deductions for personal or vacation time off or deductions for infractions of written workplace conduct

rules. Full or partial day deductions may be made from the salaries of exempt employees for infractions of safety rules of major significance or for use of intermittent leave under the Family and Medical Leave Act.

- 6.4 Each eligible employee may choose to enroll in CAP Services' group health and dental insurance plan. CAP will pay a share of the premium for full and part-time employees; CAP's contributions for insurance premiums will cease in the month in which a terminating or laid-off employee last works. CAP will pay the employer's share of the premium for up to six months for employees on leave due to a CAP Services' on-the-job injury or illness or as otherwise required by law. CAP will pay the agency's portion of dental and life premiums for Head Start employees during their regular summer layoff. Head Start staff on layoff must pay the full group medical premium.



- 6.5 Employees may request payment in advance for earned vacation leave whenever a payday falls during the leave time. The Finance Department must receive the request at least five (5) days before the end of the previous pay period. An employee may also receive an advance against tuition as stipulated in section 5.8. There shall be no salary advance for any other reason.
- 6.6 It is not CAP's policy to require any employee to work more than thirty-seven and one-half (37 ½) hours per week. Any non-exempt employee seeking compensation for hours worked in excess of thirty-seven and one half (37 ½) hours per week must receive permission from the Department Director in advance before accruing this time. If advance approval is not obtained, the employee will be compensated for time worked, but may be subject to disciplinary action. Overtime will be paid to non-exempt employees at the rate of one and one-half (1 ½) times the employee's regular rate of pay. The overtime rate will be paid when the employee works more than forty (40) hours in a calendar week, excluding any time claimed as vacation, personal or holiday. The thirty-seven and one half (37 ½) hour limitation does not apply to those employees who are exempt from the federal overtime compensation laws. CAP will comply fully with the Fair Labor Standards Act (FLSA) and promptly investigate and correct any payroll practices or deductions that do not comply with the FLSA.
- 6.7 Loan of CAP funds to employees for any purpose is strictly prohibited except for approved training, travel or as part of CAP's authorized loan programs. Personal use of CAP's equipment, excluding vehicles and power tools, is allowed on-site if operating expenses are reimbursed.
- 6.8 Pay increases will be approved in writing by the Chief Executive Officer prior to their taking effect. Raises may be provided based on cost-of-living increases, increases in responsibility, longevity, recommendation of Department Director, approval of the Chief Executive Officer, and the availability of funds.
- 6.9 If an employee terminates employment with CAP without returning supplies, tools, etc., for which they have signed, their last paycheck will be withheld until they return the materials to an authorized staff person.

## VII. Employee Benefits

- 7.1 For the purpose of this section, the following definitions are in effect:
- A. Full-time employee - any person hired for a position of more than six (6) months duration and at least thirty (30) or more hours per week.
  - B. Part-time employee - any person hired for a position of more than (6) months duration and at least twenty (20) hours but less than thirty (30) hours per week.
  - C. Enrollee / Participant - an individual in a training program designed to provide work experience or training and placed with CAP for supervisory purposes.
  - D. Limited-term employee - an employee hired for a position less than twenty (20) hours a week or for a period of less than six (6) months. An LTE may be paid no less than the legal minimum wage or up to the starting maximum wage for the position dependent on the needs of the position.
  - E. Intern - any person placed at CAP in conjunction with a participating college. These positions may be paid or volunteer. If paid, these individuals will be covered by Worker's Compensation, Social Security, and Unemployment Compensation.
  - F. Date of Hire - the employee's first day as a CAP Services employee. If an employee has an interruption of service due to resignation or layoff but is rehired within one year, the date of hire for the purpose of calculating vacation benefits will be the first day worked during the initial period of employment. For all other benefits, the date of hire will be the most recent start date. Prior service with CAP Services will be considered when determining eligibility for CAP's 401k plan, providing the break in service was less than two (2) years. Approved leaves of absence and Head Start summer layoffs will not be considered interruptions of service.
  - G. Fringe benefit information in this section is calculated for employees paid on a semi-monthly basis. Employees paid weekly or semi-monthly will have their benefits adjusted accordingly.



- 7.2 The following policy is in effect regarding Personal leave/sick leave:
- A. Personal leave is granted to any employee any time the employee feels she/he is emotionally or physically unable to perform her/his job, to care for an ill family member, has a medical appointment or a personal emergency. Employees must notify their supervisor of their absence within one-half (1/2) hour of their scheduled starting time. Employees scheduled to work 20 or more hours per week are eligible to accrue personal leave. Full-time employees working 37 ½ hours per week may use up to 37.5 hours per year of their personal time for non-medical emergencies and appointments that cannot be scheduled during non-working hours. This will be prorated based on the number of hours worked per pay period for all part-time employees, part-year employees and full-time staff working less than 37 ½ hours per week. The use of personal time immediately preceding or following vacation or holiday must be approved by the Department Director. Employees must notify

their supervisor of their absence within one-half (1/2) hour of their scheduled starting time. Acceptable uses of personal non-medical time include snow days when offices are not closed but the location of the employee's residence makes driving hazardous, auto repairs, appointments such as real estate closings, and appointments with lawyers and school conferences. With prior approval of the Department Director, employees may use up to two of their five days of personal non-medical leave per year to volunteer for school, civic or church groups.

- B. Twenty-two and one half (22 ½) hours of personal leave will be awarded to full-time employees when they are hired. This will be prorated based on the number of hours scheduled per week for part-time employees and full-time staff working less than 37 ½ hours per week. Regular accruals of personal time, as outlined in the following paragraph, will start upon completion of the primary training period for newly hired employees.
- C. Personal leave is accrued at the rate of three and three quarter (3.75) hours per pay period for full-time employees working 37 ½ hours per week who have completed their primary training period, and is prorated based on the number of hours worked per pay period for other full-time and part-time employees who have completed their primary training period. Limited term employees scheduled to work at least 20 hours per week may accrue personal time if approved by the Department Director; personal leave accruals, if any, will correspond to those for full or part-time employees. Personal leave may be accrued without limit.
- D. Hourly staff may claim personal leave in fifteen (15) minute increments; salaried staff must claim personal leave in full day increments. The Department Director, at her/his discretion, may request the employee present a written doctor's excuse if the employee has claimed personal leave for 3 or more consecutive work days. The doctor's excuse should be forwarded immediately to the Human Resources Manager.
- E. The use of personal time immediately adjacent to vacation or holiday time must be approved by the Department Director.
- F. Personal time will be paid in the last two weeks of employment only as approved by the Department Director.
- G. Illness extending beyond earned Personal leave may be charged to vacation leave or an unpaid leave of absence may be requested.
- H. Employees with more than 150 hours of personal time may convert the excess to non-cash benefits at a 4:1 ratio (for each \$1 cashed out the employee will receive 25¢ in reimbursements). In December of each year the Payroll Accountant will send an inquiry to staff requesting how many hours they wish to cash out. Funds will be set aside at the employee's current rate of pay for reimbursements to take place over the next 12 months. Employees may claim reimbursement for such items typically allowed under a Flexible Spending Account. These items may include out-of-pocket medical costs for the employee, their spouse or dependents including prescription drugs, health and dental insurance deductibles, vision expenses, hearing expenses, dental and orthodontia expenses, and psychiatric services and dependent or eldercare expenses necessary to the employees or spouse's employment. Also included are the costs of

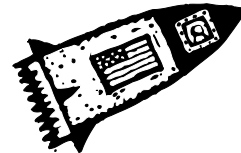


disability insurance premiums, health club memberships and education; these items may be subject to payroll withholding taxes.

- I. Full and part time employees will be paid for their accrued Personal leave at 25% of face value upon proper notice of termination. Employees who are no longer eligible for personal accrual due to a change in status to LTE will receive a lump sum payment of their accrued hours. Limited term employees, employees who have not completed their primary training period and those employees terminated for misconduct will not receive any payment for accrued Personal leave.

7.3 Vacation Leave is determined by the following:

- A. Vacation leave is accrued per pay period on the following schedules for full-time, year round employees and is prorated based on the number of hours worked per pay period for all part-time employees, part-year employees and full-time staff working less than 37 ½ hours. Hourly staff may use vacation leave in fifteen (15) minute increments; salaried staff must claim vacation leave in full day increments.



**VACATION SCHEDULE A**

YEAR OF SERVICE	ANNUALIZED	
	HOURS AWARDED	HOURS ACCRUED PER PAYPERIOD
First	75	3.13
Second	80	3.33
Third	84	3.5
Fourth	90	3.75
Fifth	120	5
Sixth	126	5.25
Seventh	132	5.5
Eighth	138	5.75
Ninth	144	6
Tenth	150	6.25
Eleventh	156	6.5
Twelfth +	162	6.75

**VACATION SCHEDULE B**

YEAR OF SERVICE	ANNUALIZED	
	HOURS AWARDED	HOURS ACCRUED PER PAYPERIOD
First-Fifth	120	5
Sixth	126	5.25
Seventh	132	5.5
Eighth	138	5.75
Ninth	144	6
Tenth	150	6.25
Eleventh	156	6.5

Family Crisis Center full-time employees will accrue an additional 3.25 hours of vacation leave per pay period in lieu of holiday pay; this will be prorated for part-time Crisis Center employees.

