



# CENTRAL OKLAHOMA WORKFORCE INNOVATION BOARD

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## Personnel Policy and Procedures Manual

Revised & Approved: February 2025

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*The Central Oklahoma Workforce Innovation Board (COWIB) is the policy and guidance board for the Workforce Oklahoma system in Central Oklahoma. We are business leaders with a goal to establish a highly skilled, productive workforce in our 9-county area.*

*The Central Oklahoma Workforce Innovation Board (COWIB) complies with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, the basis of citizenship status or participation in a WIOA Title-1 financially assisted program or activity.*

*COWIB is an Equal Opportunity Employer/ Program. Auxiliary aids and services are available upon request to individuals with disabilities. This was financed in whole or in part by fund from the US Dept. of Labor as administered by the Oklahoma Office of Workforce Development.*

<http://www.cowib.org/>



# CENTRAL OKLAHOMA WORKFORCE INNOVATION BOARD

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## INTRODUCTION

Management reserves the right to change guidelines of this manual without notice. Central Oklahoma Workforce Investment Board, dba Central Oklahoma Workforce Innovation Board (COWIB) also reserves the right to terminate any of its benefit programs or to require or increase the premiums employees may be required to contribute to these programs at its discretion.

Employment is “at-will”. The information set forth in this manual should not be construed as a contract guaranteeing employment of any specific duration. Either the employee or the Board may terminate the employment relationship at any time, with or without cause or notice. Further, no manager or other representative of the company, other than the Board’s Chief Executive Officer, may make any contracts, promises, or commitments contrary to the foregoing principles. Additionally, any contracts entered into, or promises or commitments made to any employee, shall not be enforceable, unless they are in writing and duly executed by the employee and Board’s Chief Executive Officer.

COWIB will abide by all nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity (WIOA Section 188).

## SECTION 1 – ORGANIZATIONAL STRUCTURE AND EXPECTATIONS

### 1.1 CHAIN OF COMMAND

The Central Oklahoma Workforce Innovation Board (COWIB) is responsible for establishing policies for its staff members. The Board employs the Chief Executive Officer (CEO), to whom it delegates responsibility for the day-to-day administration of the organization. The CEO manages COWIB staff using policies approved by the Board.

COWIB also serves as the Employer of Record for staff in other local workforce boards. While these staff members are employed through COWIB, they report directly to the Executive Director of their respective workforce areas.

COWIB staff members are accountable to the CEO, through whom communication to the Board is channeled, except in cases of complaints or grievances. Complaints or grievances will follow the grievance procedure outlined in these policies.

### 1.2 OPEN DOOR

All staff members are encouraged to provide input and suggestions concerning the overall operation and programs of the Agency, following the proper channels of communication. Staff members should initially bring their comments to their supervisor and/or the CEO as appropriate.

COWIB operates in an “open door” manner. All staff input is considered and can be presented without fear of personal recrimination or retaliation of his/her position.

### 1.3 CONFLICT OF INTEREST

COWIB expects the primary interest of staff members to be the people we serve. A conflict of interest occurs when the interests of an employee or another outside party actually or potentially affect the Agency in a negative way.

**OUTSIDE BUSINESS INTERESTS**—Employees may have outside business interests and outside employment so long as these do not interfere with job performance. Employees may not earn profit from outside employment or business interests which directly results from affiliation with this Agency. Approval must be granted by the CEO to ensure that there is no conflict of interest.

**GIFTS, GRATUITIES**—Employees are not to accept gifts, gratuities, free trips, personal property, or other items from an outside person or organization as an incentive to provide services.

**AWARD OF CONTRACTS AND SUBGRANTS**—Employees may provide technical assistance to Board members in the evaluations of sub-grants, but may not participate in the evaluation of any Request for Proposals that would result in a sub-grant recipient. The CEO will be responsible for ensuring all contracts resulting from non-sealed bid procurements are awarded according to the COWIB policy on contracting and procurement. The CEO is authorized to sign all contracts on behalf of COWIB. The Local Area Executive Directors are authorized to sign contracts on behalf of their respective boards.

See [Appendix A: Code of Ethics](#).

### 1.4 SPEAKING TO THE MEDIA

All inquiries from the media should be referred to the CEO or the Local Area Executive Director, as appropriate. An employee may not speak to the media as an official or unofficial spokesperson of the Agency without prior clearance from the CEO or the Local Area Executive Director.

Should an employee receive a media inquiry, they should respond:

*"I do not have the authority to respond to your request. Please refer your question to the CEO or the Local Area Executive Director."*

### 1.5 CLIENT CONFIDENTIALITY

Employees will, to the best of their ability, ensure confidentiality and privacy regarding the history, records and discussions about the people we serve. Any information pertaining to an individual served by this Agency must be kept private and confidential, including the fact the individual is served by COWIB. Disclosure of client information can only be made under specified conditions such as situations relating to fulfillment of COWIB's mission or responding to subpoenas. This means that staff shall not disclose any information about a person to anyone outside of this organization unless authorized by the CEO or other authorized personnel or as authorized by cooperative agreements with agencies serving the same clients. The principle of confidentiality must be maintained in all programs, departments, functions, and activities.

No information requested by someone outside the Agency will be given over the telephone. Staff is instructed to respond with the statement: "COWIB policy does not permit me to give out information without written authorization." This includes whether or not a person is being served or has been served by the Agency.

Before information is released, a release-of-information form will be explained and completed in the presence of the person about whom information has been requested.

Staff will not discuss any individual's record with unauthorized individuals, whether on or off duty.

### 1.6 TOBACCO USE

In consideration of the health of COWIB employees, this Agency is a tobacco-free work environment in accordance with Oklahoma state statute. Use of any tobacco product, including e-cigarettes, is prohibited on building property. Smoking is not permitted within fifteen (15) feet of any building entrance.

### 1.7 DRESS CODE

As representatives of COWIB, staff is expected to exhibit a neat, well-groomed, professional appearance. Employees are expected to dress in business casual attire unless the day's tasks require otherwise. Appropriate workplace attire does not include clothing that is too tight or revealing or clothing with rips, tears or frays. Radical departure from conventional dress or personal grooming (including, but not limited to: excessively long hair, untrimmed facial hair, tank tops, shorts and shower-type flipflops) is not permitted.



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If the supervisor or CEO decides determines that an employee is in violation of the dress code, the employee will be asked to go home and change on the employee's own time.

### 1.8 TELEPHONE CALLS

All telephone calls will be handled in a courteous and business-like manner.

Personal calls during work hours should be kept to a minimum in order to not disrupt the daily work schedule. Frequent and/or extended phone calls during work hours may result in disciplinary action.

### 1.9 EMAIL, INTERNET AND SOCIAL MEDIA USE

Employees are provided a computer with Internet and email capabilities. Email and Internet are an important means of conducting business communications and research. Employees should refrain from using the Internet and email for personal use or for use that is not business related. The use of social media is only permitted for work purposes.

Misuse of email and the Internet will not be tolerated. COWIB has the right, at any time, to access and monitor Internet and email usage on COWIB equipment.

See [Appendix J: Computer Use Policy](#)

See [Appendix I: Social Media Policy](#)

### 1.10 CODE OF ETHICS AND CONDUCT

The success of COWIB is dependent on the trust and confidence earned from employees, clients, and stakeholders. Credibility is gained by adhering to our commitments, displaying honesty and integrity in reaching Agency goals through honorable conduct. Employees are expected to carry out the duties of their office or position in a manner that will uphold the integrity of Local, State and Federal government. COWIB employees shall comply with Oklahoma state laws, both on and off duty, and their conduct shall be governed by the policies set out in this document.

An employee's conduct towards co-workers is a critical element in the effective operation of Agency business and morale. COWIB is committed to creating an environment where all individuals are treated with dignity and respect. Therefore, appropriate action will be taken if an employee is disrespectful to a co-worker or impedes the spirit of teamwork necessary for overall operational effectiveness.

COWIB expects all employees to observe the highest standards of ethics and integrity in their conduct. This means following the basic code of ethical behavior outlined in Appendix A. All

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COWIB staff is required to sign the Agency Code of Ethics.

See [Appendix A: Code of Ethics](#)

### 1.11 USE OF PERSONAL VEHICLE FOR AGENCY BUSINESS

COWIB recognizes that employees may be required to use their personal vehicle to complete Agency business. Employees who use their personal vehicle for company business will be reimbursed based on the COWIB Travel policy.

COWIB employees will only be authorized to use personal vehicles to carry out COWIB business upon providing the following:

- A signed DMV record release form
- A valid driver's license to be copied and added to the personnel file
- Proof of insurance
  - Proof of insurance will be provided two times per year based on the effective dates of the policy

Employees are required to possess a valid driver's license in good standing, and the license held must be valid for the type of vehicle being used.

- If an employee has his/her license revoked or suspended, COWIB must be notified immediately. In this event, the employee shall immediately cease use of personal vehicles for business use.

All employees driving a personal vehicle to carry out business on behalf of COWIB will be responsible for using the vehicle in a safe and responsible manner and are to abide by all traffic laws.

- While on Agency business, drivers and passengers are required to wear a seatbelt at all times, with no exceptions.
- No vehicle operator shall drive a vehicle under the influence of drugs or alcohol. Driving while taking a prescription medication that impairs alertness or causes drowsiness is prohibited.

Do not pick up hitchhikers or allow an unauthorized person to be a passenger in or to drive your vehicle while being used for agency business.

Use of all handheld devices such as cell phones, laptops, adjusting a Global Positioning Device (GPS) or engaging in the direct or indirect use of any other potentially distracting technology while operating a personal vehicle while on duty is prohibited. Hands free technology is

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exempted from this policy as long as the hands-free technology involves complete hands-free use of the electronic device.

If an accident occurs while on Agency business, the employee is to report the accident to his/her supervisor as soon as possible.

COWIB does not provide additional insurance to protect the employee if any claim is made against him/her arising from his/her operation of a personal vehicle; nor is insurance provided by COWIB to cover repairs to an employee's vehicle.

COWIB will not be held liable for any accidents, damages or losses incurred by employees while using a personal vehicle for business purposes.

COWIB will not reimburse any parking tickets, speeding tickets, or other fines/cost incurred while driving a personal vehicle for business purposes. Additionally, any costs associated with maintenance, fuel, vehicle breakdown, or damage incurred while driving a personal vehicle are covered in the General Services Administration (GSA) mileage rate and will not be reimbursed.

### 1.12 TRAVEL

COWIB will follow Board approved travel policies.

See [Appendix L: Travel Policies and Procedures](#)

See [Appendix M: COWIB Policy on the Use of Grant Funds to Pay for Meals, Food, Coffee or other Refreshments for Employee Consumption](#)

### 1.13 DRUG-FREE WORKPLACE

COWIB falls under the State of Oklahoma's Drug-Free Workplace policy. The Agency will abide by the state policy.

See [Appendix H: Certification Regarding Drug-Free Workplace Requirements](#)

### 1.14 INCLEMENT WEATHER

Due to possible liability implications to the Board resulting from accident or injury, the CEO may close the Agency due to inclement weather. The absence will be considered an excused absence and will not be charged to earned leave time. However, in cases where the CEO announces that all employees are expected to work remotely from home during inclement weather, business operations will proceed as usual.

For staff working in the other local areas, the Local Area Executive Director has the authority to

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make decisions regarding closures, remote work expectations, and excused absences for their respective area and staff.

In the event that inclement weather disrupts an employee's ability to perform their work remotely, they should contact their immediate supervisor to discuss the circumstances. The CEO or the Local Area Executive Director, depending on the employee's area of work, holds the authority to decide whether an employee should be granted an excused absence on inclement weather days.

Should an inclement weather closing occur while an employee is already on leave, he/she will not be entitled to additional wages or time off.

## SECTION 2 – NON-DISCRIMINATION

### 2.1 EEO – EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

COWIB believes that equal opportunity for all employees is important for the continuing success of our organization. In accordance with State and Federal law, specifically those addressed by WIOA at 29 CFR § 38, COWIB will not discriminate against an employee or applicant for employment because of race, disability, color, creed, religion, sex (including pregnancy, childbirth or related medical conditions), age, national origin (including limited English proficiency), ancestry, citizenship, veteran status, political affiliation or beliefs, or any other non-job-related factors in hiring, promoting, demoting, training, benefits, transfers, layoffs, terminations, recommendations, rates of pay, or other forms of compensation. Opportunity is provided to all employees based on qualifications and job requirements.

### 2.2 REASONABLE ACCOMODATION

COWIB provides a workplace of inclusivity and is committed to the fair and equal employment of persons with disabilities. It is COWIB policy to comply with state and federal laws and regulations concerning the employment of individuals with disabilities. Therefore, the Agency shall provide reasonable accommodation to qualified applicants and employees with a disability or disabilities to ensure nondiscrimination and equal opportunity to individuals with disabilities, unless it can be demonstrated that doing so would create undue hardship.

See [Appendix Q: COWIB Policy on Providing Reasonable Accommodation to Individuals with Disabilities](#)

See [Appendix R: Request Form for Reasonable Accommodation](#)

### 2.3 HARASSMENT

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The COWIB established policy is to treat all employees equally in their terms and conditions of employment. COWIB has adopted a policy of “zero-tolerance” with respect to unlawful harassment of employees. In this regard, COWIB expressly prohibits any form of unlawful harassment based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, or veteran status. The harassment of any employee is contrary to this policy. It may be considered a violation of federal and state law and will be considered justification for appropriate action up to and including termination of employment. This policy applies to all employees, agents, and non-employees who have contact with employees during working hours.

Examples of harassment may include any of the following (this list is not all-inclusive):

Verbal abuse or ridicule including epithets, derogatory comments, slurs or jokes, unwanted sexual advances, invitations, or comments.

