

OAK HILL
Community Development Corporation

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Worcester, MA 01604
508-754-2858

EMPLOYEE HANDBOOK

Updated July 1, 2010

Dear Colleague:

Welcome to Oak Hill Community Development Corporation!

So that you can understand the expectations of our employees and to outline the policies, procedures and benefits available to eligible employees, we have prepared this Employee Handbook. You should familiarize yourself with the contents of this Handbook as soon as possible as doing so may answer any questions you may have. As you are aware, we are a small organization and value the direct contribution each employee makes to Oak Hill CDC's success and growth.

The contents of this handbook are for informational purposes only and should not be considered in any way as creating any rights, contracts or guarantees of employment or of working conditions between any employee nor is Oak Hill CDC bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time. Revisions to these policies may be made at any time at the discretion of the Board of Directors.

I hope that your experiences here meet your expectations and that being a part of our team is challenging, enjoyable and rewarding.

Sincerely,

Mullen Sawyer
Executive Director

Background Information on Oak Hill CDC

Oak Hill CDC conducts activities in support of neighborhood stabilization, revitalization and sustainability in Community Organizing, Youth and Adult Leadership Development, Economic Development and Affordable Housing.

Facility and Locations

Oak Hill CDC, including the Community Resource Center, is located at 74 Providence Street, Worcester, MA 01604 and is handicapped-accessible. Rental properties are also located in Worcester, MA. Our NeighborWorks HomeOwnership Center of Worcester is located at 674 Main Street, Worcester, MA 01610

History

Founded through a collaborative effort between the resident-led Oak Hill Housing Council and Friendly House and with support from the Worcester Community Action Council to address the shortage of safe, affordable housing and incorporated in 1983, Oak Hill Community Development Corporation is an IRS-recognized 501(c)3 not-for-profit community revitalization organization serving the lower Grafton Hill area of the City. The work of Oak Hill CDC is focused within the Union Hill, Oak Hill and Upsala Street neighborhoods of Worcester's East Side, inner-city neighborhoods characterized by high levels of poverty, unemployment, real estate disinvestment, crime and low levels of educational attainment.

Mission Statement

To empower, enable and support community members in their efforts to revitalize the Union Hill, Oak Hill and Upsala Street neighborhoods of Worcester. As a neighborhood-based and controlled institution, Oak Hill CDC serves as the vehicle through which individuals and groups can work together to solve problems and improve life in their community.

Organizational Structure

Oak Hill CDC is governed by an 18-seat (maximum) volunteer Board of Directors. Board of Director terms are 3 years, with no term limits and approximately one-third of the Board is elected annually by the general membership at the Annual Meeting.

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I. INTRODUCTION

This Handbook has been prepared to give you a general overview of the policies of Oak Hill Community Development Corporation (“Oak Hill CDC, or “the Agency”). Careful review and familiarization with this Handbook is your responsibility.

The Handbook is presented as a matter of information only and as guidance to the policies of Oak Hill CDC. It does not cover every aspect of your job, **and it is not to be understood or construed as a promise or contract between Oak Hill CDC and its employees. As an employee-at-will, your employment and compensation can be terminated, with or without cause, and with or without notice, at any time, at the option of either Oak Hill CDC or yourself.**

This Handbook supersedes and replaces any and all prior Handbooks, policies, procedures and/or practices of Oak Hill CDC. **Oak Hill CDC reserves the right to modify, change, disregard, suspend, add to or cancel at any time, without written or verbal notice, all or any part of the Handbook’s contents as it deems appropriate.**

If you have any questions about this Handbook, please consult the Executive Director. In the event of any question as to the interpretation of these policies, the decision of the Chair of the Board of Directors shall be final and binding.

1.1 Employee Records

Upon request to the Executive Director, any employee will be permitted to review his/her individual personnel file within five (5) business days of making the request. Under no circumstances will any employee be permitted to remove personnel files from the Personnel Filing Cabinets area. However, if an employee makes written request to the Executive Director, the employee will be provided a copy of his or her personnel file within five (5) business days of the request.

It is very important that personnel records be accurate and up-to-date. To assure that pay, benefits and other employment matters are administered as accurately and efficiently as possible, the employee should notify the Operations Manager if there is a change regarding any of the following information:

- Legal name
- Address
- Home telephone number
- Income tax exemptions
- Social Security number
- Marital status
- Number of dependents
- Beneficiary
- Person to notify in case of emergency

The Operations Manager will assist you in bringing your records up to date. Oak Hill CDC will assume no liability for any loss of pay and/or benefits directly resulting from the employee failing to notify Oak Hill CDC of any changes to the employee's personnel file.

II EMPLOYEE CLASSIFICATIONS

- A) Regular full-time employees - are persons who are scheduled to work 40 hours a week on a continuous basis.
- B) Regular part-time employees - are persons who are regularly scheduled to work less than 40 hours a week. Those who work a minimum of 20 hours a week will be eligible for prorated Paid Time Off. However, to be eligible for Accidental Death and Dismemberment and Life Insurance coverage, the employee must be regularly scheduled to work a minimum of 30 hours. Part time employees are eligible to participate in the optional Colonial Insurance program.
- C) Temporary Employees - are persons hired for a period of less than three months, or for specially funded programs with aduration of less than six months. Employees in this category are eligible for paid holidays during their period of employment. Oak Hill CDC does not provide any benefits, including paid sick leave or vacation to temporary employees.
- D) Volunteers and Interns - are persons who may from time to time work on special projects or assignments. Interns may work on a volunteer basis or be paid a stipend.
- E) Trainees - Enrollees in Oak Hill CDC training programs, VISTA, and/or other similar volunteer programs are not employees of Oak Hill CDC and are not entitled to Oak Hill CDC benefits, unless arrangements are agreed to in writing by both the trainee and Oak Hill CDC.
- F) Exempt Employees – Exempt employees are those employees in “executive,” “administrative” and “professional” positions (as defined under Federal and State law). Such employees are paid on a salary basis and are not eligible for overtime compensation.
- G) Non-Exempt Employees – Non-exempt employees are those employees in positions which are not within the “exempt” classification, who are hourly paid, are required to maintain time logs or “punch” the time clock, and are eligible to receive overtime compensation for working any hours in excess of 40 in a work week.

No employee has permanent status, and all employees are employees-at-will.

2.1 Probationary Status

All Oak Hill CDC employees are on probationary status for the first three months of employment. During this period, an employee shall not have recourse to Oak Hill CDC's grievance procedure. At the end of three months all employees will

receive a formal evaluation. The Executive Director, with a valid reason, may extend the probationary period for up to additional two (2) months.

III RECRUITING AND HIRING PRACTICES

Decisions about hiring are to be made as follows:

3.1 Delegation of Authority

The Executive Director, in accordance with the policies and budget approved by the Board, will be responsible for hiring of all employees. The job description will determine whether the position is subject to ratification by the Board or a Committee of the Board. The Executive Director may from time to time hire temporary employees, increase **or decrease** the hours of part-time employees, **if necessary change full-time employees to part-time**, and hire consultants and interns on an as-needed basis.

