

Northern Ponca Housing Authority

Personnel Manual

Personnel Policies and Procedures

GENERAL POLICY STATEMENT

1.1 Purpose

The purpose of this Manual is to explain the personnel policies of the Northern Ponca Housing Authority. The policies in this Manual replace and supercede all previously published or unpublished personnel policies, policy manuals, and other publications related to personnel policies.

1.2 Parties and Terms Referenced

Parties and terms referenced within this Manual are defined as follows:

- 1.2.1 Tribe --- The Ponca Tribe of Nebraska. The Tribe is a sovereign nation which vests its governing body with the power to, among other things, promulgate policies, enter into treaties and conduct business with other entities and nations.
- 1.2.2 Board of Commissioners --- Housing Commission of the Ponca Tribe of Nebraska. The Board of Commissioners is the governing body of the Northern Ponca Housing Authority.
- 1.2.3 Northern Ponca Housing Authority---The Northern Ponca Housing Authority is a not-for-profit organization which consists of funded programs, providing services for housing participants and is governed by the Board of Commissioners.
- 1.2.4 Committee --- Personnel Committee for the Board of Commissioners.
- 1.2.5 Chairperson --- Chairperson of the Board of Commissioners of the Northern Ponca Housing Authority.
- 1.2.6 Executive Director --- Employee of the Northern Ponca Housing Authority with the responsibility of executing and enforcing its policies, and is immediately supervised by the Board of Commissioners.
- 1.2.7 Supervisor --- Employee of the Northern Ponca Housing Authority that monitors the actions and/or work of others.
- 1.2.8 Employee --- Employee of the Northern Ponca Housing Authority.
- 1.2.9 Exempt Employees --- Employees who are exempt from federal and state wage and hour laws.
- 1.2.10 Non-Exempt Employees --- Employees who are subject to wage and hour laws of the state and federal government.
- 1.2.11 Manual --- The Personnel Policies Manual of the Northern Ponca Housing Authority.

1.2.12 Separation --- Cessation of employment services with the Northern Ponca Housing Authority which can result from retirement, layoff, resignation, or resignation in lieu of termination or termination.

1.3 **Authority**

Authority for personnel matters originates with the Board of Commissioners, which has been vested with this power by the Tribe. The Personnel Committee, a committee of the Board of Commissioners, is delegated the responsibility to advise the Board of Commissioners on revisions to the Personnel Policies Manual. The Executive Director is delegated authority to implement and enforce these policies.

1.4 **Recommendations for Changes, Reviews, Revisions and Interpretations**

Recommendations for changes to the Manual which originate with employees must proceed through the chain of command. Employee initiated recommendations may be stopped at any point within the chain. The Manual will be reviewed annually and any recommended changes adopted by the Board of Commissioners at that time will be incorporated as revisions. The annual review requirement does not, however, preclude more frequent revisions, when deemed appropriate by the Board of Commissioners. In keeping with the responsibility to implement and enforce each section of the Manual, as stated in Section 1.3, the Executive Director shall also be responsible for the interpretation of each section.

2.0 **GENERAL RECRUITMENT AND SELECTION**

2.1 **American Indian Preference**

Preference in hiring shall be given to American Indians in accordance with the Indian Preference Act (Title 25, U.S.C., Sections 472 and 473). Priority will be given to American Indians who meet the qualifications prescribed in the job announcement and position description. In certain cases, when it is feasible and consistent with efficient performance of the housing authority's mission the Northern Ponca Housing Authority may hire American Indian candidates who do not meet the minimum qualifications, but would meet such qualifications with on-the-job training.

2.2 **Recruitment and Promotion**

Recruitment and promotion are governed by the following sections:

2.2.1 Subject to Indian Preference Act requirements, new employment opportunities shall be offered to existing employees who meet the qualifications, before initiating outside recruitment. In order to meet its obligations under this section, the Northern Ponca Housing Authority will provide a three day in-house recruitment period which includes the prominent posting of job announcements.