Interference with an employee’s work including physical contact such as assault, blocking normal movement, or interference with work directed at an individual because of his/her gender or other protected status.

Displaying or distributing sexually offensive, racist, or other discriminatory materials. This includes derogatory emails, posters, cartoons, drawings, or gestures.

Discriminating against any employee in work assignments or job-related training. Unwelcome sexual advances including intimate physical contact.

Making sexual, racial, or derogatory innuendos.

Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer or any other term or condition of employment.

Retaliation for having reported harassment.

**Procedure:** It is every employee’s responsibility to ensure that his/her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place, the following will apply:

Any harassment or suspected harassment should be reported immediately to a supervisor. If an employee is not comfortable with reporting the matter to their supervisor, the harassment should be reported to the CEO.

If the harassment complaint involves the CEO, the complainant should contact the COWIB

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Board Chair. The complainant will be required to provide a written statement containing all pertinent facts.

For staff working in another local workforce area, any harassment or suspected harassment should be reported to their Local Area Executive Director. If the complaint is against the Local Area Executive Director, the complainant should contact that area's Board Chair. From there, the Board Chair and the Board's Executive Committee will work in conjunction with the COWIB CEO and the COWIB Executive Committee to address the matter.

The decision to terminate a Local Area Executive Director is solely the responsibility of that area's board. However, COWIB reserves the right to end its Employer of Record agreement with the local workforce area should there be cause.

The CEO shall investigate each complaint, and a determination of the facts will be made on a case-by-case basis. The CEO will then take appropriate action, up to and including termination, for COWIB staff.

The COWIB Executive Committee will be responsible for investigating or deciding the action to be taken when the CEO is the subject of the complaint.

Information obtained in the course of the investigation shall be kept confidential to the maximum extent possible and practical while allowing for a full investigation. Results of the investigation will only be provided to the parties involved in the complaint and to those persons with a need-to-know basis per their responsibilities to COWIB.

The CEO shall maintain the investigative files, including the complaint. If the complaint is against the CEO, the files will be kept in a location deemed appropriate by the Executive Committee.

Any disciplinary action taken will be documented in the employee's personnel file.

**COWIB will not tolerate harassment or any form of retaliation against an employee who has either reported or cooperated in an investigation of alleged harassment. Violation of this provision may result in termination.**

## SECTION 3 – EMPLOYMENT CONDITIONS & PROVISIONS

### 3.1 RECRUITMENT

COWIB fills job openings with qualified applicants. Before a vacancy is announced or recruitment begun, the CEO will review the current job duties. If the duties of the position have

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changed significantly, or if a new position is funded, the CEO will review and/or develop a position description listing the title, specific job duties along with the skills, knowledge, and abilities required to successfully carry out the job functions.

For staff positions within a local workforce area, the Local Area Executive Director is responsible for reviewing and developing the position description for their area, ensuring it aligns with the specific needs of their workforce board.

The following paragraphs summarize the major elements of COWIB's hiring practices:

- **Internal Hiring Preference:** Job openings are filled by qualified persons from within the Agency when possible. Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the positions for which they apply. Current COWIB staff applying for other positions within the Agency must meet all qualification requirements for the position.
- **Job Postings:** When filling vacancies, a notice of the position will be listed with Oklahoma Works- American Job Centers and published on the COWIB website and other relevant sources.
- **Relocation Costs:** COWIB is not responsible for employee relocation costs.
- **Hiring Criteria:** When hiring staff, consideration will be given to the education, experience, and qualification requirements of the position.
- **Hiring Authority:** The CEO is responsible for hiring COWIB employees and for ensuring that equal opportunity practices are followed throughout the recruitment process. For staff in local workforce areas, the Local Area Executive Director is responsible for hiring staff for their respective area, following the same equal opportunity guidelines.
- **Position Approvals:** Approval of new positions will be made by the Board for the respective area.
- **Screening and Interviews:** Applicants will be screened by the supervisor of the position to determine who should advance as candidates. Job candidates may be interviewed by more than one person.
- **Background and Reference Checks:** Prior to an official offer, background and reference checks may be conducted on job candidates to whom offers may be made.

See [Appendix B: Reference Request Waiver](#)

### 3.2 EMPLOYMENT STATUS

Should COWIB receive a grant and/or be awarded a contract, the CEO has the authority to establish additional job titles and descriptions that accommodate the work to be done. The CEO

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will establish a salary range for these positions. This personnel action shall be approved and ratified at the next board meeting.

For staff positions within local workforce areas, the Local Area Executive Director has the authority to establish additional job titles and descriptions specific to their area to accommodate the work funded by grants or contracts awarded to their board. Salary ranges for these positions will be determined in collaboration with the CEO and must align with established policies and practices.

Staff categories as established by COWIB are as follows:

- **Exempt:** Exempt employees are not guaranteed the protections of the Fair Labor Standards Act (FLSA) and are not entitled to earn overtime. Additionally, any absence exceeding two (2) hours in a day will require the employee to use available leave to cover the absence.
- **Non-Exempt:** Non-exempt employees are workers who are entitled to the federal minimum wage and qualify for overtime pay. Overtime compensation is calculated as one-and-a-half times the hourly salary. All overtime must be pre-approved in writing by the CEO or, for local workforce area staff, by the Local Area Executive Director. Available leave must be used for any absence.
- **Full-Time:** Full-time employees are those scheduled to work a minimum of forty (40) hours per week. Employees scheduled to work at least 30 hours per week are eligible for health benefits in accordance with the Affordable Care Act (ACA). However, employees must work 40 hours per week to be eligible for other benefits, leave, and holiday pay.
- **Part-Time:** Part-time employees are those scheduled to work less than 40 hours per week. No benefits are allowed for part-time employees except as defined by the ACA.
- **AmeriCorps VISTA:** AmeriCorps VISTA members work under a grant agreement with Red River Community Action. Members are paid an agreed-upon amount each pay period regardless of hours worked during that period. They are required to meet a specific number of hours for the duration of the contract. These hours are monitored and adjusted as needed to ensure fulfillment of the contract.

### 3.3 NEPOTISM

It is COWIB policy to minimize potential conflicts of interest by avoiding the employment of family members in certain workplace situations whenever possible. However, on occasion, more than one family member may work for this Agency. The following guidelines will govern these situations:

- No employee will be permitted to hire or directly participate in the hiring process for a



relative.

- When related persons work for this Agency, one relative may not supervise, manage, or have direct authority over another relative.
- Related persons will not be involved in evaluating each other's job performance, making recommendations for salary adjustments, or participating in decisions regarding promotions or other budgetary matters affecting the other.
- Family members of COWIB personnel are eligible to utilize Oklahoma Works- American Job Centers, apply as WIOA customers, and receive services through programs operated by COWIB. Eligibility and services will be determined by the service provider contractor(s) in accordance with the Workforce Innovation and Opportunity Act (WIOA).

### 3.4 RECEIPT OF POLICY MANUAL

Employees, upon receipt of their copy of the personnel policies manual or any addendum thereto, must sign an "Acknowledgement and Disclaimer" form (Form D) indicating they have read and understand the Agency's policies. Employees also acknowledge their understanding that no part of this manual shall be construed as being an employment contract, either expressed or implied, between the employee and COWIB. COWIB is an employment-at-will employer.

This manual has been prepared for the information and guidance of employees working at this Agency. It is intended to cover the procedures, rules, and policies most often applied to day-to-day work activities. COWIB reserves the right to change these policies at any time without advance notice. COWIB will communicate changes to employees in written and oral communications.

See [Appendix D: Acknowledgment and Disclaimer](#)

### 3.5 POLITICAL ACTIVITY

COWIB employees shall not participate in partisan politics during normal working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office.

The use of COWIB property or facilities (stationary, telephone, offices, etc.) for campaigning is prohibited. Use of COWIB offices for partisan political meetings is prohibited.

### 3.6 PERFORMANCE REVIEW

Employees receive an annual performance evaluation conducted by their immediate supervisor. The supervisor will conduct additional performance reviews whenever the

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employee's job duties substantially change. If counseling/coaching is appropriate as determined by the supervisor, or employment is ended, a written document will be placed in the employee's personnel file.

NOTE: All employment with COWIB is "at will" and either the employee or COWIB may terminate the employment relationship at any time, with or without cause or notice.

The Executive Committee is responsible for evaluating the performance of the CEO. The Board Chair will initiate the method to be utilized in the performance evaluation of the CEO as well as when and how the evaluation will be conducted. The Executive Committee is solely responsible for setting the wage rate of the CEO.

For Local Area Executive Directors, their performance evaluation, salary, and wage are the responsibility of the Executive Committee of the respective local area board. The Local Area Executive Director's Executive Committee will establish the method for performance evaluations, determine when and how the evaluations will occur, and set the salary and wage rate for the Local Area Executive Director.

### 3.7 PERSONNEL RECORDS

Personnel files are maintained by COWIB and are considered confidential. Access to these files is limited to the appropriate COWIB personnel, the employee who is subject to the file or the employee's designee. Employees can review their personnel file by requesting an appointment with the CEO. Personnel files will be reviewed in the presence of authorized personnel only. Files cannot be removed from the HR office. Employees are not permitted to remove or add any documents to their personnel file.

### 3.8 RELEASING JOB REFERENCES

Information requested by prospective employers will only be provided with a written release from the employee or former employee (Appendix C).

Information requested by a law enforcement agency will be provided only upon receipt of a valid subpoena.

See [Appendix B: Reference Request Waiver](#)

See [Appendix C: Reference Release Waiver](#)

### 3.9 WORK SCHEDULES

Work schedules will be defined in the letter of appointment. Employees should be at their desks ready for work, on time. Office hours are from 8:00 am to 5:00 pm with the exceptions of

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unforeseen emergencies, such as inclement weather or in the case of staff training or development. All employees are provided an hour lunch break and two 15- minute breaks, one in the morning and one in the afternoon. Employees will be notified, in writing, of any changes to this schedule.

The CEO can authorize alternate start and end times for office hours; however, the intent is to have Board staff available to the public during the normal work hours of 8:00 am to 5:00 pm. For Local Area staff, the Local Area Executive Director is in charge of setting work schedules specific to their area, while ensuring compliance with the general office hours and guidelines established by COWIB.

Exempt employees may be required to work beyond their designated work schedule in order to adequately fulfill their duties and will not be given compensatory time off. Non-exempt employees may be required to work beyond their designated work schedule to fulfill their duties and will be compensated according to the Fair Labor Standards Act (FLSA).

Employees, finding they are unable to report to work on time or unable to report for a full day, must inform their supervisor or the CEO within 1 hour of the start time of their work day.

Only the CEO may authorize an employee to work during their lunch hour, come in early/stay late, or work on weekends/holidays in order to make up work time in lieu of taking authorized accrued time off. Otherwise, unless an approved leave request is filed, the absence may be charged as leave without pay.

On a bi-weekly basis, each employee will complete time sheets to report time worked and time taken off. Each employee will have his/her time sheet approved by his/her respective supervisor. For the CEO or Local Area Executive Director, the time sheet must be signed by the Board Chair or another member of the Board's Executive Committee.

### 3.10 ORIENTATION

New employees will undergo an orientation to acquaint them with the Agency's policies and procedures, their jobs, and COWIB's internal and external working relationships.

Orientation to the organization—The CEO will coordinate orientation to the Agency, to compensation and benefits, and to COWIB's expectations of employees. As part of the orientation, the employee will receive a copy of the Agency's personnel policies, and will be asked to sign a document stating he/she has received and understood the material in it.

Orientation to the job—The direct supervisor will orient the employee to the job and to the internal and external working relationships. The purpose of orientation is to give employees a

level of success to aim for, to set performance guidelines and expectations, to assist them in succeeding, and to give them feedback on performance.

See [Appendix N: New Employee Orientation Checklist](#)

See [Appendix O: Receipt of Addendum](#)

### 3.11 SALARY

Salary levels shall be in accordance with the wage range for that position as established and approved by the Board. Each supervisor will conduct an annual performance review of each staff member. These reviews will be completed by the end of the month following the employee's anniversary date. Based on the results of the evaluation and the funding level of the Agency, the CEO or Local Area Executive Director may grant a salary increase of up to five (5) percent of the employee's current rate of pay.

The Executive Committee is responsible for establishing the wage rate of the CEO.

### 3.12 PAYROLL DEDUCTIONS

Deductions from each employee's paycheck include the mandatory and voluntary deductions described below:

Mandatory deductions include Social Security, state and federal taxes, and wage garnishments. A staff member's paycheck may be garnished for alimony, child support, delinquent loans, or for some other reason set out by court order. All mandatory deductions are made without written authorization of the employee.

Voluntary deductions are made only with the written authorization of the employee. Voluntary deductions include sums designated for health, vision, and dental insurance for the employee's family members. Additionally, the employee may authorize a deduction for a retirement program.

Payroll deductions may occur if the employee does not have sufficient leave. The Agency designee will compute the leave without pay. An itemized statement of all deductions from the employee's wages accompanies each paycheck.

Payroll deductions through W-4 changes may be made up to four (4) times per year.

### 3.13 PAYROLL AND CHECK DISTRIBUTION

Payroll is issued bi-weekly on Friday.

The agency's designee will distribute direct deposit pay stubs to members of the administrative staff subject to the receipt of an approved time sheet for the pay period covered.

### **SECTION 4 – BENEFITS ADMINISTRATION**

#### **4.1 INSURANCE**

Health Care and Dental Plan: A health care and dental plan for Exempt and Non-Exempt full-time employees and their dependents is available. Coverage begins the first of the month following the first month of employment or during an open enrollment period." The employee's cost of available health coverage is covered by COWIB. Benefits will be outlined in the policies provided by the insurance companies.