3.2 Equal Employment Opportunity

It is the policy of Oak Hill CDC to grant equal employment opportunity to all qualified persons without regard to race, color, sex, age, national origin, religion, physical or mental disability, sexual orientation or membership in the uniformed services. It is the intent and desire of the Agency that equal employment opportunity will be provided in employment, promotion, wages, benefits and all other privileges, terms and conditions of employment and maintains a commitment not to discriminate on the basis of disability and will provide reasonable accommodation for the known physical or mental limitations of employees with disabilities to enable them to perform essential job functions and enjoy equal benefits of employment, unless such accommodation would impose an undue hardship on the Agency.

Oak Hill CDC will provide reasonable accommodation for the known physical or mental limitations of qualified applicants/employees with disabilities to enable them to perform the essential functions of the position held or applied for and to enjoy equal benefits of employment unless such accommodation would impose an undue hardship on Oak Hill CDC.

In the event that you have a question or complaint related to Equal Employment Opportunities, you should discuss the matter with the Executive Director.

3.3 Immigration Law Compliance

Oak Hill CDC employs only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Oak Hill CDC within the past three years, or if the previous I-9 is no longer retained or valid.

3.4 AIDS in the Workplace

Oak Hill CDC does not discriminate against people with AIDS or with Human Immunodeficiency Virus (HIV) that may lead to AIDS. Staff members will not be terminated from their jobs because of AIDS or HIV status.

Oak Hill CDC will strive to provide a caring, supportive environment for staff members with AIDS or HIV. Staff members' individual medical conditions are confidential.

3.5 Job Creation and Description

When a position is to be posted, the Executive Director will ensure that a job description setting out employee status, job responsibilities, job qualifications and hiring range is developed.

3.6 Advertising Vacancies

Consistent with Oak Hill CDC's policy of encouraging staff development and advancement, the Agency will strive to fill job vacancies internally to the extent practicable. However, Oak Hill CDC's policy is to hire the most qualified person for each position.

Internal candidates must submit a formal letter of interest, stating the reasons for the candidate's interest in the position and the candidate's qualifications for the position. In order to be considered for new positions, internal candidates must meet the qualifications outlined in the job description and apply for the posted position within the time limits specified. Factors to be considered include: relative ability, qualifications and skills/training; job performance; attendance; length of service; and record of working effectively with staff and others.

Job vacancies may be advertised as necessary in appropriate local and citywide or regional newspapers, trade journals and other publications. Job vacancies may also be mailed to allied organizations and other referral sources.

3.7 Selection Procedures

All applicants for advertised positions are required to submit a resume and/or an application and any other required materials to Oak Hill CDC. All applications will be objectively scored according to the advertised criteria. The highest scoring applications will be given an interview by the Executive Director or the immediate supervisor. After the preliminary interview, if conducted by the immediate supervisor, the Executive Director may at her or his discretion also interview the candidate.

After all interviews are completed and following all necessary reference checks, the Executive Director or supervisor will make a hiring recommendation. The Executive Director must approve all employment decisions (including hiring, promotion, demotion and other changes) before any commitments are made or any notification is given to an applicant or a current employee. This approval extends to issues related to compensation and working hours.

The selected candidate will receive an appointment letter, confirming the details of employment, including job title, job description, starting salary, effective date and any special terms of employment. Any internal candidates will be notified of their status prior to notification and hiring of the successful candidate. All unsuccessful candidates will be notified, and all resumes will be kept on file for one year.

When required by the position, applicants will be asked to complete a C.O.R.I. (Criminal Offence Record Information) application.

3.8 Provisional Period

All newly hired employees, of any category, will be subject to a three-month provisional period.

The Executive Director or immediate supervisor, with the approval of the Executive Director, may extend the provisional period for no more than two additional months.

To mark the end of the provisional period, the Executive Director or immediate supervisor will prepare a written evaluation of the employee's performance.

Paid Time Off hours accrue to the employee during the provisional period, but he or she may not take PTO until the successful completion of the provisional period.

This provisional period policy also applies to promoted, transferred or demoted employees.

3.9 Performance Reviews

Ninety (90) days after an employee begins employment with Oak Hill CDC, the immediate supervisor will complete a performance evaluation in consultation with the Executive Director. A performance evaluation and salary review will thereafter take place on or about the anniversary of the date the employee was hired, unless the employee's performance review warrants a three or six month follow-up review. A standard evaluation form will be used for the written evaluation and will be kept in the employee's personnel file. Information is confidential and may only be reviewed by appropriate supervisory personnel and the employee upon request.

3.10 Nepotism

No employee may supervise or be supervised by a member of his/her family. For purposes of this section, a member of the family is defined as a husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, step son, step daughter or step parent.

3.11 Orientation and Training for New Employees

All new employees will be furnished with copies of Oak Hill CDC's Employee Handbook, a description of the Company, its purpose and programs and information regarding employee benefits.

IV PAY

All Oak Hill CDC employees are paid bi-weekly. If a mistake is made in your paycheck, you should notify the Operations Manager immediately.

Oak Hill CDC will deduct Federal and State withholding and Social Security tax from your wages as required by law. The amount of money withheld for tax purposes is determined by your wages and number of dependents. All payroll deductions are indicated on your paycheck stub. You should notify the Operations Manager of any changes in your withholding status when they occur, including changes in the number of your dependents.

To the extent practicable, Oak Hill CDC treats information regarding employees' pay confidentially; we ask our employees to do the same.

4.1 Recording Your Time

Every employee is required to submit a record of daily hours worked in a two-week period. Your time sheet is the legal record of the time you have worked and is the basis upon which non-exempt employees are paid. Accuracy of employee time records is required by both Federal and State laws. Entries must reflect the actual

hours worked. After completing his or her time sheet, the employee must sign it and submit it to his or her supervisor or the Executive Director. Correct errors and omissions on time records and make adjustments as soon as possible. Falsification or misrepresentation of time records will result in disciplinary action up to and including discharge.

4.2 Overtime

From time to time, Oak Hill CDC will find it necessary to require you to work beyond your regularly scheduled hours. Oak Hill CDC requires you to work overtime when it is necessary, unless you have serious personal reasons which prevent you from doing so. A non-exempt employee may not work overtime without the prior authorization of his or her supervisor.

As indicated in section II above, non-exempt employees receive overtime pay for any hours worked over 40 hours in a one-week period. Overtime rate is one-and-one-half times the employee's regular hourly rate of pay. You must *actually work* over 40 hours during a workweek to earn overtime for the week (i.e., paid holidays, vacation days, and other leave time are not counted toward the 40 hours). Oak Hill CDC will comply with all Federal and State regulations regarding overtime pay.

