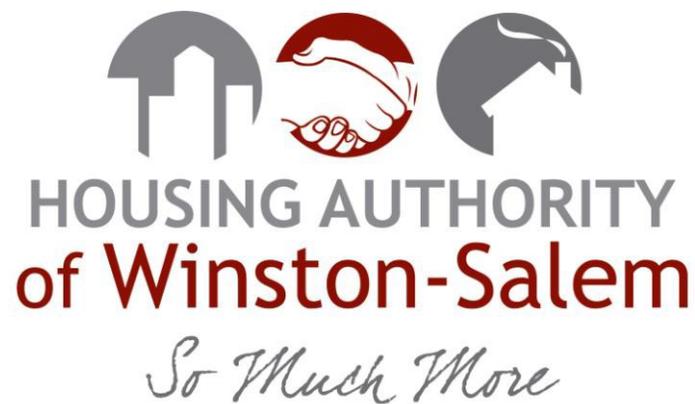


EMPLOYEE HANDBOOK



**ADOPTED BY THE BOARD OF COMMISSIONERS
MAY 14, 2019**

Housing Authority of the City of Winston-Salem Personnel Policies

(Table of Contents)

<u>Section</u>	<u>Page</u>
I. Introduction	
(I-1) Introduction	1
(I-2) Equal Employment Opportunity.....	1
II. General Practices and Procedures	
(II-1) Employer/Employee Responsibilities	2
(II-2) Hours of Work.....	2-3
(II-3) Attendance.....	3
(II-4) Uniforms.....	3-4
(II-5) Photo-Identification Badges	4
(II-6) Parking Pass	4
(II-7) Whistleblower Policy	4-5
III. Employment Policies	
(III-1) Employment at Will.....	6
(III-2) Harassment, Discrimination and Retaliation Policy	6-7
(III-3) Reasonable Accommodation	7-8
(III-4) Conflicts of Interest Policy	8-10
(III-5) Anti-Fraud Policy.....	10-12
(III-6) Fraternalization Policy.....	12-13
(III-7) Outside Employment Policy	13
(III-8) Political Activity Policy.....	13-14
(III-9) Dress Code	14-15

Employment Policies (continued)

(III-10) Smoking Policy14-15

(III-11) Substance Abuse Policy15-18

(III-12) Personnel Records Policy18

(III-13) Confidentiality Policy18-19

(III-14) Inclement Weather Policy.....19-20

(III-15) Use of Housing Authority Property20

(III-16) Operation of Housing Authority Vehicles...20-22

(III-17) Business Travel and Reimbursement Policy.....21-23

(III-18) Electronic Communications Policy.....24-25

(III-19) Computer, Internet and Email Usage Policy.....25-28

(III-20) Social Media Policy28-29

IV. Classification Plan

(IV-1) Recruitment and Selection of Employees30-31

(IV-2) Types of Employment.....31-32

(IV-3) Physical Examinations.....32

(IV-4) Classification Plan...32-33

V. Compensation

(V-1) Salary Administration...34

(V-2) Salary Increases.....34-35

(V-3) Overtime.....35

(V-4) On-call Pay.....35-36

(V-5) Holiday Compensation.....36

(V-6) Incentive Compensation Plan.....36

(V-7) Pay Periods.....36

Compensation (continued)

(V-8) Payroll and Time Cards.....36-37
(V-9) Deductions from Pay.....37-38

VI. Benefits

(VI-1) Health and Dental Insurance.....39
(VI-2) Long-Term Disability Insurance.....39
(VI-3) Life Insurance39
(VI-4) Retirement.....39-40
(VI-5) Service Awards.....40
(VI-6) Tuition Assistance Program.....40-41

VII. Leave

(VII-1) Leaves of Absence.....42
(VII-2) Holidays.....42
(VII-3) Vacation Leave.....42-44
(VII-4) Sick Leave44-45
(VII-5) Family and Medical Leave Act (FMLA)45-49
(VII-6) Accommodations for Nursing Mothers... ..49
(VII-7) Worker’s Compensation.....49-50
(VII-8) Military Service and Leave50
(VII-9) Jury Leave50
(VII-10) Voting Leave51
(VII-11) Bereavement Leave51
(VII-12) School Involvement Leave.....51

VIII. Performance Management and Development

(VIII-1) Performance Evaluations	52
(VIII-2) Promotion.....	52
(VIII-3) Lateral Transfer.....	52
(VIII-4) Demotion.....	53
(VIII-5) Employee Training.....	53
(VIII-6) Disciplinary Action.....	53-55
(VIII-7) Suspension.....	55
(VIII-8) Termination.....	55-56
(VIII-9) Employee Grievances.....	56

IX. Safety and Security

(IX-1) Safety Policy	58
(IX-2) Reporting Accidents and Injuries.....	58
(IX-3) Audio and Video Surveillance.....	58-59
(IX-4) Workplace Violence	59-60

X. Leaving Employment

(X-1) Layoffs and Reduction in Force.....	61
(X-2) Resignation.....	61
(X-3) Exit Interview.....	61
(X-4) Re-employment.....	61

XI. Policy Receipt Pages

Receipt Pages	62
---------------------	----

I. INTRODUCTION

1. INTRODUCTION

The Employee Handbook (Handbook) of the Housing Authority of Winston-Salem (HAWS, Authority, Housing Authority) is established as a guide for employees and their supervisors in their relationship with each other and with the Housing Authority.

All employee benefits programs, salaries, policies, classification and pay plans are subject to change from time to time. Consequently, the benefits referred to in this handbook constitute those in effect on the date of approval of these policies by the Board of Commissioners of the Housing Authority.

This handbook is not, and should not be construed as an employment contract. The Housing Authority does not, in any way, waive its right to change, modify or withdraw the policies and procedures in this handbook with or without notice to employees. However, when applicable, revisions will be communicated to staff accordingly. Additional departmental guidelines and procedures that support the general handbook policies may be established and revised based on the organizational needs of the Authority.

It is essential that the policy remain updated in accordance with the needs and issues of the Authority. To that end, each department is responsible for monitoring and making note of changes that need to be made to the policy impacting their areas. Such potential policy changes are to be submitted once a year, in January, to their area Vice President for review. If approved, those changes are to be forwarded to the person/area responsible for maintaining and updating the handbook to be incorporated. Such additions are to be brought before the Board of Commissioners for review and adoption.

2. EQUAL EMPLOYMENT OPPORTUNITY

The Housing Authority is committed to providing an inclusive and welcoming environment for our clients, employees and community. We want to ensure that our housing-related decisions are fair and equitable and our employment decisions are based on merit, job performance, and professional qualifications. HAWS does not discriminate with respect to applicants and employees based on race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

II. GENERAL PRACTICES AND PROCEDURES

1. EMPLOYER/EMPLOYEE RESPONSIBILITIES

Employer's Responsibilities

Employees of the Housing Authority may expect:

- (1) Fair and impartial treatment at all times;
- (2) Fair pay;
- (3) Safe working conditions;
- (4) Necessary equipment to perform job duties;
- (5) Informed supervision;

Employee's Responsibilities

As an employer, the Housing Authority expects employees to be:

- (1) Fair and courteous in meeting the public and working with fellow employees;
- (2) Industrious;
- (3) Neat in work and personal appearance;
- (4) Prompt in reporting for work and in completing assignments;
- (5) Economical in the use of supplies and equipment;
- (6) Cooperative with the public and with fellow employees in getting the job done well;
- (7) Observant of all Housing Authority policies and procedures;
- (8) If certification of any type is required for a position, the employee must already be certified or must obtain certification within the described period that the job description requires.

2. HOURS OF WORK

The standard work schedule for all employees shall be 8:30 a.m. to 5:00 p.m. Monday through Friday, with one hour allotted for lunch. Other flexible work schedule options may be available for employees, depending on the staffing needs of each department. These schedule options will be set forth in a separate document. Up to two optional ten to fifteen minute breaks may be granted at the discretion of management based on departmental and organizational needs.

Periodically, employees may seek schedule changes or adjustments such as flex scheduling or temporary working-from-home arrangements. Such requests are to be initiated with the immediate supervisor. He/she should first consider the impact on the workplace in determining

whether to grant the request, recommend the use of sick, annual or other leave instead, or to simply deny the request.

If an employee is working from home or flexing their work schedule, the supervisor must ensure that the proper hours of meaningful work are assigned to and completed by the employee. Permanent flex scheduling adjustments must be reported to Human Resources prior to the start of the schedule so that the employee's regular hours may be updated in their records.

3. ATTENDANCE

Attendance and punctuality are very important responsibilities of each employee. Services performed by the Housing Authority require employees to avoid unnecessary absences and tardiness. Unexcused absences and tardiness may result in discipline up to and including termination.

When an employee is unable to report for work as scheduled, he/she must notify the supervisor, in the manner established in your work area (phone, email, text, direct call to immediate supervisor, requirement to speak with live person or voicemail message, etc.), as soon as possible, preferably at least fifteen (15) minutes or more prior to the scheduled start time. Reporting an absence is the employee's responsibility. If the reason given for the absence is illness, supervisors may require the employee to provide a statement from a medical practitioner's office supporting the employee's claim of inability to come to work at the scheduled time based on illness.

A. Typical Disciplinary Measures (as stated in the Disciplinary Action Policy)

- (1) Verbal Warning
- (2) Written Warning
- (3) Suspension (with or without pay)
- (4) Termination

The type of disciplinary action applied depends on the severity of the related offense and the employee's history of policy violations.

4. UNIFORMS

The Housing Authority may provide maintenance employees with uniforms for use in the performance of their duties. Uniforms provided by the Housing Authority remain the property of the Housing Authority and will be subject to the same policy that applies to the use of other Housing Authority property. Employees receiving uniforms are responsible for cleaning, repair and maintenance of the uniforms. Uniforms must be returned to the Housing Authority upon separation from employment.

Employees must adhere to detailed laws, guidelines and procedures regarding uniforms and personal protective equipment (PPE) as determined by management and set forth in a separate document. Any funds advanced to an employee for the purchase of PPE require proper documentation/certification from his/her supervisor of the need for and anticipated cost of the PPE.

The documentation is to be presented to the Finance department by the employee for verification prior to the advancement. When an employee seeks reimbursement after purchasing PPE at his/her own expense, the employee must present a receipt for the purchase and documentation/certification from his/her supervisor, to Finance prior to reimbursement.

5. PHOTO-IDENTIFICATION BADGES

The Housing Authority will provide photo identification badges at no charge for all regular employees. Employees are required to wear their badges at all times when performing official duties unless they are at HAWS headquarters. Replacement badges will be made at no charge when the badge is turned in because of wear and tear. Badges which are lost will be replaced at cost to the employee. ID badges may be verified periodically.

6. PARKING PASS

Each HAWS employee is given one parking pass. Should the employee lose or destroy the parking permit he/she is responsible for paying 100% of the replacement fee.

Employees are responsible for any and all parking and moving violation fines, tickets, etc. they incur while operating their vehicle or a HAWS vehicle at any time for any reason. Exceptions may be made where a supervisor, acting in good faith, instructs an employee to operate or park a vehicle in a manner that results in a moving or parking violation. The employee must have had a good faith belief that the supervisor's directions were in compliance with applicable rules and laws.

7. WHISTLE BLOWER POLICY

The Housing Authority of Winston-Salem strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state and local laws and regulations. To that end, HAWS encourages any employee with knowledge of activity that he/she believes is illegal or dishonest to report such information to the appropriate management personnel without fear of retaliation or other adverse action by the agency. The purpose of this policy is to protect those individuals who qualify as "whistleblowers" from retaliation where they, in good faith, reported actions they believed were illegal, dishonest or contrary to HAWS policy, and to clarify how such reports may be made. The whistleblower is not responsible for investigating the matter or determining fault.

A. Types of Issues That May Be Raised:

Improper actions undertaken by an employee/agent of HAWS in the performance of his/her official duties which:

- a. are in violation of any federal, state, or local laws or regulations;
- b. constitutes intentional breaches of contract;
- c. constitute an abuse of authority;

- d. constitute fraud;
- e. constitute a misappropriation of HAWS funds and/or other assets;
- f. create a substantial and specific danger to public health or safety; or
- g. grossly waste public funds.

B. How to Report a Concern:

An employee who has a good faith concern that improper action has occurred or is about to occur, and he/she wants to report his/her concerns to the agency, must do so in writing to:

- a. the Chief Executive Officer or his/her designee; or
- b. the Chairperson or other member of the Board of Commissioners (if raising the matter with the CEO is not appropriate).

The identity of the reporting employee will be kept confidential to the fullest extent possible.

HAWS shall have thirty (30) working days to investigate and take action on verified concerns.

C. How the Whistleblower is Protected

This policy protects the whistleblower by first, insofar as possible, maintaining his/her confidentiality. The identity of the whistleblower may have to be disclosed in the course of conducting a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

The policy also protects the whistleblower from retaliation by HAWS in any form including adverse employment actions such as inappropriate termination, compensation reductions, poor work assignments and any threats of physical harm. Any whistleblower who believes he/she is being retaliated against must report the matter immediately to the CEO or his/her designee or a Board Chairperson/Board member where appropriate. The right of a whistleblower to protection from retaliation does not include immunity for any personal wrongdoing by the whistleblower that may be alleged and investigated.