- 2.2.2 No applicants or employees shall be appointed, promoted, demoted, removed, in any way favored or discriminated against because of their age, sex, race, color, religion or ethnic background, except that preference shall be given to qualified Indians in accordance with the Indian Preference Act.
- 2.2.3 Upon determination of a vacant position or the creation of a new position, the Executive Director shall initiate recruitment efforts commencing with a three day in-house recruitment period. If in-house efforts yield no candidates, recruitment will be expanded via newspaper, internet or advertisement in other media and the distribution of job announcements will be made to local tribes and American Indian organizations.
- 2.2.4 At a minimum, position advertisements shall contain:
- (a) Position Title
 - (b) Summary of Duties
 - (c) Qualifications
 - (d) Final Filing Date
 - (e) Filing Instructions
 - (f) Notice of Indian Preference
 - (g) Salary Range

2.3 Candidate Screening, Interviewing and Selection

The Executive Director or designated staff will assemble all applications. For key personnel, as defined in Section 3.2.1, the Personnel Committee will screen all assembled applications. For positions that are other than key positions, the prospective employee's Supervisor and the Executive Director will screen the assemble applications.

- 2.3.1 The screening process shall produce a list of qualified candidates eligible for interview. Background/reference checks on all final candidates will be performed by the Executive Director or Supervisor.
- 2.3.2 Interviews for the qualified candidates will be conducted in the following manner:
- (a) Candidates for the Executive Director will be interviewed by the Board of Commissioners.
 - (b) Candidates for all other positions will be interviewed by the Executive Director and/or designated personnel.
- 2.3.3 Personnel selection from among qualified candidates will be conducted in the following manner:
- (a) The Executive Director shall be selected and approved by the Board of Commissioners.

(b) All other personnel shall be selected by the prospective employee's Supervisor and approval shall be obtained from the Executive Director.

2.3.4 Temporary employees, who are hired for a period of less than 3 months, may be hired by the Supervisor as initiated by the Executive Director.

3.0 POSITION CLASSIFICATIONS, CATEGORIES, PROBATION AND POSITION DESCRIPTIONS

3.1 Position Classifications

Employment positions with the Northern Ponca Housing Authority are classified as follows:

- 3.1.1 Temporary Appointment: A short-term appointment for a period not to exceed three months. Temporary employees do not accrue benefits such as sick leave, annual leave or paid holidays and they are not eligible to participate in group health or life insurance or retirement plans offered by the Northern Ponca Housing Authority. The employment of temporary employees may be terminated at will and such terminations are not subject to the appeal process outlined in this Manual. Temporary employees are eligible to apply for a part or full-time appointment as an external candidate. Time served as a temporary employee does not, however, apply toward benefit accrual or probationary time should the employee be appointed to a part or full-time position.
- 3.1.2 Temporary Employees: Temporary employees are as defined in the funding grant or contract under which they were hired and are not eligible to receive employee benefits.
- 3.1.3 Part-Time Appointment: Subject to conditions of probation, part-time regular employees who are appointed to work less than 32 hours per week, shall receive a prorated share of each benefit paid by the Northern Ponca Housing Authority to its full-time employees, except for Group Health, Dental and Life Insurance. Eligibility for proration of paid holiday benefits, for instance, is contingent upon the employee's regular work schedule. If the holiday coincides with a scheduled work day proration will occur at a rate equivalent to that employee's Full-Time Equivalency (FTE), e.g., 24 hours per week = 60% FTE.
- 3.1.4 Full-Time Appointment: Subject to the conditions of probation, full-time employees who are appointed to work 32 hours per week shall participate at a level of 100% in all benefits made available to employees of the Northern Ponca Housing Authority.
- 3.1.5 Consultants and Independent Contractors are not subject to the provisions of these policies.

3.2 General Position Categories

Employment positions with the Northern Ponca Housing Authority are placed in two general categories as follows:

- 3.2.1 Key Personnel: At the present time this designation is limited to the position of Executive Director.
- 3.2.2 Subordinate Personnel: All personnel not categorized as Key Personnel are hereby designated Subordinate Personnel.

3.3 Probation

Probation represents a trial period during which an employee's performance and abilities are evaluated by his/her Supervisor as approved by the Executive Director.