4.3 Pay Periods

Employees will be paid on a biweekly basis on Friday for the two weeks ending the previous Friday. A bi-weekly time sheet must be submitted by each employee to his/her supervisor the Monday of pay week. These time sheets must then be forwarded to the Operations Manager for review and signature.

4.4 Salary Increases

Salary increases for all employees will be for merit only, based on results of performance reviews and the discretion of the Executive Director. The Executive Director will determine increments for all staff members, taking recommendations from supervisors into account where appropriate, and the Executive Committee will determine increments for the Executive Director.

Salary increases are contingent on the Agency's ability to meet its budget and is therefore dependent on sufficient external funding through grants, contracts and fundraising.

4.5 Pay at Termination

Oak Hill CDC does not provide severance pay. However, employees will be paid their regular wages up to the date of termination, and unused vacation time will be

paid at termination up to the limits described herein. Unused sick leave will not be paid at termination.

V BENEFITS

5.1 Health/Medical/Dental

All full-time employees (defined as employees working more than 30 hours per week) are eligible for a Single Health Insurance Plan with monthly premiums paid by Oak Hill CDC. Employees may also elect the Family Health Insurance Plan, with the difference between Single Plan cost and Family Plan cost being deducted from their bi-weekly pay checks. Part-time employees who work at least 20 hours per week are also eligible to participate in the Health Insurance Plan; however, Oak Hill CDC will pay pro-rated premiums with the remainder of the premiums being deducted from the employees bi-weekly pay checks. All employees who work more than 20 hours per week on a regular basis and who have completed their first thirty (30) days of employment are eligible to participate in a benefits package including a 125 Flexible Benefits Plan. The 125 Flexible Benefits Plan can be used for health or dental insurance, un-reimbursed medical and child care expenses. Oak Hill CDC will provide you with a summary plan description for this plan.

In addition, at their own expense, employees may participate in the Colonial Life Plan benefits which include Accident Insurance, Universal Life Insurance, Whole Life Insurance, Cancer Insurance, Term Life Insurance, Specified Disease Insurance, and Short-Term Disability Insurance (in addition to the Short-Term Insurance provided by Oak Hill CDC).

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) provides for the temporary continuation of health insurance coverage in certain circumstances, including your separation from employment with the Agency. Notice of the employee's right to continue the 125 Flexible Benefits Plan (health benefits only) will be given to all employees ending their employment relationship with Oak Hill CDC. Should the employee choose not to continue Health/Dental Insurance coverage with Oak Hill CDC, we will terminate his/her insurance coverage effective the last day of the month in which termination occurs.

Please see the Operations Manager for further details concerning your rights under COBRA.

5.2 403(b) Tax Sheltered Annuity Savings Plan

All employees are immediately eligible to participate in a 403(b) Tax Sheltered Annuity Savings Plan to reduce their taxable gross earnings. If the employee participates in the 403(b) Plan, the employee can direct up to 15% of the annual

salary into a tax-deferred, self-directed plan. If the employee who participates in the 403(b) Tax Sheltered Annuity Savings Plan has completed one year of employment (defined as 1,000 hours in a 12-month period), Oak Hill CDC will match up to 3% in contribution into the employee's Plan (employer match is subject to annual financial position). Oak Hill CDC will provide you with a summary plan description for this plan.

5.3 Paid Time Off (PTO)

Regular full-time employees will be entitled to accrue paid time off (PTO) according to the schedule outlined below:

<u>Length of Service</u>	<u>Annual PTO Accrued</u>
0-12 months (0-1 yr)	6.154 hours/pay period or 20 days
13-60 months (1-5 yrs)	7.693 hours/pay period or 25 days
61-120 months (5-10 yrs)	9.231 hours/pay period or 30 days

New employees may not take PTO until after the completion of ninety (90) days of employment unless negotiated at time of hire or a doctor's note is provided.

Employees are required to take a minimum of 80 hours (10 days) off per year. (Pro-rated for part-time employees)

PTO will accrue on a pro-rated basis for part-time, permanent, employees who work a minimum of 20 hours per week.

No more than two weeks of vacation can be taken at one time, unless approved by the Executive Director or in conjunction with short-term disability.

An employee may accrue up to a maximum of 160, 200 or 240 hours of PTO, depending on years of service (or current accrual rate) at which time accruals will be forfeited until PTO is below the maximum allowed. See chart below:

<u>Length of Service</u>	<u>Annual PTO Accrued</u>
0-12 months (0-1 yr)	maximum accrual, 160 hours (20 days)
13-60 months (1-5 yrs)	maximum accrual, 200 hours (25 days)
61-120 months (5-10 yrs)	maximum accrual, 240 hours, (30 days)

If an official holiday occurs during a scheduled PTO period, the employee will be paid for the holiday and not utilize any PTO hours.

PTO does not accrue during unpaid absence longer than a calendar month.

The scheduling of PTO (to be used for vacations) must be approved by your immediate supervisor in advance.

Employees will be paid for PTO accrued at employment end minus 80 hours, which is comparable to sick time. (comparable sick time will be pro-rated at a rate 3.077 per pay period for employees employed less than 12 months)

5.4 Holidays

Employees are allowed twelve (12) paid holidays per year. Regular holidays are as follows:

New Year's Day
Martin Luther King's Birthday
President's Day
Patriot's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Day

All employees are paid for each observed holiday, and holiday pay will be prorated according to the employee's standard hours per workweek. However, non-exempt employees will not be paid for a holiday unless they either worked on their regularly scheduled workdays immediately preceding and immediately following the holiday, or they were out on approved Paid Time Off days.

5.5 Bereavement

In the event of the death of a family or household member (spouse or significant other, parents, children, brothers, sisters, parents of spouse or significant other, siblings of spouse or significant other, grandparents, stepparents, stepchildren, stepbrothers and stepsisters), an employee may take up to three days' paid leave. The Executive Director may authorize additional days when out-of-state travel is required; however, additional leave will be deducted from accrued Paid Time Off leave.

5.6 Medical Leave of Absence

Any employee who requires a leave of absence for medical reasons must submit a written request to the Executive Director. For a requested medical leave of more

than two (2) weeks, the employee must submit a physician's statement stating the nature of the illness, the estimated length of leave and the expected return to work date; the employee may also be required to provide medical documentation periodically during such leave. During a medical leave of any duration, the employee must contact the Executive Director, or his or her designee, once each week.

Depending upon an employee's eligibility, medical leaves of absence may be covered under the Company's short-term disability policy. Any earned, unused Paid Time Off may be used during medical leave period. Unless covered by insurance, once the employee has used his or her Paid Time Off, any additional time required for a medical leave is unpaid.

While an employee is on a medical leave of absence, Oak Hill CDC may need to replace or lay off that employee to meet ongoing or changing business needs. The Agency does not guarantee the employee's return to work at the end of medical leave, but will make an effort to return the employee to the same or similar position if the leave concludes within eight (8) weeks.