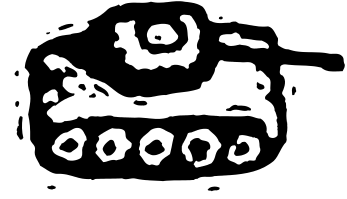
- B. The Head Start Policy Council and the CAP Services Board of Directors will approve the annual vacation schedule for Head Start centers. All center employees, part year and full year, will be required to take vacation during the designated breaks. At time of hire, full-time center employees will receive 37.5 hours of vacation accrual to be used only for the designated breaks as well as for other emergencies requiring the closing of the center due to day care regulations. New center employees scheduled to work less than 37.5 hours per week will receive a prorated share of the accrual. Regular accruals of vacation time will start upon satisfactory completion of the primary training period. Excess vacation accruals may be used at the employee's discretion or cashed out as allowed by CAP policy.
- C. Employees must obtain their supervisor's approval prior to using accrued vacation time. Vacation use of 75 or more consecutive hours must be approved in advance by their supervisor and Department Director.
- D. Employees who are no longer eligible for vacation accruals due to a reduction in hours to LTE status will receive a lump sum payment for accrued vacation.
- E. To accommodate production quotas and scheduling, each department can limit the number of vacation hours available for use by its employees. Employees may be required to take vacation leave for internal control purposes. Employees in departments limiting vacation use will be allowed to cash out the excess vacation semiannually.
- F. There will not be a maximum vacation accrual except that established by the department.
- G. Employees will be paid for all accrued vacation leave at the time of permanent layoff, except when specifically exempted by the Chief Executive Officer. Employees laid-off or terminating during their primary training period will not be paid accrued vacation benefits.
- H. Full and part-time employees may choose to receive cash for accrued vacation leave. Payment will be issued with the pay periods ending 10/31 and 2/15. Head Start staff may cash out vacation accruals in May to use to pay summer insurance premiums. The vacation leave cashed out annually may not exceed 67% of what the employee would accrue in one year's time. With CEO approval, vacation hours may also be cashed out in the event of a financial hardship. Employees who have not completed their primary training period cannot cash out accrued vacation leave.
- I. A rehired employee will be considered a new employee for the purpose of computing vacation benefits if there has been more than 1 year (12 months) since the employee last worked for CAP Services.

7.4 All other leave is to be determined by the following:

- A. Leave will be granted for those days spent on jury duty with full pay less that paid for jury duty, if called, to a maximum of 75 hours. Employees volunteering for jury duty shall be granted unpaid leave to serve.

Employees must provide immediate notification to Human Resources of jury duty selection.

- B. Leave will be granted to any employee who presents official orders requiring attendance for a period of training or active duty as a member of the United States Armed Forces consistent with state and federal laws. Military Leave must be requested within one (1) working day of receiving orders by submitting a copy of the orders to the employee's Department Director. An employee will receive his/her regular pay less the amount received from the state or federal government for each work day absent while on military leave for a period not to exceed six (6) months.
- C. Funeral leave of up to three (3) days absence with full pay will be allowed for the death of an immediate family member. Personal medical leave can be used if more than 3 days absence is needed. Immediate family shall be defined as:



Spouse/Partner	Brother or Sister
Child or step child	Step brother or step sister
Parent or step parent	Brother-in-law or sister-in-law
Grandchild	Grandparent
Son-in-law or daughter-in-law	Parent-in-law
Legal guardian relationship	Foster child

The definition of partner will be that found on the current UW Madison website.

Personal medical leave is available to employees to attend funerals or services for individuals not defined above. This time off will be approved by the employee's supervisor on a case-by-case basis.

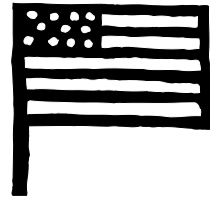
- D. Department Directors may approve unpaid Executive leave for a period of not more than five (5) days to attend to legal matters, personal or other emergencies not covered by this policy. Employees who do not secure authorization for absences will not accrue personal or vacation benefits for that particular pay period/s and are subject to disciplinary action.
- E. Family leave will be granted in accordance with the terms and conditions of the Family and Medical Leave Act. (See Addendum – Family & Medical Leave). The leave policies of CAP Services as defined in this handbook will run concurrently with the FMLA, to the extent of the law. CAP will continue to pay its portion of the employee's group medical and/or dental premium while the employee is on FMLA or paid leave. The employee is responsible for timely payment of the employee share of the premium to avoid cancellation. Once FMLA and paid leave is exhausted, the employee is responsible for payment of the full premium.
- F. If the employee has exhausted all accrued personal and vacation leave accrual, a leave of absence may be, at CAP's sole discretion, for a period of more than five (5) days, but not more than ninety (90) consecutive days, without pay or payment of benefits, upon approval of the Chief Executive Officer. Reinstatement shall be at the same or similar position with no decrease in pay. Leave of more than 90 days without pay or payment of

benefits must be approved by the Chief Executive Officer and the Personnel Committee and is without guarantee of reinstatement. Employees enrolled in CAP's medical and/or dental plan are responsible for the entire amount of the premium for any month in which they do not work.

- G. Employees injured on the job will be allowed a leave of absence until they are able to return to work; employees must file a worker's compensation claim to be granted this leave. Employees eligible for FMLA will have this counted towards the FMLA leave to the extent allowed by law. Employees will be compensated by CAP's workers compensation insurer as allowed by State law and may claim personal or vacation time to supplement the worker's compensation benefit. Employees not eligible for reimbursement of lost wages by the insurer may claim personal or vacation leave, if available
- H. In the event of hazardous driving conditions due to weather, the Chief Executive Officer and/or Department Director may cancel a workday. This decision will be made separately for each work site and in consultation with the Department Directors.
1. When a workday is canceled prior to normal work hours, the Chief Executive Officer (or site supervisor as designated) will contact the nearest TV station to announce the decision to cancel. The following stations will be used:
    - Marquette County                    WISC/WMTV/WKOW
    - Portage County                        WSAW/WAOW
    - Waupaca County                        WBAY/WGBA/WFRV
    - Waushara County                        WBAY/WGBA/WFRV
  2. The employee may use accrued personal or vacation time for any time missed due to the workday being canceled. If the employee desires, an unpaid executive leave may be requested for the time missed. Time missed may also be made up by rescheduling the time within the same workweek at the discretion of the Department Director.
  3. In the event of a site closing, hourly staff may use personal or vacation leave in fifteen (15) minute increments; salaried staff must claim leave in full day increments. If a workday is canceled after normal starting hours the employees will be notified by phone and will be allowed to leave their work site at the time specified by the Chief Executive Officer.
  4. If an hourly employee is released prior to working two (2) hours that day, the employee will be paid for two (2) hours work. If the employee has worked two (2) hours or more, he/she will be paid for the time actually worked.
  5. An employee may use accrued non-medical personal time if offices are not closed but the location of the employee's residence makes driving hazardous.
  6. The Family Crisis Center will not close.

- 7.5 A. The following are full days granted off with pay to all full and part time employees:

1. New Year's Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Thanksgiving Day and the Friday following
6. Christmas Day
7. One full day on New Year's Eve, Christmas Eve, and Good Friday.



- B. If any of the above holidays fall on a Saturday, they are to be observed the Friday before. If any of the above holidays fall on a Sunday, they are to be observed the following Monday.
- C. Interpreters and Safe Exchange staff will be paid time and a half when called in on the following Interpreter Hardship days:
  1. New Year's Eve (from 4 PM to Midnight)
  2. New Year's Day
  3. Easter
  4. Memorial Day
  5. July 4th
  6. Labor Day
  7. Thanksgiving Day
  8. Christmas Eve (from 4 PM to Midnight)
  9. Christmas Day
- D. Employees whose religion dictates observance of holidays other than those officially observed may take personal days in observance. Employees will not be required to work during periods in which their religion prohibits them from working or requires them to be present at religious ceremonies.
- E. Family Crisis Center staff are not granted holidays. In lieu of such they accrue an additional three and one-fourth (3.25) hours of vacation leave per pay period; prorated for part-time employees.
- F. The use of personal time the day before or after a holiday must be approved by the Department Director.
- G. Staff working a 4-day-per-week, 9 ½-hour-per-day schedule will receive 76 hours of holiday time per calendar year. Holiday pay will be in 9.5 hour increments as authorized by the Board (see Section 4.5).
- H. Employees may request alternate time off in lieu of the scheduled holidays. Department Director approval is required in advance and the Human Resource Manager must be notified in writing. Holiday time must be used within 60 days of the scheduled holiday. Employees may convert unused holiday pay to vacation pay with the Department Director's approval.
- I. Full time employees working variable hours each day and all part-time employees will receive holiday pay prorated to the percentage of the employee's scheduled hours per week. The basic work week at CAP is 37.5 hours. Here are some examples:

If an employee is scheduled to work 30 hours per week, the employee will receive 80% of the holiday pay based on a 7.5 hour day regardless of the number of hours the employee would have worked on the holiday (30 scheduled hours / 37.5 hour standard

week = 80%). The employee, in this example, would be paid 6 hours of holiday pay (80% of 7.5 hours = 6 hours).

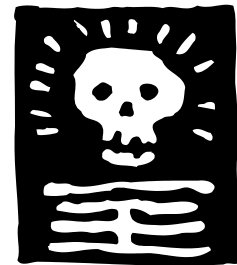
If an hourly employee works three 10-hour days and one 7.5 hour-day (37.5 hours per week), the employee will be paid for 7.5 hours (37.5 scheduled hours / 37.5 hour standard week = 100%).

1. When a holiday falls on a day an hourly employee is not scheduled to work, the employee may, with the Department Director's approval, take an alternate day off for the holiday or receive additional vacation in lieu of the holiday. Pay for the alternate day off or additional vacation in lieu of the holiday will be calculated using the formula from the above paragraphs.
2. With Department Director approval, an hourly employee may work additional hours during the week in which the holiday is observed or claim vacation time for part of the holiday so as to receive their regular weekly gross pay. This, for example, may appeal to staff scheduled to work three 12.5-hour days (a 37.5 hour work week) but receive only 7.5 hours of holiday pay.
3. Salaried employees who are not scheduled to work on a holiday must take an alternate holiday within 60 days of the scheduled holiday, or accrue additional vacation time with Department Director's approval. Salaried employees will not be offered the option of receiving additional pay if the holiday falls on a day they are not scheduled to work.

7.6 All employees will be covered by Worker's Compensation. All injuries should be reported to the supervisor immediately. The supervisor will immediately file a report with the Human Resource Department, noting time, date, and circumstances.