- 3.3.1 Probation results from an initial appointment, or disciplinary action.
- 3.3.2 Initial probationary employees may be terminated without cause by the Executive Director and they do not have access to the appeal process.
- 3.3.3 Initial probationary employees (except for Temporary Employees) are entitled to accrue, but may not use annual, sick, or bereavement leave. Initial probationary employees (except for Temporary Employees) are eligible for health benefits after three months of full-time employment. Retirement benefits are provided to regular employees.
- 3.3.4 Probationary periods for disciplinary offenses may be assigned by the Executive Director and/or the Board of Commissioners.
- 3.3.5 For key personnel, initial probation commences with the first day of employment and continues for three months thereafter.
- 3.3.6 For subordinate personnel, initial probation commences with the first day of employment and continues for three months thereafter.
- 3.3.7 Probation periods for initial appointments may be extended with the approval of the Executive Director and/or the Board of Commissioners.

3.4 Position Descriptions

All employee positions of the Northern Ponca Housing Authority shall be formalized through a written position description which, at a minimum, shall include:

- (a) Position Title
- (b) Reports To
- (c) Supervises
- (d) Primary Responsibilities

- (e) Qualifications
- (f) Indian Preference Act Statement
- (g) Salary Range

4.0 EMPLOYEE HOURS, COMPENSATION AND EXPENSES

4.1 Employee Hours

Hours of work and the documentation of same are governed by the following:

- 4.1.1 Regular hours for full-time employees shall be 8:00 A.M. to 4:30 P.M., Monday through Friday. Exceptions to this 40 hour per week schedule must be approved by the Executive Director.
- 4.1.2 Regular hours for part-time employees shall be determined by the Executive Director or Supervisor. Exceptions to a part-time schedule must be approved by the Executive Director or Supervisor.
- 4.1.3 All employees of the Northern Ponca Housing Authority will document time worked using the Northern Ponca Housing Authority’s Time Sheet, which must be signed by the employee, the Executive Director and/or Supervisor.
- 4.1.4 Break Periods are provided at the rate of 10 (ten) consecutive minutes for each four hours worked, and should occur as near as possible to the middle of the work period. Breaks are paid as time worked and may be controlled by the supervisor.

Ten-minute breaks are provided as follows for the work hours involved:

Hours of work	Break
0 – 3.5	0
3.5 – 6.0	1
6.0 – 10.0	2

4.2 Compensation

Compensation, raises, pay periods and days, and paid overtime are governed by the following:

- 4.2.1 The Board of Commissioners has adopted a GSA equivalent pay scale for all regular Northern Ponca Housing Authority employees.
- 4.2.2 The Board of Commissioners does not subscribe to the philosophy that an employee is entitled to automatic annual pay increases by virtue of his/her employment with the Northern Ponca Housing Authority.

- 4.2.3 Pay periods for Northern Ponca Housing Authority employees shall be bi-weekly, i.e., every two weeks with paycheck being issued on Thursdays.
- 4.2.4 If the scheduled payday falls on a paid holiday, paychecks shall be issued by the close of business on the last workday prior to the paid holiday. Employees absent from work the day prior to or following a holiday will forfeit holiday pay unless prior written authorization for leave as approved by the Executive Director or Supervisor.
- 4.2.5 These policies contain no provision for payroll advances, i.e., the payment of salary/wages in advance of their having been earned by an employee. Employees may however, request the issuance of an early paycheck when a regular payday occurs during a scheduled vacation or holiday. The request must be made in writing to the Executive Director.
- 4.2.6 Upon departure from employment with the Northern Ponca Housing Authority, departing employees who have provided ten day written notice of resignation shall receive their final paycheck within the pay period after departure. The date the check is mailed is considered the date of payment for purposes of this requirement. Whenever possible, terminated employees shall receive their final paycheck by close of business on the last day of their employment, or within one week of termination.
- 4.2.7 Northern Ponca Housing Authority employees categorized as Non-Exempt Personnel shall be paid overtime in accordance with current federal regulations for work in excess of 40 hours a week, provided prior written approval for such overtime has been obtained from the Executive Director.

4.3 Employee Expenses

Reimbursement of expenses incurred by an employee during the performance of his/her duties, or for expenses incurred by an employee which are deemed by the Northern Ponca Housing Authority to be of benefit to its interests are governed by the following:

- 4.3.1 Travel, meals and lodging will be reimbursed at federal reimbursement rates or as dictated by grants/contracts for pre-approved and authorized events.
- 4.3.2 If an employee is required to use his/her personal vehicle during the performance of their duties, the employee will be reimbursed for mileage in accordance with current federal mileage reimbursement rates.
- 4.3.3 Membership in community and professional groups may be paid by the Northern Ponca Housing Authority when such membership is deemed beneficial to the housing authority.
- 4.3.4 Seminars and training programs may be paid by the Northern Ponca Housing Authority when approved in advance by the Executive Director. When these

activities involve the Executive Director, advance approval shall be obtained from the BOC Chairperson.