5.7 Return to Work After Medical Leave

An employee returning to work after taking sick time (three (3) or more consecutive days) or medical leave (including workers' compensation or long-term disability) must submit a doctor's report certifying that the employee is medically fit to return to work and/or is capable of performing the essential functions of the position to which the employee is returning.

A medical examination may also be required before resumption of employment after a medical leave of absence, following a period of illness or after an industrial accident. The purpose of the examination is to determine if the employee is able, or may require accommodation, to perform the essential functions of his or her job. It is also to assure that the employee does not endanger the health or safety of himself/herself or others.

5.8 Maternity Leave

In accordance with the provisions of Massachusetts General Laws Chapter 149, Section 105D, the Agency provides female employees with eight (8) weeks Maternity Leave for Childbirth. This leave also applies to adoption of any child under 18 years of age or under 23 if the child is physically or mentally disabled. To qualify for Maternity Leave, the employee must:

1. have completed her first ninety (90) days of employment;
2. give at least two (2) weeks' notice to the Agency of her expected departure date except when such notice is not possible due to unexpected disability; and

3. notify the Agency of her intent to return to her job.

Maternity Leave begins on the date that the employee's physician certifies that the employee is unable to perform the job requirements. If the employee returns from Maternity Leave within eight (8) weeks or such longer period of actual disability as is certified by a physician, she will be reinstated to the same or similar position without loss of employment status or benefits for which she was eligible on the date her leave commenced.

Accrued Paid Time Off may be used to keep the employee on the payroll for as long as possible; the balance of the leave is paid on the same basis as other short-term disabilities.

For employees enrolled in Oak Hill CDC's health plan, the Agency will continue to pay its normal share of the premiums, provided the employee pays for insurance payments normally deducted through payroll.

Employees will not accrue additional Paid Time Off while they are not on the payroll.

5.9 Jury Duty

If you are a "regular" Agency employee and are called for jury duty in Massachusetts, State law provides that you will receive your regular compensation for the first three (3) days, or parts thereof, of jury duty. "Regular" employee for the purposes of this provision include Full-Time, Part-Time and Temporary employees, provided their employment hours may be determined by a schedule or practice during the three-month period preceding their term of jury service.

If your jury duty extends beyond three (3) days, the law requires the State to pay you for your jury service at a standard rate of pay. In such circumstances, Oak Hill CDC will pay you the difference between jury service pay received from the State and your regular pay for a maximum of three (3) work days. To be eligible for jury duty pay, you must report to work if you are not scheduled for jury duty or selected to a panel; you must also provide the Executive Director with your original jury summons and pay vouchers.

5.10 Witness Duty

All regular employees who have completed their first 90 days of employment and have been subpoenaed to testify at a legal proceeding in a matter in which they are not a party will be paid the difference between their regular base pay (up to eight (8) hours for hourly non-exempt employees) and witness pay for up to two (2) days. You must provide the Executive Director with a copy of your subpoena and documentation from the court or attorney who subpoenaed you regarding your time

spent on witness service. In order to receive witness duty pay, you must provide the Executive Director with your witness fee receipt.

5.11 Unpaid Leave of Absence

Employees may request unpaid leave not covered by any of the other policies included herein, by filing a written request with the Executive Director, stating the reason for the leave and intention to return to work at a specified date. The Executive Director may grant or deny the request, in his/her discretion, depending on the circumstances of the request and/or the needs of Oak Hill CDC. The leave may not exceed three months from the last day of work, and a minimum of one year full-time regular employment is necessary for such a leave of absence to be approved. The Agency reserves the right to fill the position of any employee on unpaid leave if the duration of the absence is three months or longer. An employee does not accrue Paid Time Off while on unpaid leave. No benefits will be accrued or provided during the unpaid leave.

5.12 Military Service

If you are required to take time off for uniformed services in the military, you will be granted a leave of absence for the duration of such service, provided the total duration of such leave and all of your previous military leave(s) from the Agency does not exceed five years, and provided you present your written orders in advance to the Executive Director. Upon your return from military leave, if you present your military pay receipt showing the actual amount of military pay received, the Agency will pay you the difference between the amount paid by the military and your regular rate of pay for each work day of your military leave up to a maximum of two (2) weeks.

Under the Uniformed Services Employment and Reemployment Act of 1994 (“USERRA”), upon your return from uniformed services you will be eligible for reemployment in the position you would have attained through continued employment, including all benefits in which you had been a participant or would have participated had you remained employed with the Agency. USERRA also provides for the temporary continuation of health care coverage during your military leave.

Generally, to qualify for reemployment benefits under USERRA: (1) you must have been honorably discharged from the uniformed service; (2) you must have given the Agency advance notice of your impending service, if possible; (3) your military leave from the Agency must not have exceeded 5 years (cumulative); and (4) you must reapply or report for employment within the time limits provided under USERRA.

For purposes of this section, “uniformed services” includes; the U.S. Armed Services (including the Coast Guard), the Army National Guard and the Air National Guard (when engaged in active duty for training, inactive duty training, or full-time National Guard duty), and the commissioned corps of the Public Health Service.

Please see the Executive Director for further details regarding your rights under USERRA.

5.13 Personal Business

Time off for medical/dental appointments or other personal business must be approved by the employee’s immediate supervisor or Executive Director and will be charged against Paid Time Off as appropriate.

5.14 Accrual of Benefit Time

Any employee on an unpaid leave of absence or short-term disability will not be entitled to accrue Paid Time Off while on leave. Any employee on worker's compensation will accrue vacation and sick time while on leave for a period of up to ninety (90) days.

VI TRAVEL REIMBURSEMENT

In addition to programmatic or administrative activities requiring travel outside the office, Oak Hill CDC believes strongly in the value of on-going training and education of its employees. When an employee attends conferences, workshops, seminars, and informational meetings, and incurs travel expenses for such events, Oak Hill CDC will reimburse the individual for reasonable costs in accordance with the policies outlined below. In all cases, transportation shall be obtained by the most economical means possible. Reimbursement for long distance transportation must receive prior approval of the Executive Director.

Ground Transportation:

Personal vehicle: Employees will be entitled to reimbursement of expenses incurred in the use of personal automobiles for trips that are directly related to the Agency, excluding to and from the office. Reimbursement will be at the current rate established by IRS guidelines. Toll and parking receipts must be submitted in order for reimbursement to be approved. The Agency will not reimburse for parking tickets or other driving offenses.

Other: Employees who travel for business-related matters, excluding to and from the office, may receive reimbursement for other forms of ground transportation besides personal vehicles. It is expected that the employee

will use the most economical option of ground transportation available such as: a bus, a shared van or train.

Air transportation: Any and all travel requests that include air travel must be pre-approved by the Executive Director.

Hotel/Lodging: In the event that travel which is directly related to Oak Hill CDC business results in the need for overnight stay that is not otherwise subsidized, upon approval by the Executive Director, employees will be eligible for reimbursement of actual lodging costs for a single room in an amount not to exceed \$95.00 per night. This limit may be increased in high cost lodging areas with the prior approval of the Executive Director.