7.7 All employees other than enrollees will be covered by Unemployment Compensation Insurance. CAP reserves the right to question claims for cause when an employee is terminated or resigns.

7.8 CAP will pay a portion of the monthly premium for either single or family coverage under the group insurance plan for full and part-time employees. Staff enrolling in the group insurance plan must meet the insurance company's definition of eligible employee. CAP will not contribute toward the cost of privately held health insurance. Effective dates of insurance and waiting periods will be determined annually by the Board of Directors and are subject to the insurance company's underwriting standards. Employees must enroll in insurance to qualify for coverage under the plan. If employment terminates other than for misconduct, the employee will have COBRA continuation rights. Failure to request the continuation in writing will result in the cancellation of coverage at the time of termination.



- A. CAP will pay the employer's share of dental and life insurance premiums for Head Start staff during the summer lay-off. Staff on layoff must pay the full medical insurance premium if they wish to continue medical coverage during the lay-off. Head Start staff may cash out vacation accruals in May to use to pay summer insurance premiums.
- B. CAP will pay the employer's share of medical premiums for employees on temporary layoff if the employee claims vacation time (except personal time) for at least 51% of the month immediately following their layoff date or preceding their recall date. For example, if the layoff occurs mid-month, the employee must claim the balance of that month with vacation time plus claim 51% of the following month as vacation time to be eligible for the contribution during the month of layoff. If an employee has sufficient time in his/her vacation accrual to cover the entire period of layoff, he/she may claim the vacation time in lieu of Unemployment Benefits and receive the contribution from CAP toward their medical premium during the entire layoff period.
- C. Contingent on annual approval from Head Start Policy Council and the Board of Directors, Head Start staff who work during the summer on special assignment, or as substitutes in the full year centers, may be reimbursed a portion of their medical insurance premiums based on the number of hours worked. Reimbursement will occur when part-year staff return in the fall (See the Fiscal and Administrative Procedures Manual.)
- D. Dependent child eligibility will cease when the child reaches age 19 (the exact termination date is based on the insurance policy guidelines). A dependent child over the age of 19 attending school full time will remain eligible until the end of the month they reach age 25, or the date prescribed in CAP's current group insurance policy.
- E. An adult child over the age of 19 not meeting the criteria in Section 7.8D may be eligible for coverage to age 27. Any additional premium will be charged to the employee on an after-tax basis.  
Example #1: If the plan type changes from Employee & Spouse to Family by adding the adult child, the additional premium to be paid by the employee is the difference between the monthly premiums charged to CAP Services.  
Example #2: If the employee would have changed to a Single Plan, or an Employee & Spouse Plan, because the child no longer would have met the criteria in Section 7.8D, the employee will pay the additional monthly premium charged to CAP Services to maintain coverage for the adult child. For further information contact Human Resources.

7.9 The following policy is in effect regarding travel and other employee expenses:

- A. Employees will be reimbursed for reasonable on-the-job expenses approved by their supervisor. Receipts are required and are the responsibility of the employee. Travel vouchers and receipts for expenses should be submitted to the Finance Department according to the schedule outlined in the Fiscal and Administrative Procedures Manual.
- B. CAP will reimburse employees for approved work-related travel expenses. Staff will carpool whenever possible. This may mean one staff will pick up another in a mutually agreed on location. It is



understandable that there may be times that staff decide to travel separately to accommodate their personal needs and plans. When this occurs, the travel expenses may not be approved for reimbursement; To be considered for reimbursement the employee must receive supervisory approval prior to the date of travel.

- C. Employees are reimbursed for automobile expenses for actual miles traveled as measured on the car's odometer for approved work-related travel away from their base office/location. Each employee will be assigned a base location at hire or at the time additional duties are assigned. In some cases employees may be assigned more than one base. The Board of Directors will establish reimbursement rates. However, all employees (including enrollees) using a personal car for CAP business must have a current Certificate of Liability on file with the Finance Department. Employees driving on CAP business must have a valid Wisconsin driver's license. An employee whose driver's license is suspended or revoked is responsible for notifying the Human Resources Manager immediately if the employee's job description requires a valid driver's license; failure to do so may be grounds for disciplinary action that could include termination.
- D. If any training session or business meeting is less than sixty (60) miles from the point of origination, overnight accommodations will not be authorized. If any training session or business meeting is more than 60 miles from the point of origin, overnight accommodations may be reimbursed as authorized by the Department Director and if funds are available.
- E. CAP pays a per diem rate for meals when an employee is required to be absent from their service area *and* in overnight travel status. Per diem is paid for the following periods of time, at rates determined by the Board of Directors:

- Wisconsin
 

Breakfast	7:00 a.m. - 10:00 a.m.	\$ 8.00
Lunch	10:00 a.m. - 2:00 p.m.	\$13.00
Dinner	5:00 p.m. - 8:00 p.m.	\$20.00
- Outside of Wisconsin
 

Breakfast	7:00 a.m. - 10:00 a.m.	\$12.00
Lunch	10:00 a.m. - 2:00 p.m.	\$17.00
Dinner	5:00 p.m. - 8:00 p.m.	\$25.00

Absence of twenty-four (24) hours is reimbursable at the rate of thirty-nine dollars (\$41.00) per day for in-state travel and fifty-two (\$54.00) for out-of-state travel. No receipt for per diem claims will be required if gone during the hours specified *and in overnight travel status*.

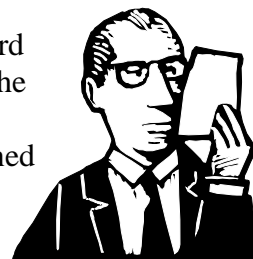
- F. If an employee attends a training session or business meeting in his/her service area where a meal is an integral part of the business meeting, reimbursement for the meal will be made up to the maximum appropriate rate outlined in 7.9E. Meals will also be reimbursed up to the maximum appropriate rate outlined in 7.9E when an employee is out of his/her service

area but *not* in overnight travel status. ***Receipts and Department Director approval are required.***

- G. Lodging will be reimbursed at reasonable rates and must be approved by the Department Director. Receipts must be submitted to the Finance Department.
  - H. Employees who must travel out of state on business on Monday or Friday will be allowed to travel the preceding or following weekend at CAP expense if the cost of the weekday travel is greater than the weekend travel cost.
- 7.10 An employee on staff at least one year with at least 1,000 hours of service within the past 12 months may participate in the 401k plan. Employees on staff three or more cumulative years and working an average of 20 or more hours per week will be eligible for retirement contributions from CAP. The Board of Directors will approve the distribution of retirement contributions to the employees' 401k accounts each year and may change the contribution at its discretion.

## VIII. Discipline, Layoff & Termination

- 8.1 Disciplinary actions may result from violations of the Employee Code of Conduct (Section 4). All disciplinary actions, except dismissal, are to be initiated by the employee's supervisor. Dismissals for all positions, except the Chief Executive Officer, will be initiated by the Chief Executive Officer; dismissal of the Chief Executive Officer will be initiated by the Board of Directors, and/or Executive Committee. CAP Services reserves the right to determine the type of disciplinary action appropriate for the violation, up to and including termination. All employees are governed by an ***at-will*** relationship that means both the company and the employee have the right to terminate the employment relationship at any time, for any reason, with or without notice



- 8.2 Disciplinary actions are defined as follows:
- A. Admonition - An informal corrective verbal instruction given by the supervisor as part of the routine task of supervising employees. No record of admonitions is kept in the employee's personnel file. They are intended to let an employee know what is expected. They are used to advise the employee of a minor infraction of the Code of Conduct (Section 4).
  - B. Reprimand - A serious form of disciplinary action taken when an employee has committed an infraction of the Code of Conduct. The Department Director must authorize the issuance of a reprimand. Reprimands are to be placed in writing in the employee's Personnel File. Reprimands should be hand-delivered to the employee; or, delivered via US mail or courier service if the circumstances prompting the reprimand have been discussed with the employee beforehand. The reprimand must state the specific conduct the employee is being reprimanded for and should specify time, place and witnesses. The reprimand is removed from the Personnel File in twelve (12) months if no further action is taken. All reprimands on file at the time of termination shall remain permanently. Any employee receiving a third reprimand within twelve (12) months will be terminated. Any

reprimand can also result in unpaid suspension of up to three (3) days and/or a period of reassessment with the approval of the Chief Executive Officer.

- C. Reassignment- An employee may be reassigned into a previous position, if applicable, when the employee demonstrates she/he is unwilling or unable to perform at the new level of responsibility during a training period and if a position is available. Reassignment into a former position will be at the previous wage or minimum wage for that position, whichever is greater. Reassigned employees will be placed in a period of reassessment for six (6) months. The employee will receive a notice of reassignment with a copy placed in their Personnel File. The notice must state the reasons for the reassignment and include the wage rate for the position.
- D. Suspension Pending Termination - An employee may also be placed on suspension while an investigation is being conducted with regard to alleged behavior that would subject her/him to immediate termination. This type of suspension is without pay and results in either full reinstatement with back pay or termination. Suspensions are placed in writing with a copy hand-delivered to the employee or delivered by U.S. Mail with a "Return Receipt". A copy of the notice is to be sent to the supervisor and a copy will be placed in the employee's Personnel File. No employee is to return to work once suspended until she/he receives written notice to do so. If the investigation clears the employee, the notice of suspension is to be removed from the Personnel File immediately
- E. Dismissal - Dismissal or involuntary termination may result when an employee commits an infraction of the Code of Conduct under Section 4.3. The employee will be terminated if a reprimand is in order and he/she has received two prior reprimands within the previous 12 months. The employee will receive a notice of dismissal in writing which will be hand-delivered or delivered by U.S. Mail with a "Return Receipt" and a copy will be included in the employee's Personnel File. The notice will state the specifics of conduct for which the employee is being dismissed and will indicate which section of 8.2 is being applied.
- F. Appeal - The employee may appeal any disciplinary decision with a written statement to the Director of Administration.