5.0 EMPLOYEE BENEFITS

5.1 Group Health Insurance

Depending on the financial conditions of the Northern Ponca Housing Authority, the Northern Ponca Housing Authority will offer the following Group Health, Dental and Life Insurance Benefits:

- Level 1) No benefits (part-time regular employees less than 32 hours per week or temporary employees)
- Level 2) Paid benefits for eligible regular employees

5.2 Holidays

The Northern Ponca Housing Authority hereby recognizes the following days as legal paid holidays for eligible employees:

- New Year's Day
- Standing Bear Day (May 12)
- Memorial Day
- Independence Day
- Labor Day
- Native American Day
- Ponca Tribe of Nebraska Restoration Day (October 31)
- Veteran's Day
- Thanksgiving
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas Day

If any holiday falls on a Sunday, the following Monday is a holiday and if it falls on a Saturday, the preceding Friday is a holiday.

5.3 Retirement

The Northern Ponca Housing Authority provides a retirement plan to full time employees age 18 and over. The Northern Ponca Housing Authority contributes a maximum three percent match of the employee's contribution. The employee may choose to contribute before taxes to his/her retirement fund. Vesting of 100% is based on completion of the employee's initial probationary period. Part time, temporary and contracted employees are not eligible for retirement benefits.

6.0 AUTHORIZED LEAVE

6.1 Vacation Leave

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- * Regular full-time employees
- * Regular part-time employees
- * Initial probationary employees may earn but not use accrued leave until after their first 90 calendar days.

Leave will accrue beginning on an employee's start date on hours physically worked as well as paid leave hours utilized. Full-time employees working 40 hours per week may accrue the following vacation hours:

Time Employed	Eligible Vacation Hours/Year
0-4 years	96
5 years	120
6 years	128
7 years	136

At 8 and more years, employees will accrue an additional 8 hours per year to a cap of 184 hours.

Eligible employees working less than 40 hours per week may accrue vacation leave hours based on their scheduled hours.

Vacation leave usage must be authorized by the employee's direct supervisor prior to use. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Unapproved vacation leave will be considered Leave Without Pay (LWOP) and may be subject to disciplinary action. (See the Leave Without Pay policy for additional information.)

Vacation leave may be carried over at the end of the calendar year at a maximum of 96 hours. Employees who separate from employment with the NPHA prior to completion of the 3-month introductory period will not be compensated for any vacation leave accrued. Employees who separate employment with the NPHA after completion of the introductory period are eligible to be compensated for all vacation leave hours accrued.

6.2 Sick Leave

NPHA provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- * Regular full-time employees
- * Regular part-time employees

- * Introductory employees after their first 90 calendar days
- * Above employees not on disciplinary probation

All regular and introductory full time employees will accrue sick leave benefits at the rate of 10 days per year (.83 of a day for every full month of service) and all regular and introductory part time employees will accrue on a prorated basis.

Employees can request use of paid sick leave after completing a waiting period of 90 calendar days from the date they become eligible to accrue sick leave benefits. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, spouse, or domestic partner of the employee. A domestic partner shall consist of same sex or opposite sex relationships as defined in the criteria listed on the Domestic Partnership Affidavit. An affidavit must be on file in order to claim this relationship.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. All employees are required to send copies of their physician's statement and sick leave request to the Operations Manager on the third day of absence or in advance if they know the absence will exceed three days.

Before returning to work from a sick leave absence of 10 working days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick hours may be carried over at the end of the calendar. Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

6.3 **Bereavement (Funeral) Leave**

Employees in the following employment classifications are eligible to request bereavement (funeral) leave as described in this policy:

- * Regular full-time employees
- * Regular part-time employees
- * Introductory employees after their first 90 calendar days

6.3.1. Family

Leave with pay will be granted for deaths in your “immediate family”. Immediate family is defined as spouse, domestic partner, parent, grandparent, sibling, child (natural, step, adopted, or custodial), grandchild, mother/father-in-law, brother/sister-in-law, or daughter/son-in-law of an employee. A domestic partner shall consist of same sex or opposite sex relationships as defined in the criteria listed on the Domestic Partnership Affidavit. An affidavit must be on file in order to claim this relationship.