Meals: While on Oak Hill CDC business which requires travel beyond a 45-mile radius from Worcester, or on travel that necessitates an overnight stay, employees will be eligible for an allowance for expenses associated with business meals. The rate of the allowance will be in accordance with the current IRS Per Diem guidelines. Any costs above that rate will be the responsibility of the individual. Receipts will not be necessary for this straight allowance method.

Telephone/Fax: While on Oak Hill CDC business, employees will be reimbursed for costs associated with calls or faxes to or from the Oak Hill CDC office.

VII EMPLOYEE CONDUCT

7.1 Work Hours

It is the policy of Oak Hill CDC to establish working hours as required by the needs of the Agency. Oak Hill CDC's office hours are generally Monday through Friday, 9 a.m. - 5 p.m. Employees may take up to five hours of lunch (meal) break each week, and to the extent possible, these lunch breaks should occur between 11:30 a.m. and 1:30 p.m.

If the employee is out of work or late for any reason and has not received advance permission for the absence, he or she must call the Executive Director or his/her direct supervisor before 9:00 a.m. to report the absence or lateness. If the employee will be out sick, he or she must call at least one hour before the scheduled arrival time. Unreported or unauthorized absence for three consecutive work days will be treated as a voluntary abandonment of employment.

7.2 Political Activities

As Oak Hill CDC is a nonprofit tax-exempt organization that receives government funds, it must avoid actions that can reasonably be construed as intending to favor

one political party over another or to influence the outcome of any election for public or party office.

Personnel are not restricted from engaging in partisan political activity as individuals, but this must not be done during regular hours of employment or with Oak Hill CDC funds or facilities. Utmost care must be taken that the employee, when engaged in such activity, does nothing to create the impression that he or she represented Oak Hill CDC.

7.3 Conflict of Interest

No employee of Oak Hill CDC may use his or her official position with staff, Board Directors, vendors or prospective vendors, clients or prospective clients for personal financial gain. Violation of this policy will be cause for immediate termination of employment.

An individual is not allowed to serve on the Board of Oak Hill CDC and be employed at Oak Hill CDC at the same time.

Given that the volunteer service of board members is often coupled with each individual's additional roles (realtor, banker, consultant, funder, etc.), Oak Hill CDC has undertaken a process to ensure transparency that will allow the organization to advantage from these multiplex relationships and the skills, connections, resources and knowledge of the CDC that they offer. The following measures have been taken to establish a process for providing due diligence regarding board members' conflicts of interest:

- Annual Statement Concerning Possible Conflict of Interest (attached) – all board members are required to annually submit a statement noting the areas where their multiple roles may offer conflict of interest to Oak Hill CDC
- The Oak Hill CDC Audit Committee has explored the parameters of retaining board members for the provision of specific services to the organization. This exploration was done with a private, independent auditor and resulted in the ruling that there is no conflict if these services do not amount to more than 10% of Oak Hill CDC's annual budget
- All issues pertaining to retention of board members for the provision of specific services to the organization are brought for decision to the Executive Committee (of which board members in question are not members)

The standard of expectation at Oak Hill Community Development Corporation (CDC) is that all Board members and employees completely avoid any Conflict of Interest between the interests of Oak Hill CDC and their personal, professional and

business interests. This includes avoiding actual Conflicts of Interest as well as the perception of any Conflict of Interest.

The purposes of the Conflict of Interest policy are: to protect the integrity of Oak Hill CDC's decision-making process; to enable our constituencies to have confidence in our integrity; and, to protect the integrity and reputation of Board members and employees.

7.4 Whistleblower Policy

Oak Hill CDC requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of Oak Hill CDC, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility: It is the responsibility of all directors, officers and employees to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

No Retaliation: No director, officer or employee who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within Oak Hill CDC prior to seeking resolution outside Oak Hill CDC.

Reporting Violations: Oak Hill CDC has an open door policy and suggests that employees share their questions, concern, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Operations Manager (Human Resources) or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected ethics violations to Oak Hill CDC's Compliance Officer (Audit Committee chair), who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following Oak Hill CDC's open door policy, individuals should contact the Compliance Officer directly.

Compliance Officer: Oak Hill CDC's Compliance Officer (Audit Committee chair) is responsible for investigating and resolving all reported complaints and allegations concerning violations and, at his/her discretion, shall advise the

Executive Director and/or the audit committee. The Compliance Officer has direct access to the audit committee of the board of directors and is required to report to the audit committee at least annually on compliance activity. Oak Hill CDC Compliance Officer is the chair of the audit Committee.

Accounting and Auditing Matters: The audit committee of the board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

Acting in Good Faith: Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality: Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations: The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

7.5 Information Security Program

Employment Records: As required by law, Oak Hill CDC keeps all employment records, including payroll records, and tax forms (w-4 and I-9). We also keep information about the health insurance plan we provide for employees. These records are kept in a locked file cabinet and are only accessible by the Executive Director and Operations Manager.

An employee's personal information may be shared with our accountant, payroll company, and pension and benefits administrators when the information is deemed necessary to complete their work for us.

Client Records: Oak Hill CDC and its employees have an ethical and legal obligation to respect the privacy of our clients, and to protect and maintain the confidentiality of all information that we learn about our clients, their family members and friends in the course of providing services to them.

Client records are legally protected, confidential records, and must be treated as such. This means that client records maintained by Oak Hill CDC must be kept in locked file cabinets at all times except when they are being reviewed or supplemented by an authorized employee. Client records should never leave the office.

Client records and client-related business (including the names of clients) should not be discussed with or disclosed to anyone except: co-workers who are specifically authorized to have access to such information; the employee's supervisor; the Executive Director; any person authorized by the client to obtain information about the client from the employee (any such authorization must be in writing in a form approved by the Executive Director and must be retained in the client file); or any person with whom the Executive Director has authorized the employee to share the information. It is illegal, unethical, and a violation of this Confidentiality Policy for an employee to discuss client matters with friends, spouse, relatives, or anyone else, except those persons listed above, unless the employee is ordered to do so by a court or otherwise required to do so by law. If someone is insisting on obtaining information from an employee about a client, and the client has not authorized the disclosure, the matter is to be referred to the Executive Director.

All computers are logged off at the end of each shift or if an employee is leaving their desk for an extended period of time. (ie, lunch, meetings, etc.)

Any employee who violates this Confidentiality Policy may be subject to immediate discharge.

If Oak Hill CDC determines that personal information has been accessed without

Oak Hill CDC's information security manager is the Operations Manager.

7.6 Outside Employment

Outside employment is permitted for regular employees provided that it does not represent a conflict of interest and does not interfere with any hours required of employees to conduct Oak Hill CDC business. All Oak Hill CDC employees are required to inform the Executive Director of outside employment they hold or accept.