8.3 Employees must give written notice to their Department Director or the Chief Executive Officer when resigning. Required notice is either two or four weeks; refer to the current Salary Schedule for detail. This requirement may be waived by the Executive Committee of the Board of Directors for Department Directors and other staff reporting directly to the Chief Executive Officer and by the Chief Executive Officer for other employees. If proper notice is not given, accrued personal leave will not be paid at the time of termination. Employees who fail to notify their supervisor of their absence on three or more consecutive workdays will be considered to have resigned employment. Employees will be given at least two weeks notice prior to layoff when it is for reasons other than violation of the Employee Handbook. The employee's last day physically on the job will be considered the date of termination or layoff.



8.4 The following policy will apply to layoffs and terminations:

- A. An employee may be terminated for inability to perform or failure to perform. Inability to perform can include failure to maintain adequate compliance with minimum job requirements or certifications/licensing.
  - B. An employee may be laid off or terminated at the close of their limited term employment position.
  - C. An employee may be laid off or terminated due to budgetary constraints
    - 1. The status change will be a layoff if there is a possibility of funding for the position within the next 6 months.
    - 2. The status change will be termination if there is no expectation of future funding for the position.
  - D. All layoffs and terminations must be approved by the Chief Executive Officer. Layoffs or terminations due to cutbacks in program funding will be made on the basis of the following criteria, applied in descending order:
    - 1. Positions necessary to complete the contracted or proposed work program will be maintained.
    - 2. When more filled positions of a comparable nature exist than are necessary to complete the work program, those persons most capable of completing the work program will be retained. This will be based on a comparison of the previous two performance evaluations if comparable work contracts exist with special attention to key performance indicators. If no differentiation can be made on the basis of evaluations, the Department Director may apply other objective criteria as approved by the Chief Executive Officer such as continuity with clients, community resources, funding sources; specialized skills that enhance job performance; etc.
    - 3. Seniority within the county will be considered next, then seniority within CAP.
    - 4. If a tie still exists, selection will be made on the basis of a coin flip or other selection.
  - E. Each employee laid off, or terminated other than for misconduct, will receive notice two (2) weeks in advance stating the reason for layoff or termination. A copy of the notice will be filed with Human Resources.
  - F. Employees may continue group medical and dental insurance coverage during layoff or following termination if they pay the full cost.
- 8.5 Department Directors have the responsibility for informing the Human Resources Manager when an employee resigns.

## IX. Dispute Resolution

- 9.1 Dissatisfactions may arise because an employee does not know, understand or agree with the Employee Handbook and/or the application of these policies. If an employee disputes a decision concerning her/his wages, hours of work, employment status, or other terms or conditions of employment, the matter should receive prompt consideration. While the CEO is involved in dismissals the dispute resolution procedure provides an opportunity for the employee to present information not previously known or discussed. An employee



who feels they have been treated unfairly should follow the procedure outlined below.

A. Filing a Request for Dispute Resolution

1. An employee should complete a Request for Dispute Resolution Form and submit to her/his Department Director within thirty (30) calendar days of the date of the action or occurrence from which the dispute arises. The Request for Dispute Resolution Form is available at all CAP offices or can be obtained from the Director of Administration.

Many disputes can be settled satisfactorily through a thorough discussion and a common understanding between the employee and her/his immediate supervisor. The Department Director will determine if the review process should begin at the supervisor or Department Director level. The meeting with the employee must take place within fifteen (15) calendar days of the receipt of the Request for Dispute Resolution. During the meeting, the parties will discuss whether the disputed action was:

- done in accordance with the Employee Handbook?
- justified, i.e. was it consistent with both the intent and language of the Employee Handbook?
- consistent with any applicable contract or law?

The supervisor or Department Director will summarize the results of the meeting in writing, sign and date the Request for Dispute Resolution Form and return it to the employee.

2. If the employee is not satisfied with the outcome in Step 1 the employee will have fifteen (15) calendar days to send a copy of the *Request for Dispute Resolution Form* to the Department Director along with a note requesting a review of the dispute. (If the initial meeting concerning the dispute was with the Department Director, skip step 2 and move to Step 3.) The Department Director will summarize the review in writing, sign and date the *Request and for Dispute Resolution Form* and return it to the employee with a copy to the Director of Administration.
3. If a satisfactory solution to the dispute is not reached in Step 2, the employee should forward the Request for Dispute Resolution Form with a request to review the grievance to the Director of Administration within fifteen (15) calendar days of the decision issued in Step 2.

The Director of Administration will forward the written Request for Dispute Resolution to the Chief Executive Officer for review. If the employee's supervisor is the Chief Executive Officer, the grievance will be forwarded to the Chairperson of the Personnel Committee (“Chairperson”).

Within thirty (30) calendar days, the Chief Executive Officer (or Chairperson, if applicable) will review the dispute and document the resolution of the dispute. In cases where additional time is needed

to conduct a thorough investigation of all the facts or to obtain essential information, this 30 day period may be extended as necessary. The Chief Executive Officer will summarize the review in writing, sign and date the *Request for Dispute Resolution Form* and return it to the employee with a copy to the Director of Administration.

4. If the employee is not satisfied with the resolution of the dispute under Step 3, the employee may request a hearing within fifteen (15) calendar days after receipt of the Chief Executive Officer's response. The hearing request should be submitted to the Director of Administration. The hearing request will be forwarded to the Chairperson of the Board of Directors, who will call a hearing before the Personnel Committee ("Committee") within twenty (20) calendar days of receipt of the hearing request. This period may be extended if extenuating circumstances prohibit the scheduling of the hearing within this twenty-day period.

B. Hearing Policy:

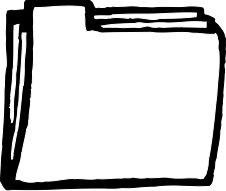
1. The employee who filed the Request for Dispute Resolution (from here on referred to as the Employee) has the right to be represented by legal counsel and to have access to all records that are to be used in the hearing by CAP Service's management.
2. The employee has the right to have witnesses present on her/his behalf. No adverse action shall be taken against any employee who testifies. A witness will be permitted in the hearing room only during her/his testimony.
3. The employee shall have an opportunity to question witnesses who appear on behalf of the management.
4. A tape recording of the hearing shall be made. The tape will be secured after the hearing at CAP Services' main office for a one year period with access to the tape limited to the Chief Executive Officer, Director of Administration, Board Chairperson and the the employee. The tape may not be removed from the office but copies of the tape may be requested by the employee. The Director of Administration will destroy or erase the tape after three years.
5. The Committee will select a member to preside over the hearing and shall maintain order. Committee members will examine the facts of the case and may question the employee, management representatives and witnesses during the course of the hearing. The Director of Administration will act as procedural counsel to the Personnel Committee and will provide information to the Committee with regard to laws or regulations that may apply. The procedures for the hearing are in the Fiscal and Administrative Procedures Manual.
6. When the dispute involves a Head Start employee, a member of the Head Start Policy Council will participate.

C. Additional Recourse:

1. Employees may pursue complaints through proper legal channels after they have exhausted the dispute resolution procedure.
2. No adverse action will be taken against any employee because she/he takes legal action against CAP Services provided she/he

exhausts the above-stated procedure before pursuing the complaint externally. CAP Services may, however, counter sue for frivolous prosecution where law allows.

## X. Personnel Records

- 10.1 A Personnel File will be maintained for each present and past employee. The Personnel File shall contain appropriate records which include as a minimum the employment application, letter of employment, calculation of starting rate of pay, starting date of employment, wage rates paid, a record of position changes, evaluations, disciplinary actions, record of training received and record of licenses or certifications required by the funding source. All Early Childhood employees must have a Wisconsin DHSS Background Verification - Child Care Form (DCS-64) on file (see Section 2.9), any Early Childhood employee having direct contact with the children must have a current Wisconsin DHSS Staff Health Form (DCS-54) on file. Past employee's files will be maintained for a period of five (5) years.
- 10.2  Access to Personnel Files - Access to entire Personnel files will be restricted to the employee, Human Resources staff, Board Chairperson, Chief Executive Officer, Director of Administration and the employee's Department Director. Appropriate records from the employee's file may be viewed by funding source representatives during monitoring visits or used at a hearing during review of a complaint filed by an employee, in conjunction with unemployment claims, in court proceedings, or in other adversary situations that involve CAP Services and the employee. In all other cases, the employee must authorize, in writing, the release of information from her/his file which is not considered public information, as required or permitted by law.
- 10.3 Employee health records will be maintained for current employees and retained for past employees. To ensure the protection of confidential employee information, all health records will be filed separately from all other personnel records in a secured location.
- 10.4 Access to health records will be restricted to the employee, the Human Resources Department staff, contract monitors and state licensing agents, but access to only those records relevant to the specific job. Appropriate records from the employee's health record file may be obtained and used in conjunction with unemployment claims, court proceedings, worker's compensation claims, and all other adversarial situations excluding the review process of an employee complaint. Employee health records may only be obtained by third parties or for the use in the review process of an employee complaint with the employee's written consent.

## **ADDENDUM**

### **Sexual Harassment Policy**

#### **Introduction**

It is the goal of **CAP Services** to promote an environment free of sexual harassment. Sexual harassment of employees or program participants in the workplace or in other work settings in which employees may find themselves is unlawful and will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve an environment free from sexual harassment, the conduct that is described in this policy will not be tolerated and CAP has provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees or program participants.

**CAP Services** takes allegations of sexual harassment seriously, and as such will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth CAP's goals of promoting an environment free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

#### **Definition of Sexual Harassment**

In Wisconsin, the legal definition for sexual harassment is this:

"sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment as a basis for employment decisions; or as a basis for receiving services; *or*,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. Similarly, direct or implied requests by an employee for sexual favors from a program

participant in exchange for actual or promised program benefits constitutes sexual harassment,

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a environment that is hostile, offensive, intimidating, or humiliating to male or female workers or program participants may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- unwelcome sexual advances - whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, cartoons;
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; or,
- discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

### **Complaints of Sexual Harassment**

If any employee believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with CAP Services. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the **Director of Administration at 715/343-7510**

She is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

### **Sexual Harassment Investigation**

When we receive the complaint we will attempt to promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action.