Forty hours per death will be allowed. For example, if two members of your immediate family die as the result of an accident, eighty hours total bereavement leave will be granted regardless of whether they die simultaneously or in succession. Part-time employees are entitled to receive bereavement leave at a rate based on his/her scheduled part-time hours.

In the case of an aunt, uncle, niece, or nephew (or that of a domestic partner or spouses’ aunt, uncle, niece, or nephew), sixteen hours will be granted for funeral leave. Part-time employees are entitled to receive bereavement leave at a rate based on his/her scheduled part-time hours.

6.3.2. By Site

In the event of a coworker’s death, all office sites will be closed for the day of the coworker’s funeral and employees will be allowed 8 hours of administrative leave. Employees may utilize up to one work day of administrative leave with pay to attend the funeral of a coworker’s spouse or child (from your site or a different site) or a Ponca tribal member if the funeral occurs on a workday. Each departmental manager shall determine departmental coverage. Employees may be approved to utilize vacation leave for any time needed beyond the one work day of administrative leave in order to attend the funeral of a coworker or the coworker’s immediate family.

6.4 **Jury or Witness Duty Leave**

An employee who has been summoned shall be granted paid leave for jury or witness duty up to fourteen days per calendar year. The summoned employee must provide his/her supervisor with a copy of the summons and must surrender to the Northern Ponca Housing Authority all court issued remuneration for the jury or witness duty.

6.5 **Leaves of Absence**

Leaves of absence are governed by the following:

6.5.1 Maternity leave is leave without pay for a period not to exceed twelve weeks for eligible employees.

- 6.5.2 Leave without pay for medical reasons for up to a total of three months may be authorized when advised in writing by the employee's physician.
- 6.5.3 Other leaves without pay may be authorized by the Executive Director on a case by case basis for a period not to exceed two months.
- 6.5.4 In all instances involving extended leave due to disability, medical emergency, Medical Family Leave Act, etc., the Executive Director may authorize the hiring of a temporary replacement.
- 6.5.5 Unauthorized extended leave by an employee may be grounds for dismissal or permanent replacement.

6.6 Severe Weather

- 6.6.1 Never assume that the office is closed. NPHA offices will have a 10:00 a.m. late start if the local public schools in that office location or that of the employee's residence have a late start. NPHA offices will be closed if the local public schools in that office location or that of the employee's residence are closed. Listen to your local radio or TV station for school announcements.
- 6.6.2 In the case of severe weather striking mid-day, NPHA offices will let employees go early if the local public school in the office location or that of the employee's residence releases school early.
- 6.6.3 There may be some instances where a local school cannot make the weather determination for your office. For example, this may occur if the local public school of the office location is on a winter or holiday break. The ED will annually appoint a senior employee in the Omaha NPHA office to make severe weather determinations. In the instance that a local public school of the office location cannot make the severe weather determination, the ED or the person appointed by the ED will decide if an area office should be closed, have a late start, or be dismissed early. The person appointed will then seek approval for this decision from the ED. Once granted, the appointed person will then notify the employees at their site of the closing. The ED's decision is final.
- 6.6.4 Because a NPHA office closing, late start, or early dismissal will affect Ponca Tribe of Nebraska members or NPHA clients, a person will be appointed to notify local news media when inclement weather warrants such action. This person will also be responsible for ensuring members, clients, and employees know which local media outlet will be used for that site.
- 6.6.5 If an individual staff member feels they cannot get to work or that he/she must leave early, he/she will notify their immediate supervisor for approval. Supervisors are asked to be reasonable with these requests.
- 6.6.6 If an individual staff member feels they can get to work and chooses to come in when their local NPHA office is closed they will receive no additional

compensation for their services and traveling to and from the office site will be at their own risk.

7.0 EMPLOYEE CONDUCT

7.1 General Rules of Conduct

All employees of the Northern Ponca Housing Authority shall conduct themselves in a professional manner, i.e., a manner that exemplifies the Tribe's proud history and current mission. Failure to adhere to the standards described herein may be grounds for disciplinary action.