7.7 Gifts and Gratuities

Employees, and members of their immediate family are prohibited from accepting monies and gratuities from persons receiving benefits or services under Oak Hill CDC programs. Employees, and members of their immediate family are also prohibited from accepting monies and gratuities from anyone performing services

under a contract with Oak Hill CDC or from anyone who is in the position to benefit from the actions of an employee.

7.8 Electronic Communications

The following policy pertains to all communication systems at Oak Hill CDC including but not limited to computers, computer network system, Internet access, voice mail, telephone system, facsimile machines, electronic mail systems and equipment, and data stored on these systems. Complete details of this policy are contained in **ATTACHMENT 1**

The purpose of electronic communication at Oak Hill CDC is to support our business activities. Electronic communication use must be consistent with the objective of Oak Hill CDC.

All messages and transmissions composed, sent, stored or received on the Agency's communication system are and remain the exclusive property of the Agency and should not be considered the private property of any employee. The communication systems including computers belong to Oak Hill CDC.

Messages and transmissions using electronic communication are not private. Oak Hill CDC has access to all electronic communications. Deleted messages can be retrieved and employees should not expect that deleted messages are confidential. Messages relating to or in support of illegal activities will be reported to the authorities. Oak Hill CDC has the right to monitor its communication systems including deleting, printing or utilizing electronic data for any purpose and will in fact monitor its systems.

If the employee makes a personal call outside the local area, the employee must reimburse Oak Hill CDC for the charge. Any purchases made through the Internet are the sole responsibility of the employee, unless said purchase is for an Oak Hill CDC programmatic or administrative activity and has been pre-approved by the Executive Director.

7.9 Board/Staff Communication Policy

This policy serves to guide the Board/Staff communication practices at Oak Hill Community Development Corporation and all of its Lines of Business. This policy is reviewed at staff meetings and board meetings once annually.

- 1. Boards of Directors Meetings are open to staff members:** Staff members may attend Board Meetings at any time unless Executive Session is called. Staff members may observe Board meetings and are to communicate questions and/or concerns directly through their supervisory chain of command. A complete listing of meetings is available from the Operations Manager.

2. **Board Committee Meetings are open to staff members:** Staff members are consistently present at most Board Committee meetings; staff members are welcome to attend and participate in these meetings. Staff members should discuss ongoing participation with their supervisors to ensure effective use of human resources. A complete listing of meetings is available from the Operations Manager.
3. **Board Meeting and Committee Meeting Minutes are available to staff members:** Staff members may review the minutes from either Board of Directors Meetings or Board Committee meetings. Minutes are available from the Operations Manager.
4. **Staff Member representatives provide education about Lines of Business to Board Members:** At least once annually representatives from each Line of Business provide presentations to members of the Board of Directors to educate them, report on annual outcomes and engage in conversation.
5. **Executive Director reports about Board of Director proceedings at Staff Meetings:** The Executive Director reports about Board concerns, actions and priorities (policies, fund development, member recruitment, etc.) at Staff Meetings to ensure effective communication with staff. Interim communication may be executed via electronic mail.

7.10 Security

Every employee of Oak Hill CDC is responsible for protecting Oak Hill CDC property. Employees are required to ensure that all office entrances and materials are secured each night and that the security system is engaged. Any action that results in a breach of security may result in disciplinary action, up to and including termination of employment

Keys that are issued to Oak Hill CDC employees at the beginning of employment should be kept free of personal identification to avoid misuse if stolen or misplaced. Immediately report misplaced or stolen keys to the Operations Manager.

Oak Hill CDC will immediately terminate any employee for stealing, damaging or defacing Agency property or any property of any other employee, Board Director, volunteer, or client, and may initiate legal prosecution. If you witness or have knowledge of such an act, you are required to immediately report it to your Supervisor or the Executive Director.

Oak Hill CDC reserves the right to conduct searches of employee desks, offices, work stations, lockers, lunch boxes/bags, briefcases and other employee property

and locations if a violation of Agency policy is suspected. Employees may also be required to empty purses, pockets and wallets for inspection of their contents. Employment with Oak Hill CDC, entry onto Oak Hill CDC's premises, or work performed for or on behalf of Oak Hill CDC shall constitute consent to all such searches or inspections. Refusal to permit a search may result in disciplinary action up to and including termination of employment.

7.11 Parking

Oak Hill CDC provides free parking to all employees in the parking lot located in the side of the building. Employees are not permitted to park in tenant-designated spaces. Any employee-owned vehicle that becomes disabled must be removed from Oak Hill CDC property within 24 hours or the vehicle will be towed at the employee's expense. Oak Hill CDC is not responsible for loss, damage or theft of employees' vehicles.

7.12 Attendance and Punctuality

If you are unable to be at work on time or are unable to work on a particular day, you must notify the Executive Director or your immediate supervisor at least one (1) hour prior to the scheduled beginning of your workday. If an illness or injury prevents you from working on more than one day, you must call the Executive Director or immediate supervisor on each day of your absence to let him/her know that you will not be coming to work that day. If you are unable to contact the Executive Director or supervisor, please leave your name and message on their voice mail system.

Excessive absenteeism and/or tardiness, or any unexcused absence will result in discipline up to and including discharge. An unreported or unauthorized absence of three (3) consecutive days will be treated as a voluntary abandonment of employment.

7.13 Appearance

Oak Hill CDC does not maintain strict dress requirements; however, the appearance of every employee must reflect common sense and good taste. Your Supervisor will instruct you as to the type of dress that is appropriate.

7.14 Smoke-Free Work Environment

For the safety and comfort of all employees, volunteers, Board Directors, visitors and clients, Oak Hill CDC offers a smoke-free environment. Therefore, smoking is not permitted in any of Oak Hill CDC's offices or buildings. Smoking is permitted only outside the buildings. Employees must thoroughly extinguish all smoking

materials and must use ash receptacles provided; smoking materials are not to be thrown on the ground.

7.15 Solicitation and Distribution

In order to maintain an efficient business environment and to minimize distractions, Oak Hill CDC requires that you comply with the following rules:

1. Employees may not distribute literature or other materials in the working areas of Oak Hill CDC at any time, except as a work assignment.
2. Employees may not solicit on Oak Hill CDC premises during their working time or the working time of any employee being solicited, except as a work assignment. For purposes of these rules, working time does not include lunchtime or other break times.
3. Non-employees are not allowed to solicit any employee at any time on Oak Hill CDC premises, or to sell or distribute materials or literature for any purposes at any time on Oak Hill CDC premises.

7.16 Weapons Policy

Employees are strictly forbidden from bringing any weapon to any of the Oak Hill CDC buildings or Oak Hill CDC-sponsored events. Failure to abide by this zero-tolerance policy will result in disciplinary action, up to and including immediate termination.

7.17 Disputes between Employees

If a work-related grievance or dispute should arise between you and a co-worker, and you are unable to resolve such dispute between yourselves, you should bring the problem to the attention of your Supervisor as soon as possible. If your Supervisor does not resolve the dispute to the satisfaction of the parties involved, the Supervisor, upon request by the parties, should bring the problem to the Executive Director. The decision of the Executive Director in any matter shall be binding and final.