### **Responsibility and Authority for Follow Up and Investigation**

The Director of Administration serves as the Primary Investigator for acts involving the corporation and its subsidiaries. In the case of an investigation involving the Director of Administration and/or his/her staff, the primary investigator shall be the Vice-President.

The Primary Investigator, with the approval of the President and CEO, may request the assistance of external parties or legal counsel in any investigation, including access to the program's periodic examinations and evaluations of internal controls. In the case of an investigation involving the CEO, the Primary Investigator shall seek the approval of the Board of Directors' Executive Committee, before requesting outside assistance.

Properly designated members of the investigative team will have: free and unrestricted access to all the Agency's records and premises, whether owned or rented; the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and company procedures.

### **Disciplinary Action**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

### **State and Federal Remedies**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using CAP's complaint process does not necessarily prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; DWD - 6 months).

**The United States Equal Employment Opportunity Commission ("EEOC")**  
310 W. Wisconsin Avenue  
Suite 800  
Milwaukee, WI 53203  
414/297-1111

**Wisconsin Dept. of Workforce Development**  
Equal Rights Division  
1 S. Pinckney Street  
Madison, WI 53708

608/266-6860

Updated 6/06

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## **ADDENDUM**

### **TRADE SECRETS AND CONFIDENTIALITY POLICY**

Under the terms of your employment with CAP Services, Inc. you will have access to and become familiar with various employer trade secrets and confidential information including client lists, proposals for funds, and market strategies. You hereby acknowledge that this confidential information and trade secrets are owned and shall continue to be owned solely by CAP Services, Inc. During the term of your employment and for a time period of one year after termination of employment with CAP Services, Inc., you agree not to use this information for any purpose or to divulge this information to any person other than CAP Services, Inc. or persons to whom CAP Services, Inc. has given its consent in writing unless this information has already become common knowledge or unless you are compelled to disclose it by virtue of governmental process.

Under no circumstances shall you copy or remove from any CAP Services' office any CAP documents or electronic records including, but not limited to, the following books, records, customer lists, forms or procedure manuals except as specifically authorized in writing by CAP Services, Inc..

When an individual accesses services from any CAP program, staff can assist by linking them with a number of services, both within CAP and in the community. All services provided by CAP Services are confidential and employees are bound to this as described in Section 4 the Code of Conduct. As employees of CAP Services, though, staff has the responsibility to link families with other internal program services appropriate to meet family needs.

A release of information is NOT necessary for CAP employees to share participant information, as long as the release of participant information is relevant to linking them with appropriate services. Staff will not disclose information about participants to colleagues simply for the purpose of sharing information. For example, a Head Start staff member may determine value in referring a family to the Skills Enhancement Program. The Head Start staff member may disclose family circumstances to the Skills Enhancement staff member pertinent to services.

A single exception to the above exists for staff working in the area of domestic violence. Wisconsin Statute 895.67 prohibits domestic violence staff from disclosing information about individuals receiving domestic abuse services, their minor children (including minor children in the care or custody of the client and any minor child who accompanies the client when the client receives domestic abuse services) without the express written authorization to release such information by the individual being served. As a result, domestic abuse staff cannot share client information with other CAP colleagues unless a written authorization to release information has been obtained.

CAP employees who wish to obtain information about participants from other organizations, or wish to share participant information with organizations outside the agency, must complete a CAP Services' "Authorization to Release/Obtain Information" and have it signed by the individual participant.

CAP employees who fail to observe client confidentiality as detailed above are subject to disciplinary action, up to and including immediate termination.

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## ADDENDUM

### Computers, e-mail and Internet Policy

CAP Services reserves the right to modify this policy at any time, with or without notice.

Use of the Internet or E-mail via CAP Services' computer system constitutes consent by the user to all of the terms and conditions of this policy. Employees violating this policy may be subject to disciplinary action; and any cost incurred by CAP to repair or reset computers or reinstall programs will be the responsibility of the employee.

#### General

1. **No expectation of privacy.** The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees do not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to CAP Services and may only be used for business purposes.
2. **Monitoring computer usage.** CAP has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.
3. **Downloads and modifying computer settings.** Employees must not install software, download programs or modify computer settings without the approval of their supervisor. Employees violating this policy may be subject to disciplinary action and any cost incurred by CAP to repair or reset computers or reinstall programs will be the responsibility of the employee.
4. **Virus detection.** Files obtained from sources outside CAP Services, including disks brought from home; files downloaded from the Internet, news groups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the CAP's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-CAP sources, without first scanning the material with CAP-approved virus checking software. If you suspect that a virus has been introduced into the CAP's network, notify the worksite supervisor immediately. Employees should update the virus .dat files at least weekly. Hard drives should be scanned at least weekly; CAP encourages staff to scan the hard drive daily as part of the computer start-up. Employees violating this policy may be subject to disciplinary action and any cost incurred by CAP to repair or reset computers or reinstall programs will be the responsibility of the employee.
5. **Duty not to waste computer resources.** Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

## **E-Mail**

1. Every CAP Services employee is responsible for using the electronic mail (E-mail) system properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Department.
2. The E-mail system is the property of CAP Services. It has been provided by CAP Services for use in conducting CAP business. All communications and information transmitted by, received from, or stored in this system are CAP records and property of CAP Services. The E-mail system is to be used for business purposes. Use of the E-mail system for personal purposes should be kept to a minimum.
3. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the CAP Services mail system.
4. CAP Services, in its discretion as owner of the E-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the E-mail system, for any reason and without the permission of any employee.
5. Even if employees use a password to access the E-mail system, the confidentiality of any message stored in, created, received, or sent from the CAP Services E-mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish CAP Services' rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to CAP Services as E-mail files may need to be accessed by the CAP in an employee's absence.
6. Employees should be aware that deletion of any E-mail messages or files will not truly eliminate the messages from the system. All E-mail messages are stored on a central back-up system in the normal course of data management.
7. Even though CAP Services has the right to retrieve and read any E-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any E-mail messages that are not sent to them. Any exception to this policy must receive the prior approval of CAP Services management.
8. CAP Service's policies against sexual or other harassment apply fully to the E-mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no E-mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law.
9. The E-mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.
10. Sending unsolicited e-mail (spamming). Employees may not send unsolicited e-mail to persons with whom they do not have a prior relationship.
11. The E-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from CAP Services management. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult their supervisor.
12. Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write E-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on CAP Services letterhead.
13. Because E-mail records and computer files may be subject to discovery in litigation, CAP Services employees are expected to avoid making statements in E-mail or computer files

that would not reflect favorably on the employee or CAP Services if disclosed in a litigation or otherwise.

14. Any employee who discovers misuse of the E-mail system should immediately contact their supervisor.

## **Internet**

1. Although CAP Services recognizes that the Internet may have useful applications to CAP Services' business, employees may not engage in Internet use unless a specific business purpose requires such use. *Surfing the Net* is not a legitimate business activity and is forbidden.
2. Management approval is required before anyone can post any information on commercial on-line systems or the Internet. Any approved material that is posted should obtain all proper copyright and trademark notices. Absent prior approval from CAP Services to act as an official representative of CAP Services, employees posting information must include a disclaimer in that information stating, "Views expressed by the author do not necessarily represent those of CAP Services."
3. Disclaimer of liability for use of Internet. CAP Services is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.
4. Blocking of inappropriate content CAP may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by CAP networks. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to CAP blocking software and inform your worksite supervisor or the IT Director.
5. Prohibited activities. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or in violation of CAP Services equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in CAP Services' computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or the Human Resources Department. CAP Services' equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge.
6. Downloads and modifying computer settings. Employees must not install software, download programs or modify computer settings without the approval of their supervisor. Employees violating this policy may be subject to disciplinary action and any cost incurred by CAP to repair or reset computers or reinstall programs will be the responsibility of the employee. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.
7. Games and entertainment software. Employees may not use the CAP's Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

8. **Illegal copying.** Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of your Department Director.
9. **Accessing the Internet.** To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to CAP Services' network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer you are using is not connected to CAP Services' network.

### **Violations**

Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.

### **E-MAIL AND INTERNET POLICY ACKNOWLEDGMENT FORM**

I acknowledge that I have received a copy of CAP Services Company's E-Mail and Internet Policy. I agree to read it thoroughly, and agree that if there is any policy or provision in the policy I do not understand, I will seek clarification from the Human Resources Department.

I understand that my use of CAP Services' Internet and E-mail system constitutes my consent to all the terms and conditions of that policy.

In particular, I understand that (1) the E-mail system and all information transmitted by, received from, or stored in that system are the property of CAP Services, (2) the system is to be used only for business purposes and not for personal purposes, and (3) I have no expectation of privacy in connection with the use of the E-mail system or the Internet or with the transmission, receipt, or storage of information in that system.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to CAP Services' monitoring my use of the E-mail system and the Internet at any time at its discretion, including printing and reading all E-mails entering, leaving, or stored in the system.

Appropriate disciplinary action may be taken against any employee violating this policy.

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## **ADDENDUM**

### **Drug-Free Workplace Policy**

**Adopted April, 2003**

**Amended July, 2003**

**Amended October, 2008**

#### **Philosophy**

CAP Services, Inc. maintains a drug-free workplace in order to provide a healthful, safe and secure work environment. Employees are expected and required to report to work in appropriate mental and physical condition.

CAP Services maintains a zero tolerance policy for the use or abuse of alcohol or controlled substances at the workplace or during work hours. CAP Services is an at-will employer; any violation of this policy will result in disciplinary action, up to and including termination. Work hours are defined as the start time and end time of the employee's workday. The workplace is defined as any location at which the employee is performing duties related to his/her position at CAP Services.