If the employee does not have a dependent at the time of enrollment in the plan, but later acquires a dependent, this person becomes eligible to participate in the plan on the date that he/she becomes the dependent of the employee if enrolled within 30 days of eligibility or during an open enrollment period.

The employee will assume the cost of dependent or family coverage. Before the employee's coverage or that of the employee's dependents becomes effective, the employee must authorize payroll deductions for such coverage by filling out a form available from the accounting department.

If the employee is on an approved leave of absence without pay, the employee will be responsible to provide COWIB with a personal check to cover the cost of any premium they had authorized as a payroll deduction. Failure to do so will result in a loss of coverage.

**HEALTH INSURANCE:** Exempt and Non-Exempt employees are provided health insurance as defined by the Affordable Care Act (ACA). The cost of this coverage is paid by COWIB. The employee must pay for dependent or family coverage. COWIB will follow ACA rules as it applies to medical coverage.

**DENTAL INSURANCE:** Exempt and Non-Exempt full-time employees are provided dental insurance. The cost of coverage for the employee is paid by COWIB. The employee must pay for dependent and/or family coverage.

**LIFE INSURANCE:** Exempt and Non-Exempt full-time employees are provided life insurance protection in an amount established by the insurance carrier. The cost of this coverage is paid by COWIB. The employee must pay for dependent and/or family coverage.

**VISION:** Vision coverage is provided to Exempt and Non-Exempt full-time employees. The cost of coverage for the employee is paid by COWIB. The employee must pay for dependent or family coverage.

**DISABILITY:** Short- and Long-Term Disability insurance is available to Exempt and Non-Exempt employees as long as they meet the eligibility requirements as determined by the insurance carrier. The cost is covered by COWIB.

Voluntary payroll deductions for spouse and/or dependent children for benefit coverage are made during benefits open enrollment. NOTE: If there is a life change event, a change may be made within 30 days of the event.

Additional information regarding coverage and submission of claims is available from a staff member designated by the CEO.

## 4.2 PAID TIME OFF POLICY

### VACATION

COWIB provides paid vacation for rest and relaxation, which we believe, is important for employees' physical and mental health. Years of service shall constitute the amount of time an employee may earn per year. Vacation given is based on longevity. Vacation leave shall be taken in hourly increments only. There is no allowance to take leave in increments of less than hourly. Vacations shall be granted to COWIB employees as a fringe benefit in accordance with the following schedule:

Zero through five years of service – will accrue 5 hours of vacation per pay period.

Five plus years of service through twelve years of service –will accrue 7 hours of vacation per pay period.

Twelve plus years of service or more – will accrue 8 hours of vacation per pay period.

Vacation time will be earned on an accrual basis beginning on the employee's start date according to the above schedule.

Vacation must be applied for in advance and approved by the supervisor who will consider employee's seniority and the continuity of programs. Vacation time can be used for paid time off when the employee is ill but does not have any accrued sick leave. Under this condition, vacation time used will be counted as time off for illness or care of family member.

Unused vacation time may be carried forward from one calendar year to the next. The

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maximum vacation time an employee may carry forward is 240 hours. The number of “carry forward” hours of vacation time will be calculated on December 31st of each year.

Unused vacation time will be paid upon separation of employment up to the amount of leave that the employee could earn in one year.

### **SICK LEAVE**

Sick leave provides paid time off for periods of illness or incapacity resulting from injury. Sick leave may also be used for medical, surgical, dental, or optical examination or treatment, or where an employee's exposure to contagious disease may jeopardize the health of others were the employee to be present at work. Sick leave may only be used in hourly increments with no allowance for any time less than hourly.

### **ADMINISTRATION OF SICK LEAVE**

- Sick leave will be accumulated at the rate of 5 hours per pay period
- Sick leave shall not be used for vacation
- Sick leave will be allowed to accumulate with no limit on the hours accumulated
- Sick leave is available to use as soon as it is accrued
- No payment is made for unused sick leave upon separation

### **SICK LEAVE USE:**

Employees are responsible for directly reporting to their immediate supervisor or the CEO by phone, voicemail, email, or text message at the beginning of each working day when illness prevents their attendance at work. For staff working in local areas, the Local Area Executive Director should be notified for absences that impact their area.

When an extended absence due to illness is required, employees must keep their supervisor or the CEO informed if the absence is expected to continue longer than originally anticipated. For Local Area staff, the Local Area Executive Director must be kept advised if the absence is expected to extend beyond the initial period.

A doctor's statement may be required for more than three consecutive days' absence due to illness or when an accumulation of scattered absences seems to establish a pattern of illness. Documentation may be requested for verification of the circumstances surrounding any use of sick leave.

Employees, at their own discretion, may use sick leave to care for ill immediate family members.

### 4.3 LEAVE SHARE

The COWIB leave sharing program permits employees to donate sick leave to a fellow staff member who is experiencing extenuating personal or family medical circumstances. The receiving employee must have exhausted all paid leave, and the circumstances must be such that the receiving employee is in the position of going on leave without pay or terminating employment. Rules for participating in the leave sharing program are as follows:

Donated leave will be given strictly on a voluntary basis and will only be approved for those experiencing extenuating circumstances.

- There is no limit on the amount of donated leave an employee may receive from a donor, however, the receiving employee must have exhausted all vacation and sick time.

The transfer of donated hours must be presented to the CEO in writing. The CEO will then approve or disapprove the request via email to be maintained in the personnel file of both parties and with the payroll for the pay period it is used.

- The letter shall detail the name, position, and pay level of the potential recipient along with a brief description of the nature, severity and anticipated duration of leave. The letter should include the reason the transferred leave is needed along with how many hours the donating employee is willing to donate.
- If approved, the request must be submitted to the Accounting department where record of the transaction will be documented and tracked.
- The amount of donated leave will be tracked, and any unused leave will revert to the account of the donating employee.
- A medical certificate from a licensed physician or health care provider verifying the extraordinary nature and expected duration of leave may be requested if deemed necessary.

The donating employee may donate annual and/or sick leave.

- Donated leave will be at the salary level of the person donating the leave and transitioned to the rate of the receiving employee.
- The amount of donated leave cannot exceed the amount of leave the donating employee has at his/her disposal.

An employee who has given or received notice to separate employment cannot donate any sick leave accrual.



### 4.4 LEAVE WITHOUT PAY (LWOP)

There may be an extreme instance where an employee must be off because of a personal or an immediate family emergency and they lack enough accrued leave to handle the emergency. Request for LWOP must be in writing. The approval or denial of the request will be in writing from the CEO. The permission to use LWOP must be granted by the CEO in advance with the reasons as to the necessity of such leave fully documented. This type of leave will only be allowed at the discretion of the CEO.

For staff in local areas, the Local Area Executive Director must be informed of the request, and permission to use LWOP must be granted by the CEO in advance, with a full documentation of the reasons for the leave. This type of leave will only be granted at the discretion of the CEO.

While on Leave Without Pay an employee will not accrue any form of leave nor will he/she receive pay for holidays.

### 4.5 BEREAVEMENT LEAVE

Up to five (5) days, at the discretion of the CEO, may be allowed for a death in the immediate family of a full-time employee. Criteria for the amount of time off allowed include a variety of factors, including, but not limited to, the need for out-of-town travel and responsibility for handling funeral arrangements. The term “immediate family” includes the following: husband, wife, son, stepson, daughter, stepdaughter, mother, stepmother, father, stepfather, brother, stepbrother, sister and stepsister.

Up to five (5) days, at the discretion of the CEO, may be allowed for a death of specific other family members. This includes the following: son-in-law, daughter-in-law, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandmother, grandfather, aunt, uncle, niece or nephew. For Local Area staff, the Local Area Executive Director will manage requests for bereavement leave, in collaboration with the CEO, in cases where extended time off is requested.

### 4.6 MILITARY LEAVE

COWIB will comply with the requirements for military leave under USERRA guidelines. Employees should provide the CEO with copy of military orders as soon as possible.

### 4.7 JURY DUTY AND SUPOENAED LEAVE

If employees are called to serve on jury duty, they should notify their supervisor or the CEO immediately. All regular employees will be on paid status while on jury duty. A copy of the jury summons must be turned in to the Controller in order for employees to receive pay.

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If an employee is served with a subpoena requiring him/her to serve as a witness as a result of his/her position with COWIB, that employee will be permitted time off to attend the hearing/trial without loss of pay or threat of loss of pay or job. Documentation of witness times and fees must be submitted to his/her immediate supervisor and/or the CEO.

Upon verification from court personnel (i.e., letter from prosecutor/ attorney, etc.), victims of a crime may submit a written request for “court attendance” to their immediate supervisor and/or the CEO. The CEO must approve the request. Time off will be charged to accrued vacation time, or if the employee does not have any accrued vacation time, he/she will be on approved leave without pay. Employees must provide verification of attendance from court personnel.

An employee testifying in a case, which is unrelated to their employment position or regarding a case unrelated to COWIB business, shall not be eligible for court leave and must request annual leave. If annual leave is not available, the absence shall be designated as leave without pay.

The employee shall present the original jury summons or subpoena from the court to the CEO in order to be granted leave.

The employee shall, at the conclusion of the duty, present to his/her supervisor or the CEO a signed statement from the court clerk showing the dates of attendance.

### **4.8 HOLIDAYS**

COWIB employees will observe State holidays as set forth by the decree of the Governor of Oklahoma and be given a Floating Holiday. A Floating Holiday, is defined as a single full work day that an employee may select for usage at their discretion within the calendar year. The Floating Holiday is added to employees' leave accounts at the start of each calendar year and must be utilized by December 31st. In the event of employment termination, the Floating Holiday will be deducted from the employee's leave account. The Floating Holiday request must be submitted on the Leave Request Form and pre-approved in writing by the CEO or direct supervisor.

### **4.9 WORKERS COMPENSATION**

Employees are protected under the state’s workers compensation law against loss of income due to injury or death that occurs during work activities. The Agency pays the entire cost of the workers compensation insurance premium. Employees must report all job-related accidents, injuries and illnesses immediately after experiencing symptoms. The insurance carrier will determine the benefits, if any, the employee deserves.

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**REPORTING**—Any employee injured on the job will immediately report the injury to his/her supervisor regardless of whether the injury is minor or of no apparent significance.

**INCIDENT REPORT**—An incident report will be completed promptly by the CEO to ensure documentation and to expedite compensation.

Failure of an employee to document job-related injuries may result in disciplinary action. Reporting job-related injuries protects both the Agency and the employee.

### **4.10 TUITION REIMBURSEMENT**

To promote the development of staff skills, COWIB encourages employees to continue their education by offering tuition reimbursement for coursework deemed applicable to the employee's position with COWIB. If employees wish to enroll in college courses, they should discuss the matter with the CEO or the Local Area Executive Director, depending on their work location.

Employees are expected to schedule classes outside of their work hours. Any exception to this, including adjustments to work hours for class schedules, will require prior approval from the CEO or the Local Area Executive Director, with consideration given to the local area's budget and operational needs.

Tuition reimbursement is subject to availability of sufficient financial resources/funding of COWIB. This policy has a repayment requirement of expenses if the employee voluntarily leaves employment with COWIB within 12 months of receiving a degree either partially or fully funded by COWIB's tuition reimbursement program.

#### **Eligibility for approval and reimbursement of tuition**

- Prior to enrollment, full-time regular employees of COWIB may apply for higher education tuition reimbursement by submitting a formal written request to the CEO or the Local Area Executive Director and attaching the degree course curriculum (Note: regular employees are defined as those employees who are hired with formula funds received for the Board)
- Eligible employees can apply for either undergraduate or graduate degree plans from an approved, accredited educational institution

#### **Reimbursement Payments**

- Maximum reimbursement is \$1,500.00 annually on a rolling 12-month schedule

- Reimbursement is for cost of classes and does not include costs towards books or fees
- Reimbursement will only be paid for classes in which a “B” grade or higher is earned or in which a “Pass” is earned in classes that assign grades only as Pass or Fail
- Employees must validate expenses by providing a paid receipt and proof of the final grade
- Reimbursement will be treated the same as an expense report and the employee will receive reimbursement on the next available payroll

### 4.11 SEVERANCE

Per OMB Uniform Guidance, Subpart E 200.431 (i) (1) allows severance compensations to employees, in addition to regular salaries and wages, when involuntarily separation occur through no fault of the employee due to but not limited to, reduction-in-force due to reorganization, lay-off, dissolution of divisions, or any other action by the agency which results in affected positions being severed from service.

To be eligible for severance pay, an employee must be permanent, have at least 12 months of continuous service, and be involuntarily separated for reasons other than inefficiency (e.g., unacceptable performance or conduct).

The severance benefits shall provide the following:

- a. Health Insurance Premium Assistance: Payment equal to the affected employee's current health insurance premium rate (excluding COBRA – Consolidated Omnibus Budget Reconciliation Act of 1986) for six (6) months.
- b. Weeks of Pay: Up to one (1) week of pay for each year of service. This amount will be calculated by dividing the affected employee's current annual salary by fifty-two (52).
- c. Lump Sum Payment: A maximum lump sum payment up to Five Thousand Dollars (\$5,000). The lump sum amount will be determined by the Executive Committee subject to budget allowances.
- d. Unused Vacation Days: Payment for all unused vacation days up to the maximum number of hours an employee can accrue during the course of one (1) year. For example, if an employee is accruing at the rate of 5 hours per pay period, they could be paid for up to 130 hours.
- e. Severance benefits are subject to applicable taxes and deduction.