The employee must exercise sound judgement to avoid baseless allegations. An employee who knowingly files a false report of wrongdoing will be subject to discipline, up to and including termination.

III. EMPLOYMENT POLICIES

1. EMPLOYMENT AT WILL

The Employee handbook is not a contract guaranteeing employment for any specific period of time. The Housing Authority may end the employment relationship at any time, with or without cause, notice, or reason.

2. HARASSMENT, DISCRIMINATION, AND RETALIATION POLICY

The Housing Authority believes that discrimination, harassment, and/or retaliation, in any form, constitute misconduct and undermines the integrity of the organization. All employees of the Housing Authority have a right to work in an environment free from discrimination, harassment and/or retaliation. The Housing Authority therefore prohibits harassment or discrimination based on age, sex, color, race, religion, national origin, disability, marital status, sexual orientation, military/veteran status, political affiliation, genetic information or status in any other group protected by federal or local law. This policy prohibits harassment, as defined herein, by any employee of the Housing Authority.

Violation of this policy will subject an employee to disciplinary action up to and including termination.

A. Sexual Harassment

The Housing Authority defines workplace sexual harassment as unwelcome sexual advances or conduct of a sexual nature which unreasonably interferes with the performance of a person's job or creates an intimidating, hostile, or offensive work environment. Sexual harassment includes:

- I. Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term of condition of a person's employment; or
- II. Submission to and/or tolerance of, and/or rejection of the unwelcome conduct is used as a factor for employment decisions.

Examples of sexual harassment include, but are not limited to, the following:

- (1) Repetitive, unwanted flirtations, advances or propositions;
- (2) Repetitive or continual verbal abuse of a sexual nature;
- (3) Telling of sexually-related jokes or circulation of sexual cartoons or pictures;

- (4) Graphic verbal commentaries or sexually degrading words about an individual's body;
- (5) Unwanted touching of a person's body;
- (6) Demanding sexual favors or submission to sexual advances accompanied by implied or overt threat concerning an individual's employment status or other conditions of employment;
- (7) Repetitive or continual remarks that intimidate, ridicule, or maliciously demean the status of an individual's gender;
- (8) Any sexual or gender-related conduct that is unwelcome and would make a reasonable person feel uncomfortable.

B. Other Harassment

Other prohibited harassment includes, but is not limited to, unwelcome or off-color jokes, slurs, and offensive remarks based on an individual's age, race, color, religion, national origin, disability, marital status, sexual orientation, military status, genetic information, or political affiliation which create an intimidating, hostile or offensive working environment, or unreasonably interfere with an employee's or commissioner's work performance.

C. Reporting Incidents of Harassment

All Housing Authority employees and commissioners are responsible for helping to ensure that no form of harassment is tolerated. If an individual believes he or she has been subject to illegal discrimination or harassment, he or she must report the conduct to his or her immediate supervisor, the department Director, or the Human Resources Director. If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee should report it directly to the Human Resources Director or to his/her department Director.

Allegations of the harassment will be thoroughly investigated impartially and promptly. Complaints of harassment will be taken seriously, and will be held confidential to the greatest extent possible. Appropriate action will be taken against any employee who is determined to have engaged in any type of harassment or discrimination.

D. Retaliation Prohibited

The Housing Authority prohibits retaliation of any kind against employees who, in good faith, report harassment or discrimination, or participate or assist in an investigation of alleged harassment or discrimination. If an employee feels he or she has been subjected to any form of retaliation, the employee should report that conduct to his or her supervisor, his/her department Director or the Human Resources Director within three calendar days of the offense.

3. REASONABLE ACCOMMODATION

As an equal opportunity employer, the Housing Authority is committed to the fair and equal employment of individuals with disabilities. It is the policy of the Housing Authority to reasonably accommodate qualified individuals with disabilities unless doing so would pose an undue hardship

for the Housing Authority. For the purposes of this policy, the term “qualified individual with a disability” is defined pursuant to the Americans with Disabilities Act and other applicable laws.

If an employee believes that he or she needs a reasonable accommodation, he or she should contact the Human Resources Department.

4. CONFLICTS OF INTEREST POLICY

A. Conflicts of Interest

A conflict of interest arises in the workplace when an employee has competing interests or loyalties that either are, or have the potential to be, at odds with each other. A conflict of interest causes an employee to experience a struggle between divergent interests, points of view, or allegiances. Conflicts of interest can cause an employee to act out of interests that are not in keeping with those of his or her employer or coworkers. In workplaces, employees want to avoid any behavior or choices that could potentially result in a conflict of interest.

In order to avoid any actual or apparent conflict of interest, employees must not use any non-public information, acquired through their work with the Housing Authority of Winston-Salem (HAWS), for personal gain. Specifically, the violation of any of the following rules of conduct may result in disciplinary action up to and including termination:

B. Acquiring an Interest

No Commissioner or employee of HAWS shall acquire any interest, direct or indirect, in any HAWS housing program or in any property included or planned to be included in any program within the jurisdiction of HAWS; nor shall he/she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any housing program. In addition, employees in a policy-making position, and members of their immediate family, shall not enter into any contract or business arrangement with HAWS, and shall abide by the provisions of the HAWS Conflicts of Interest Statement.

If any Commissioner or employee of HAWS owns or controls an interest, direct or indirect, in any property included or planned to be included in any housing program, he/she shall immediately notify HAWS in writing and this notification will be entered into the minutes of the next meeting of the Board of Commissioners. Failure to disclose such interest constitutes misconduct in office.

C. Tips, Gifts, and Discounts

Commissioners and employees shall not accept tips or gifts of anything more than nominal value from any resident of HAWS or from any salespeople or representatives of companies doing business with HAWS.

Requesting or in any way encouraging or accepting a discount, *of any amount beyond a nominal value (i.e. small discounts at local merchants)*, in the purchase of personal goods or

services, directly or indirectly, as a result of HAWS employment is prohibited. Such discounts offered by merchants, vendors or professionals, solicited or unsolicited, can compromise the HAWS purchasing position with competitors and jeopardize both HAWS' and the employee's reputation.

D. Nepotism

HAWS treats all employees with fairness and equity, based on their individual merit, job performance and professional qualifications. Favoritism or disparaging treatment, based on family or personal relationships is prohibited.

The nature of HAWS' work requires many of our employees to make, review or be party to decisions about the clients we serve. It is essential that those decisions be made fairly and equitably without concern for family or personal relationships.

The employment of related persons of the Chief Executive Officer (CEO) and the members of the Board of Commissioners is strictly prohibited. In no instance shall two related persons be employed in the same administrative department at the same time. Employment arrangements which will result in an employee directly or indirectly supervising a related person are prohibited. The CEO of HAWS may grant special permission to allow related persons to work within the same department, with neither having supervisory responsibilities over the other, if he/she determines that such a working arrangement is in the best interest of the Housing Authority. Such working arrangements are to be fully disclosed to the Board prior to final approval by the CEO.

This provision shall not be retroactive and no action will be taken concerning the employment status of a supervisory relationship(s) of any members of the same family employed at the time of the adoption of this section, which is April 9, 2019. *However, no new familial supervisory arrangements shall be permitted after the adoption of this section.*

Employees are prohibited from reviewing, making determinations on, processing or in any way engaging in decisions involving clients who are related to them. Employees who find themselves in work situations in which they are called upon to review, process or engage in any way in decisions or determinations impacting people, to whom they are related as here defined, must immediately recuse themselves from the matter and notify their supervisor of the problem. For purposes of this policy the definition of "Related Persons" includes:

- Parent and child
- Brothers and sisters
- Grandparents and grandchild
- Aunt and/or uncle and niece and/or nephew
- Stepbrothers and stepsisters
- Husband and wife
- Parents-in-law and children-in-law
- Brothers-in-law and sisters-in-law
- Guardian and ward

- Cousins (1st, 2nd, 3rd)
- Persons engaged in amorous relationships; an amorous relationship exists when, without the benefit of marriage, two persons voluntarily have a sexual union or are engaged in a romantic courtship (e.g., dating or engaged to be married).
- Business partners
- Any organization that employs or is about to employ any of those listed above

In addition, HAWS employees are expected to comply with the spirit as well as the specifics of this policy. If an employee has a relationship that would lead an objective observer to question his/her ability to be impartial, he/she is expected to disclose that relationship to his/her supervisor prior to engaging the client or handling any part of the case or related material. This may occur even where the relationship does not fall under one of the specific categories on the above Related Persons list.

5. ANTI-FRAUD POLICY

The Housing Authority of Winston-Salem (HAWS) has established an anti-fraud policy to enforce controls and to aid the prevention and detection of fraud, theft, waste, or abuse against the Authority. This policy applies to any fraud, theft, waste, or abuse or suspected fraud, theft, waste, or abuse involving any employee (including management), consultant, vendor, contractor, or outside agency doing business with HAWS or in any other relationship with HAWS. This policy is supported and supplemented by a variety of existing policies and procedures including the HAWS Employee Handbook.

HAWS seeks to promote consistent, legal and ethical organizational behavior by:

- Assigning responsibility for reporting fraud, theft or abuse;
- Providing guidelines to conduct investigations of suspected fraudulent behavior; and
- Employees may also be required periodically to attend fraud awareness training.

Failure to comply with this policy subjects an employee (including management) to disciplinary action, including immediate termination. Failure to comply by a consultant, vendor, contractor, outside agency, or person doing business with HAWS or in any other relationship with HAWS could result in cancellation of the business or other relationship between the entity and HAWS.

For purposes of this policy only, the term *fraud* or *fraudulent* includes theft, waste, and abuse as defined below. The term *employee* includes employees in management process positions. The term *management* includes, Commissioners, Executive Director, administrative personnel and supervisors.

A. Definitions and Examples of Fraud, Waste, and Abuse

Fraud is defined as an intentional deception designated to obtain a benefit or advantage or to cause some benefit that is due to be denied. Examples of fraud include:

- Forgery or alteration of a check, bank draft, or any other financial document;
- Theft of a check or other diversion of a client payment;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Profiteering as a result of insider knowledge of HAWS operations; and
- An employee with access to confidential client information who sells this information or uses it in the conduct of an outside business activity.

Waste is the loss or misuse of HAWS resources that results from deficient practices, system controls, or decisions. An example is purposely not taking advantage of early bird conference registration discounts.

Abuse is the intentional, wrongful, or improper use of resources or misuse of rank, position, or authority that causes the loss or misuse of resources such as tools, vehicles, computers, copy, machines, etc. Examples of abuse include, but are not limited to:

- Using HAWS equipment or supplies to conduct personal business; and
- An employee using non-confidential client information to get new customers for his/her outside business.

Theft is defined as the act of taking something from someone unlawfully. An example of theft is taking home a tool or other piece of equipment belonging to HAWS and keeping it for personal use

B. Responsibility to Report Suspected Fraud

Each employee is required to report any suspected fraud, theft, waste, or abuse or other dishonest conduct to his/her supervisor or department Director. Any person who has a reasonable basis for believing fraudulent acts have occurred has a responsibility to report the suspected act immediately.

Management is required to report suspected fraud, theft, waste, or abuse or other dishonest conduct including reports from employees or other individuals to their department Director and/or Vice-President.

Retaliation and retribution will not be tolerated against any employee or officer who reports suspected fraudulent activities. All reports will be taken seriously and will be investigated by the Legal Department. However, if an employee is determined to have acted maliciously or with deceit concerning a report of fraudulent acts, the employee will be subject to disciplinary action.

C. Disciplinary Action

Failure to comply with any part of this policy will be grounds for disciplinary actions, including immediate termination.

An employee who:

- Has engaged in any form of fraud, waste, or abuse;
- Suspects or discovers fraudulent activity and fails to report his or her suspicions as required by this policy (See *Responsibility to Report Suspected Fraud*); or,
- Intentionally reports false or misleading information.

Failure to adhere to this policy may result in disciplinary action up to and including termination.

6. FRATERNIZATION POLICY

Fraternization is prohibited between Housing Authority employees and Housing Authority Residents. Any employee in an existing relationship with a person who subsequently moves into a Housing Authority property must disclose such relationship to his/her department director immediately.

Fraternization between Housing Authority employees and Housing Choice Voucher participants is strongly discouraged and will be subject to significant scrutiny by the employee's superiors with the intent of avoiding any potential conflict of interest. Fraternalization between employees in the Housing Choice Voucher department and Housing Choice Voucher participants is prohibited. Any employee in the Housing Choice Voucher department who is in an existing relationship with a person who subsequently becomes a participant in the Housing Choice Voucher program must disclose such relationship to the Housing Choice Voucher Director immediately.

Fraternalization between Housing Authority employees and contractors is discouraged and may be prohibited when it may lead to a potential conflict of interest.

Fraternalization between employees is strongly discouraged and may be prohibited when the employees' job functions require significant professional interaction and/or collaboration. Fraternalization is expressly prohibited where one employee directly or indirectly supervises the other.

With respect to fraternization, a conflict of interest shall be defined as (but not limited to) any social relationship that has potential to cause a negative impact on staff morale, unlawful favoritism/discrimination, interfere with general business operations or create a hostile work environment (see harassment policy for details).

For the purpose of this Employee Handbook, fraternization is defined as a relationship that is romantic and/or intimate in nature. The provision of this Section shall not be retroactive and no

action based on fraternization engaged in prior to the adoption of this Section shall be taken concerning any staff members employed at the time of the adoption of this Section.