CAP Services recognizes drug dependency as an illness and a major health problem. CAP also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program. Conscientious efforts to seek such help will not jeopardize any employee's position at CAP. However, CAP Services expects all employees to be able to perform the essential functions of their job, with or without a reasonable accommodation.

#### **Work Rules**

The use of alcohol and the unlawful manufacture, distribution, dispensing or possession of an illegal drug is prohibited at the workplace and will result in immediate termination of employment. Workplace extends to any place the employee is performing duties; this might be construed to extend to evening and weekend events such as GIO, Annual Awards Reception, etc.

Employees must report to work free of drugs, intoxicants, alcohol, narcotics or any other controlled substance. The abuse of prescribed drugs is also prohibited. Violation of this policy will result in disciplinary action, up to and including termination. .

Occasionally, over the counter and prescription medication can cause adverse side effects, such as drowsiness or impaired reflexes. Because these side effects may affect job performance or cause safety problems, employees who must use such prescription medication are asked to inform their supervisor or the Human Resources Manager that their medication may cause such side effects. The supervisor may grant an employee sick leave or temporarily assign the employee different duties, if appropriate

#### **Education**

All staff will receive education concerning the consequences of alcohol and drug abuse during working hours. Staff responsible for reporting reasonable suspicion will receive appropriate training.

#### **Testing Circumstances / Reasonable Suspicion**

CAP Services will require testing based on reasonable suspicion or as required by a funding source. The six drugs to be tested are Amphetamines/Methamphetamine (Ecstasy), Marijuana (THC), Cocaine Metabolites, Opiates, Phencyclidines (PCP) and Alcohol as required by the US Department of Health and Human Services to comply as a recipient of federal contracts.

Employees who suspect a co-worker is impaired due to alcohol or drugs should immediately report the situation to the co-worker's supervisor.

The supervisor will promptly complete a written assessment of the appearance or conduct of an employee who is suspected of being under the influence of alcohol or controlled substance.

When CAP Services has reasonable suspicion that an employee is impaired CAP Services reserves the right to ask an employee to undergo a drug and/or alcohol test, and to search workstations and personal effects, including but not limited to brief cases, hand bags and motor vehicles on CAP's premises or other designated parking areas. In the event the employee is asked to undergo a drug and/or alcohol test, the employee will be referred to a certified testing laboratory for the completion of the test. The test results will be kept confidential and filed separately from other personnel records. CAP Services will not disclose the test results to anyone other than the employee without the consent of the employee who was tested, as required by law. In the event that an employee is searched, CAP Services will take all steps necessary to protect the employee's privacy; at no time will an employee be searched by or in the presence of a member of the opposite sex.

## **Procedure**

When CAP Services has reason to believe that the job performance of an employee has been impaired or that workplace safety has been jeopardized by the use of alcohol or controlled substance:

- The supervisor will provide written confirmation of the observed behavior using the *Supervisor's Report of Possible Drug / Alcohol Use* form.
- The employee will be provided a written description of his/her rights and obligations using the *Drug Free Workplace Notice of Suspected Violation* form.
- The employee will be escorted to a certified laboratory for breath or urine testing. (See the attached list of test sites.)
- If the cause is the possible use or abuse of the employee's prescription medication, the employee will be encouraged to volunteer this information to the testing facility's Medical Review Officer.
- Test results will be reported to CAP's Drug Free Workplace Officer. The test results will only be made available to other parties with written consent of the employee.

If results of the initial Breath Alcohol Test (BAT) are positive and 0.2 or greater, a second test will be performed. If the second test is positive and .02 or greater, the results of the test will be forwarded to the testing facility's Medical Review Officer, who in turn will report to CAP's Drug Free Workplace Officer. The employee will be referred to the Employee Assistance Program, and a report of the assessment will be made to CAP's Drug Free Workplace Officer within 48 hours.

When a urine screen is required, the employee will provide a sample and the employee will be referred to the Employee Assistance Program for assessment. The results of the urine screen will be reported to the testing facility's Medical Review Officer and then reported to CAP's Drug Free Workplace Officer within 24 hours. The results of the assessment by the Employee Assistance Program will be reported to CAP's Drug Free Workplace Officer within 48 hours of referral.

## **Consequences to the Employee**

A violation of the policy will result in disciplinary action or immediate termination at the discretion of CAP Services. If the employee is not immediately terminated, the first offense will result in a 5 day unpaid suspension, with a referral to the Employee Assistance Program for an assessment. The employee must comply with treatment recommendations. Refusal to cooperate in this program or the treatment recommendations may result in discipline, up to and including termination. Failure to present a negative test result within 6 weeks of the initial test will result in termination.

The second offense will result in immediate termination or the employee will be placed on a 5 day unpaid suspension and required to enroll in a formal treatment or rehabilitation program. The employee must comply with treatment recommendations. Refusal to cooperate in this program or the treatment recommendations will result in discipline, up to and including termination. Failure to present a negative test result within 6 weeks of the initial test will result in termination. If all other resources have been exhausted, the employee may request a cash-out of vacation hours to cover the expenses related to the above, subject to CEO approval.

The third offense will result in termination of employment.

### **Return to Duty and Follow-up Testing**

Individuals who tested positive and/or participated in a rehabilitation or treatment program must present evidence of a negative breath alcohol test (less than .02) or negative urine drug screening in order to return to work. The test will be performed at the expense of the employee on the day the employee reports to work. Failure to present a negative test result within 6 weeks of the initial test will result in termination.

The employer may require random, unannounced breath and/or urine tests from individuals who previously tested positive and/or participated in a rehabilitation or treatment program. If the results of the breath and/or urine test are positive at any time, the employee will be subject to disciplinary action, up to and including immediate termination.

*F:\DATA\Personnel\Drug Free Workplace\Drug Free Workplace Amended Oct 27 2008.doc*

## **ADDENDUM**

### **Value Added Training**

Management has identified specific credentials or education as bringing significant added value to performance in specific jobs or enhancing CAP's ability to compete for funds. In 8/02 the Board approved a Value Added Training (VAT) program to compensate employees for these credentials and training. The program was expanded in 8/03.

A listing of the positions and training eligible for value added incentives is available from the Human Resources Manager and at the CAP News website.

Only individuals in the identified positions and the specific training may be eligible for value added training compensation. Incentives and tuition reimbursements are limited by program need and budgets; staff will need prior approval from the Department Director to be eligible for VAT tuition reimbursement or VAT incentive payments.

Positions eligible for the Family Development Certification bonus will be added to this as recommended by the Department Director and approved by the CEO.

Persons in positions eligible for the Family Development Certification bonus must spend at least 15 hours a week either doing family development or supervising staff who are doing family development.

There will be no pro-ration of the Family Development Certification bonus based on hours worked.

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## ADDENDUM

# CAP SERVICES, INC. FAMILY & MEDICAL LEAVE POLICY

Revised 10 2011

*The following is a brief summary of the Federal and State of Wisconsin Family & Medical Leave Acts. For detailed information, refer to the Department of Labor final regulations*

### **Statement of Policy**

It is the policy of CAP Services to comply with the requirements of the Wisconsin and Federal Family & Medical Leave Acts (FMLA). Generally, an eligible employee will be granted up to 12 weeks of FMLA leave during any calendar year period. The leave may be paid, unpaid or a combination of paid and unpaid depending on the reason for the leave and the benefits to which the employee may be eligible.

The state and federal laws differ in a number of areas, and CAP will comply with both. When the reason for a leave qualifies under both state and federal laws, the following guidelines apply:

- The Wisconsin and federal leave will run concurrently; and,
- The provision(s) most generous to the employee will apply.

The taking of leave under this policy will not be used against an employee in any employment decision, including the determination of promotions, discipline, compensation, etc.

### **Eligibility**

To be eligible for leave under this policy, an employee must have been employed by the company for at least 12 months for federal leave and the previous consecutive 52 weeks for Wisconsin leave. In addition, the employee must have worked at least:

- 1,000 hours to qualify under Wisconsin law; and,
- 1,250 hours to qualify under federal law

### **Amount of Leave Available**

As stated above, an eligible employee is generally eligible for up to a total of 12 weeks of protected leave within a calendar year for any combination of reasons. It is possible that an employee could qualify for leave only on the basis of hours worked under the Wisconsin law, which generally covers shorter periods of time than the 12 weeks provided by federal law. These situations will be discussed on a case-by-case basis with affected employees.

### **Types of Leave Covered**

#### Birth or Placement for Adoption or Foster Care

Family leave will be available to eligible male and female employees for the birth of a child or for the placement of a child with the employee for purposes of adoption or foster care. Such leave must generally be taken within 16 weeks before and 16 weeks after the birth or placement of the child.

### Serious Health Condition of Employee

An eligible employee who experiences a serious health condition as defined by the state and/or federal law may take medical leave under this policy. A serious health condition will generally occur when the employee:

- Receives inpatient care in a hospital, hospice or nursing home;
- Suffers a period of incapacity of more than 3 full calendar days accompanied by continuing outpatient treatment/care by a health care provider; or,
- Has a history of a chronic condition which may cause episodes of incapacity.
- Has a permanent or long-term condition which requires continuing treatment by a health care provider.
- Pregnancy or prenatal care.

Medical leave may be taken all at once or, when medically necessary, in smaller increments. The need for leave must be documented by the employee's treating health-care provider through the medical certification process.

A fitness-for-duty statement from the treating health care provider will be required in order for an employee to return from a medical leave. Failure to provide the statement will result in a delay in the return to work.

### Serious Health Condition of Immediate Family Member

An eligible employee may take family leave under this policy in order to care for a son, daughter, spouse or parent with a serious health condition. The Wisconsin FMLA also covers the serious health condition of an employee's parent-in-law, domestic partner and parent of domestic partner. This leave may be taken all at once or, when medically necessary, in smaller increments. It will be necessary for the family member's treating health-care provider to document the need for leave through the medical certification process.

### Qualifying Exigency for Military Family Leave

An eligible employee may take family leave under this policy while the employee's spouse, son, daughter or parent (the covered military member) is on active duty or call to active duty status for any qualifying exigency under federal law. This leave may be taken all at once or in smaller increments. It will be necessary to submit a complete and sufficient certification for FMLA leave due to a qualifying exigency.