### 4.12 ADMINISTRATIVE LEAVE

Administrative leave (also referred to as “excused absence”) is an administratively authorized absence from duty without loss of pay or charge to leave. Administrative leave may be granted at the discretion of the CEO with the approval of the Board Chairperson. The circumstances and procedures for granting administrative leave will be determined on a case-by-case basis by these authorized individuals.

### 4.13 PROFESSIONAL DEVELOPMENT

In-service training is designed to provide staff members with the skills, training, and experiences necessary for their continued development. Training will be subject to the following conditions:

Attendance at conferences, educational meetings, workshops, and institutes must have the approval of the CEO or the Local Area Executive Director.

Each employee may be permitted to attend conferences as funds permit to cover registration and reimbursement for lodging, meals, and travel.

Each employee who attends a conference, seminar and/or in-service is expected to submit a written report summarizing what was covered, the date, and who attended.

### 4.12 RETIREMENT PROGRAM

Full- and part-time employees are automatically enrolled in a Board-approved 401k starting the first day of the month following two full months of employment. The employee is automatically enrolled at a 3% employee contribution, unless otherwise specified. COWIB matches employee contributions up to 6%. (i.e. if an employee contributes 3%, COWIB matches 3%; if an employee contributes 10%, COWIB matches 6%). Employees may opt out of the retirement program at any time, but will not be eligible for the COWIB match.

The employee is fully vested in the retirement program upon enrollment. At termination of employment, employees will be eligible to receive the value of contributions made by them and on their behalf.

Full-time employees may contribute according to policy specifications and/or applicable IRS laws.

### 4.13 MOBILE TELEPHONE ALLOWANCE

In order to maintain and modernize the communications capabilities of COWIB staff, employees may be eligible for a mobile telephone allowance of \$25.00 per pay period. To qualify for the allowance, the employee must be full-time and:

Supply a mobile telephone device (which will be recognized as the personal property of the employee);

Maintain service to that phone during the month (including payment of all charges, taxes, and fees); and

Permit COWIB to publish the employee's mobile telephone number in work-related publications, correspondence, etc.

The CEO shall approve payment of the allowance, based on a determination of COWIB's need to maintain mobile telephone contact with each individual employee. The list will be maintained in the accounting office. The determination should take into consideration each employee's job duties and location(s) where work is actually or is likely to be performed.

## **SECTION 5 – PERFORMANCE AND DISCIPLINE**

### **5.1 PERFORMANCE APPRAISALS**

At least once per year, all employees shall receive a performance appraisal, which will assess their performance and accomplishments relative to their job description. Appraisals will occur no later than 30 days after an employee's anniversary of employment.

Performance appraisals become a permanent part of the employee's personnel file. This information will be held in strict confidence, and may only be released to a third party with the prior written approval of the employee.

### **5.2 DISCIPLINARY PHILOSOPHY**

COWIB has a philosophy that staff should, in all circumstances, do the right thing, in the right manner, at the right time, according to the conduct and ethics criteria set out in policy.

When the personal conduct or job performance of an employee is unsatisfactory, his/her supervisor may counsel the employee to review the duties the employee is expected to perform, to explain why the employee's personal conduct or job performance has not been acceptable, to provide an opportunity for the employee to present an explanation or justification of actions or lack thereof, or to discuss ways of correcting the employee's behavior or job performance. The supervisor will provide a written form regarding this meeting and the actions to be taken for the employee's personnel file.

If the CEO and/or Board Chairman determine the situation merits, the employee shall be notified in writing that immediate steps must be taken to correct the personal conduct or job performance issues discussed in the counseling session. The local area Executive Director is responsible for overseeing staff within their respective area. If the corrective steps are not taken, action will be taken to propose dismissal, demotion, or suspension.

The employee facing disciplinary action has the right to appeal using the grievance procedures addressed in this manual.

### 5.3 GRIEVANCE / COMPLAINT PROCEDURE

Any employee who has a complaint or grievance concerning a recognized federal and local civil rights law (i.e., race age, disability, sex, etc.) has the right to file a grievance according to procedures outlined in this policy (Form G). Employees who believe that they have been unlawfully harassed should follow the complaint procedure set out in the Grievance Policy for the Local Workforce Development System in Central Oklahoma and the COWIB Procedure for Receiving, Processing, and Resolving Discrimination Complaints.

Staff from a local area (not COWIB) should follow their local area board's grievance and complaint policy and procedures. Employees should first go to their local area Director and Board Chair for resolution. If a solution cannot be reached at the local level, the employee may then escalate the issue to COWIB.

Employees should attempt to resolve the problem informally, if possible, with the CEO and Equal Opportunity Officer. If a solution cannot be reached, the employee may present a formal written complaint or grievance to the CEO who will initiate an independent investigation of the complaints made. If a resolution cannot be reached, the complaint will be presented to the COWIB Executive Committee for resolution.

No employee will be discriminated against, harassed, intimidated, or suffer any reprisal or retaliation as a result of filing a grievance or complaint or participating in the investigation of a grievance or complaint. If an employee feels that he/she is being subjected to any of the above, that employee has the right to appeal directly to the Executive Committee Chairman.

All complaints will be handled in a timely manner. As a goal, this Agency attempts to resolve a complaint as quickly as possible and within 20 working days from the time of its initiation. If an extension of the time limit becomes necessary, all involved parties will be notified.

Unresolved grievances of employees should be turned over to the Executive Committee for a resolution within 21 working days of the time the grievance is filed.

Employees may not file grievance procedures challenging the substance of a performance appraisal but do have the opportunity to write their comments in the appropriate place designated for the employee's comments.

See [Appendix G: Grievance Report](#)

### 5.4 DISMISSAL

COWIB is an "employment-at-will" company. COWIB can terminate an employee's employment

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with or without notice and with or without cause. COWIB is not obligated to give the employee a reason for the dismissal.

However, some offenses which will warrant immediate dismissal (Form E) include but are not limited to:

Theft—including, but not limited to, the removal of company property or the property of another employee from company premises without prior authorization.

Drugs/Alcohol—possession, use, sale, purchase or distribution on Agency property of alcohol or any illegal drugs or illegally possessed drugs. Reporting to work under the influence of drugs or alcohol in a condition that adversely affects the employee's ability to safely and effectively perform his/her job functions or which imperils the safety of other employees is not tolerated.

Falsifying or altering Agency records.

Sabotaging or willfully damaging Agency equipment or the property of other employees.

Walking off the job without permission of the CEO or Local Area Executive Director.

Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a fellow employee, and refusing to carry out the order of the CEO where personal safety of the individual is a concern.

Fighting or provoking a fight on company premises.

Absence for three consecutive working days without notice to the immediate supervisor or the CEO. In such an event, the offending employee will be deemed to have quit voluntarily.

Excessive, intermittent unscheduled or scheduled unpaid time off from work. Excessive is not defined solely by the number of days, but also by how the absence affects business needs.

Sleeping on the job.

Bringing or possessing firearms, explosives, or any dangerous weapon on Agency property.

Failure to comply with approved policies

***THIS LIST OF OFFENSES IS NOT INCLUSIVE.***

See [Appendix E: Dismissal Acknowledgement](#)

### 5.5 LAYOFFS



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Due to a withdrawal of federal or state funds or Agency reorganization, COWIB may be required to reduce staff. The CEO shall notify the Board in writing at least three weeks prior to the reduction and shall specify the effected employees. Employees affected by a reduction in staff shall be notified in writing with the reason for layoff at least two weeks prior to the effective date of the layoff.

### 5.6 RESIGNATION

Because COWIB is an “employment-at-will” company, an employee may terminate his/her employment with or without notice and with or without cause or reason.

### 5.7 FINAL PAY

Employees who leave the service of the Agency for any reason shall receive all pay that may be due them with the following qualifications (including the completion of Form F):

Exempt and Non-Exempt employees will be paid for all unused vacation days up to the maximum number of hours they can accrue during the course of one (1) year. For example, if they are accruing at the rate of 5 hours a pay period, they could be paid for up to 130 hours.

Exempt and Non-Exempt employees who are dismissed after committing a criminal offense against the Agency or for other gross violations of company policies as determined by the CEO will not receive pay for any unused accrued annual leave.

The separation date for all employees is the last day of actual work or approved leave. Final pay received by an employee will not be construed to extend his/her employment with the Agency beyond the separation date.

Employees will be advised of their rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). This act entitles employees and their dependents to continue their coverage under the Agency's health insurance plan at the employees' expense, but at group rates. COWIB abides by the federal guidelines when it pertains to COBRA.

Employees will receive a notice in the mail of their HIPAA status and rights.

See [Appendix E: Dismissal Acknowledgment](#)

See [Appendix F: Final Pay Agreement](#)

### **APPENDIX A: Code of Ethics**

By signing a copy of this code of ethics, I, as a staff member of COWIB, affirm that:

I will comply with WIOA guidelines on non-discrimination as found at 29 CFR § 38 and pledge not to discriminate against or refuse professional services to anyone based on race, color, creed, age, sex (including medical conditions), disability, religion, nationality or political affiliation or belief.

I will not use my professional relationship to further my own interests.

I will show a genuine interest in all persons served and hereby dedicate myself to their best interests.

I will respect the privacy of persons served and hold in confidence all information obtained in the course of professional service.

I will immediately declare and identify any potential conflict(s) of interest. I will maintain confidentiality when storing or disposing of client records.

I will maintain a professional attitude that upholds the confidentiality of individuals served, colleagues, applicants and the Agency.

I, upon termination or separation from the Agency, will maintain client and co-worker confidentiality. I will hold as confidential, any information I obtained concerning the Agency.

I will respect the rights and views of my colleagues, and treat them with fairness, courtesy and good faith.

I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.

I will not engage in or condone any form of harassment or discrimination.

When I replace a colleague or am replaced, I will act with consideration for the interest, character, and reputation of the other professional.

I will extend respect and cooperation to colleagues of all professions.

I will not assume professional responsibility for the clients of a colleague without appropriate consultation with that colleague.

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If I see the client of a colleague during a temporary absence or emergency, I will serve that client with the same consideration afforded any client.

If I know that a colleague has violated ethical standards, I will report the activity to one of the following: my supervisor or the CEO.

I will accurately represent my education, training, experience, and competencies as they relate to my profession.

If serving as the CEO, I will make certain that the qualifications of persons I supervise are honestly represented.

I will abide by Agency policies related to public statements.

I have total commitment to provide the highest quality of service to those who seek my professional assistance.

I will continually assess my personal strengths, limitations, biases and effectiveness.

I will strive to become and remain proficient in professional practice and the performance of professional functions.

I will act in accordance with standards of professional integrity.

I will not advise on problems outside the bounds of my competence. I will seek assistance for any problem that impairs my performance.

I understand that violation of this code may be grounds for dismissal. All COWIB staff is required to sign the Agency Code of Ethics.

Employee's conduct toward co-workers is a critical point in the effective operation of Agency business and morale. Therefore, appropriate action will be taken if an employee is disrespectful to a co-worker. Name-calling, improper displays of affection, and threatening remarks directed to another employee are examples of behavior that will not be tolerated.

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Employee's Signature

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Date

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CEO's Signature

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Date

## APPENDIX B: Reference Request Waiver

### EMPLOYMENT VERIFICATION

|                           |                             |
|---------------------------|-----------------------------|
| To: _____<br>Name         | From: _____<br>Officer Name |
| _____<br>Company          | _____<br>Office Name        |
| _____<br>Address          | _____<br>Address            |
| _____<br>City, State, ZIP | _____<br>City, State, ZIP   |

|   |                                   |
|---|-----------------------------------|
| RE: _____<br>Applicant's Name             |                                   |
| _____<br>Social Security Number           | _____<br>Last Wage Rate or Salary |
| _____<br>Employed From (Mo/Yr) to (Mo/Yr) | _____<br>CEO's Name               |

Reasons for leaving:

\_\_\_\_\_

I authorize \_\_\_\_\_ to furnish \_\_\_\_\_ with whatever information they may have regarding my employment, including my reason(s) for leaving. I am signing this waiver voluntarily, and to request that \_\_\_\_\_ respond to this reference inquiry with full and complete information. Since this reference is an important part of my application for employment with \_\_\_\_\_, I therefore waive and release \_\_\_\_\_ from any and all claims or causes of action in law or equity, including, but not limited to, defamation of character or invasion of privacy, which might arise from responding to this reference check.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**APPENDIX C: Reference Release Waiver**

I authorize COWIB to furnish any future employers with whom I seek employment with whatever information they may desire regarding my employment with COWIB, including my reason(s) for leaving. I am signing this waiver voluntarily, and request that COWIB respond to all reference inquiries with complete and factual information.

Since this reference is an important part of my application for my future employment, I therefore waive and release COWIB from any and all claims or causes of action in law or equity, including, but not limited to, defamation of character or invasion of privacy, which might arise from responding to a reference check.

\_\_\_\_\_  
Employee's Signature \_\_\_\_\_ Date

\_\_\_\_\_  
CEO's Signature \_\_\_\_\_ Date

### **APPENDIX D: Acknowledgement and Disclaimer**

These personnel policies include general rules of conduct, disciplinary rules, employment conditions, and benefits. These policies and other information are subject to change at any time due to business needs. While we will normally attempt to provide employees with advance notice of any change, COWIB reserves the right to alter these policies at any time without advance notice.

You are employed with COWIB at-will. Nothing contained in these policies or any verbal statement should be construed as creating any type of employment contract, either expressed or implied. This at-will employment relationship can only be modified by a written contract signed by the employee and the CEO.

My signature is an acknowledgment that I understand that my employment and subsequent compensation can be terminated with or without cause at any time at the option of either COWIB or myself. I further understand that I have been given the opportunity to review and state that I understand the contents of these policies.