7. OUTSIDE EMPLOYMENT POLICY

The work of the Housing Authority shall have precedence over all outside employment.

An employee must provide notice of outside employment, for approval by the employee's department head, who will determine if the requested employment violates any Housing Authority policies. This written approval or disapproval shall be placed in the employee's personnel file. Employees may appeal the department head's decision to the area Vice-President.

Housing Authority employees shall not:

- Use Housing Authority worktime to promote or carry out outside employment.
- Engage in outside employment, which impairs the efficiency of Housing Authority services or results in any conflict of interest with the Authority.
- Perform any work as a professional, contractor, or subcontractor for any outside employer, whose work will be submitted to the Housing Authority for review, approval, or inspections.
- Use any equipment, supplies, or office space owned by the Housing Authority for outside employment purposes.

Any violation of this policy on outside employment shall be grounds for disciplinary action up to and including dismissal.

8. POLITICAL ACTIVITY POLICY

All full-time Housing Authority employees and all part-time Housing Authority employees whose employment with Housing Authority is their primary employment are subject to the provisions of the Hatch Act and to all amendments made thereto.

Every eligible employee may exercise his/her right to vote in all legal elections. However, Housing Authority employees shall not:

- (1) Engage in any political activity while on duty;
- (2) Be required as a duty of office or employment or as a condition for employment, promotion or tenure of office, to contribute funds for political or partisan purposes;
- (3) Coerce or compel contributions for political or partisan purposes by any other employee of the Housing Authority, or use official authority or influence to coerce the political action of any person or party;
- (4) Use any supplies or equipment of the Housing Authority for partisan political purposes;
- (5) Be a candidate for public office in a partisan election;
- (6) Be a candidate for public office in a non-partisan election, unless on unpaid leave

of absence which has been authorized by the CEO or his/her designee for such purpose.

Housing Authority employees running for any local, state or federal office in a non-partisan election, may request up to 90 days of unpaid leave during the campaign. The granting of such leave shall be based upon the workplace needs of the Housing Authority during the period for which the leave is sought.

9. DRESS CODE

Violations of any of these prohibitions may result in disciplinary action up to and including termination.

All Housing Authority employees are expected to exercise reasonable judgment in dressing appropriately for their jobs. Employees should dress in a manner that reflects professionalism at all times. Prior approval must be obtained from the appropriate department head in order to dress in a manner that is not in accordance with this policy. Employees may be required to wear uniformed attire according to the Housing Authority's organizational needs and health and safety requirements.

It is the responsibility of the supervisor to monitor the dress of his/her subordinates to ensure that the Housing Authority employees comply with the dress code.

Employees who do not adhere to the Dress Code may be asked to leave the worksite and return in appropriate attire; the time spent away from the worksite to change attire will be deducted from the employee's vacation leave. Further infractions may subject the employee to disciplinary action as described in the Disciplinary Action Policy.

A. Prohibited Attire

Shorts of any length (with the exception of Capri styled just below the knee pants on dress down days), miniskirts, low cut blouses, sneakers (except with medical permission), t-shirts, spaghetti straps or camisoles (unless covered by a shirt or jacket), tank tops, flip flops, transparent shirts or blouses without proper coverage underneath the garment, halter tops, muscle shirts, extremely form fitting pants or clothing of any type, off the shoulder tops, clothing with inappropriate messages or logos, wind suits, sweat suits, overalls, clothes that are not clean, head wraps/scarves (unless pre-approved and necessary for religious or medical reasons), hats, or other items which are determined to be inappropriate by the supervisor or the Human Resources Department. Employees may be required to cover (or temporarily remove) excessive piercings or cover body art (i.e. tattoos) if deemed offensive or inappropriate for the work environment (at the discretion of management).

B. Casual Friday Guidelines

Employees may dress in casual attire on Fridays subject to the following general guidelines:

Business casual attire is dress that is more informal than usual business attire, yet is still neat and appropriate to present a well-groomed appearance. Casual attire permitted under the Dress Code includes polo shirts, khaki pants or skirts, denim jeans and dresses, sport jackets, sandals and other casual clothing not otherwise prohibited.

Employees who have business meetings with customers/visitors on Fridays may be required *to wear more formal business attire (at the discretion of management)*.

Employees in positions that require them to wear a uniform must wear the complete uniform to include appropriate safety attire while on duty.

C. Exceptions/Modifications

An employee may seek an exception or modification to the dress code from their supervisor or the Human Resources Department. HAWS will endeavor to accommodate all reasonable requests for modifications and exceptions.

10. SMOKING POLICY

The Smoking Policy is designed to foster the health and safety of all employees, residents, and visitors in the conduct of the Housing Authority business. Smoking is permitted only in outside smoking zones. Smoking is not permitted in employee workspaces or in any building owned by the Housing Authority.

Smoking can damage sensitive technical equipment and can be a safety hazard. Smoking is prohibited where combustible fumes can collect, such as in garage and storage areas, areas where chemicals are used, and all other designated areas where an occupational safety or health hazard might exist.

Smoking is not permitted in Housing Authority vehicles, including agency-sponsored vanpools. The Housing Authority, in its sole discretion, may designate other locations where smoking is prohibited. Any personal breaks taken from work to smoke should not interfere with the employee's overall work productivity or performance.

All employees, visitors and guests on Housing Authority properties are required to honor all provisions of this Smoking Policy as well as local related laws.

11. SUBSTANCE ABUSE POLICY

The Housing Authority is committed to maintaining a drug free workplace. Substance abuse is the misuse or illegal use of any drug, controlled substance or alcohol which alters mood, perception, and consciousness such that it impairs one's performance in the workplace. An employee will be considered under the influence when in the judgment of the supervisor the employee's ability to perform his or her job safely and effectively is impaired.

Violations of the Substance Abuse Policy include but are not limited to the following actions by an employee:

- (1) Possession of illegal drugs and/or alcohol while in the workplace, at the job site, traveling to and from the job site, while traveling to and from the job site in a Housing Authority vehicle, or while representing Housing Authority away from the workplace;
- (2) Using illegal drugs and/or alcohol or other controlled substances while in the workplace, at the job site, while traveling to and from the job site in a Housing Authority vehicle, or while representing Housing Authority away from the workplace during work hours;
- (3) Distributing or manufacturing illegal drugs, and/or alcohol on or off of Housing Authority premises during any working hours for which the employee is being compensated or paid;
- (4) Failing to report a conviction of a workplace drug or alcohol-related crime to the immediate supervisor and Human Resources within five (5) calendar days of the date of the conviction.

A. Drug Testing

In order to remove any possibility of danger to the employee, the public, other employees, or property, employees who are reasonably suspected of being under the influence of illegal drugs or alcohol will be removed from the workplace and may be immediately tested and placed on leave without pay pending a final determination of the substance test. The Human Resources Department will coordinate all alcohol and drug testing. The supervisor will escort the employee to the testing facility. The sample must be taken within three (3) hours from the time the employee is suspected. Testing may include urinalysis, breath analysis and/or blood sampling. An employee shall be deemed under the influence if drugs are detected or if a blood alcohol level of .05% is determined. However, if job performance is impaired, an employee is considered under the influence with a blood alcohol reading of less than .05%.

If a positive test is obtained, a second test will be performed on the same sample for confirmation before disciplinary action is initiated. If a sample which tests positive in the initial test is negative in the confirming test, the employee will be reported as negative. Employees whose samples test positive in both tests shall be reported positive. An employee has the right to have a confirmed positive sample retested at the same or another Housing Authority approved laboratory at the employee's own expense (approved laboratories must be in compliance with the Clinical Laboratory Improvement Act of 1992).

In addition, upon a positive test result, an employee may show that he is taking a prescription drug under the supervision of a physician, or a non-prescription drug in accordance with its directions, and the positive test result will be reevaluated in light of the drug and dosage used. If such re-evaluation shows that the positive result was caused by such use of prescription or non-prescription drugs, the result will be reported as negative. If a positive test is established upon final determination, the employee will be terminated. Failure to submit to a required test may be grounds for termination of employment.

The Housing Authority has the right to conduct random drug/alcohol testing.

B. Employee Support Services

Regular employees may seek assistance through our Employee Assistance Program (EAP). This program offers supportive resources for Housing Authority employees seeking help with substance abuse issues

C. Applicant Testing

Offers of employment are strictly conditional and contingent upon the successful completion of drug testing. Applicants will be subject to drug testing prior to appointment to a position. A positive test will be used as the basis for denying employment.

D. Reasonable Suspicion Testing

The Housing Authority will require testing of an employee when management has a reasonable suspicion that the employee is under the influence of drugs or alcohol. Reasonable suspicion is based upon, but not limited to, specific, current, observations by management.

E. Post-Accident Testing

When an employee is involved in an accident in the course of employment, post-accident testing will be done (1) after an accident involving a Housing Authority-owned vehicle or Housing Authority-owned property, (2) when the accident involved a fatality or a personal injury requiring immediate medical attention, or (3) when a determination is made by the Housing Authority or law enforcement that the employee caused the accident. Any employees involved in a workplace accident must contact their supervisor and notify the Human Resources department immediately.

F. Searches

When there is reasonable belief that drugs or alcohol are present on Housing Authority premises, in Housing Authority vehicles, or in the possession of an employee, or in his or her desk or other container, Housing Authority reserves the right to conduct a search. Information regarding suspected illegal drug related activity by an employee may be reported to law enforcement authorities.

G. Off the Job Offenses

Any employee convicted of a drug or alcohol related offense must notify his supervisor in writing within five (5) calendar days of the conviction and may be subject to disciplinary action in accordance with existing procedures and policies. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of Federal or State criminal drug statutes involving manufacture, distribution, dispensation, use or possession of any controlled substance. Such

employee may be required to submit to substance testing as defined herein.

H. On the Job Possession

Possession, use, sale, manufacturing, distribution or disbursing of illegal drugs or alcohol on the job or in Housing Authority vehicles will be grounds for immediate disciplinary action up to and including termination.

12. PERSONNEL RECORDS POLICY

The Housing Authority maintains a personnel record on each employee that includes all information relevant to his/her employment, including but not limited to, employment applications, evaluations, leave records, pay and benefits. All information in an employee's personnel record is available to the employee for review, except letters of reference solicited prior to employment. Official personnel records of employees are confidential and shall not be removed from the Human Resources Department.

Personnel records shall be maintained at all times in a confidential and secure manner and shall be released only in accordance with the North Carolina Law.

Any employee who objects to material in his/her file on grounds that it is inaccurate or misleading may seek to have the material removed from the file through the Grievance Procedure as described in the Personnel Policies, or he/she may place in the file a statement relating to the material.

Employees are responsible for notifying Human Resources of life changes that need to be reflected in their personnel files including the following changes:

- (1) Name
- (2) Address
- (3) Telephone
- (4) Marital Status
- (5) Dependents
- (6) Awards and Honors
- (7) Beneficiaries
- (8) Person to be notified in case of emergency
- (9) Additional education and training

13. CONFIDENTIALITY POLICY

Housing Authority employees must exercise extreme care to maintain the strict confidentiality of the Housing Authority business. Internal matters shall not be discussed in the presence of unauthorized persons within the Housing Authority or with anyone outside of the Housing Authority (including but not limited to clients, landlords, contractors and other associates we conduct business with).

Any information employees receive regarding Housing Authority and/or its residents is the private property of Housing Authority except as otherwise provided by law. Any employee found to have violated this rule may be subject to disciplinary action up to and including termination.

14. INCLEMENT WEATHER POLICY

It is a policy of the Housing Authority to be open for business despite snow or other inclement weather conditions unless otherwise determined by the Chief Executive Officer (CEO) or his/her designee.

Employees are not expected to endanger themselves by driving to work during adverse weather conditions. Attendance during bad weather should be a matter of individual judgment based on safety and availability of alternative modes of transportation (e.g., public transportation). Common sense must be exercised. During inclement weather, some travel delays are to be expected.

Any decision to delay opening of the office or to close for the day will be announced by the major TV stations and/or on the Housing Authority's answering service.

The following policy applies with regard to the opening and closing of the Housing Authority due to inclement weather:

- (1) **If there is a delayed opening and an employee arrives by the designated time:** all employees who report at that time will be paid for the entire day;
- (2) **If an employee arrives after the designated delayed opening time:** salaried and hourly employees will be paid from the arrival time through the remainder of the day, and the employee may use sick or vacation leave to be paid for the work hours prior to the time of arrival.
- (3) **If the employee is unable to come in at all:** salaried and hourly employees may use sick or vacation leave to be paid for the day, or the employee may have leave without pay, and the employee will be charged for the entire day.
- (4) **If inclement weather begins during the day and there is early dismissal:** all employees present at the time of dismissal will be paid for the remainder of the day (as scheduled).
- (5) **If inclement weather begins and the Housing Authority does not close but the employee chooses to leave early:** salaried and hourly employees will be paid only through the time period that was worked. The salaried or hourly employee may take accrued vacation time, sick time or time off without pay for the remainder of the day.

- (6) **If the office is closed all day:** all employees scheduled to work will be paid for the day as scheduled.