### Leave to Care for a Covered Service Member with a Serious Injury or Illness

An eligible employee may take up to an additional 14 weeks (not to exceed 26 weeks total) of family leave in a single 12-month period under this policy to care for a current member of the Armed Forces, including a member of the National Guard or Reserves (or the National Guard or Reserves who is on the temporary disability retired list) who has a serious injury or illness incurred in the line of duty while on active duty for which he or she is undergoing medical treatment, recuperation or therapy, or otherwise in outpatient status, or otherwise on the temporary disability retired list. This entitlement will be applied on a per-covered-service member, per injury basis. The covered service member must be the eligible employee's spouse, son, daughter, parent or next of kin. It will be necessary for the covered service member's treating health-care provider, as defined by law, to document the need for leave through the medical certification process.

### **Notifying CAP of the Need for Family or Medical Leave**

Generally, a written request for leave must be submitted to the Human Resources Manager for all leave taken under this policy. When the need for leave is foreseeable, the employee must provide notice at least 30 days in advance. When this is not possible, notice should be provided as soon as the employee learns of the need for leave. In case of emergency, verbal notice should be given as soon as possible (by the employee's representative if the employee is incapacitated). Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay of the leave.

Calling in "sick" does not qualify as FMLA leave. An employee must provide sufficient information regarding the reason for an absence for the company to know that protection may exist under this policy. Failure to provide this information as requested will result in the employee's forfeiting all rights under the policy. This means the absence may then be counted against the employee for purposes of discipline for attendance, etc.

CAP has the right to assign FMLA to cover an absence. Human Resources will be notified of an absence of three consecutive days. The employee will need to disclose the reason for the absence in order for CAP to determine eligibility for leave under FMLA.

### **Medical Certification of a Serious Health Condition**

Generally, CAP will require medical certification to verify that an employee or family member's illness meets the definition of serious health condition and to determine the nature and duration of the leave. In the case of a family illness, the provider must also verify that the employee is needed to care for the family member.

Periodic recertification to verify that a condition is ongoing may be required as provided by law.

The appropriate form should be obtained from the Human Resources Department and should generally be returned within 15 days. Failure to provide this certification may result in delay or denial of the leave.

### **Additional Certifications**

If CAP has reason to question the validity of a medical certification, an employee may be required to provide a second certification from a health-care provider selected and paid for by CAP. If the second opinion differs from the first, a third opinion may be required. The health care provider for the third opinion must be mutually chosen by the employee and CAP and paid by CAP. The third opinion, by law, is binding on all parties.

### **Use of Paid and Unpaid Leave**

CAP requires use of accrued personal and vacation time during FMLA, to the extent of the law. An employer is not allowed to require use of accrued paid time during leave under Wisconsin FMLA. Following is a brief explanation of how your accrued benefits can/will be utilized. Note: Federal FMLA is a total of 12 weeks per calendar year, utilized for one reason or a combination of reasons.

		<b>Federal</b>	<b>Wisconsin</b>
Birth or adoption of a child	During first 6 weeks, CAP employee <b>may</b> claim all or part of accrued personal and vacation leave; beyond 6 weeks, CAP requires use of personal or vacation time	12 weeks	6 weeks
Serious health condition of self or family member	During first 2 weeks, CAP employee <b>may</b> claim all or part of accrued personal and vacation leave; beyond 2 weeks, CAP requires use of personal or vacation time.	12 weeks	2 weeks each for self and family member

In cases where substitution of a paid benefit is not possible, the employee will receive compensation consistent with the number of hours the person actually works.

### **Intermittent or Reduced Schedule Leave**

Intermittent and/or reduced schedule leave will be permitted when it is medically necessary and for birth or placement for adoption or foster care.

The time off must be scheduled with minimal disruption to an employee's job. To the extent an employee has control, medical appointments and treatments related to a serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work. CAP reserves the right to transfer an employee to an alternative position, with equivalent pay and benefits, in order to better accommodate the needed schedule.

### **Benefit Continuation During Leave**

Employees may continue group health insurance while on leave under FMLA but must continue to pay their portion of the premium (at the same rate as when working). Other employment benefits will also be continued during the leave.

### **Rights Upon Return From Leave**

An employee who takes leave under this policy will be reinstated to the same job or an equivalent position. If an individual has exhausted all leave under this policy and is still unable to return to work, the situation will be reviewed on a case-by-case basis to determine what rights and protections might exist under other company policies.

### **Worker's Compensation Absences**

Federal FMLA leave will run concurrently with the worker's compensation absence if due to a serious health condition.

### **Early Return from Leave**

An employee who wishes to return to work earlier than originally anticipated should provide at least two days notice of such request. A fitness-for-duty certification from the treating health care provider may be required.

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## **ADDENDUM**

### **CAP Services', Inc. Protected Health Information (PHI) Privacy Policy/Employee Notice**

CAP Services recognizes the importance of protecting employee's Protected Health Information (PHI), and is committed to safeguarding that information. This policy explains CAP Services' Protected Health Information Privacy Policy, and contains information regarding the collection, use, and disclosure of PHI as regulated by HIPAA Privacy Rules.

#### **CAP Services Privacy Policy**

It is CAP Services' policy to ensure the privacy of employees' Protected Health Information. PHI can be collected for the administration of employee benefit plans including health and dental insurance, Flexible Spending Accounts, CAP's medical reimbursement, etc., insurance claims such as Worker's Compensation, and other information needed to administer safety plans. We treat any information that is identifiable to our employees and not available to the general public as personal information.

The type of information collected may specifically include:

- Employee name, home address, telephone number, date of birth, social security number, etc.
- Personal data of spouse and dependents on insurance enrollment forms or medical statements for reimbursement, etc.
- Employee current medications and allergies.
- Results of employment related health exams.

#### **Disclosure of PHI**

CAP Services reserves the right to disclose PHI without prior employee consent only when necessary for the administration of an employee benefit plan or when required by law to make such a disclosure. These types of situations may include the handling of bona fide fringe benefit plans such as medical and dental insurance enrollment, CAP Services' medical reimbursement, Flexible Spending Account, Worker's Compensation claim, to respond appropriately to emergencies and to ensure licensing criteria regarding employee health screening is met.

In any other case, the employee must consent to the release of the information by signing an Authorization for Use and Disclosure of Personal Health Information.

## **Safeguarding PHI**

It is CAP Services' policy to treat all PHI as confidential employee information. A number of safeguards are in place to protect employee PHI.

- All health records are filed separately from all other personnel records in a secured location.
- Access to health records will be restricted to the employee and the Human Resources Department staff.
- CAP will obtain signed receipts from all third parties who may appropriately receive employee PHI. The receipts will serve as an acknowledgement of CAP's Privacy Policy and the appropriate and lawful use of disclosed PHI, and an agreement to abide by the policy.

Employees have full access to their own Protected Health Information only. Notify the Privacy Officer to:

- Obtain access to your PHI files;
- Request restrictions on the use of PHI;
- Request information on the release of PHI to outside agencies.

## **Unlawful use of PHI**

CAP Services' employees and business associates are responsible for abiding by the rules contained in CAP Services' Privacy Notice and are obligated to report any suspected unlawful or unauthorized use of PHI.

- Notify the Privacy Officer of any questions or concerns relating to the use and release of protected employee health information;
- CAP's Privacy Officer will conduct an investigation of the use and release of the information;
- If it is determined that use or release of the information does not comply with HIPAA or CAP's Privacy Policy, disciplinary action may take place with the party responsible for the illegal, unauthorized use or release of that information.

## **CAP Services' Privacy Officer**

Sherry Michelkamp  
HR Manager  
715-343-7505  
*caphr@capmail.org*

## **ADDENDUM**

# **MISCONDUCT, DISHONESTY AND FRAUD POLICY Code of Conduct**

### ***Introduction***

Like all organizations, CAP Services is faced with the risks that come from wrongdoing, misconduct, dishonesty and fraud. As with all business exposures, CAP must be prepared to manage these risks and their potential impact in a professional manner.

The impact of misconduct and dishonesty may include:

- the actual financial loss incurred
- damage to the reputation of our organization and our employees
- negative publicity
- the cost of investigation
- loss of employees
- loss of customers/clients
- damaged relationships with CAP's funders, contractors and suppliers
- litigation
- damaged employee morale

CAP Services' goal is to establish and maintain a business environment of fairness, ethics and honesty for all employees, customers, suppliers and other parties with whom the corporation has a relationship. To maintain such an environment requires the active assistance of every employee and manager every day.

CAP Services is committed to the deterrence, detection and correction of misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

### ***Purpose***

The purpose of this document is to communicate CAP's policy regarding the deterrence and investigation of suspected misconduct and dishonesty by employees, volunteers and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

### ***Definition of Misconduct and Dishonesty***

For purposes of this policy, misconduct and dishonesty include but is not limited to:

- acts which violate the CAP's Code of Conduct as outlined in the Employee Handbook Section 4, the Fiscal and Administrative Procedures Manual, program operating manuals and contracts with funding sources.
- theft or other misappropriation of assets, including assets of CAP or its subsidiaries, customers, clients, suppliers or others with whom the corporation has a relationship
- misstatements and other irregularities in company records, including the intentional misstatement of the results of operations
- wrongdoing
- forgery or other alteration of documents
- fraud and other unlawful acts
- conflict of interest or the appearance of conflict of interest

- the solicitation and/or acceptance of gift or gratuities for personal benefit in excess of minimal value
- any similar acts.

CAP Services specifically prohibits these and any other illegal activities in the actions of its employees, managers, executives, volunteers and others responsible for carrying out the organization's activities.