\_\_\_\_\_  
Employee's Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Printed)

\_\_\_\_\_  
CEO's Signature \_\_\_\_\_  
Date

### **APPENDIX E: Dismissal Acknowledgement**

I understand that the following behaviors are grounds for immediate dismissal. They include, but are not limited to:

- Theft—including, but not limited to, the removal of company property or the property of another employee from company premises without prior authorization.
- Drugs/Alcohol—possession, use, sale, purchase or distribution on Agency property of alcohol or any illegal drugs or illegally possessed drugs. Reporting to work under the influence of drugs or alcohol in a condition that adversely affects the employee's ability to safely and effectively perform his/her job functions or which imperils the safety of other employees is not tolerated.
- Knowingly falsifying a personal time sheet or that of another employee, or soliciting such conduct from another employee.
- Falsifying or altering company records.
- Sabotaging or willfully damaging Agency equipment or the property of other employees.
- Walking off the job without permission of the CEO.
- Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a fellow employee, and refusing to carry out the order of the CEO where personal safety of the individual is a concern.
- Fighting or provoking a physical or verbal fight on company premises.
- Absence for three consecutive working days without notice to the immediate supervisor or the CEO. In such an event, the offending employee will be deemed to have quit voluntarily.
- Excessive, intermittent unscheduled or scheduled unpaid time off from work. Excessive is not defined solely by the number of days, but also by how the absence affects business needs.
- Sleeping on the job.
- Bringing or possessing firearms (concealed or otherwise), explosives, or any dangerous weapon on Agency property.
- Disregard of Agency Policy

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Employee's Signature

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CEO's Signature

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Date

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Date





### APPENDIX G: Grievance Report

Date: \_\_\_\_\_

Name:

\_\_\_\_\_

Position/Title:

\_\_\_\_\_

CEO:

\_\_\_\_\_

Description of the problem:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I first reported this problem on:

\_\_\_\_\_

Steps I have taken to solve the problem:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
CEO's Signature

\_\_\_\_\_  
Date

## **APPENDIX H: Certification Regarding Drug-Free Workplace Requirements**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 29 CFR § 98.305.320 and Subpart F.

- I. The grantee certifies that it will or will continue to provide a drug-free workplace by:
  - A. Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
  - B. Establishing a drug-free awareness program to inform employees about:
    1. The dangers of drug abuse in the workplace;
    2. The grantee's policy of maintaining a drug-free workplace;
    3. Any available drug counseling, rehabilitation, and employee assistance programs; and
    4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.
  - D. Notifying all employees that, as a condition of employment under the grant, the employee will:
    1. Abide by the terms of the statement; and
    2. Notify the employer in writing of his/her conviction for a violation of a criminal drug statute for a violation occurring in the workplace no later than five days after such conviction.
  - E. Notifying the agency within ten days after receiving notice under paragraph D.2. with respect to any employee or otherwise receiving actual notice of such conviction. Employers of convicted employees provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted

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employee was working. The Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.

- F. Taking one of the following actions, within 30 days of receiving notice under paragraph D.2., with respect to any employee who is so convicted:
1. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirement of the Rehabilitation Act of 1973, as amended; or
  2. Requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- G. While the State of Oklahoma does allow the use of medical marijuana, it is still against federal law to possess and use it in any form. Since COWIB is a subrecipient of federal funds, its employees must follow federal rules in maintaining a drug free work place. Therefore, the use of medical marijuana will not be allowed by any employee during work hours. If the CEO should expect that any employee demonstrates any signs of usage of a forbidden drug, a drug test may be ordered. Failure to comply with this policy will result in disciplinary action which may include termination.
- H. Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), (F), and (G).

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Typed or Printed Name of Employee

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Date

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Employee's Signature

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CEO's Signature

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Date

### APPENDIX I: Social Media Policy

At COWIB, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your social media use, COWIB has established these guidelines for appropriate use of social media.

This policy applies to all staff who work for COWIB and associates of any COWIB sub-recipient companies in Oklahoma. COWIB managers and supervisors should use the supplemental Social Media Management Guidelines below for additional guidance in administering the policy.

#### PURPOSE

*Central Oklahoma Workforce Innovation Board (COWIB)* recognizes the emergence and influence of social media in the modern world, as well as the rights of individuals to actively participate in the undertaking of such activities. However, it is in COWIB's best interest that certain regulations be set in in regards to the use of social media, especially when the use of such mediums directly affect COWIB processes and procedures. It is for that purpose that COWIB has chosen to draft and willfully uphold this **Social Media Policy**. COWIB also acknowledges the inherent legal rights of its employees as mandated by higher institutions. Any provision that violates any of these rights will be considered null and will not be enforced. However, barring any legal precedents, willful violations of these policies will warrant appropriate sanctions.

#### OBJECTIVES

The enforcement of this policy seeks to:

Establish clear guiding principles as to how COWIB affiliates are to conduct themselves when engaging in social media whether the engagement be official or unofficial in nature

Cultivate an environment wherein the use of social media contributes to the overall welfare and productivity of COWIB

Prepare COWIB employees and affiliates on the hazards and responsibilities of partaking in social media activities

Protect COWIB, its employees, and affiliates from any legal threats that may arise as a result of social media usage

### GUIDELINES

In the rapidly expanding world of electronic communication, social media can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with COWIB, as well as any other form of electronic communication. The same principles and guidelines found in COWIB policies and three basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects members, customers, suppliers, people who work on behalf of COWIB or COWIB's legitimate business interests may result in disciplinary action up to and including termination.

#### 1. Know and follow the rules

Carefully read these guidelines: the COWIB Statement of Client Confidentiality, the COWIB Speaking to the Media Policy, the COWIB Code of Ethics and Conduct, the COWIB Computer Use Policy, and the COWIB Harassment Policy. Ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

#### 2. Be respectful

Always be fair and courteous to fellow associates, customers, members, suppliers or people who work on behalf of COWIB. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

#### 3. Be honest and accurate

Make sure you are always honest and accurate when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched.

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Never post any information or rumors that you know to be false about COWIB, fellow associates, members, customers, suppliers, people working on behalf of COWIB or competitors.

### **Post only appropriate and respectful content**

Maintain the confidentiality of COWIB trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.

Do not create a link from your blog, website or other social networking site to a COWIB website without identifying yourself as a COWIB associate.

Express only your personal opinions. Never represent yourself as a spokesperson for COWIB. If COWIB is a subject of the content you are creating, be clear and open about the fact that you are an associate and that your views do not represent those of COWIB, fellow associates, members, customers, suppliers or people working on behalf of COWIB. If you do publish a blog or post online related to the work you do or subjects associated with COWIB, make it clear that you are not speaking on behalf of COWIB. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of COWIB.”

### **Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the Computer Use Policy and the Email and Internet Use Policy. Do not use COWIB email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is prohibited**

COWIB prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any associate who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.

### **Media contacts**

Associates should not speak to the media on COWIB’s behalf without contacting the COWIB CEO per the Speaking to the Media Policy. All media inquiries should be directed to the CEO.

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**If you have questions or need further guidance, please contact the COWIB CEO or his/her designee.**

I have read, understand, and agree to comply with COWIB's Social Media policies, rules, and conditions of use. I understand that this Policy may be amended at any time.

\_\_\_\_\_  
Employee's Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Personnel Signature \_\_\_\_\_  
Date

## APPENDIX J: Computer Use Policy

### PURPOSE

A. To better serve our customers and provide our employees and workforce partners with the best tools to do their jobs, *Central Oklahoma Workforce Innovation Board (COWIB)* provides access to one or more forms of electronic media and services, including computers, email, telephones, voicemail, fax machines, external online services, intranet, Internet and the World Wide Web to our employees.

B. *Central Oklahoma Workforce Innovation Board* encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information about vendors, customers, technology, and new products and services. However, all employees and partners connected with the organization **MUST** remember that electronic media and services provided by COWIB are COWIB property and their purpose is to facilitate and support COWIB business. All computer users have the responsibility to use these resources in a professional, ethical, and lawful manner.

C. To ensure that all computer users are responsible, the following guidelines have been established for using email and the Internet. No policy can lay out rules to cover every possible situation. Instead, it is designed to express the *Central Oklahoma Workforce Innovation Board* philosophy and set forth general principles when using electronic media and services.

### PROHIBITED COMMUNICATIONS

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

1. Discriminatory or harassing;
2. Derogatory to any individual or group;
3. Obscene, sexually explicit or pornographic;
4. Defamatory or threatening;
5. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam);
6. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type;
7. In violation of any license governing the use of software; or
8. Engaged in for any purpose that is illegal or contrary to Central Oklahoma Workforce Innovation Board. policy or business interests.



### PERSONAL USE

The computers, electronic media and services provided by *Central Oklahoma Workforce Innovation Board* are primarily for business use to assist employees and workforce partners in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. Employees are prohibited from allowing persons that **ARE NOT DIRECT EMPLOYEES OR PARTNERS** from using their computer, electronic media and services (internet). Employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

### ACCESS TO EMPLOYEE OR PARTNERS COMMUNICATIONS

A. Generally, electronic information created and/or communicated by an employee and/or workforce partner using email, word processing, utility programs, spreadsheets, voicemail, telephones, Internet and bulletin board system access, and similar electronic media is not reviewed by COWIB. However, the following conditions should be noted:

*Central Oklahoma Workforce Innovation Board* routinely gathers logs for most electronic activities or monitors communications directly (e.g., telephone numbers dialed, sites accessed, call length, and time at which calls are made), for the following purposes:

1. Cost analysis;
2. Resource allocation;
3. Optimum technical management of information resources; and
4. Detecting patterns of use that indicate employees are violating COWIB policies or engaging in illegal activity

B. *Central Oklahoma Workforce Innovation Board* reserves the right, at its discretion, to review any electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other COWIB policies.

C. Employees and workforce partners should not assume electronic communications are completely private. Accordingly, if they have sensitive information to transmit, they should use other means.

### SOFTWARE

A. To prevent computer viruses from being transmitted through COWIB's computer system: **Downloading any unauthorized software is strictly prohibited. This includes ANY freeware, shareware, toolbars, screensavers, hardware, I-tunes or internet utilities, etc.** Only

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software registered through COWIB may be downloaded after approval from the CEO and/or his/her designee. Employees or partners should contact the CEO and/or his/her designee if they have any questions.

**B. All computer property of COWIB will be subject to periodic review of all software, media, etc. Any software, media, etc. that has been installed without approval will be removed. All users who knowingly and willingly violate this Policy are subject to immediate discipline up to and including termination and may lose their use of COWIB equipment.**

### SECURITY/APPROPRIATE USE

A. Employees and partners must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by COWIB, employees and workforce partners are prohibited from engaging in, or attempting to engage in:

1. Monitoring or intercepting the files or electronic communications of other employees or third parties;
2. Hacking or obtaining access to systems or accounts they are not authorized to use;
3. Using other people's log-ins or passwords; and
4. Breaching, testing, or monitoring computer or network security measures.

B. No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

C. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

D. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

### VIOLATIONS

Any person who abuses the privilege of their access to email or the Internet, in violation of this policy, will be subject to corrective action including possible termination of employment, legal action, and criminal liability.

### EMPLOYEE and PARTNERS AGREEMENT ON USE OF EMAIL AND THE INTERNET

I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of COWIB's computer and telecommunications equipment and services. I

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understand that I have no expectation of privacy when I use any of the telecommunication equipment or services. I am aware that violations of this guideline on appropriate use of the email and Internet systems may subject me to disciplinary action, including termination from employment, legal action and criminal liability. I further understand that my use of the email and Internet may reflect on the image of *Central Oklahoma Workforce Innovation Board* to our customers, competitors and suppliers and that I have a responsibility to maintain a positive representation of the above entities. Furthermore, I understand that this policy can be amended at any time.

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Signature

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Date

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Printed Name

### **APPENDIX K: Immigration Compliance Policy**

COWIB is dedicated to ensuring compliance with immigration law in the hiring, retention and termination of our employees. We are equally committed to having an inclusive workforce based on non-discriminatory policies while adhering to federal and state laws prohibiting discrimination based on race, nationality, alienage, ethnicity and religion. In furtherance of our Immigration Compliance, we have implemented a comprehensive Immigration plan with procedures that are subject to annual revisions. Even though we are not an ICE-IMAGE participant, we were guided by ICE's Best Hiring Practices in establishing our policy.

It is our policy to designate and properly train authorized personnel on how to handle employee and contractor immigration compliance matters. We conduct recurrent audits of I-9s. We have established that employees should report to the Business Services Manager, who is a trained authorized personnel, if they have a question or issue that needs to be investigated relating to immigration compliance or unlawful discrimination, and the protocol for responding to such reports.

In furtherance of our Immigration Compliance Policy, we have established a protocol for requiring immigration compliance from our Sub-Recipients and/or Contractors, and we conduct annual immigration compliance audits. In addition, we have established a protocol for responding to no-match letters received from the Social Security Administration (SSA) and the Department of Homeland Security (DHS). We are committed to not using the verification process for unlawful discrimination and we conduct proper training on this matter.

We have considered and rejected establishing self-reporting procedures to ICE for "any violations or discovered deficiencies" because we have established strong internal audit procedures and because it is not clear how this should work.

We have considered and rejected establishing a "Tip Line" for employees to report such activity relating to the employment of unauthorized aliens, and a protocol for responding to "employee tips" because we believe it may trigger the appearance that we encourage workplace discrimination, which is contrary to our anti-discrimination policy. Instead, we have established procedures for reporting and investigating allegations of unauthorized employment and unlawful employment discrimination, within our Open-Door Policy.