15. USE OF HOUSING AUTHORITY PROPERTY

The Housing Authority will provide its employees with the equipment, supplies and materials necessary for performance of their assigned jobs. Equipment, vehicles, tools, materials and supplies that belong to the Housing Authority shall not be used or removed from Housing Authority property except in the conduct of Housing Authority business.

HAWS may issue gas or purchase cards to employees for use in the course of their work. Those cards are to be used only for work-related purchases. Personal use of the card by employees is not permitted under any circumstances even where the employee seeks to reimburse the agency. Personal use of these cards will subject the employee to disciplinary action up to and including termination.

Equipment and vehicles assigned to employees shall be maintained and kept in good working condition by the employees. If it is found that the equipment or vehicle is being abused or used in an unsafe manner, the employee will be subject to disciplinary action up to and including termination. If it is determined that the employee is negligent in the proper use of storage of tools, equipment, vehicles, materials or supplies, or if they are abused, misplaced or stolen, the employee may be required to repair or replace them and/or the employee will be subject to discipline up to and including termination. HAWS reserves the right to deduct the cost of repairing or replacing damaged or unreturned property, from the employee's accrued vacation leave.

Employees are required to return all Housing Authority equipment, vehicles, supplies, materials, keys, uniform, photo identification badges, and other Housing Authority-owned property upon separation from employment. In the event an employee's assigned equipment is lost or damaged due to user negligence, the cost of the replacement equipment will be charged to the employee. Repayment may be accomplished via payment in full, payment in increments to be established by the Finance department or by deduction of Annual Leave in the equivalent value to the property.

Failure to return property at the end of employment may result in a charge to the employee, which may be deducted from any final payment of accrued vacation leave.

16. OPERATION OF HOUSING AUTHORITY VEHICLES

The purpose of this policy is to establish and specify policy on vehicle transportation for Housing Authority officials and employees in the conduct of official Housing Authority business.

Automobiles, vans, golf carts, multi-purpose vehicles and light trucks may be assigned to an individual employee when the work assignment requires the use of the vehicle. Any employee who operates a Housing Authority vehicle must possess a valid driver's license. On an annual basis,

all employees authorized to operate company vehicles will be required to provide a copy of their driver's license to verify it remains in good standing. Employees may be required to show their driver's license to their supervisor as proof that the license has not been revoked, suspended, or has not expired.

Vehicles owned by Housing Authority are to be used for official Housing Authority business only. They are not to be used for personal business or pleasure during or outside of working hours. If the employee uses the vehicle for his/her own personal business or pleasure, he/she will be subject to disciplinary action up to and including termination. Upon prior approval of the CEO or his/her designee, employees who are required to respond to emergencies may drive a Housing Authority vehicle to and from their home.

Housing Authority and privately-owned vehicles being operated for Housing Authority business shall be operated in accordance with all safety and legal requirements of the Housing Authority, state and any other jurisdictions in which they are operated. Housing Authority vehicles represent the Housing Authority and are not to be used to advertise (i.e.: bumper stickers) the personal opinions of the operators. Any alterations to the appearance or mechanical function of a Housing Authority vehicle must be approved by the Fleet Manager.

An employee may be held liable for accidents in which he/she is involved if it is determined that the accident is the result of his/her negligence. The driver of the vehicle and/or person to whom the vehicle is assigned may be held financially responsible for the damages, and may be required to submit to a substance abuse test in accordance with the Substance Abuse policy. An employee will be personally responsible for paying any citation received while operating a Housing Authority vehicle.

If the automobile insurance company advises that an employee who is an authorized operator of a Housing Authority vehicle is a high risk driver, that employee's driving privilege may be suspended until such time as the insurance company determines that his/her driving habits are sufficiently improved as evidenced by the Department of Motor Vehicle records.

A. Vehicle Management

It is the policy of the Housing Authority to provide for central management of its fleet vehicles and motorized equipment, including its purchase, ownership, maintenance and repair, replacement and disposal. The management of the vehicle fleet shall be under the direction of the department head or his/her designee. The maintenance and disposal of the vehicle shall coincide with the current procurement policies and procedures.

B. Responsibility for Establishing Policies Related to Housing Authority Vehicles

The Housing Authority CEO, or his designee, is responsible for establishing policy concerning the number of vehicles allocated to departments, types of vehicles, additions and replacements to the fleet and authorizations for the assignment of take-home vehicles to employees.

C. Vehicle Assignments

It is the policy of the Housing Authority to monitor and control the number of vehicles allocated to departments. Vehicle assignments shall be based upon actual and demonstrated need in order to conduct official Housing Authority business. No person other than a Housing Authority official or employee shall be authorized to operate a Housing Authority vehicle.

D. Assignment of Take-home Vehicles

The CEO or his/her designee may authorize permanent overnight custody of take-home vehicles. The department/division head will have the authority to grant occasional overnight use and will be responsible for enforcement of the take-home policy. Take-home vehicles would be authorized to travel up to a 20-mile radius from the employee's primary work site. With the permission of the area Vice-President or his/her designee, this radius may be increased at the discretion of management based on the Authority's organizational and operational needs.

Any travel to and from home that is beyond the standard radius (as determined by management), would be reimbursable to the Housing Authority at a rate determined by the Housing Authority. Employees shall not be compensated for travel time from the employee's home to the first work location at the start of the day and from the last work location to the employee's home at the end of the day.

E. Use of Privately-owned Vehicles for Official Housing Authority Business

Use of privately-owned vehicles for Housing Authority business must be authorized by the department head. Employees who are not assigned an individual vehicle or do not have access to a pool vehicle may be reimbursed at the current Housing Authority mileage rate (*which is equal to the current Internal Revenue Service (IRS) mileage reimbursement*). Each month, the employee is to document their business mileage by completing a Mileage Record Form in order to receive reimbursement.

The department head is responsible for requiring that each employee who is authorized to use their personal vehicle for business provide proof that they have insurance within the legal limits as required by the State of North Carolina on an annual basis. When a Housing Authority employee uses a private vehicle for authorized business purposes, their personal auto insurance policy liability coverage on the vehicle is primary unless otherwise provided by law.

The Authority also provides stipends for some employees who are expected to use their vehicles for work purposes. In those situations, the stipends are paid directly to the employees via regular payroll.

F. Vehicle Management Procedures

The Housing Authority has implemented procedural requirements for vehicle management. The Finance Department may promulgate additional guidance and procedures as needed. Such guidance may supplement but not contradict this policy. Failure to comply with such may result in disciplinary action, up to and including termination.

17. BUSINESS TRAVEL AND REIMBURSEMENT POLICY

When an employee is required to travel on behalf of the Housing Authority, the agency will ensure that safe, efficient, cost effective transportation is available for the employee. The employee is required to provide timely and accurate accounting of all travel activity and expenses.

All requests for travel and reimbursement must be submitted to the employee's supervisor for approval and then forwarded to the departmental Director who reviews the request with the departmental Vice President for final approval.

The Chairman of the Board of Commissioners will approve all travel for members of the Board of Commissioners.

The method of travel, registration fees, meals, hotel accommodations, etc. must all be included in the travel request.

A. **Allowable Expenditures:**

- (1) Registration fees for conferences, conventions, and seminars;
- (2) Transportation fares – airplane, train, subway, bus, taxi, ferry, automobile mileage;
- (3) Parking fees;
- (4) Lodging;
- (5) Meals;
- (6) Tips and gratuities;
- (7) Bridge, tunnel and road tolls;
- (8) Telephone and telegraph charges when conducting HOUSING AUTHORITY business;
- (9) Reasonable telephone charges for calls home;
- (10) Travel insurance premiums.

B. **Non-Allowable Expenditures:**

- (1) Entertainment;
- (2) Alcohol purchases.

C. **Reimbursement Policies**

- (1) **Housing Authority Vehicles** – All vehicle expenses including gas, oil, etc., that are incurred while using a Housing Authority vehicle must be documented with a receipt.
- (2) **Personal Vehicles** – Employees using personal vehicles for Housing Authority business will be reimbursed at the current IRS rate for in-town and out-of-town travel. The number of miles driven must be entered on the "Travel Expense Account" form for out-of-town travel or the "Mileage

Reimbursement Form” for in-town travel.

- (3) **Air, Bus, or Train Travel** – The fare shall not exceed the regular tourist fare (except when no tourist accommodations are available) and must be substantiated by a copy of the paid ticket.
- (4) **Rental Vehicles** – Rental cars may be used only when the CEO or designee gives prior authorization.
- (5) **Lodging** - Employees or officials representing the Housing Authority will be reimbursed for the actual cost of lodging. A receipt must substantiate the cost of lodging.
- (6) **Meals & Miscellaneous Expenses** – The Housing Authority provides the current Internal Revenue Service per diem rate for the city of travel for meals while in a travel status. If unusual circumstances such as travel to resort areas are planned, the CEO or his/her designee may approve expenditures exceeding these allowances but only upon presentation of written explanation from the traveler.
- (7) **Spouses/Guests** –The Housing Authority will not pay for transportation, meals or entertainment of spouses or guests.

The Finance Director will make periodic reviews of travel expense accounts and verify compliance with this policy. The Finance Director may promulgate additional guidance or procedures as necessary. Any guidance may supplement but may not contradict this policy.

Certified public accountants, during their annual audit, will report any irregularities and non-compliance to the CEO and the Board of Commissioners.

18. ELECTRONIC COMMUNICATIONS POLICY

A. Use of Electronic Communications Devices

Electronic Communications Devices (“ECDs”) include, but are not limited to, cellular phones, smart phones, radios, and any other wireless devices used for communication. Housing Authority owned or issued ECDs are intended to be used for Housing Authority business. The Housing Authority understands, however, that extenuating circumstances may arise in which employees may need to use their Housing Authority owned or issued ECD for personal reasons. Personal use should be kept at to a minimum and shall not be abused. Excess personal use of Housing Authority ECDs may result in disciplinary action up to and including termination. Excess use of personally owned ECDs that interferes with the successful completion of job duties may also result in disciplinary action, up to and including termination.

ECD use shall be avoided while operating a Housing Authority or personal vehicle to conduct Housing Authority business. Employees are prohibited from using ECDs to send or read

text messages or emails while driving. Employees must adhere to all federal, state, and local laws and guidelines regarding ECD use at all times.

B. Etiquette

Housing Authority employees should use reasonable consideration and respect for Housing Authority clients, vendors, Commissioners and employees when placing or accepting phone calls, text messages, or any other electronic communications. These actions should be avoided while in meetings or when dealing with clients, except in situations where there is an emergency. ECDs should be placed on a silent or vibrate mode to avoid unnecessary interruptions.

Employees who violate this Electronic Communications policy are subject to discipline up to and including termination.

C. Authority Review of ECD Usage

The Housing Authority reserves the right, for legitimate business reasons, to audit and review calls, text messages, and any other communications made using a Housing Authority owned or issued ECD. Housing Authority employees shall have no expectation of privacy with regards to calls, text messages, or other communications made using a Housing Authority owned or issued ECDs.

19. COMPUTER, INTERNET, VOICEMAIL AND EMAIL USAGE POLICY

The Housing Authority maintains an Information Technology Policy that all employees are required to acknowledge receipt of and agree in writing to comply with. This Section (19) of the Handbook is intended to supplement, not replace, the Information Technology Policy. The Information Technology Policy is hereby incorporated into this Handbook by reference and explicitly made a part hereof. In the event there is any conflict or inconsistency between this Section (19) and the Information Technology Policy, the Information Technology Policy governs. Most Housing Authority employees will require access to computers, email addresses, and/or the Internet to perform their Housing Authority job duties. The security, integrity, and proper usage of Housing Authority computers, email addresses, and internet access is a necessity for the effective conduct of Housing Authority business. The intent of this policy is to safeguard the security and integrity of the Housing Authority's information system, assure reasonable access to computer based information, and prevent inappropriate use of Housing Authority computers, email addresses, or internet access.

A. Applicability

This Policy covers all Housing Authority owned or issued Computers, email addresses, voicemail and Housing Authority provided Internet access, regardless of the time or location of use. ***Please note: this includes, but is not limited to, email or internet access obtained through Housing Authority issued electronic communications devices such as cellular phones, smart phones, and PDAs.*

This policy applies to all employees of the Housing Authority and all outside contractors and consultants who have been given authorized access to any of the Housing Authority's computer based information systems.