7.18 Employee Safety

Oak Hill CDC is concerned about the health and safety of every employee. In order to maintain a safe work environment, employees must follow basic safety rules and keep work areas free of obstructions. Unsafe conditions should be reported to the supervisor or Executive Director as soon as possible. If an employee is involved in

an accident at the Agency, however minor, report it to the direct supervisor or Executive Director as soon as possible.

VIII HARASSMENT/SEXUAL HARASSMENT POLICY

It is the policy of Oak Hill CDC that all employees should be able to enjoy a work environment free of discrimination and harassment.

This policy refers to, but is not limited to, harassment in the following areas: (1) age, (2) race, (3) color, (4) national origin/ancestry, (5) religion, (6) sex or gender, (7) sexual orientation, (8) mental or physical disability, (9) genetic information, and (10) membership in the uniformed services. Harassment includes the display or circulation of written materials or pictures that are degrading or hostile on the basis of the above factors, and verbal abuse, slurs or insults based on those factors, and directed at or made in the presence of persons having those characteristics.

Harassment also refers to behavior that is personally offensive, impairs morale and interferes with the work effectiveness of employees. Any harassment of employees by other employees will not be permitted, regardless of their working relationship.

The sexual harassment complaint and investigation procedure (discussed below) also applies to other forms of illegal harassment/discrimination.

8.1 Introduction

It is the goal of Oak Hill CDC to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with the employment is unlawful and will not be tolerated by this organization. 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 our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

As Oak Hill CDC takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we 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 our goals of promoting a workplace that is 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 we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

8.2 Definition

The legal definition of sexual harassment in Massachusetts is:

“Sexual harassment” means unwelcome 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 or as a basis for employment decisions;
- (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.

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 work place environment that is hostile, offensive, intimidating or humiliating to male or female workers 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;
- Dissemination of sexually explicit voice mail, email, graphics, downloaded material or websites;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comment in an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
- Comment about an individual’s body and/or 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; and
- 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.

Moreover, employees should note that sexual harassment can occur between individuals of the same gender and regardless of sexual orientation. The same standards that apply to harassment between individuals of the opposite sex apply to harassment cases involving individuals of the same gender.

8.3 Complaints of Sexual Harassment

Individuals who believe they have been subjected to harassment from a co-worker, a supervisor, a customer, a vendor/supplier, a visitor, or other individual, whether or not employed by Oak Hill CDC, should make it clear to the offender that such behavior is offensive to them. If the behavior continues, or if the employee is uncomfortable, the employee should immediately bring the matter to the attention of the **Executive Director**. If, for any reason, the employee is uncomfortable discussing the matter with the Executive Director, the employee should report the matter to the **President of the Board of Directors of Oak Hill CDC**.

If any employee believes that he or she has been subjected to harassment, the employee has the right to file a complaint with the Agency. This may be done in writing or orally. If you would like to file a complaint, you may do so by contacting: the **Executive Director, Oak Hill Community Development Corporation, 74 Providence Street, Worcester, MA 01604, 508-754-2858**. The Executive Director, or President of the Board of Directors of Oak Hill CDC, is also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process.

8.4 Investigating a Complaint

When a complaint is received, the Agency will 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. The investigation will include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed. When the investigation is complete, and to the

extent appropriate, the person filing the complaint and the person alleged to have committed the conduct will be informed of the results of that investigation.

If an employee believes that his or her report or complaint of a possible violation of this policy has not been promptly or properly addressed, the employee should immediately contact the Executive Director. If, for any reason, the employee is uncomfortable contacting the Executive Director, the employee should contact the **President of the Board of Directors of Oak Hill CDC.**

8.5 Disciplinary Action

If it is determined that inappropriate conduct has occurred, 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 deemed appropriate under the circumstances.

8.6 Federal and State Remedies

In addition to the above, if the employee believes he or she has been subjected to sexual harassment, the employee may file a formal complaint with either or both of the government agencies set forth below. Using Oak Hill CDC's complaint process does not prohibit the employee from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD – 300 days.)

1. **The United States Equal Employment Opportunity Commission (“EEOC”)**
John F. Kennedy Federal Building Government Center
Fourth Floor, Room 4715
Boston, MA 02203
617-565-3200

2. **The Massachusetts Commission Against Discrimination (“MCAD”)**

Boston:	Springfield:
One Ashburton Place - Rm. 601	424 Dwight Street, Rm. 220
Boston, MA 02108	Springfield, MA 01103
617-727-3990	413-739-2145

IX ALCOHOL AND DRUGS POLICY

9.1 Policy

The intent of this policy is to establish and maintain effective methods for providing assistance to all personnel who have impairments of varying natures due

to drug and/or alcohol abuse and dependence and to provide a healthy, safe and productive working environment at Oak Hill CDC.

The possession, transfer, sale or use of alcohol or substances of abuse, legal or illegal, while on Agency premises or during work hours or while on Agency business is prohibited, except as specifically permitted by this policy. The condition of being under the influence of such substances is also prohibited. For purposes of this policy, substances of abuse include over-the-counter medications, prescribed medication not used as indicated or prescribed, illegal drugs, chemical substances not used for their intended purpose and any alcoholic beverages.

The following are exceptions:

- * The use of prescription drugs or other medications in the manner, quantity or combination prescribed is not prohibited by this policy.
- * Alcoholic beverages may be served at Agency functions, with the prior approval of the Executive Director, but the provisions of this policy otherwise apply to such functions.
- * When prescribed or over-the-counter drugs may affect behavior and/or performance, employees should advise the Executive Director that they are taking such drugs for medical reasons; reasonable accommodations may be made which are in the best interest of the employee and Oak Hill CDC.

Anyone who observes the sale, transfer, distribution or use of drugs or alcohol on Agency premises or in the course of Oak Hill CDC business is to report such an instance immediately to the Executive Director. The Executive Director may remove an employee from the workplace if health, safety or similar considerations warrant such action.

Oak Hill CDC recognizes that alcohol and/or substance abuse may occur as a result of a physical or psychological dependency on alcohol or chemical substances. In such cases, the purpose of a disciplinary action may be to correct a possible problem and to motivate the employee to seek or accept help as appropriate; referral to a rehabilitation or employee assistance program may be required of the employee.

Where there is reasonable belief that a violation of this policy has occurred, Oak Hill CDC reserves the right to conduct searches of desks, handbags, briefcases, lunch bags and other employee areas and property. Employees may also be required to empty purses, pockets and wallets for inspection of their contents. Failure or refusal to permit a requested search may result in disciplinary action, up

to and including termination of employment. Law enforcement officials may be notified when appropriate.

Violation of this policy may result in disciplinary actions, up to and including termination, and may have legal consequences.

9.2 Disciplinary Action

Mentioned within above policy.