COWIB Business Services Consultants are authorized personnel trained to complete I-9 Forms for new hires and to make corrections. COWIB's Chief Executive Officer is a trained Authorized Personnel to conduct COWIB's annual internal self-audits. COWIB's Business Services Manager is the trained authorized personnel responsible for training I-9 Administrators and ensuring his/her training is kept up to date. The COWIB Business Services Manager is also responsible for conducting a formal I-9 Audit annually.

## APPENDIX L: Travel Policies and Procedures

Approved by COWIB, August 20, 2008

### 1. PURPOSE

These Policies shall serve as the official policy in all travel and mileage situations incurred by the agency. They are meant to establish a uniform and allowable basis for reimbursing employees and other authorized persons performing travel for Central Oklahoma Workforce Innovation Board (COWIB). These policies are effective immediately.

### 2. TRAVEL CLAIM FORMS

All claims for reimbursement must be completed by the claimant (employee or other authorized persons) on the forms prescribed by these policies. These forms require the signature of the claimant and approval by the Chief Executive Officer (CEO) or WIB signatories of the agency. The CEO's travel claims will be approved and signed by the Board Chairman or another member of the Executive Committee.

### 3. REIMBURSEMENT RATE PROVISIONS

#### A. General Provisions

No per diem reimbursement for meals shall be made for periods of less than **eighteen** hours in travel status except as provided in Section 3.C of these policies. Travel status for the purpose of meals and lodging shall be defined as absence from the employee's home area and/or official workstation area while performing assigned official duties.

**The "distance" test or "duration" test will also be used to determine travel status. The reasonableness guideline used for the distance test is 60 map miles (one-way) or more. The reasonableness guideline to be used for the duration test is eighteen hours in travel status. Exceptions will be made on a case by case basis by the CEO or designee. Exceptions may also be given to in-state conferences, but not limited to.** Reimbursement for meals and lodging on trips shall not begin more than twenty- four hours before or continue twenty-four hours after the objective of the trip, such as a meeting, workshop, conference, etc. (Exceptions are noted in Item C of this section.)

#### B. Lodging:

Reimbursement for overnight lodging while in official travel status may be made, based upon a receipt issued by a hotel, motel or other public lodging place, as follows:

- i) COWIB employees or other authorized individuals traveling for official COWIB business, as approved by the CEO or Board signatories, will be reimbursed for their pre-approved lodging expense. An official receipt issued by the place of lodging shall

accompany claims for reimbursement.

For employee travel where a formal agenda is not available, (example: travel to Dallas to meet with D.O.L. officials), the CEO, will designate a hotel to be used; the rate not to exceed the CONUS<sup>1</sup> lodging rate for the designated area. Arrangements will be made with the hotel to provide lodging to agency staff at the most favorable rates available. Government and/or corporate rates are sometimes available and will be sought. In these instances, the lodging expense shall not exceed the single occupancy room rate charge by the hotel so designated by the CEO. All hotel accommodations will be made by the agency procurement officer and will be done by purchase order when possible to alleviate out-of-pocket expenses to the employee.

- ii) Those COWIB employees attending meetings, workshops, conferences, or other agency-oriented trips, which are conducted in a designated hotel, motel, or other public lodging, who choose to acquire less expensive public lodging shall be reimbursed the actual lodging expense not to exceed the single occupancy room rate charged by the designated public lodging place. Those employees choosing this option shall not be reimbursed for local transportation costs incurred while traveling between such optional lodging and the designated public lodging place. Receipts issued by the public lodging place shall accompany claims for reimbursement.

### **C. Meals**

- i) A reimbursement for meals per day, while in official travel status, is authorized at a rate not to exceed a rate equal to the county rates posted on the General Services Administration (GSA) website.

When meals are furnished and included as a part of the registration fee, an adjustment must be made to any per diem payments. The amount of the adjustment will be a decrease in the amount of per diem by the amount published by GSA for each meal provided and included in the registration fee. Refreshments provided during the meeting are not considered meals for the purpose of this adjustment. Exceptions may apply where special circumstances prevented the individual in travel status from participating in the function at which the meal was

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<sup>1</sup> In this context, "CONUS" refers to the Domestic Per Diem Rates established by the U.S. General Services Administration (GSA) for the continental United States (CONUS). An index of Per Diem rates for locations within the continental United States is available at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem)

provided. These circumstances could include such situations as diet restrictions, transportation availability, etc. A signed statement by the claimant of his/her non-participation must be included with the travel claim. At meetings where meals are not a part of the registration fee, per diem will not be deducted.

- ii) COWIB has a policy which provides direction on the circumstances under which costs for meals can be reimbursed. The policy:
  - a) The meal is a part of a luncheon or banquet in which participation by these individuals is required or encouraged, such as civic group meetings, board meetings, Board of Chief Elected Officials (BCEO) meetings, meetings of state and local government, or other like meetings, and;
  - b) The individual will not be receiving per diem allowance for the time period that includes the meeting and meal.  
An agenda of the meeting is to be attached to the request for reimbursement or invoice for the meal expense.

### **D. Transportation**

- i) Travel by personal vehicles may be reimbursed at a rate authorized by the United States Treasury Department's Internal Revenue Service (IRS) based upon the distance set forth by utilizing an on-line driving directions application such as Google Maps or Mapquest.  
Travel by railroad, bus, or other such public conveyance will be reimbursed at a rate not to exceed coach airplane fare. For purposes of these procedures, motor vehicles include passenger cars, station wagons, vans, trucks, buses, and motorcycles.
- ii) Taxicab fares and/or other public conveyances such as Uber or Lyft will be reimbursed upon explanation as to the necessity for their use. Local transportation costs during travel may be reimbursed on the basis of an itemization of costs.
- iii) Reimbursement for vehicles leased or rented from car rental agencies or private parties, to be used in lieu of a personal vehicle on official business for COWIB, shall not exceed the rental rate plus mileage.
- iv) The actual cost of leasing or renting a vehicle outside of this state, to be used for official COWIB business, shall be reimbursed subject to the approval of the CEO or authorized designee.
- v) Travel by a privately owned or chartered airplane on official business for COWIB may

be reimbursed in an amount which, when added to the per diem and reimbursement for lodging for that trip, does not exceed the equivalent of vehicle mileage plus per diem and lodging had a personal vehicle been used instead. If more than one person is involved, a listing of all persons with their approved lodging and per diem charges must be included on the claim with a statement that no other travel reimbursement claims will be filed in conjunction with the travel.

### **E. Miscellaneous Expenses**

Reimbursement claimed for miscellaneous travel expenses, such as communication charges and registration fees for attending workshops, conferences, etc. must be itemized.

Reimbursement for communication charges incurred during travel must be justified as to the necessity. For purposes of this travel policy, “justification” is defined as “official agency business”. All claims for reimbursement will only be made for “official agency business” and will require a receipt.

Reimbursement claimed for necessary parking and toll road fees incurred for official COWIB business must be itemized.

### **F. Receipts**

Lodging receipts from a motel, hotel, or other public lodging place must accompany a claim for reimbursement. If the lodging receipt indicates more than one person occupied the room, the receipt must show the single rate.

A receipt must support claims for reimbursement of registration fees.

Claims for reimbursement for transportation by commercial airline shall be accompanied by the passenger’s duplicate ticket or other receipt which included information as to class accommodations.

Reimbursement for official use of leased or rented vehicles must be supported by a receipt indicating miles traveled.

### **Special Instructions**

- i) If the person claiming reimbursement is not a COWIB official or employee, the agency must indicate this on the claim and briefly describe the service performed by the claimant.
- ii) All claims for reimbursement of travel expenses must be made payable to the person who performed the official travel.



- iii) Claims for reimbursement of authorized travel expenses shall not cover periods in excess of 31 days.
- iv) All employees must demonstrate proof of auto liability coverage annually in order to submit claims and receive reimbursement for travel expenses when using privately owned vehicles.

### **G. Direct Purchases of Commercial Tickets**

The Agency is authorized to make direct purchases of commercial airline tickets for use by employees, board members, and local elected officials in approved out-of-state travel only with prior approval of the CEO. Generally, the agency staff that are authorized to make credit card purchases, following the COWIB procurement policy, will purchase airline tickets for out-of-state travel. The tickets will be disbursed to appropriate employees as necessary.

In the event that the employee for whom the ticket was originally purchased is unable to use that ticket and another employee is substituted, such substitution should be documented.

## **4. CALCULATION OF MILEAGE**

- A. The COWIB administrative office will be the assigned workstation for each staff member, unless the CEO grants an exception in an effort to reduce cost.
- B. Mileage calculations for each individual employee will begin and will end at this workstation with the following exceptions:
  - i) If an employee goes directly to a worksite from his/her home, the mileage to be used for the portion from the home to the worksite shall be the lower of the mileage from home to the worksite or the mileage from the official workstation to the worksite.
  - ii) If an employee goes directly home from a worksite, the mileage to be used for the portion from the worksite shall be the lower of the mileage from the worksite to his/her home or the mileage from the worksite to the official work station.
  - iii) If an employee commences travel or ends travel on a Saturday, Sunday, or holiday, the mileage calculation shall begin and end at the employee's home.
  - iv) When an employee is in travel status for training (conferences, workshops, etc.) which does not require that the employee go to his/her designated workstation, the mileage calculation will begin at the employee's home, and end at the designated

- location for training. The return trip will begin at the designated location of training and will end at the employee's home.
- v) When an employee is in travel status outside normal work hours, such as travel to attend a Board meeting which starts at 6:00 p.m., the mileage calculation for that travel will begin and end at the employee's home.
  - vi) When travel is incurred in this manner, the individual must show on the travel claim the time that the travel started and ended. This should be shown in the "entered" and "ended" columns, although no per diem may be claimed for the travel. The remainder of the travel information for that date should also be completed.
- C. In recording mileage, each employee should be consistent in the number of miles between travel points. A copy of the electronic application used to calculate mileage for each trip shall be attached to the travel claim.
- D. Employees may only claim mileage driven for business purposes; they cannot claim travel over their lunch break or their daily commute to/from work. Employees caught making false claims, exaggerating miles driven, claiming mileage unrelated to regular company business or any other misreporting will be subject to disciplinary action up to and including termination.

### **TRAVEL CLAIM APPROVAL**

All submitted travel claims will be signed by the CEO or another approved signatory of the agency. The CEO's travel claim will be approved by the Board Chair.

Claims will normally be submitted in the first five business day of the following month. However, should the claim be for a single trip that causes the staff member to have an extraordinary amount (\$5,000.00) seeking repayment, then that claim may be filed after the completion of the trip. Claims will be submitted to the appropriate supervisor for approval and then to the controller, reviewed for accuracy and completeness, and then be processed for payment. Under normal circumstances, checks will be available for disbursement within three (3) business days after they are submitted.

## **APPENDIX M: COWIB Policy on the Use of Grant Funds to Pay for Meals, Food, Coffee or other Refreshments for Employee and Participant Consumption**

**PURPOSE:** To ensure compliance with the cost principles that govern the use of federal grant funds with respect to the cost of meals, food, coffee or other refreshments for employee consumption.

**AUTHORITY:** The authority for this policy derives from the Oklahoma Office of Workforce Development Issuance #07-2019, “Use of Grant Funds to Pay for the Cost of Meals, Food, Coffee or other Refreshments” dated September 11, 2019.

**BACKGROUND:** The Issuance describes a general prohibition on the use of grant funds to pay for meals, food, coffee or other refreshments., for employee consumption. However, a few exceptions are provided:

- When an employee is in travel status, the cost of meals is limited to such costs that are allowable by the grantee’s official travel policies.
- Allowable costs of meals incidental to the cost of meetings and conferences where the primary purpose is the dissemination of technical information.
- Costs of meals incidental to the cost of meetings and conferences are allowable when the grantee incurs such costs in the process of conducting meetings or conferences with external customers and other professional colleagues outside of the entity’s organization. Therefore, if employees are participating in an allowable activity then the incidental costs for the meals and refreshments they consume may be allowable. However, charging costs of meals while engaging in day-to-day business or staff training with employees of the Agency does not fall within this criterion.
- The cost of a “working lunch” with external customers and other colleagues is only considered “reasonable and necessary” when there is adequate documentation on the necessity of having the meeting during a mealtime instead of during normal business hours.

### **LOCAL POLICY:**

(1) **Definition of “employee.”** It is COWIB’s interpretation that the term “employee,” when used in the context of Policy Guidance, refers to compensated employees of COWIB and its contracted service providers. COWIB members (who serve voluntarily as appointees of our Board of Local Officials) are not employees of COWIB.

(2) **Cost of meals, etc., when an employee is in travel status.** The limits of allowable costs that

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may be paid when an employee is in travel status shall be governed by: (a) The COWIB Travel Policies and Procedures; or (b) The travel policy of COWIB's service provider, as appropriate.

- (3) **Cost of meals, etc., incidental to the cost of meetings and conferences.** COWIB recognizes that, as stated in OMB Circular Uniform Administrative Requirements,

*“Costs of meetings and conferences, the primary purpose of which is the dissemination of technical information, are allowable.”*

To assure that these costs are properly counted, the following documentation will be required when costs of meetings and conferences are paid with federal grant funds:

A description of what Employment and Training Administration (ETA)-related subjects were discussed;

A list of people who participated in the meeting or conference; and Dated itemized meal cost receipts.

The description of discussion topics may be documented by a published agenda for the meeting or conference.

To satisfy the condition of “adequate documentation on the necessity of having the meeting during a meal time instead of during normal business hours,” COWIB will accept one or more of the following:

A meeting or conference agenda showing that a business activity was scheduled to take place during the mealtime – such as (a) the delivery of a speech or presentation; (b) a networking session for the purpose of exchanging technical information; etc.

A determination by the COWIB's CEO that the decision (to schedule the meeting or conference during a meal time) was made for the purpose of encouraging attendance.