B. Prohibited Uses

Housing Authority employees may not engage in misuse of Housing Authority computers, Housing Authority email addresses, voicemail or Housing Authority provided internet access. Examples of such misuse include, but are not limited to:

- (1) Downloading software without approval from a supervisor; software that is approved for downloading must be registered to the Housing Authority;
- (2) Copying software, unless such copying is for legitimate, back-up purposes and has been approved by a supervisor or the Information Technology Department ("IT Department");
- (3) Knowingly introducing a computer virus, worm, "Trojan horse," or any other contaminating or destructive features into the Housing Authority's computers;
- (4) Transmitting copyrighted materials without permission;
- (5) Downloading files from the Internet except for an express business purpose;
- (6) Transmitting, forwarding, or downloading material that is offensive, abusive, pornographic, obscene, profane, discriminatory, harassing, fraudulent, or otherwise prohibited by federal, state, or local law;
- (7) Using e-mail or the Internet for any purpose that is illegal, against company policy, or contrary to the Housing Authority's best interest;
- (8) Transmitting or disseminating confidential Housing Authority or resident information or other proprietary materials without an express business purpose or authorization;
- (9) Sending or forwarding any chain e-mail, broadcast e-mail, or spam;
- (10) Gambling;
- (11) Use a Housing Authority e-mail address or Internet access for personal gain including outside employment, self-employment, and family-owned businesses;
- (12) Use of social media, visiting chat rooms, using listservs, or using instant messaging, or news groups when not business-related;
- (13) Posting their Housing Authority e-mail addresses on the Internet when not business-related;
- (14) Receiving or forwarding unsolicited e-mails that violate company policy;
- (15) Downloading radio, video, or music transmissions from Internet sites without Housing Authority approval;
- (16) Attempting to defeat any security mechanisms to gain unauthorized access to computer files or other information on the Housing Authority's telephone systems, electronic communication systems,

- or information systems;
- (17) Attempting to read, intercept, copy, or delete e-mails sent or received by other users;
- (18) Posting or transmitting any message anonymously or under a false name or permitting any other individual to do so;
- (19) Impersonating another person;
- (20) Collecting information about others, including e-mail addresses, without their consent;
- (21) Browsing through information or files on Housing Authority computers or networks not directly related to the employee's job.

Employees may be charged for overage costs resulting from personal use of HAWS work cell phones.

Misuse of Housing Authority computers, email addresses, voicemail or internet access may result in disciplinary action up to and including termination. In addition, such misuse may also be reported to appropriate federal, state, or local authorities.

C. Ensuring Compliance

The Housing Authority has the right, but not the duty, to monitor any and all aspects of its computer system, including employee e-mail, voicemail and internet usage to ensure compliance with this policy. Therefore, employees should be aware of the following:

- (1) Employees should not have an expectation of privacy in anything they create, send, or receive using a Housing Authority computer, email address, voicemail or any other form of electronic communication;
- (2) Employees are prohibited from the unauthorized use of the password(s) of other employees to gain access to another employee's messages in the e-mail, voicemail, Internet or computer network systems including but not limited to all secured access software that employees may have access to;
- (3) All information generated on the computer is the property of the Housing Authority and is subject to subpoena for legal purposes;
- (4) Unless otherwise provided by law, any document, file, or other record a Housing Authority employee creates, sends, or receives using a Housing Authority computer, email address, voicemail or other electronic communications device will be subject to disclosure under the North Carolina Public Records Law;
- (5) Department Heads have the responsibility to assure that vigilant computer security procedures are followed for their area. Records should be kept regarding employee authorization to use computers. These records should be kept up to date, with changes to the records made promptly as employees are hired or leave the Housing Authority;
- (6) HAWS computer resources are not unlimited and frivolous use is

prohibited. Network bandwidth and storage capacity have finite limits, and all HAWS users connected to the network have a responsibility to conserve these resources. As such, HAWS users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups or other social media, uploading or downloading large files, accessing streaming audio and/or video files, or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet.

D. Compliance Agreement

Without exception, all employees will be given a copy of this policy and will be asked to sign a Receipt for Computer, Internet, Voicemail and Email Usage Policy (“Receipt”) prior to gaining access or authorization to use Housing Authority computers, email addresses, Internet access or electronic devices. Employees already having access at the time of the establishment of this policy will also be asked to sign the Receipt in order to retain access.

20. SOCIAL MEDIA POLICY

The Housing Authority maintains an Information Technology Policy that all employees are required to acknowledge receipt of and agree in writing to comply with. This Section (20) of the Handbook is intended to supplement, not replace, the Information Technology Policy. In the event there is any conflict or inconsistency between this Section (20) and the Information Technology Policy, the Information Technology Policy governs. The Housing Authority recognizes the increasing use of social media as a communication tool. This Social Media Policy addresses Housing Authority employees’ use of social media. For the purpose of this Policy, the Housing Authority considers the term “social media” to include, but not be limited to:

- personal websites;
- web logs (“blogs”) or microblogs (e.g., “Twitter”);
- “wikis”;
- social networking websites (e.g., “Facebook”, “Instagram,” “Twitter”, “LinkedIn”);
- online media sharing websites (e.g. “YouTube,” “Flickr”);
- online forums, message boards, or bulletin boards.

The Housing Authority acknowledges that some of its employees may choose to use social media on their own time for personal purposes. Housing Authority rules and policies apply to the conduct and communications of Housing Authority employees while using social media just as those rules and policies apply to conduct and communications in any other setting. In addition, Housing Authority employees are prohibited from using social media in any manner that:

1. Violates any federal, state, or local laws or regulations;

2. Violates any Housing Authority policy, rule, standard, or requirement, including *but not limited to the*:
 - a. Harassment, Discrimination, and Retaliation Policy;
 - b. Confidentiality Policy;
 - c. Conflicts of Interest Policy;
 - d. Political Activity Policy; and
 - e. Outside Employment Policy.
3. Disrupts or hinders the Housing Authority's operations;
4. Infringes on any third party rights, including but not limited to intellectual property rights such as copyrights or trademarks;
5. Is defamatory, libelous, or might be construed as harassment or disparagement on the basis of race, color, religion, sex, national origin, age, disability or any other legally protected status;
6. Discloses confidential information related to Housing Authority business, residents, employees, or other matters;

Employees are reminded that information (e.g., comments, blog entries, photographs, videos) posted or communicated using social media may often be accessible by virtually anyone with internet access. This may include other Housing Authority employees, such as supervisors and subordinates, as well as Housing Authority residents. Also, once information is posted or uploaded onto a social media website or network, it can be nearly impossible to completely remove or eliminate. Housing Authority employees are therefore encouraged to use good judgment if they use social media.

Employees are also reminded that, pursuant to the Computer, Email, Voicemail and Internet Usage Policy, and the Electronic Communications Policy, they have no expectation of privacy with respect to the use of any Housing Authority owned or issued computer or electronic communications device.

Use of social media by a Housing Authority employee in violation of this Policy may result in disciplinary action up to and including termination.

IV. CLASSIFICATION PLAN

1. RECRUITMENT AND SELECTION OF EMPLOYEES

Persons desiring employment must complete or update a HAWS employment application to be considered. Hiring decisions are based on the work skills, experience, knowledge, background, education, interpersonal skills, interview and general job qualifications of the applicant. However, where all factors are equal with external candidates, existing employees and Public Housing/Housing Choice Voucher residents will be given preferred consideration.

The Human Resources Department will advertise, recruit, coordinate interviews, test if applicable, and refer applicants to the appropriate department manager or department head.

Pre-employment drug testing, criminal background checks, driving records screening and work reference checks are required. The outcome of the drug test must be negative (indicating no substance abuse). Criminal records will be reviewed for prior offenses, with consideration given to the nature of the offense and length of time since the offense occurred. Applicants who have been convicted of a major felony (rape, murder, and other violent or serious offenses) will not be considered for employment.

A. Job Posting

When a position becomes vacant, the Human Resources Department will post the vacancy. The notification shall include:

1. Job title;
2. A description of the duties of the vacant position;
3. Hiring salary range;
4. Required qualifications.

All posted jobs will be open to current internal employees and external applicants (unless stated for internal applicants only). Internal applicants must have been employed by HAWS for at least one year and must have been in their current position for at least six months.

Exceptions to the internal applicant eligibility requirements may only be made with the written approval of the area's Vice-President or CEO and must be based on the needs of the Housing Authority.

Any applicant who wishes to be considered for a vacancy must complete and submit a HAWS application for employment to the Human Resources Department. Human Resources will process the applications and forward eligible applicants to the hiring supervisor. If an internal applicant is selected as a finalist, he/she must notify their supervisor of their interest in the available

position. Once the selection has been made and the applicant accepts, the other applicants will be notified of the selection.

2. TYPES OF EMPLOYMENT

Within the Housing Authority, there are three types of employment and one type of volunteer/intern. Each person hired or offered a volunteer opportunity will come under one of the following classifications:

Regular/Permanent: An at-will employee hired to fill a full-time position (a minimum work schedule of 30 hours per week) on a regular basis. Employees in this classification shall receive the benefits as set forth in this Personnel Policy.

Temporary Employees: An at-will employee hired for a limited period of time, either on a seasonal basis or to fill a specific need at the convenience of the Authority, which requires a minimum work schedule of 40 hours per week. Positions in this classification may develop due to special funding or due to additional workload for a limited period. Temporary positions are normally for the duration of six months or less. This classification does not include individuals who work at the Housing Authority pursuant to a contract between the Housing Authority and a temporary agency.

Part-Time Employees: An at-will employee, who works less than 30 hours per week on a regular or as needed basis. A part-time employee is not eligible to receive annual leave, sick leave, holiday pay or to participate in the Housing Authority's employee benefit plans (i.e. retirement, major medical and other related fringe benefits). However, they may be eligible for company-wide pay increases and bonuses as applicable. This may also be a temporary position as defined above.

Volunteer: An at-will person who voluntarily offers himself or herself for a service or undertaking without monetary compensation, for the sole purpose of assisting the Housing Authority and its constituents. This person is not an employee of any type with the Housing Authority.

Intern: A student or trainee who works with the Housing Authority to advance his/her knowledge and gain work experience or for educational credit.

When a Housing Authority employee changes from Temporary to Regular/Permanent status, up to six (6) months of the employee's direct temporary service will be used in determining

eligibility for employee benefits (excluding ones employed through separate temporary placement agencies).

Nonexempt employees are employees who are subject to the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are employees who are exempt from the overtime provisions of the FLSA.

3. PHYSICAL EXAMINATIONS

As part of selection for employment, the Housing Authority may require an applicant to complete a pre-employment physical examination if it is job-related and consistent with business necessity. If required, the Human Resources Department will be authorized to schedule this examination without expense to the applicant, with a medical service provider.

The purpose of the physical examination (if required) is to determine whether or not the applicant is physically able to perform the duties of the position for which he/she has applied. The medical facility will notify the Housing Authority of the examination results.

The Housing Authority reserves the right to require an existing employee to submit to a fitness for duty examination should the agency feel that the employee's ability to perform the job, as described in the job description, has become impaired.

4. CLASSIFICATION PLAN

In order to operate effectively and efficiently, the Housing Authority has established a Position Classification Plan. According to this plan, positions which are similar are grouped into "classes" or "classifications" based on their similarity in duties and responsibilities.

"Regular Employee" denotes those hired by HAWS to work 30 hours or more each week, in a position for which standard employee benefits (health insurance, dental insurance, life insurance, etc.) are provided or offered to the employee. This term does not apply to temporary employees hired directly by HAWS nor those hired through employment agencies. This term does not apply to part-time employees, interns, volunteers, applicants, or contract employees unless otherwise specified in an employment agreement.

For each employee's position, there is a job description which states its class title, definition, examples of work to perform, required knowledge and skills. Should an employee desire a copy of his/her job description, one may be obtained from the supervisor or the Human Resources Department.

A. Administration

The CEO or his/her designee and every department head shall be responsible for administering and maintaining the Position Classification Plan in their respective departments.

It shall be the responsibility of each department head to apprise the Vice-President of his/her department of (1) the need for promotions and/or transfers in positions, and (2) any changes in the nature of duties, responsibilities, working conditions, or other factors affecting the classification of any position. Department heads must seek written approval from their area Vice President or his/her designee to initiate such changes in writing. The writing must clearly state the reason(s) for the recommended change(s). Once approved by the Vice President, a copy of this recommendation must be forwarded to the Human Resources Department for review and sign-off prior to publishing the changes to employees or the general public. Should the Human Resources Director have concerns/questions about the classification change, he/she will return the document to the Vice President before signing off and the Vice President can then address the issues with the department head and with the assistance of Human Resources. Once the concerns/questions are resolved, the HR Director will sign-off on the request and notify the affected employees of the change.

B. Re-Classification

An employee whose position is re-classified to a higher pay range shall receive an increase to the minimum of the new salary range. An employee whose position is re-classified to lower pay range shall be placed in the range that equals the employee's present salary. In the event that the employee's present salary exceeds the maximum of the new range, the employee's salary shall be frozen until his/her salary matches the appropriate range.

C. Reduction in Position Classification

A position may be reassigned to a lower classification. Such a reduction in position classification may be initiated to support the agency budget and/or in response to other organizational needs. Should such a reduction occur while the position is occupied, the workload for the position will be reduced in accordance with any salary reductions.

D. Job Re-Grade

Periodically, the Human Resources Department and/or Executive Administrative Department conducts a comprehensive salary survey of the Local and State governmental units and local businesses. As a result of this survey, recommendations are made to the Board of Commissioners for salary range changes to certain job classifications (as applicable).

When a re-grade or range change is approved to reflect a general change in the market level of a class, there shall be no immediate change in individual salary except when required to bring an employee's salary up to the new minimum rate. Such employees will retain their current performance review date.

The Housing Authority reserves the right to temporarily freeze the salary rate of employees whose rate reaches or exceeds the maximum salary in the range for their position. An employee who has reached the maximum in their salary range may be ineligible for future pay increases and may instead receive a bonus in the amount of the salary increase that would otherwise be applied to their pay. The employee will be eligible for raises again when the salary ranges are adjusted and/or they move to a position with a different salary range.

V. Compensation

1. SALARY ADMINISTRATION

Salaries will be administered in a fair and systematic manner in accordance with the Position Classification Plan (the Plan).