9.3 Referrals

Oak Hill CDC is aware of public and private agencies that provide support or programs in treating drug-related problems and should be contacted if information or assistance is needed. In some circumstances, Oak Hill CDC's health insurance plan may provide some financial benefit in support of counseling or rehabilitation programs. In order to determine specific benefit levels that may apply, the employee should deal directly with the insurance company at the time of treatment.

X DISCIPLINARY ACTION

It is the policy of Oak Hill CDC to treat all personnel equitably and to administer all policies and procedures consistently. When performance is unsatisfactory or the policies or procedures of Oak Hill CDC are violated, disciplinary action will be taken.

This policy does not prevent, limit or delay Oak Hill CDC from taking appropriate disciplinary action, including termination, at any point, without prior warning, where Oak Hill CDC finds such action appropriate. When appropriate, any or all of the following disciplinary steps will be taken.

- 1.) Counseling or verbal reprimand: The individual is counseled about performance or conduct in an effort to eliminate possible misunderstandings, improve job performance or explain what constitutes proper conduct. The Executive Director will make a written notation of the counseling sessions, which will be placed in your personnel file.
- 2.) Written reprimand: The individual receives a written notice of discipline following continued poor job performance or repeated misconduct. A written reprimand may also be given if performance or conduct in the first instance is deemed serious enough to warrant a written notice. Written reprimands are retained in the employee's personnel file.

The purpose of the written reprimand is to make certain that the individual is fully aware of the misconduct that has been committed or of those areas of performance that need to be improved. If you are given a written reprimand, you will be required to sign an acknowledgement of receipt. This acknowledgement indicates receipt only—it does not indicate that you agree with the substance of the reprimand.

- 3.) Suspension: If management requires time to investigate an incident, you may be suspended without pay pending investigation. If you are reinstated to your job after the investigation, you will be paid for any scheduled work time missed during suspension. You will not receive pay for missed work if you are terminated.
- 4.) Termination: Termination of an employee may occur under the following circumstances:
 - (a) Oak Hill CDC has made an effort to have an employee correct performance or conduct and the employee has not responded because he or she is unable or unwilling; or
 - (b) The employee's misconduct is of a nature such that termination is deemed to be warranted.

If your employment with Oak Hill CDC is terminated, you will not be eligible for rehire.

It is impossible to list every example of conduct that can be considered for grounds for dismissal from employment. In general, grounds for dismissal include any action that compromises the Agency's ability to deliver high-quality client service, violates Oak Hill CDC policy, violates Oak Hill CDC or client confidentiality or jeopardizes Oak Hill CDC's reputation.

Some examples follow:

- violation of Oak Hill CDC's Violence in the Workplace Policy;
- violation of Oak Hill CDC's Harassment/Sexual Harassment Policy;
- violation of Oak Hill CDC's Alcohol and Drugs Policy;

- violation of Oak Hill CDC's Attendance and Punctuality Policy;
- violation of Oak Hill CDC's Confidentiality Policy;
- violation of Oak Hill CDC's Security Policy;
- violation of Oak Hill CDC's Computer and Internet Use Policy;
- conviction of a crime;
- insubordinate behavior (which, for the purpose of this policy, is defined as an employee's (a) failure or refusal to follow the

- directives of a supervisor or otherwise failing or refusing to submit to the authority of a supervisor; or, (b) disrespectful behavior toward a supervisor);
- discourteous treatment or physical or verbal abuse of a fellow employee, client, student, visitor or Board Director;
- intentional falsification or misuse of Agency records including, but not limited to, time and personnel records;
- unauthorized possession of firearms, explosives, or a knife or blade or any other weapon on Agency premises;
- defrauding or attempting to defraud Oak Hill CDC;
- lying to a supervisor or the Executive Director;
- making false or malicious statements about Oak Hill CDC, a fellow employee, client, customer, student, visitor or Board Director;
- neglect of duty, incompetence (failure to meet job performance standards) or inefficiency; and/or
- failure to observe or violation of any Agency policies.

XI TERMINATION OF EMPLOYMENT

Our employees are “employees-at-will,” which means that your employment and compensation can be terminated, with or without cause, and with or without notice, at any time, at the option of either Oak Hill CDC or yourself.

If you decide to leave your position at Oak Hill CDC, the Agency requests that you provide at least two weeks’ written notice (in the case of part time employees) or four weeks’ written notice (in the case of full time employees) to the Executive Director.

11.1 Reduction in Force

There may be times when Oak Hill CDC determines that it is necessary to make cutbacks or reductions in staff, leading to the lay-off of one or more employee. In determining which employee(s) shall be laid off, Oak Hill CDC may consider any and all factors that it deems relevant, including, without limitation, the needs of Oak Hill CDC as a whole; the skills, qualifications and performance histories of individual employees; anticipated changes in funding received or services to be provided by Oak Hill CDC; seniority; budgetary constraints; and any restrictions or guidelines imposed by law or by funding sources.

11.2 Exit Interview

When an employee leaves Oak Hill CDC for any reason, the employee should make an appointment with the Executive Director for an exit interview. This interview provides the employee with the opportunity to review any benefits upon leaving

Oak Hill CDC and to bring all personnel records up to date. At that time, all accounts with Oak Hill CDC must be paid including any money advanced to the employee. At that time, the employee must also return all agency property, including documents containing Confidential Information and keys.

XII GRIEVANCES

Any employee who is of the opinion that Oak Hill CDC policies, procedures and practices have been improperly or inequitably applied, or who has other major grievances may proceed in the following manner:

1. The employee shall verbally state his or her grievance to and discuss it with his or her immediate supervisor within five days of the alleged grievance.
2. If the matter is not resolved, the employee shall submit his or her grievance in writing to the Executive Director notifying his or her immediate supervisor of this action.

The Executive Director will take such steps as deemed necessary to determine whether or not a bonafide grievance exists. If one does exist, the appropriate action will be taken by the Executive Director to address it. The decision of the Executive Director will be final.

I, _____ have received a copy of the Oak Hill Community Development Corporations personnel policies.

I, _____ have read and understand all of these policies, including

(Please initial)

- _____ **Probationary Status**
- _____ **Recording of Your Time**
- _____ **403(b) Tax Sheltered Annuity Savings Plan**
- _____ **Paid Time Off (PTO)**
- _____ **Conflict of Interest**
- _____ **Whistleblower Policy**
- _____ **Information Security Plan**
- _____ **Outside Employment**
- _____ **Conflict of Interest**
- _____ **Gifts and Gratuities**
- _____ **Electronic Communications**
- _____ **Board/Staff Communication Policy**
- _____ **Security**
- _____ **Attendance and Punctuality**
- _____ **Weapons Policy**
- _____ **Disputes between Employees**
- _____ **HARASSMENT/SEXUAL HARASSMENT**
- _____ **ALCOHOL AND DRUGS POLICY**
- _____ **DISCIPLINARY ACTION**
- _____ **TERMINATION OF EMPLOYMENT**

_____ **GRIEVANCES**

Employee Signature

Date