- (4) **Special Determination for Meetings of the COWIB Board.** Based on past experience and current practice, the cost of a meal-time meeting is pre-determined by the members of COWIB to be a necessary expense in order to encourage consistent attendance by our volunteer members. No further documentation of the necessity of “having the meeting during a meal time” shall be required. This policy statement shall be sufficient documentation.

- (5) Additional Definitions.

“Meeting.” This term is understood to include any organized gathering, whether or not the meeting falls under the jurisdiction of the Open Meetings Act.

“Dissemination of technical information.” This term will be interpreted broadly to include information necessary to the proper and effective delivery of program-related services, etc., including information about the needs of customers (employers, job seekers, etc.). For example, a focus group convened by COWIB for the purpose of gathering information from business leaders relative to their workforce development needs would satisfy the definition of a meeting with the primary purpose of disseminating technical information. Likewise, any organized session designed to deliver information about program policies, procedures, rules, laws, etc., may be regarded as a meeting or conference for which the sharing of technical information is the primary purpose. These are only two examples, although there may be many more.

“ETA-Related Subject.” This term is interpreted to mean any topic of discussion that is related directly or indirectly to the implementation of the Workforce Innovation and Opportunity Act, the Trade Act, the Jobs for Veterans Act, or any other program that is funded or administered by the Employment and Training Administration of the U.S. Department of Labor.

“Staff training with employees of that organization.” This phrase describes the instance of an organization (like COWIB) sponsoring a training session in which the attendance is limited to employees of the organization. So, if a staff training session is organized solely for the purpose of ‘in-house’ training of COWIB employees, then the cost of meals, refreshments, etc., would not be allowable under this policy. However, if the staff training session is organized by COWIB primarily for the benefit of others (employers, service providers, program participants, etc.), then the cost of meals, etc., may be allowable pursuant to OMB Uniform Administrative Guidance.

- (6) **Policy Addenda.** The COWIB Chief Executive Officer is authorized to issue additional instructions, guidance, forms, etc., to further implement the requirements of this policy.

## APPENDIX N: New Employee Orientation Checklist

Employee's Name: \_\_\_\_\_ Hire Date: \_\_\_\_\_

Title: \_\_\_\_\_ Employee Number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

### Section I – WELCOME TO THE AGENCY

- Welcome new employee
- Make Equal Employment Opportunity statement to employee and reaffirm Agency's commitment to opportunities for advancement
- Introduce new employee to Agency employees; explain history and purpose of the Agency
- Provide employee with tour of facility
- Show new employee his/her work area (explain supplies, give keys to building)
- Explain the purpose of the new employee's job description and his/her expected contribution to the Agency
- Present copy of personnel policies and have employee sign a form to acknowledge receipt of the handbook and his/her intention to become familiar with its contents

### SECTION II – GENERAL INFORMATION

- Tell location of rest rooms
- Tell location of lunch and break rooms
- Inform of parking areas
- Explain work hours (define workweek, state overtime policy if applicable)
- Explain break policy
- Explain lunch break
- Explain telephone policy
- Explain tobacco policy
- Explain rules of dress, personal grooming

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- Explain rules about absenteeism, tardiness
- Explain safety procedures
- Explain introductory period for new employee
- Explain performance reviews (date for first review, frequency thereafter)
- Explain pay procedures (time sheets, date of the first check)
- Explain steps in discipline procedure (verbal warning, written warning, etc.) and specify actions that will result in discipline
- Sample employee forms

### SECTION III – COWIB BENEFITS AND POLICIES

- Complete form I-9 (required by the Immigration Reform and Control Act of 1986) within three days of employee start date
- Complete W-4 form for employee to claim payroll deductions
- Explain COWIB benefits and fill out necessary forms (health insurance, for example)
- Explain holidays
- Explain vacation days
- Explain sick leave policy

### SECTION IV – QUESTION/REVIEW

- Answer any questions employee has
- Review necessary information (hours, paydays, sick leave procedure)

I acknowledge that I have discussed the items checked above.

By signature below, I acknowledge that I have received a copy of and read COWIB's Personnel Policy and Procedures Manual and have had an opportunity to ask questions for clarification of the policies.

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Employee's Signature

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Date

---

CEO's Signature

---

Date

**APPENDIX O: Receipt of Addendum**

| <u>Title of Addendum</u> | <u>Date Received</u> | <u>Employee Signature</u> |
|--------------------------|----------------------|---------------------------|
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |
| _____                    | _____                | _____                     |



**APPENDIX P: Sample Forms (Personnel Action Form, Leave & Travel)**

**Personnel Action Form**

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_ SSN: \_\_\_\_\_  
 Emergency Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

**Type of Change:**

Name [ ] Address [ ] Salary [ ] Position [ ]  
 Employment Status [ ] Tax [ ] Payroll Status [ ] Benefits [ ]

**Accounting Set-Up**

Marital Status: Exempt [ ] Non-Exempt [ ]  
 Citizen:  
 Fed Filing Status: Exemptions: Over/Addnl.:  
 State Filing Status: Exemptions: Over/Addnl.:

**Compensation and Benefits**

Annual Salary: \$ \_\_\_\_\_ Title: \_\_\_\_\_ Start Date: \_\_\_\_\_

New Hire [ ] Full Time [ ] P/T [ ]

Change in Salary \$ \_\_\_\_\_ Effective Date: \_\_\_\_\_

| Plan Election: | Bi-Weekly Deduction | Date Effective | Employee | Spouse | Family |
|----------------|---------------------|----------------|----------|--------|--------|
| 401 (K)        | %                   |                |          |        |        |
| Health         |                     |                |          |        |        |
| Dental         |                     |                |          |        |        |
| Vision         |                     |                |          |        |        |
| Supple Life    |                     |                |          |        |        |

**Separation**

Reason for Leaving:  
 Last Day Worked:  
 Vacation Paid Out: \$ \_\_\_\_\_ Last Check Date \_\_\_\_\_ Check # \_\_\_\_\_

Completed By: \_\_\_\_\_ Date \_\_\_\_\_

## **APPENDIX Q: COWIB Policy on Providing Reasonable Accommodation to Individuals with Disabilities**

**PURPOSE:** To set forth policy regarding requests for reasonable accommodations and the procedures to be followed when an applicant or employee requests reasonable accommodation.

**AUTHORITY:** In accordance with the Americans with Disabilities Act (ADA), as amended (42 U.S.C. § § 12101 et seq.); Section 504 of the Rehabilitation Act of 1973; Equal Employment Opportunity (EEO) Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, No. 915.002; Equal Employment Opportunity Commission (EEOC) Regulations to Implement the ADA Amendment Act; and the Implementation of Nondiscrimination and Equal Opportunity Provisions of WIOA (29 CFP Part 38 (§38.4 (yy), §38.4 (rr), §38.14, and §38.4 (z), COWIB has the obligation to provide reasonable accommodation to applicants and employees with disabilities who are qualified for the job, with or without reasonable accommodations.

**POLICY:** COWIB is committed to the fair and equal employment of people with disabilities. In providing reasonable accommodation, COWIB ensures applicants and employees have equal access to the application process, are able to perform the essential functions of the position desired or held, and have the benefits and privileges of employment equal to non-disabled individuals. Furthermore, it is the Agency's policy not to discriminate against qualified individuals with disabilities in the application process, hiring, promotion, termination, compensation, training or other conditions or benefits of employment. COWIB shall provide reasonable accommodations and modifications to qualified persons with disabilities unless doing so would cause undue hardship or pose a direct threat.

COWIB will engage in a good-faith, interactive process with applicants and employees determined to be in need of or requesting an accommodation. The requirement to provide reasonable accommodation applies to disabilities that are known to the Agency.

The CEO, in conjunction with COWIB's Equal Opportunity Officer (EOO), is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat, and undue hardship issues.

The process, including definitions of key terms, is set forth below.

### **A. DEFINITIONS**

**Essential Functions:** job duties that are considered fundamental to the position such that the job cannot be done without performing them. Determination of the essential job functions of a position must be done on a case-by-case basis to reflect the job as it is actually performed. An

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individual who is unable to perform essential job functions, even with reasonable accommodation, is not considered qualified for the position and is not protected under the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). A job function may be considered essential for various reasons, including, but **not** limited to the following:

- The reason the position exists is to perform that function
- There are a limited number of employees who can perform that function
- The function is specialized, and the individual is hired based on his/her ability to perform it

Evidence of whether a particular function is considered essential includes, but is **not** limited to the following:

- A written job description prepared prior to advertising or interviewing applicants for the position
- The amount of time spent on the job performing that function
- The employer's judgement as to which functions are essential
- Actual work experience of past or present employees in that position
- The consequences of not requiring that an employee perform a function

**Individual with a Disability:** is one with a physical or mental impairment or other medical condition that substantially limits one or more major life activities, a record of such an impairment or regarded as having such an impairment.

**Qualified Individual with a Disability:** an individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the position and is able to perform the essential functions of the job, with or without reasonable accommodation.

An employee or job applicant who is "currently engaging" in the illegal use of drugs (including medical marijuana) is not considered a "qualified individual with a disability." Regardless of if the individual is a casual user or an addict, he/she is not protected by the ADA.

**Major Life Activities:** activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, or other such functions.

**Reasonable Accommodation:** any modification or adjustment to a work environment which allows a qualified individual with a disability to have equal access to the application process in consideration for employment, be able to perform the essential functions of a position held or desired, and have the benefits and privileges of employment equal to nondisabled individuals.

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The requirement to provide reasonable accommodations applies to disabilities that are known by COWIB; however, an accommodation will not and is not required for individuals deemed as not having a disability. No accommodation is required if the essential functions of the job cannot be performed or if the employee poses a threat to him/herself or co-workers.

Reasonable accommodation(s) include, but are **not** limited to:

- Making work facilities accessible and usable
- Providing alternative formats (e.g. Braille, large print, giving written feedback rather than verbal)
- Assigning accessible parking
- Modifying work schedules, including telecommuting
- Buying or modifying equipment, devices, or software
- Modifying training materials, policies, practices, or procedures
- Providing qualified readers, interpreters or other supportive services
- Reassigning or referring an employee with a disability to a vacant position if attempts at other suggested and recommended methods of accommodation have failed

COWIB is not required to provide personal items to individuals with disabilities such as glasses, hearing aids, or wheelchairs. However, reasonable accommodations may include permitting the individual with a disability the use of aids or services COWIB is not otherwise required to provide (e.g. a place to store a motorized scooter).

**Undue Hardship:** In the instance a specific accommodation causes significant difficulty or expense when considering the financial resources of the Agency, then COWIB is not obligated to provide that particular accommodation. Determination of an undue hardship is determined on a case-by-case basis in consideration of factors such as the nature and cost of the accommodation, the potential to jeopardize health and safety of employees, and the impact the accommodation has on Agency operations.

In the event the requested accommodation creates an undue hardship or threatens safety of any individuals, COWIB and the individual requesting accommodation will discuss options for other effective forms of workplace accommodation.

**Reassignment:** a form of reasonable accommodation that, absent undue hardship, is provided to employees who are no longer able to perform the essential job functions of his/her position because of a disability, with or without reasonable accommodation. Reassignments are made only to vacant positions and to employees who are qualified for the new position.

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COWIB is under no obligation to create a position for an employee with a disability, to promote or transfer an employee into a position for which he/she is not qualified, or to displace or layoff other employees in order to accommodate the individual with a disability. Further, the Agency is not obligated to provide training to an employee for the sole purpose of enabling him/her to gain the necessary skills or education to qualify for a position. However, if an employee is qualified for a vacant position, he/she will be reassigned and should not have to compete for the position.

**Request for Reasonable Accommodation:** a verbal or written statement that an individual needs an adjustment or change at work or in the application process related to a medical condition or disability. Each request for accommodation must be handled on a case-by-case basis.

**Direct threat:** A significant risk to the health, safety or well-being of individuals with disabilities or others when the risk cannot be eliminated by reasonable accommodation.

**Medical Documentation:** any knowledge of or documentation of a medical condition which include letters or forms from health care professionals or information volunteered by the individual with a disability. If the disability is not obvious, and there is no other medical information already on record, COWIB may require the employee to provide medical documentation from an appropriate health care professional (e.g. physician, nurse practitioner, psychologist, social worker, rehabilitation counselor) concerning the existence and extent of the disability.

**Confidentiality:** COWIB shall keep all medical documentation and information it learns about an applicant or employee confidential, regardless of if the individual is a qualified individual with a disability. Information regarding the employee's medical condition will only be available on a need to know basis or in circumstances such as the following:

- The supervisors or managers who need to meet the employee's need for accommodation(s) in connection with an his/her work restriction(s)
- To first-aid and safety personnel who need to be informed if the employee's condition may require emergency treatment or if an employee may require assistance in an emergency
- To government officials investigating compliance with the Americans with Disabilities Amendment Act or similar state or federal compliance checks
- As needed for worker's compensation
- As needed for insurance purposes

### B. REQUEST FOR REASONABLE ACCOMMODATION

The first step in the Reasonable Accommodation process is the disclosure of a disability, as

employers are only required to accommodate disabilities of which they are aware. It is the responsibility of the applicant or employee to inform COWIB of the need for accommodation to the position supervisor, the CEO, and the EOO. Such a disclosure can be made at any time, even if the individual has not previously disclosed a disability or need for accommodation. If a request for accommodation is made by a family member, a friend, or a personal representative on the individual's behalf, COWIB shall directly verify the need with the individual.