The Position Classification Plan states the salaries of all regular employees. Under the Plan, a salary range shall be assigned to each position or class, and the rate of compensation for each employee shall be within the established range. Appropriate compensation rates shall be established on factors such as the comparable pay rate of other local housing authorities, the pay rate of local municipalities, and national cost of living statistics.

When employment is on a part-time basis, the proportionate part of the full-time rate for the time actually employed shall be paid, unless otherwise approved by the CEO or his/her designee. For example, an employee being paid a bi-weekly salary who is working one half-time will be paid one-half of the appropriate bi-weekly full-time salary for his/her position.

An employee (new hire or promoted existing) is appointed at the entry rate of the appropriate salary range for their position, unless otherwise approved by the CEO or his/her designee.

A hiring supervisor, in consultation with the Director of Human Resources and with the approval of his/her own supervisor, may consider years of applicable experience, levels of experience, particular skill sets, equity with other employees in the same or similar positions and/or retention needs of the agency, in determining the appropriate starting salaries for new employees or increasing salaries, for current employees, outside of the annual raise process. Where salary increases are based on retention needs, the employee must have an overall evaluation level of "Above Average" or higher to receive the increase. Any and all such considerations will be governed by agency budget constraints. Final approval for any such salary decisions must be given by the area Vice-President, the Chief Financial Officer and the Chief Executive Officer

2. SALARY INCREASES

Salary increases above the minimum rate established for each class may be granted in the Housing Authority's sole discretion, and shall be based upon job performance and availability of Housing Authority allocated funds. Occasionally, when the budget allows, a "cost of living" or general company-wide increase may be granted at the beginning of the fiscal year (October of each calendar year).

Salary increases based on merit may occur in October of the year in which it is determined

that a merit increase will be given (at the Housing Authority's sole discretion). Merit increases will be prorated on a monthly basis according to the date of hire. Employees whose salary is at the top of the pay range will not be eligible for a merit increase.

Salary bonuses/incentives based on a combination of job performance and company-wide accomplished goals will be determined at the end of each fiscal year (if the budget allows). These incentive bonuses shall be granted towards the end of each calendar year (in December) at the discretion of the CEO or his/her designee.

3. OVERTIME

Overtime work shall be avoided to the extent possible, but may be required by a department head in the interest of efficiency or necessity. Overtime must be requested and approved by the attending supervisor prior to the work being performed. Overtime compensation will be administered in accordance with the Fair Labor Standards Act (FLSA).

Non-exempt employees shall be paid 1 ½ times their basic hourly rate for all work in excess of 40 hours in one week. Non-exempt employees are those who are subject to the provisions of the Fair Labor Standards Act with regard to overtime compensation. Holidays on which said employees do not physically work, and/or take accrued vacation leave time, will not be considered as time worked when determining eligibility for overtime pay in a work week. Sick leave will not be considered when calculating time worked to determine overtime compensation eligibility. Overtime should be equally and reasonably distributed among employees within a classification in each department, insofar as it is practicable to do so.

The overtime provisions of this policy do not apply to exempt employees as they are not subject to the overtime compensation provisions of the Fair Labor Standards Act. It is anticipated that exempt employees may be required to work more than 40 hours in a week.

Non-exempt hourly employees will not be granted compensatory leave in lieu of overtime pay.

4. ON-CALL PAY

Non-exempt, non-clerical maintenance employees may be assigned to "on-call" duty during hours outside of normal operations for maintenance emergencies. Work assignments during on-call duty may be beyond the normal work performed by the employees, but will be within their capabilities. On-call duty should be assigned on a rotational basis among qualified employees. Employees who are assigned on-call duty must be able to work during the entire on-call assignment.

On call employees will not normally be utilized to perform scheduled overtime work unless the nature of the work is such that it would be more advantageous to have the on-call personnel perform the task.

Employees normally will not be paid for on-call time when waiting to be called, unless otherwise required by law, or properly determined by the CEO or his/her designee. Employees will be paid at their overtime rate for time worked when responding to a call, unless said employees respond to a call on a holiday, in which case said employees will be paid in accordance with the “Holiday Compensation” section of the handbook.

5. HOLIDAY COMPENSATION

All regular employees shall be eligible for the standard holiday compensation. Non-exempt employees required to work on a designated holiday shall be compensated for their regular holiday pay in addition to their regular rate for the hours worked on the designated holiday. If a non-exempt employee is required to work on a designated holiday and he/she works in excess of 40 hours in that same work week, they will be compensated at an hourly rate of 1 ½ times their regular rate (for any hours exceeding the standard 40 hours in the same work week).

Exempt employees who must work on holidays will not be granted any additional holiday or overtime pay; however, such employees may be granted other paid leave, as allowable by law, and at the discretion and approval of their supervisor. This type of leave may not be accrued and is only allowed based on the organizational needs of each department. Employees will not be compensated for this type of paid leave or flex-time at the separation of employment.

6. INCENTIVE COMPENSATION PLAN

Prior to the beginning of the fiscal year, the Housing Authority, in its sole discretion, may declare an incentive compensation plan for annual distribution to regular employees of the Housing Authority to be included in the budget for the new fiscal year. Incentive compensation will be based on accomplished budgetary and performance goals (company-wide).

7. PAY PERIODS

Housing Authority employees are paid on a bi-weekly basis. The work period ends the Sunday preceding the payday. Payday for bi-weekly paid employees is scheduled on every other Thursday for work done for the two preceding workweeks. The calendar year contains twenty-six (26) bi-weekly pay periods.

Should a regular payday fall on a holiday, employees will be paid on the last working day before the scheduled payday.

8. PAYROLL AND TIME CARDS

Access to electronic time and leave tracking for both non-exempt and exempt employees will be provided. Non-exempt employees must record the hours worked and the leave taken for each day by punching in and out of the time clock system. Mobile devices cannot be used to

clock in and out of the Tricore system. Exempt employees must record vacation and sick leave taken in the same manner. Misrepresentation and/or falsification of time cards may result in disciplinary action up to and including termination (see Attendance Policy).

Leave time must also be recorded and described by the use of the codes listed below. These codes may be revised or updated periodically to suit the needs of the organization:

<u>Earnings Code</u>	<u>Description</u>	<u>Entry Type</u>
ABSENT	Unpaid Absence	Hours
BEREAV	Bereavement	Hours
HOLIDAY	Holiday	Hours
JURY	Jury Duty	Hours
OVERTIME	Overtime	Time Pair
SICK	Sick	Hours
SICK FMLA	Sick FMLA	Hours
SNOW HOL OT	Snow/Holiday/Overtime	Time Pair
SNOW HOL REGULAR	Snow/Holiday/ Regular	Time Pair
UNPAID FMLA	Unpaid FMLA	Hours
VACATION	Vacation	Hours
VACATION FMLA	Vacation FMLA	Hours

9. DEDUCTIONS FROM PAY

There are several standard deductions that are authorized by law to be withheld from our pay:

- (1) Retirement Plan Contribution Social Security
- (2) State Income Tax
- (3) Federal Income Tax

Other deductions that may be authorized by law to be withheld from your pay include:

- (1) Child Support Withholding
- (2) Wage Garnishment

Other deductions that only you may authorize are:

- (1) Medical Insurance
- (2) Life Insurance
- (3) Credit Union
- (4) United Way Fund
- (5) Dental Insurance
- (6) Disability Insurance
- (7) Supplemental Insurance
- (8) Flexible Spending Account (FSA)

(9) Personal Repayment Agreements

The Housing Authority may consider other deductions if requested by employees.

VI. BENEFITS

1. HEALTH AND DENTAL INSURANCE

The Housing Authority offers group health insurance and group dental insurance protection to all regular employees. Eligible employees may also elect insurance coverage for their dependents. The terms of coverage may be changed at the Housing Authority's discretion at any time. A portion of the premiums for health and dental insurance coverage will be paid by the Housing Authority in accordance with federal and state laws and regulations.

Employees should refer to the annual benefits brochure, distributed during the benefits open enrollment period, for further information on the health and dental insurance. These brochures are available in the Human Resources Department.

In addition, under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees who separate from employment with the Housing Authority may be eligible to continue the Housing Authority's group health and dental plans for a period of time after the date of separation. The Human Resources Department will explain the details of this program to employees at the time of their exit interviews or separation from employment.

2. LONG-TERM DISABILITY INSURANCE

The Housing Authority offers long-term disability insurance for regular employees. The terms and scope of coverage may be changed at the Housing Authority's discretion at any time. Employees should refer to their benefits brochures for further information regarding long-term disability insurance. These brochures are available in the Human Resources Department.

3. LIFE INSURANCE

Basic life insurance coverage under the Housing Authority's group insurance program is provided by the Authority to all regular employees. Participating employees are eligible for life coverage in the amount of 1 ½ times his/her annual salary, up to \$100,000. Age reductions apply.

The terms of life insurance coverage may be changed at the sole discretion of the Housing Authority at any time.

4. RETIREMENT

The Local Government Retirement System (LGERS) is a "defined benefit plan" and retirement income is based on a formula that is determined by average final compensation, age at

retirement, and years of creditable service. An employee must have five years of contributing service in order to be vested in the Retirement System. All regular employees are required to contribute 6% of their annual salary to the Retirement System each year. HAWS, as the employer, also contributes to the system for each regular employee. Detailed information on LGERS may be found at <https://orbit.myncretirement.com/home/landingpage> or by contacting the HAWS office of Human Resources.

5. SERVICE AWARDS

The Housing Authority of Winston-Salem recognizes and values its hard working employees. HAWS' service is celebrated at 5, 10, 15, 20, 25 and 25+ milestones. Recognition may occur annually in a stand-alone event or as part of a larger HAWS celebration.

6. TUITION ASSISTANCE PROGRAM

The Housing Authority encourages employees to further their education and professional training. Financial assistance may be provided, in Housing Authority's sole discretion, to qualified regular employees who are engaged or wish to be engaged in part-time or full-time studies in work-related fields. Each employee must obtain approval from their immediate supervisor, their Department Head and the CEO or his/her designee for any such training or education program before the employee registers. Grants will be disbursed on a first come first serve basis. Once the allocated funds have been exhausted, reimbursement requests shall be denied until the next fiscal year.

The policy below should be carefully followed to ensure eligibility for reimbursement:

- (1) Applications may be approved only for course work reasonably related to the employee's present position or prospective position.
- (2) Reimbursement may be made only for course work completed at accredited public, business, trade schools, colleges, universities and accredited correspondence schools.
- (3) Tuition costs may be reimbursed as determined by the budget amount available. The maximum amount of reimbursement allowed per FISCAL year (determined by concluding date of instruction), is determined by the Chief Executive Officer (CEO) or his/her designee. This amount will not exceed 50% of the cost of courses at a state-supported institution.
- (4) The applicant must present an official school receipt indicating the cost of tuition for the course.
- (5) Reimbursement may be made only for course work in which the applicant received a satisfactory or passing grade. A grade lower than a "C" will not be eligible for reimbursement. Employees must present an official school transcript showing the

final grade received.

Application forms for tuition reimbursement may be obtained through your supervisor or the Human Resources Department.

VII. LEAVE

1. LEAVES OF ABSENCE

Employees may request and be granted leave without pay by the department head. Such leave shall not exceed two weeks (with the exception of up to 90 days for candidacy in a political campaign or up to 12 work weeks for Family Medical Leave Act purposes). Department heads must notify Human Resources when he/she grants leave without pay to an employee. Leave for a longer period of time must be approved by the departmental Vice President(s) or his/her designee.

The reason for the request for leave, the work performed by the employee and the needs of the organization will be considered in determining approval or non-approval of the request.

Time spent on leave without pay will not apply toward credited service. Sick and vacation leaves will not accrue during leave without pay absences.

2. HOLIDAYS

Regular/Permanent employees are granted the following holidays with pay:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day following Thanksgiving Day
- Christmas Eve
- Christmas Day
- 2 Floating Holidays (Dates Determined Each Year at CEO's Discretion)

3. VACATION LEAVE

If one of the above holidays occurs on a Saturday, the holiday will be observed on the preceding Friday. When a holiday falls on a Sunday, the holiday will be observed on the following Monday. Occasional deviations from this practice may be authorized by the CEO or his/her designee.

Annual paid vacation leave depends on each regular employee's length of service with the

Housing Authority. Scheduling of vacation is at the discretion of each employee’s supervisor in accordance with staffing needs of the Housing Authority and departmental vacation scheduling procedure. Vacation leave should be requested at least ten work days in advance.

Regular employees are eligible for annual paid vacation under the following accrual schedule (effective on the date of approval of this policy):

<u>Years of Service</u>	<u>Accrual in Days</u>	<u>Bi-Weekly Accrual</u>
0-1	10	3.08 hours
2-4	12	3.69 hours
5-9	15	4.62 hours
10-14	18	5.54 hours
15-19	20	6.15 hours
20-over	24	7.38 hours

Directors/Department Heads, Assistant Directors and Managers are eligible for annual paid vacation under the following accrual schedule:

<u>Years of Service</u>	<u>Accrual in Days</u>	<u>Bi-Weekly Accrual</u>
0-1	10	3.08 hours
2-4	15	4.62 hours
5-9	18	5.54 hours
10-14	20	6.15 hours
15-over	24	7.38 hours

The Executive Staff (Chief Executive Officer and Vice Presidents/Chief Officers) are eligible for annual paid vacation under the following accrual schedule:

<u>Years of Service</u>	<u>Accrual in Days</u>	<u>Bi-Weekly Accrual</u>
0-1	10	3.08 hours
2-10	20	6.15 hours
10-over	24	7.38 hours

The first portion of accrued vacation leave will be credited after three months of continuous employment (approximately 90 days), and employees may not use this paid vacation leave until after three months of employment.