### ***Policy and Responsibilities***

#### **Reporting**

It is the responsibility of every employee, supervisor, manager and executive to immediately report **suspected** misconduct or dishonesty to their supervisor. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to their Department Director who will then report it to the Chief Executive Officer. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical. Managers and supervisors, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. **Concerned but uninformed managers represent one of the greatest threats to proper incident handling.** All relevant matters, including suspected but unproved matters, should be referred immediately to those with follow-up responsibility.

To facilitate reporting of suspected violations, especially in those situations where the reporting individual wishes to remain anonymous, CAP will accept written notification.

#### **Additional Responsibilities of Supervisors**

Employees with supervisory and review responsibilities at any level have additional deterrence and detection duties. Persons with supervisory or review responsibility, in addition to reporting suspected violations as is required above, have three additional responsibilities.

First, to become aware of what can go wrong in their areas of responsibility.

Second, to put into place and maintain monitoring, review and control procedures designed to prevent acts of wrongdoing.

Third, to put into place and maintain monitoring, review and control procedures that detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with supervisors and managers.

Assistance in effectively carrying out these responsibilities is available through senior management, the corporate compliance officer and through other sources.

#### **Responsibility and Authority for Follow Up and Investigation**

The Director of Administration serves as the Primary Investigator for acts involving the corporation and its subsidiaries. In the case of an investigation involving the Director of Administration and/or his/her staff, the primary investigator shall be the Vice-President.

The Primary Investigator, with the approval of the President and CEO, may request the assistance of external auditors or legal counsel in any investigation, including access to the program's periodic examinations and evaluations of internal controls. In the case of an investigation involving the CEO, the Primary Investigator shall seek the approval of the Board of Directors' Executive Committee, before requesting outside assistance.

Properly designated members of the investigative team will have:

- free and unrestricted access to all the Agency's records and premises, whether owned or rented;
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and company procedures.

### ***Reported Incident Follow Up Procedure***

During any investigation, care must be taken to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the company, an employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above under the Policy.
2. The Primary Investigator has the responsibility for follow up and, if appropriate, investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.
4. Do not communicate with the suspected individuals about the matter under investigation.
5. In appropriate circumstances and at the appropriate time, the CEO will notify the Board of Directors of the results of the investigation. The results of investigations involving the CEO shall be reported by the Board of Directors' Executive Committee.
6. The Primary Investigator may also obtain the advice of CAP's legal counsel at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively,
8. All inquiries from an attorney or any other contacts from outside of the company, including those from law enforcement agencies or from the employee under investigation, should be referred to legal counsel.

Investigative or other follow up activity will be carried out without regard to the suspected individual's, position or level, or relationship with the company.

***Employee Rights***

Employees who feel they have been wrongfully charged under this policy may file a complaint with the Director of Administration.

***Communicating This Policy***

This policy will be posted at each worksite and on the employee website (capnews.info). Newly hired employees will receive a copy of this policy in the packet of information provided all new staff. This policy will be presented at new employee orientation where they will be given the opportunity to discuss the policy, its meaning and application. This policy will be added to the Employee Handbook which is distributed to all employees at the time of hire and annually in October of each year.

***Questions or Clarifications Related to This Policy***

All questions or other clarifications of this policy and its related responsibilities should be addressed to the corporation's legal counsel, who shall be responsible for the administration, revision, interpretation, and application of this policy.

## ADDENDUM

### **Social Media Policy** Adopted December, 2010

#### **Social Media Guidelines for CAP Services' Workforce.**

**Workforce includes staff, volunteers, interns, members of governance and advisory committees and other persons whose conduct, in the performance of work for CAP Services, is under the direct control of CAP, whether or not they are paid by CAP Services.**

CAP has created the following guidelines to help workforce members understand how communications through social media and blogs may overlap with their work world and their personal lives. CAP recognizes that opportunities offered by social media sites and blogs are subject to constant changes and enhancements; CAP will continuously address these new opportunities and challenges through this medium and continue to update this guidance (check capnews.info for the current version).

Today, the majority of workforce members of CAP have email accounts and the capacity to access the Internet. CAP is seeking to find a balance as it relates to social media. On the one hand, there are emerging opportunities to leverage social media like Facebook that CAP has yet to fully understand. This includes new ways to establish a positive CAP Services presence on a wider scale, to collaborate with community leaders, and perhaps most importantly, to engage our clients and stakeholders. On the other hand, there are significant concerns about social media being a workforce distraction that negatively impacts productivity (especially given the seemingly addictive nature of Facebook and other social media sites).

CAP Services management will continue to evaluate and amend its social media policy to find the right balance. As of this writing, CAP is not blocking access to some social media sites because CAP encourages organizational innovation. However, some departments and work groups may develop policies that restrict the use of social media sites to any number of degrees (e.g., total ban, specific locations, specific times, etc.). All workforce members providing services at or on behalf of a department or work unit that adopts a more strict policy on the use of social media and blogs must comply with the more strict policy.

There are some simple guidelines to keep in mind when using social media sites. Some are based on existing policies.

#### **First And Foremost, Respect the Privacy of Our Clients**

CAP workforce members should never publicly make comments about clients or the services provided to a specific client, including online. Even acknowledging providing services to a specific client is an unacceptable disclosure of client confidentiality. If posting photos at your personal social media page post only those taken at events in which the public was invited.

To protect the boundaries between worker and client, CAP requires that employees not “friend” individuals to whom they are providing services.

### **Be Respectful When Online**

Don't post statements on social media sites (or any other medium) that may harm the reputation of CAP Services or its trade allies.

### **Be a Productive, High-Performing Workforce Member**

CAP's policy is to block only web sites that are clearly inconsistent with our values. CAP does not consider Facebook or other social media sites as such sites. However, many find social media sites to be addictive in nature. Workforce members should not be checking Facebook updates or using other social media sites for *personal, non-work related purposes* when they are supposed to be doing their job. Individual worksites or departments may set policies restricting Internet and social media site access. Employees in those departments or sites are expected to follow the more restrictive policy.

Workforce members authorized to visit social media sites and keep CAP's Facebook page updated should avoid doing so in the presence of clients or visitors. Even if access to social media sites is related to work, it may be perceived by our clients or visitors as neglectful of work duties.

Your capmail.org e-mail address should not be used for notifications from Facebook or other personal social media sites. If you set up a personal Facebook page, you must use a personal e-mail address.

### **Realize That Social Media Posts Are NOT Private**

Even though there are privacy controls on sites such as Facebook and other social media sites, you should assume that anything posted on a website will be seen by the general public, as well as your employer. Don't rely on privacy settings:

- It is possible for those settings to be accidentally set to more open settings;
- Friends can copy and paste what you post to more open forums; and
- You may not remember everyone that has access to what you post.

### **Consider Your Reputation and/or Future Employment Opportunities**

You should consider that everything you post online begins to build a lifetime record of you and your activities. Increasingly, employers will search this online history using Google or web sites like pipl.com.

The Internet is your permanent record. What is posted on the Internet is cached by Google and can be copied to numerous other places out of your control. As you post comments on social networking sites that are attributable to you, consider the impact those comments will have when read by potential employers, friends, family, law enforcement or others.

### **Be Respectful of Your Co-workers**

Remember, you have to work with these people. Use common sense. Avoid gossip.

### **Social Media Opportunities**

At CAP Services we recognize social networking is changing the way people communicate. Facebook and other web sites have created an opportunity to change the way we work that we do not yet fully understand.

### **CAP Needs a Tech Savvy Workforce**

The skills you develop using the Internet and social media sites improve the IT skills that CAP workforce members need to compete in the future. We understand that tech savvy people check their Facebook page several times a day. In many ways, using social media sites has replaced the phone as a means for staying in touch. While we have concerns about workforce member productivity, we want to support the lifestyle of the tech savvy worker; however, do not check your personal pages and blogs while at work. Unlike other companies, we have decided not to block Facebook or other social media sites at the system level; instead, we expect workforce members to use this access responsibly and ask our managers to address irresponsible use through appropriate corrective action, not technical restrictions.

### **The Best Advertising**

We believe CAP's best advertising often comes from workforce members sharing news of CAP's mission, goals, programs and achievements with their family, friends and communities. A well-written post on Facebook or similar social media site about a new service or the success CAP is having in achieving our mission and transforming people and communities can have a great impact. The fact that it is coming from a person that is trusted in their community will mean the message has weight.

It is OK to tell people you work for CAP Services in your social profiles. CAP is very proud of our workforce members and believes our reputation is enhanced when people know the quality of our workforce.

CAP recognizes workforce members will talk about work online, but advises it be done in a responsible, legal manner. We hope workforce members will write about positive experiences they have working at CAP Services and with their co-workers. We are hoping workforce members help educate their communities, both online and by traditional communications, about the CAP's mission and the services we provide.

CAP management understands that we have discussed many restrictions regarding information sharing. The natural result may be hesitancy on the part of some workforce members to share anything. To assist you, we will be working on communicating the types of things you should feel free to share on social media sites.

To start, we encourage you to become a fan of CAP Services our Facebook page and invite others to do so as well.

Workforce members are always welcome to share CAP fan page posts with their friends. CAP management will work to identify communications that can be shared on social media sites and those that are for internal use only. We will also develop guidance for workforce members regarding the day-to-day activities in their work place that are appropriate to post. For example, we would love for everyone on Facebook to tell their friends about availability of quality child care at the Children's' Discovery Center in Stevens Point or the tremendous increase in earnings of the Skills Enhancement participants.

## **Share Your Knowledge**

Everyone that works at CAP Services has knowledge, talent, and special skills. CAP workforce members who participate in social media and blogs are encouraged to share this information on social media sites. There is a halo effect to doing so. If such information is shared with others, they will remember you and your organization when it comes time to receive or recommend those services or to ask for support for CAP Services. It can also be beneficial to your own career development when you establish yourself online as an expert in your field and passionate about your vocation.

If you are contacted by the media (radio, TV, newspaper, etc). as a result of your social media activities, you are expected to contact your Department Director. CAP management wants to track these experiences, assist in providing you with guidance in responding in a knowledgeable and articulate manner.

## **Salary Schedule**