7.2 Employee Participation at Board of Commissioners Meetings, Public Events and Communication with Board of Commissioners Members

7.2.1 Employees other than the Executive Director shall not address the Board of Commissioners while in session without the express permission of the Executive Director or as requested by Board of Commissioners.

7.2.2 With the exception of the Executive Director, no employee of the Northern Ponca Housing Authority shall speak on behalf of the Board of Commissioners at public events without the prior approval of the Executive Director or as requested by Board of Commissioners.

7.2.2.1.1 Employees designated to speak on behalf of the Board of Commissioners shall exercise proper restraint, prudence and accuracy in their statements and display respect for the opinions of others.

7.2.3 Employees shall communication with Board of Commissioners in a positive and professional manner in all job related matters and follow the chain of command concerning personnel matters or outstanding appeals, and are advised not to discuss any specific outstanding appeals or job related issues with Board of Commissioners.

7.3 Influencing Board of Commissioners Decisions

Activity by employees which is intended to influence voting, elections or the decision-making processes of the Board of Commissioners is specifically prohibited.

7.4 Conflict of Interest

Conflict of interest for purposes of these policies is defined as that situation whereby employees are in a position to use their status as an employee of the Northern Ponca Housing Authority for purposes which are, or give the appearance of being, motivated by a desire for private gain for themselves or others with whom they have family, business, social or other ties. Such conflicts of interest include, but are not limited to the following:

- (a) Membership on the Board of Commissioners
- (b) Nepotism

All Northern Ponca Housing Authority employees will adhere to policies, protocols and procedures designed to prevent a real or apparent conflict of interest in procurement, contract management and the provision of housing services.

7.5 Dress Code

All employees of the Northern Ponca Housing Authority are expected to dress in a manner appropriate to their position;

- (a) No shorts or tank tops during business hours.
- (b) T-shirts and other apparel must not present vulgar or unprofessional messages or promote the use of alcohol or illegal drugs.
- (c) Dress must be in good taste and promote a professional appearance.

7.6 Outside Employment

Employees shall be permitted to engage in employment, outside regular working hours provided such employment does not affect or interfere with the employee's assigned job responsibilities or detract from the employee's job performance, or present a conflict of interest as described in Sec. 7.4.

7.7 Political Activities

Employees of the Northern Ponca Housing Authority are advised that political activities are prohibited during regular working hours.

7.8 Sexual Harassment

Sexual harassment is unlawful and will not be tolerated by the Northern Ponca Housing Authority. If an employee has been subjected to sexual harassment he/she should take appropriate action to combat the harassment. This includes the reporting of incidences of sexual harassment to the immediate Supervisor and/or the Executive Director. When circumstances warrant, it is permissible for a complainant to bypass the chain of command in order to report an incident. Ordinarily the Executive Director will undertake an investigation of the incident while simultaneously reporting it to the BOC Chairperson and the Personnel Committee. Again, this procedure may be modified depending upon circumstances. The investigation will be conducted in such a manner as to preserve confidentiality. The results of the investigation will be reported in a timely manner to the complainant.

7.9 Usage of Alcohol, Drugs and Other Intoxicating Substances

The possession and usage of alcohol, drugs and other intoxicating substances by, on and off-duty employees is governed by the Substance Abuse Policy and Drug Free Workplace Policy.

8.0 EMPLOYEE ACTION

8.1 Performance Evaluations

Performance of all employees shall be evaluated at the end of an initial probationary period and annually thereafter. When deemed appropriate by the Supervisor and Executive Director, an employee may be subjected to interim performance evaluations. All employees shall be evaluated by their immediate Supervisor. The evaluation document will then be submitted to the Executive Director. All performance evaluation documents shall be filed as a part of each employee's permanent personnel record.