At the end of any calendar year, all accrued unused vacation leave, not to exceed thirty (30) days, is automatically carried forward into the next Fiscal Year. Any accrued unused vacation in excess of thirty (30) days shall be automatically converted into sick leave at the end of the first bi-weekly pay period in the next calendar year.

Employees may not borrow (use time not yet earned) from unearned vacation leave without

prior approval of the CEO or his/her designee.

Any employee who is separated voluntarily or involuntarily from the Housing Authority, shall be paid his/her accrued vacation leave, not to exceed thirty (30) days, after all documents, keys and property belonging to HAWS, has been returned to the agency.

Exceptions to the leave accrual and usage policies may be granted by the CEO.

4. SICK LEAVE

From the date of employment, regular employees will begin earning sick leave at the rate of 15 days per year (bi-weekly accrual of 4.62 hours). The paid accrued sick time will not be available for use until after the employee has been employed for three months (approximately 90 days). The accrued sick time will be credited after that period.

A supervisor may require an employee to present a fitness for duty statement from their health care provider, where the employee has taken in excess of three (3) consecutive days of sick leave. Employees returning from extended paid leave (greater than five work days/one work week) or leave without pay who were absent due to a medical condition, are required to provide a written certification from their health care provider to their supervisor, verifying that they are fit to return to the job and perform their regular job duties, before they may return to work. An employee who fails to provide such a certification will be prohibited from returning to work until one is provided. Work accommodations may be provided in accordance with the requirements of the Americans with Disabilities Act (ADA). The department Director or Vice-President may ask for a health care provider's statement from an employee at any time when he/she deems sick leave is being abused.

Sick leave may be accrued without limit, and may be used for the following purposes:

- (1) Birth or adoption of a child of the employee, or the placement of a foster child with the employee;
- (2) Personal illness or injury;
- (3) Personal wellness care;
- (4) Personal dental care;
- (5) Exposure to contagious disease;
- (6) Illness or injury to members of your immediate family where your services are needed;
- (7) Death of a member of your immediate family; and/or
- (8) Addition to service time for retirement benefits.

For purposes of the sick leave policy, immediate family includes the employee's parent, spouse, legal guardian, child, sibling, aunt, uncle, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents, step-siblings, step-children, grandchildren, step grandchildren and person(s) not related to them but living permanently in the employee's home, parents, legal guardians, spouse, siblings, children (including adoptive and foster).

Sick leave for the (1) care of an immediate family member (with the exception of the care of a son or daughter) or (2) the birth or adoption of a child of the employee, or the placement of a foster child with the employee shall not exceed ten (10) work days in any twelve-month period unless otherwise approved by the CEO or his/her designee. Employees who must take sick leave as a result of childbirth or incapacity due to pregnancy or are the sole caregiver for the birth or adoption of a child of the employee, or the placement of a foster child with the employee shall not be subject to the limitation of ten work days of accrued sick leave (per Family Medical Leave Act).

To request paid sick leave, the employee must:

- (1) Promptly report to your supervisor the reason for your absence as described in the “Attendance” section of the Personnel Policies;
- (2) Keep your supervisor informed of your condition on an agreed upon schedule; and
- (3) Be willing to agree to a medical examination and/or certification should one be required by the Housing Authority in compliance with state, federal and local law.

Supervisors are authorized to approve sick leave only if the above conditions are followed. Claiming sick leave under false pretenses is considered a violation of Housing Authority policy and will result in disciplinary action up to and including termination.

Sick leave under this policy may be eligible for leave under the Family and Medical Leave Act of 1993, as amended, (FMLA) as described in the FMLA Policy. Paid sick leave time substituted for unpaid FMLA Leave will be designated as FMLA Leave and will be counted as running concurrently for purposes of FMLA entitlement. Once an eligible employee is on sick leave or unpaid leave for one work week (five consecutive work days) or more, their status will be considered as FMLA leave (standard guidelines will apply as set forth in the Housing Authority’s FMLA policy). This rule also applies in the case of employees on sick leave on an intermittent basis for treatment of a recurring health condition (after being on leave for five non-consecutive work days).

Unused sick leave at the time of retirement is added on to years of pension service.

Employees who are separated from employment for any reason will not receive any payment for unused sick leave.

5. FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. Who is Eligible?

The Family and Medical Leave Act of 1993, as amended (FMLA), gives eligible employees the right to take unpaid leave (FMLA leave) for a period of up to 12 work weeks during a twelve-month period under certain circumstances. FMLA is a federal law that guarantees eligible **employees** up to 12 workweeks of unpaid **leave** each year with no threat of job loss. FMLA also requires that **employers** covered by the law maintain the **health** benefits for eligible **workers** just

as if they were working. Employees who have been employed by the Housing Authority for at least twelve (12) months and worked at least 1250 hours during the 12-month period preceding the commencement of the leave are eligible to take FMLA leave as described in this policy and permitted under the FMLA.

To request FMLA leave, an employee must first complete the HAWS FMLA Request Form, including acquiring the supervisor's signature to ensure that the supervisor is aware of the request (so that staffing and workplace needs may be assessed and planned for in anticipation of the employee's absence), and submit the form to Human Resources. Once the form has been reviewed by Human Resources, that office will notify the employee that the request has been approved and/or seek additional information as appropriate.

Eligible employees have the right to take FMLA leave in the following circumstances:

- (1) Assistance for families of active military members for "any qualifying exigency." These qualifying exigencies are defined as:
 - 1) Short-notice deployment
 - 2) Military events and related activities
 - 3) Childcare and school activities
 - 4) Financial and legal arrangements
 - 5) Counseling
 - 6) Rest and recuperation
 - 7) Post-deployment activities
 - 8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee;
- (2) The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care, and to bond with the newborn or newly-placed child;
- (3) To care for a spouse, son, daughter, or parent who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care;
- (4) For a serious health condition that makes the employee unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care; or
- (5) For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

NOTE: When Both Spouses Work for HAWS – Family Medical Leave is provided for both spouses even if employed in the same agency. There is no combined limitation. Each spouse is entitled to up to 12 (26) weeks of FMLA leave in a 12-month period.

B. Military Caregiver Leave

An employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who is undergoing medical treatment, recuperation or therapy, is on outpatient status, or is otherwise on the temporary disability retirement list, for a serious illness or injury incurred in the line of duty while on active duty may be eligible for up to 26 weeks of FMLA leave in a 12-month period, including the types of leave listed above. FMLA-qualifying leave for such employees may not exceed 26 work weeks of leave in a single 12-month period.

In addition, an eligible employee whose spouse, son, daughter or parent is a member of the National Guard or Reserves, may take up to 12 workweeks of leave for qualifying exigencies arising out of the military member's active duty or call to active duty in support of a contingency operation (qualifying exigency leave).

The employee must provide notice of the need for such leave "as is reasonable and practicable." A copy of the notice, call, or order is considered sufficient notice. An employee has the right to be restored to the position the employee held prior to taking the leave, or to an equivalent position with equivalent rights and benefits.

'Next of Kin' means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority:

- Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions;
- brothers and sisters;
- grandparent;
- aunts and uncles; then,
- first cousins.

If the covered service member has specifically designated, in writing, another blood relative as his or her nearest blood relative for purposes of military caregiver leave under FMLA, then that individual is deemed to be the service member's or veteran's only FMLA next of kin.

C. How FMLA Leave Applies to Sick, Vacation and Other Leave

If an employee has a FMLA-qualifying health condition or otherwise qualifies for FMLA leave, HAWS, as the employer, must designate the time off as FMLA leave. Employees may choose to use their accrued vacation, sick, and other leave concurrently with FMLA leave.

D. Maintenance of Benefits

Subject to the terms, conditions and limitations of applicable plans, eligible employees are entitled, under the FMLA, to the same health insurance benefits provided by the Housing Authority while on FMLA leave to the same extent as if the employee were not on FMLA leave. To ensure continued coverage, the employee must pay directly his/her share of premiums during any portion of unpaid leave (when payments can no longer be deducted from accrued paid leave balances).

Benefit accruals, including but not limited to, vacation, sick leave, holiday pay, and retirement benefits, will be suspended during FMLA leave and will resume upon return to active employment.

E. Notice and Certification

When the necessity for FMLA leave is foreseeable, the employee must give the Housing Authority at least 30 days advance notice of the need for the leave. In the case of foreseeable FMLA leave due to a qualifying exigency, notice must be provided as soon as practicable. If the need for FMLA leave is not foreseeable, the employee needs only to give the Housing Authority such notice as is reasonably practicable.

Employees will be required to provide a medical certification if the leave request is: 1) for the employee's own serious health condition, 2) to care for a family member's serious health condition, or 3) military caregiver leave. Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be disciplined.

Final approval of an FMLA leave request is contingent upon Human Resources' confirmation of eligibility and receipt of a satisfactory medical certification, if required. Periodic updates and additional documentation supporting the continued need for FMLA leave may also be required.

The Housing Authority, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, the Housing Authority may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

F. Intermittent Leave

When medically necessary, employees may take FMLA leave intermittently or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Employees who wish to take intermittent FMLA leave are subject to the notice and certification provisions above.

Employees are required to cooperate with the Housing Authority to arrange reduced work schedules or intermittent leave so as to minimize disruption of business operations. Intermittent FMLA leave can be taken in increments as small as one hour.

Qualifying exigency leave may be taken intermittently without regard to medical necessity

or disruption of business operations.

Leave because of the birth or adoption of a child may not be taken intermittently and must be completed within the 12-month period beginning on the date of birth or placement of the child.

G. Return from Leave

Because the Housing Authority wishes to ensure the well-being of all employees, any employee returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty (FFD) certification signed by his/her health care provider. An employee who fails to provide an FFD certification will be prohibited from returning to work until it is provided. An employee who fails to provide an FFD certification may be disciplined or terminated. FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely.

Upon return from leave, the employee will be reinstated to his/her original position or an equivalent position; the same benefits the employee had at the beginning of his or her FMLA leave will also be restored. An employee who fails to return at the end of FMLA leave will may be considered to have voluntarily resigned his/her position with the Housing Authority. Employees who do not return to work at the end of their leave will be terminated unless they are entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

6. ACCOMMODATIONS FOR NURSING MOTHERS

The Housing Authority will adhere to all federal and local laws as they pertain to accommodating nursing mothers.

A place, other than a bathroom, will be provided that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

An employee who uses break time to express milk must be compensated in the same way that other employees are compensated for break time.

7. WORKER'S COMPENSATION

The Housing Authority provides Worker's Compensation insurance for all employees. Coverage may be provided for job-related accidents which occur during working hours. Responsibility for the determination of eligibility of all claims and payment of all eligible claims rests with the insurance company which carries the Worker's Compensation coverage.

Employees must:

- (1) Report all accidents which occur on the job immediately to their supervisor;
- (2) Secure an accident form from their supervisor to take with them to the

hospital or doctor. The form should be signed and returned to the supervisor;

- (3) Check with their supervisor to see if Form 19 (Employer's Report of Accident to Employee), has been filed promptly. This form must be filed with the North Carolina Industrial Commission within five (5) days after knowledge of the accident; and
- (4) Keep their supervisor informed of their condition.

Employees who are absent from work due to an on-the-job injury will be eligible to use sick leave, vacation leave, or leave without pay for the days absent. Claims may be paid by the insurance company only when the doctor's statement indicates that the employee will be out for more than seven (7) days.

8. MILITARY SERVICE AND LEAVE

The Housing Authority complies with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA). The Housing Authority will not discriminate against employees or applicants for employment because of their service in the uniformed services.

Employees who leave their positions at the Housing Authority to serve in the uniformed services will be continued on the payroll in military leave status without pay. Said employees will be eligible to return to work at the Housing Authority provided that 1) the Housing Authority be given advance notice of the service, unless such notice is impossible or unreasonable, 2) the service member serves for five (5) years or less of cumulative service in the uniformed services, 3) the service member returns to work in a timely manner after conclusion of service, and 4) the service member is not separated from service with a disqualifying discharge or under other dishonorable conditions. In addition, the Housing Authority provides for health care benefits for employees who are absent from work due to military service in accordance with USERRA.

For employees who are members of the Military Reserves or the National Guard and are required to attend annual training, the Housing Authority will pay the difference between Housing Authority pay and military base pay for two regular work weeks. Upon returning from training, said employees must provide their supervisor with written documentation showing the pay received while training. Employees should notify their supervisor as soon as they have been informed of the dates on which they must participate in training.

9. JURY LEAVE

Regular employees who are summoned to court to serve as either a juror or witness, must notify their supervisor immediately upon receiving the initial notification. Jury leave with regular pay will be granted to all regular employees for the period of service. Absence for Jury leave will be documented. However, employees' Annual Leave will not be charged for the time away from work and employees may keep any juror's pay received.