A request is any communication in which an individual asks or states that he/she needs COWIB to provide reasonable accommodation due to a disability or medical condition. A request can be made verbally or in writing and does not have to include words such as "disability" or "reasonable accommodation." Within five (5) days of a verbal request, the individual requesting the accommodation must follow up in writing to ensure efficient processing of requests. Once COWIB is aware of the need for reasonable accommodation, it has the responsibility to initiate discussions about the accommodations and set procedures in motion.

### **Written Request:**

A request for Reasonable Accommodation should be completed in writing to formally document the request. The request should include answers to the following and be submitted the CEO once complete:

- I. Describe how your disability/medical condition limits your ability to perform the essential functions of your job.
- II. Detail the type of accommodation(s) being requested that will aid in your ability to complete the essential functions of your job.
- III. Provide details on how said accommodation will assist you with performing essential job functions.
- IV. Offer alternative accommodation(s) that may also be effective.

COWIB shall acknowledge each request in writing. A current request for accommodation does not preclude the submission of subsequent requests.

If the employee or applicant is perceived to need a reasonable accommodation by others within the Agency, COWIB must take steps to determine if engaging in an interactive process with the individual is necessary; a meeting should be scheduled with the employee to determine if the employee needs a reasonable accommodation due to a disability.

### **C. DETERMINING IF THE INDIVIDUAL REQUESTING ACCOMMODATION HAS A**

### **QUALIFYING DISABILITY**

The Agency is entitled to know that an applicant or employee who is requesting a reasonable accommodation has a covered disability. In the case where the disability and need for accommodation is obvious, COWIB will not seek further medical information. However, where the disability and/or need for accommodation is not obvious, COWIB may require that the individual provide documentation about the disability and his/her functional limitations.

If it appears that an individual with a disability may need an accommodation, staff may ask the individual if he/she can complete an essential task with or without accommodation. If the individual indicates that an accommodation is not needed, no further inquiries may be made. However, if a disability is disclosed, the individual should be informed that providing information about one's disability is voluntary, any information provided will be kept confidential as provided by law, and refusal to provide information will not subject the individual to adverse treatment.

### **D. REQUESTING MEDICAL INFORMATION**

If the CEO believes that medical information is necessary to evaluate a request, medical documentation shall be requested from the individual and/or his/her medical professional. Information needed to establish an actual and current disability that necessitates a reasonable accommodation will be required when the disability and/or need for accommodation is not obvious.

All requests for medical information should describe the nature of the job, the essential functions the individual is expected to perform, and any other relevant information. COWIB may not request any medical information that is not related to the specific disability tied to the request for reasonable accommodation.

If the provided medical information is insufficient, the individual requesting the accommodation will be notified in writing why the information is not sufficient and what additional information is needed. It is his/her responsibility to obtain and submit the necessary medical documents, and if documentation is not provided within thirty (30) days, the request for accommodation will be denied.

COWIB maintains confidentiality of all medical information collected during the reasonable accommodation process. The employee's medical information will be collected and maintained by the CEO in a confidential file that is separate from his/her personnel file.

**NOTE:** Under federal disability nondiscrimination laws, COWIB cannot ask for medical documentation under the following circumstances:

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1. Both the disability and the need for reasonable accommodation are obvious;
2. The individual has previously provided information to substantiate that he/she has an actual, current disability and needs the requested accommodation.

If the individual's disability or need for accommodation is not obvious, and he/she refuses to provide requested documentation, then he/she may be considered ineligible for accommodation.

### **E. PROCESSING A REQUEST FOR REASONABLE ACCOMMODATION**

COWIB shall be responsible for ensuring effective communication between the qualified individual with a disability and Agency staff throughout the accommodation process. The EOO should initiate discussion with the requesting individual as soon as possible. Effective communication may require arranging for sign language interpreters, alternative formats for individuals with visual impairments, assistive listening devices or other such approaches.

As early in the process as possible, COWIB will explain how the Agency will process the individual's request, the approximate timeline, and from whom the individual will receive a determination.

In instances when an accommodation request does not require formal analysis, such as modifying an individual's desk to accommodate a wheelchair, the accommodation is promptly implemented and documented. However, in more complex situations that require structured analysis, COWIB shall consult with the individual requesting accommodation using a collaborative, open, and flexible approach.

#### *1) Identifying Need and Determining the Type of Reasonable Accommodation:*

Upon receipt of any necessary medical information or after determining an applicant/employee is disabled, COWIB will arrange for a discussion(s), in person or via conference call, with the individual requesting accommodation and his/her personal representatives, if any. The purpose of the discussion is to work timely and in good faith to fully discuss all feasible reasonable accommodations.

The individual requesting accommodation, the immediate supervisor of the position, and the EOO should participate in the conversation. The discussion will include the following steps:

- i) A review of the employee's position description or job announcement delineating the essential functions from the marginal or auxiliary functions.
- ii) A determination of how the employee's disability limits his/her ability to perform he essential function of the job in order to identify the person as a qualified individual with



a disability.

- iii) Identify potential accommodations and assessment of the effectiveness of such accommodations on the employee's job performance.
- iv) Identify the type of accommodation needed, and if necessary, utilize resources such as The Job Accommodation Network (1-800-232-9675)
- v) The employee's preference of accommodation will be considered. However, COWIB has the right to select among the available alternatives, as long as they are effective.
- vi) Selection and implementation of the effective accommodation by COWIB will occur as quickly as possible. The individual will be kept informed of the timeline for obtaining the accommodation and any potential delays.
- vii) Following the end of all discussions, the EOO will present the CEO with the findings, in writing.

### 2) *Selecting and Implementing Reasonable Accommodation:*

Accommodation will be determined on a case-by-case basis. The involved parties will work closely with the employee and supervisor to develop a reasonable accommodation plan, and to ensure that the accommodation is provided and effective.

In determining the type of accommodation that is appropriate, the COWIB will give primary consideration to the request of the individual with a disability. When more than one (1) possible accommodation exists, COWIB will give primary consideration to the individual's preference. Primary consideration means honoring his/her choice unless the Agency can demonstrate that an equally effective accommodation is available or that using the requested means would result in a fundamental alteration in COWIB business or create undue financial or administrative burdens. If the requested accommodation would result in undue hardship, COWIB must, after consultation with the individual with the disability, take any other action that would not result in such a hardship, but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities are able to perform essential job functions.

When determining the type of reasonable accommodation, COWIB shall consider:

- The type of reasonable accommodation requested
- The type of accommodation offered to employees in similar circumstances
- The alternative reasonable accommodation(s)
- The availability and cost of the service or item necessary for the accommodation

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- Whether providing the reasonable accommodation would create a significant disruption to COWIB operations

A written record must be made of all requests for reasonable accommodation, particularly those that would require significant resources or preparation. Records must include the name of individual, the nature of the reasonable accommodation, and the reason for the accommodation.

### F. **APPROVAL, DENIAL and APPEALS FOR REASONABLE ACCOMMODATION:**

COWIB, in its sole discretion, determines whether a Reasonable Accommodation can be made and the type of accommodation to provide.

Within thirty (30) business days of receiving a reasonable accommodation request, COWIB shall grant or deny the request, in writing. Where the accommodation's implementation will take longer than thirty-five (35) days to implement, the steps taken to order, secure or carry out the accommodation shall be documented and discussed with the individual requesting accommodation.

**Approval:** When a determination is made that the individual qualifies for a reasonable accommodation and COWIB will grant the request, the individual should be notified immediately. If the accommodation cannot be provided/implemented quickly, the individual shall be informed of the projected timeframe.

**Denial:** Not all accommodation requests can be honored. Even in such cases, COWIB will work with the individual to determine if some other form of workplace accommodation may be effective.

If COWIB denies the request for accommodation, the individual will be provided the denial in writing clearly outlining the specific reasons for denial. In the event the specific accommodation has been denied, but the offer to provide a different accommodation in its place is not agreed on, the notice should include both the reasons for the denial and the reason COWIB believes the chosen accommodation will be effective.

Reasons for denial include, but are not limited to, the following:

- The requested accommodation would be ineffective
- Providing the requested accommodation would result in undue hardship
- Medical documentation is inadequate to establish that the individual has a disability or need for a reasonable accommodation
- The requested accommodation would require the removal of an essential function
- The requested accommodation would require lowering the performance standard

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The employee shall inform the EOO or the CEO of his/her decision to accept or reject the reasonable accommodation offer in writing within five (5) working days of the determination. If the employee rejects the accommodation, he/she shall state the reason said accommodation is not suitable.

If an accommodation is denied due to undue hardship, COWIB will take other actions, to the maximum extent possible, to improve the applicant or employee's ability to participate in the application or work process.

**Appeal Process:** An employee who disagrees with the reasonable accommodation determination may file an appeal of the decision within five (5) working days of receiving the notice of determination. The CEO's decision on the reasonable accommodation, following appeal, shall be final.

The individual may provide additional information to support a request to reconsider. If this is the case, COWIB will have ten (10) days to respond.

If the person making the accommodation request believes the decision is based on discriminatory reason, he/she may file a complaint with the COWIB Equal Opportunity Officer. Any individual who believes that he/she has been subjected to unequal treatment or discrimination prohibited by the ADA may file a complaint with the EOO or the CEO of COWIB. A formal complaint must be filed within ninety (90) days of the occurrence or when the alleged discrimination became known to the complainant.

A written complaint should be filed with the EEO or CEO. The complaint should include the following:

- Name, Address, Email, Phone Number of the complainant
- Basis of the complaint
- Name, Address, Email, Phone Number of the individual perpetrating the discrimination
- Details on how you were discriminated
- Where the discrimination occurred
- Dates and times the discrimination occurred
- Names of witnesses to the discrimination, if any
- Information on how you would like the situation resolved

### G. ADDITIONAL INFORMATION

#### 1) *Time Frames for Processing Reasonable Accommodation Requests:*

COWIB will make its best effort to process requests as expeditiously as possible. The Agency

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recognizes that the ability to process the request is dependent on the requestor's ability to provide necessary documentation to support his/her disability and requested accommodation.

COWIB will process most requests within thirty (30) days and provide accommodations as promptly as reasonably possible.

In the case of extenuating circumstances, the time to process and implement a reasonable accommodation may be extended. In such an event, the requestor shall be notified in writing of the reason for the delay, the approximate date of a decision, or the expected date of the delivery of the reasonable accommodation.

### *2) Length of Accommodation:*

Eligible individuals with a disability may be provided short-term or long-term accommodations dependent on the medical condition necessitating the need.

Within 90 days after the accommodation has been provided/in place, the EEO will assess the effectiveness of the accommodation in aiding in the employee's ability to complete the essential job functions. Based on the assessment, or issues that arise prior, additional accommodations or modifications to what's existing may be considered.

- i) **Short-Term Disabilities:** employees/applicants who are temporarily disabled may be provided temporary accommodation through modifications to their current assignment or through temporary assignment to alternate work. A temporary assignment does not constitute a right to the temporary assignment on a permanent basis.
- ii) **Long term/Permanent Disabilities:** when an employee/applicant provides medical certification that he/she needs permanent or long-term accommodation, COWIB will provide reasonable accommodation within the guidelines of the applicable laws. Depending on the circumstances, COWIB may provide temporary accommodation to allow time to review the effectiveness of a permanent/long-term accommodation. No permanently disabled employee/applicant will be provided accommodations unless doing so will allow he/she to perform ALL essential functions of the position and in doing so does not create undue hardship or a direct threat to COWIB, the employee/applicant, or staff.

## **APPENDIX R: Request Form for Reasonable Accommodation**

**This form must be completed when an individual is requesting accommodation due to a disability.**

Please describe how your disability/medical condition limits your ability to perform the essential functions of your job:

Please detail the type of accommodation(s) being requested that will aid in your ability to complete the essential functions of your job:

Please provide details on how said accommodation(s) will assist you with performing essential job functions:

Please offer alternative accommodation(s) that may also be effective:

\_\_\_\_\_  
Signature of employee making request

\_\_\_\_\_  
Date Request submitted

\_\_\_\_\_  
Work Phone of Employee

\_\_\_\_\_  
Work Phone of Employee

\_\_\_\_\_  
Signature of CEO

\_\_\_\_\_  
Date Request received

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**Submit the original completed form to the Chief Executive Officer**

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**Request for Leave**

**Name:**

**Pay Period:**

I hereby request the following leave with pay for the purpose below:

| <b>Type of Leave</b>                        | <b>Hours</b> | <b>Date(s)</b> | <b>Time</b> |
|---|--------------|----------------|-------------|
| Vacation/Annual                             |              |                |             |
| Sick  |              |                |             |
| Compensatory                                |              |                |             |
| Leave of Absence<br>(Family and/or Medical) |              |                |             |
| Other: *(specify)                           |              |                |             |

\*Other leave is bereavement leave, military leave, jury duty and subpoenaed leave as described in COWIB Personnel Policies \*

NOTE: All leave except sick leave must be approved in advance. At the discretion of the Chief Executive Officer, the following certificate must be completed and signed by the attending physician for more than three (3) consecutive days of sick leave taken by an employee.

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**CEO Signature**

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**Certificate of Attending Physician**  
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I, hereby certify that I attended \_\_\_\_\_ in a professional capacity and that this employee was actually unable to be present at his/her duty station during the period of: \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
**Name of Physician**

\_\_\_\_\_  
**Signature of Physician**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Telephone Number**



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**APPENDIX S: Equal Opportunity is the Law**

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual’s citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

*What To Do If You Believe You Have Experienced Discrimination*

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: The recipient’s Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or

**The Director, Civil Rights Center (CRC),  
U.S. Department of Labor,  
200 Constitution Avenue NW.,  
Room N-4123,  
Washington, DC 20210**

or

electronically as directed on the CRC Web site at [www.dol.gov/crc](http://www.dol.gov/crc). If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90- day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

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Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Last Name, First Name, Middle Initial (Please Print)