8.2 Disciplinary Action

Disciplinary Action means counseling, corrective review, reprimand, warning, demotion, probation, suspension, termination or other appropriate action. In addition to the violation of the standards of employee conduct set forth in Section 7 of this Manual; the following is a list of some offenses that constitute cause for disciplinary action:

- (a) Fraud in securing employment
- (b) Insubordination
- (c) Excessive tardiness
- (d) Excessive unexcused absences
- (e) Unsatisfactory job performance
- (f) Abuse of alcohol or drugs
- (g) Willful falsification of records
- (h) Misappropriation or misuse of Northern Ponca Housing Authority funds or Northern Ponca Housing Authority property
- (i) Felony conviction
- (j) Unauthorized access to confidential information
- (k) Breach of confidential information
- (l) Any other misconduct during or outside of work hours
- (m) Falsification of a sick leave request

8.2.1 An employee may be terminated at will by Executive Director.

8.3 Initiation of Disciplinary Action

Written reprimands, suspensions, demotions and terminations may be initiated by the supervisor but require the approval of the Executive Director. Other less stringent forms of disciplinary actions, e.g., verbal reprimands, may be initiated by the Supervisor without approval from the Executive Director. Although discipline such as a verbal warning followed by a written warning and then by more severe forms of

discipline constitute a normal progression, the Executive Director or Supervisor may deviate from this course of escalation and immediately terminate the employment of an employee when circumstances warrant such deviations. To assure consistency in Disciplinary Action the Executive Director may adopt a Table of Penalties to guide the disciplinary process.

9.0 APPEALS PROCESS

9.1 Non-Retaliation

Employees filing appeals, discrimination complaints, harassment charges and/or otherwise opposing unlawful practices shall be free from restraint, coercion, or retaliation.

9.2 Appeals Procedures

Employees may file an appeal against any disciplinary action taken against them. Employees shall not, however, bypass the following procedures by communicating directly with the BOC Chairperson or Board of Commissioners members concerning any appeal, whether their own or that of a co-worker.

The Procedures are as follows:

- 9.2.1 An employee who reports directly to the Executive Director shall present his/her written appeal to the Executive Director no later than five (5) days following the disciplinary action. The response to the written employee appeal will proceed as follows:
- (a) The Executive Director shall, within five (5) days of receipt of the written appeal, provide to the grieving employee a written response.
 - (b) If the appealing employee has not received a written response from the Executive Director within the five (5) day time frame, or if said employee is not satisfied with the response, he/she may forward a written appeal to the Board of Commissioners no later than five (5) days following the expiration date of the Executive Director's five day response period.
 - (c) The Board of Commissioners shall consider the written appeal in a timely fashion. At their option, the Board of Commissioners may choose to render a decision based solely on the written appeal and the Executive Director or Supervisor's response. A personal appearance by the grieving employee before the Board of Commissioners is not guaranteed by these policies.
 - (d) The Board of Commissioners shall render a decision in the matter no later than ten (10) days following receipt of the written appeal. The decision of the Board of Commissioners is final.

9.2.2 An employee who reports to a Supervisor other than the Executive Director shall present his/her written appeal to the supervisor no later than five (5) days following the disciplinary action. The response to the written employee appeal will proceed as follows:

- (a) The Supervisor shall, within five (5) days of receipt of the written appeal, provide to the grieving employee a written response.
- (b) If the grieving employee has not received a written response from the Supervisor within the five (5) day time frame or if said employee is not satisfied with the response, he/she may forward the written appeal to the Executive Director. The procedures outlined in Section 9.2.1 shall then be followed.

9.2.3 Key personnel are at-will employees, and thus may be terminated by the Board of Commissioners at any time.

10.0 PERSONNEL RECORDS

10.1 General Consideration

Confidential personnel documents shall be maintained in a file folder, created at the time of appointment, for each employee. All file folders containing these personnel documents shall be stored in a secure environment, i.e., lockable file cabinets which are stored in the Executive Director's office.

10.2 Access to Personnel Files

Access to confidential personnel files is governed by the following:

Employees shall have full-supervised access to information contained in their own personnel files. Access must be requested in writing. General access to confidential personnel files is hereby limited to those individuals with supervisory responsibilities. Access to information contained in confidential personnel files shall be granted to Supervisors by the Executive Director only when such access is requested for personnel evaluations, commendations, disciplinary action, appeals or other personnel matters deemed appropriate by the Executive Director. All confidential personnel files shall be secured under the exclusive control of the Executive Director.

11.0 AMENDMENTS

The policies contained in this Manual may be amended at any time by the Board of Commissioners with majority vote.

*Adopted by Resolution 05-02 on March, 12, 2005.
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