10. VOTING LEAVE

Regular employees who desire to vote or to register to vote in any election or referendum shall be granted a maximum of two (2) hours of voting leave with pay. Part-time and temporary employees will be granted two (2) hours of voting leave without pay. Employees must make the proper scheduling arrangements with their supervisor prior to taking any voting leave.

11. BEREAVEMENT LEAVE

All employees may be granted up to three (3) days of paid bereavement leave to cover the death of an immediate family member. Immediate family is here defined as **the employee's parent, spouse, legal guardian, child, sibling, aunt, uncle, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents, step-siblings, step-children, grandchildren, step grand-children, person(s) not related to them but living permanently in the employee's home, parents, legal guardians, spouse, siblings, children (including adoptive and foster).**

The need for bereavement leave must be reported to the employee's Department Head. Should special circumstances exist for taking more than three (3) days of bereavement leave, additional bereavement leave must be approved by the CEO or his/her designee. Regular/Permanent employees may use sick leave and/or vacation leave to cover time spent on additional bereavement leave per their requests (beyond the initial 3-day period).

12. SCHOOL INVOLVEMENT LEAVE

The Housing Authority will grant an employee who is a parent, guardian, or person acting in place of a parent of a school-age child, four (4) hours of unpaid leave per year so that the employee may attend or otherwise be involved with the child's school activities. The four (4) hours of School Involvement Leave shall be at a mutually agreed upon time between the supervisor and the employee.

The supervisor may require written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave. The term "school-age child" also refers to a child in daycare or pre-school through high school.

An employee may choose to use Annual Leave for such events instead of School Involvement Leave if he/she has leave available and seeks to be paid for the time away from work.

VIII. PERFORMANCE MANAGEMENT AND DEVELOPMENT

1. PERFORMANCE EVALUATIONS

The Housing Authority evaluates each employee's performance on an annual basis. Special evaluations may be necessary for purposes of transfers, promotions, demotions and other purposes. Performance evaluations are not necessarily linked with a transfer, promotion, or demotion and may take place regardless of whether an employee is eligible for a transfer, promotion, etc. Employees will be evaluated based on current performance and the standards and requirements of their respective job descriptions.

Performance evaluations shall be filed in each employee's personnel file and may be considered in any personnel actions.

2. PROMOTION

When an employee is promoted to a position in a higher job classification, his/her salary is increased at minimum, to the bottom of the salary range for the higher classification. In the case of overlapping ranges, the promoted employee's salary shall be increased but not to exceed the maximum for the new range.

Hiring decisions are based on the work skills, experience, knowledge, background, education, interpersonal skills, interview and general job qualifications of the applicant. However, supervisors are strongly encouraged to fill vacancies from within the organization when possible and appropriate, based on the employee's performance and the needs of the organization.

3. LATERAL TRANSFER

A lateral transfer occurs when an employee moves from one position to another job in the same agency and the new position is at the same salary and job classification level as the position the employee is leaving. The departmental Vice President may authorize lateral transfers between divisions and departments:

- (1) To promote better morale, job performance, and facilitate individual career development;
- (2) To match current employees with available work or funds; and
- (3) To meet other organizational needs.

In the case of lateral transfers, the employee's pay rate will remain unchanged at the time of transfer, and the employee will remain in the salary range of the former position. The employee's anniversary date will also be retained.

4. DEMOTION

A demotion occurs when an employee is moved from his/her existing position to one at a lower classification. Demotions may occur for a number of reasons including job performance, re-organization, to avoid layoff or as the result of organizational funding needs. The employee shall be paid at a rate that is within the approved range for the lower class position.

5. EMPLOYEE TRAINING

A. Initial Training

When a new employee is hired, the individual goes through orientation, which includes information about the Housing Authority in general, as well as departmental information. The relationships and responsibilities between departments are covered in detail.

The Employee Handbook is reviewed during orientation to ensure that the employee has a good understanding of the benefits, rules and regulations.

The department head, supervisor, and/or manager are/is responsible for providing and coordinating job-specific training of their employees, if necessary.

B. In-Service Training

When certain training courses are required for a position, employees must successfully complete the training courses in the specified time frame (as determined by management) to ensure continued employment. The Housing Authority may pay for the training and supplies needed to complete these required courses, based on available funding, for up to two attempts with each training opportunity.

If the employee is unable to successfully complete the required training after two attempts, he/she will need to successfully complete the required course(s)/certifications at his/her own expense as a term of continued employment. If the employee is unable to successfully complete and pass the required course(s)/certifications, the Housing Authority may demote or terminate the employee.

On their own initiative, or per the request of their supervisors, regular employees may take training courses which are either related to their present job or will help them qualify for HAWS' jobs requiring a higher level of responsibility or skill.

6. DISCIPLINARY ACTION

All employees are expected to perform their duties in accordance with their job descriptions and under the direction of their management. The work must be performed in a safe, timely and

effective manner. Improper conduct and/or poor job performance may result in immediate discharge, suspension with or without pay, oral reprimands, written warnings, probation, demotion, or such other sanctions as management deems appropriate. The action to be taken will be in keeping with the level and type of the infraction. The Housing Authority may also consider the employee's past conduct and job performance when assessing appropriate disciplinary action.

Examples of the types of inappropriate job performance or conduct that could result in the imposition of disciplinary action include, but are not limited to:

- (1) Deliberate or negligent damage to Housing Authority or Private Property or to the property of other employees while on duty;
- (2) Stealing;
- (3) Fighting;
- (4) Unauthorized and/or illegal possession of an illegal weapon;
- (5) Immoral or indecent conduct;
- (6) Willful interference with work schedules;
- (7) Misrepresentation and/or falsification of records or attendance reports; including but not limited to "buddy punching;"
- (8) Insubordination;
- (9) Misappropriation of Housing Authority property or Housing Authority funds;
- (10) Willful violation of the Housing Authority policy concerning partisan political activity;
- (11) Gambling;
- (12) Violation of the Housing Authority Substance Abuse Policy;
- (13) Sleeping on the job;
- (14) Misusing, damaging, taking or refusing to surrender Housing Authority property;
- (15) Careless waste of materials and equipment;
- (16) Violation of established safety rules;
- (17) Carelessness or negligence in performing work;
- (18) "Horseplay";
- (19) Disorderly conduct;
- (20) Carelessness or recklessness in operating Housing Authority vehicles or equipment;
- (21) Abusive or threatening language to a supervisor, fellow employee, or the general public;
- (22) Failure or refusal to carry out instructions or assignments;
- (23) Violation of the Housing Authority policy concerning outside employment or secondary employment;
- (24) Unreported absences;
- (25) Absence from the work area without permission or without an excusable reason;
- (26) Leaving the job or work area without permission before the end of the regular work period;
- (27) Failure to report personal injury;
- (28) Failure to report absence properly;
- (29) Poor attendance;
- (30) Absence without justifiable cause;
- (31) Habitual tardiness;

- (32) Violation of the Housing Authority policy concerning purchasing practices;
- (33) Violation of Housing Authority policy against Harassment and Discrimination;
- (34) Negligence in the handling of cash, checks or other negotiable instruments;
- (35) Inefficiency or incompetence in performance of duties (including the refusal or inability to obtain required certifications, training or education within specified time frames);
- (36) Any conduct unbecoming of a Housing Authority employee, which might interfere with the successful performance of job duties.

Examples of the types of disciplinary action that may be taken by the Housing Authority are listed below. Employees may appeal Final Written Warnings, Demotions, Suspensions Without Pay and Terminations by filing a grievance in accordance with the Grievance Procedure as described in this handbook.

Typical Disciplinary Measures:

- (1) Verbal Warning
- (2) Written Warning
- (3) Final Written Warning
- (4) Suspension (with or without pay)
- (5) Demotion
- (6) Termination

Department Directors, with the written approval of their departmental Vice President and in consultation with the Director of Human Resources, may choose to remove a Verbal Warning summary, Written Warning or Final Written Warning from an employee’s permanent file based on substantially improved job performance and conduct. In doing so, management understands that the warning and documentation are removed and treated as if they did not occur. They cannot be used in any future disciplinary action against the employee.

7. SUSPENSION

A supervisor may suspend an employee with or without pay for a period not to exceed five working days as a form of discipline. The department Vice President must approve recommendations by an immediate supervisor for suspension exceeding five but not more than 30 days. The CEO or his/her designee must approve recommendations for suspensions in excess of 30 days.

Documentation of the suspension shall be forwarded to the Human Resources Department immediately where it will become a permanent part of the employee’s record.

8. TERMINATION

Employment with the Housing Authority may be terminated at the will of either the employee or Authority at any time, for any lawful reason or no reason at all. An employee may be

terminated by the Housing Authority with or without prior notice. All terminations must be approved by the CEO or his/her designee.

If an employee is terminated, he/she may be notified by his/her direct supervisor, department Director, the CEO or his/her designee in writing of the reasons for the termination. Such writing should be delivered personally to the terminated employee or delivered by registered mail to his/her last known address. A copy of the termination letter will be placed in the employee's personnel file and is to be treated as confidential and subject to inspection only in accordance with State law.

9. EMPLOYEE GRIEVANCES

Employees are expected to follow the policies of the Housing Authority and the directions of their supervisor(s). However, supervisors, employees and co-workers may experience misunderstandings or disagreements. The Housing Authority has established a Grievance Procedure for employees who have been unable to satisfactorily resolve misunderstandings or disagreements through informal communication.

The Grievance Procedure outlined in this section shall not be used to bypass normal lines of authority or informal techniques to resolve complaints. As explained below, disagreements or complaints are to be initiated with your immediate supervisor. The matter may be initiated with the next level supervisor where the complaint is based on or in response to action by the direct supervisor.

Employees may consult with the Human Resources Department if they have a problem or question regarding the Grievance Procedure.

A. What issues are grievable?

- (1) Disciplinary actions resulting in dismissal, demotion, or suspension without pay;
- (2) Disciplinary actions designated as "Final Warnings" such that the next disciplinary step, if needed, will be dismissal, demotion, or suspension without pay;
- (3) Where employee alleges retaliation for reporting improper activities by a HAWS employee (Example—Reporting misuse of HAWS property by a fellow employee);
- (4) When an employee believes he or she has been: harassed and/or discriminated against.

B. Examples of complaints which are not grievable include but are not limited to:

- (1) complaints based on a poor performance evaluation;
- (2) disagreement with Housing Authority policies;
- (3) Salary and benefit decisions.

C. **The Grievance Process**

Step 1: Discussion with the immediate supervisor. The employee must first talk with his/her supervisor about the concern and request a response. If the employee is not satisfied with the supervisor's response or does not receive a response within five (5) business days of the meeting, and the complaint is grievable, you may elect to file a formal grievance.

Step 2: File a formal grievance. The employee must file his/her formal grievance with the Human Resources Department within twelve (12) business days of the occurrence that gave rise to the grievance

A formal grievance should be in writing, on the appropriate form entitled "Employee Grievance Form." It should include a statement of what occurred, the date of the occurrence, what the concern is in the matter, and what relief the employee is seeking. Once your grievance is filed, it will be logged and sent to your Department Head.

Please note: If the grievance involves the Department Head or the Human Resources Department, the employee may file the grievance directly with an Executive Staff member (a Vice President). If the grievance involves the Executive Staff (including the CEO), the grievance should be filed with the Human Resources Department, who, in turn, will contact the Chair of the Board of Commissioners.

Step 3: Grievance Investigation. The grievance will be investigated by the Director of Human Resources or his/her designee. The investigator has ten (10) business days, from the date the grievance is logged in Human Resources, to investigate the grievance and respond to the employee in writing. If the employee is not satisfied with the findings, he/she may request a review by the departmental Vice-President.

A written decision made by the assigned Vice President will be given to the employee within a reasonable time after completion of the review. **This is the final decision of the Housing Authority.**

Please note: If the grievance is against an Executive Staff member, the employee grievance may be made to the CEO or his/her designee. If the grievance is against the CEO, the matter may be reviewed by an outside third party.

IX. SAFETY AND SECURITY

1. SAFETY POLICY

It is Housing Authority policy to provide safe working conditions for all employees. The Housing Authority will comply with the Occupational Safety and Health Act (OSHA) and other applicable federal, state, and local safety laws. All Housing Authority employees must promote accident prevention by using all protective equipment supplied to them by the Housing Authority, and by observing the safety regulations of the Housing Authority.

The Housing Authority will periodically provide and/or make available, safety training sessions for employees in an effort to reduce or eliminate the occurrence and recurrence of accidents on the job. The goal of safety training is to educate all employees to be able to (1) recognize hazards to life, health, property and work practices, (2) avoid and eliminate unsafe conditions, and (3) properly and safely use inherently hazardous material and equipment.

Additional departmental safety guidelines and requirements may be established by individual departments as appropriate.

2. REPORTING ACCIDENTS AND INJURIES

When an employee suffers an injury while on duty, no matter the severity of the injury, he/she is required to report the injury at once to his/her supervisor.

Accidents involving Housing Authority-owned equipment must also be reported immediately to the supervisor.

Failure to report an accident or injury may result in disciplinary action.

3. AUDIO AND VIDEO SURVEILLANCE

Housing Authority believes that safeguarding the personal welfare of its residents and employees is of paramount importance at all Housing Authority locations. In an effort to discourage those behaviors which threaten personal safety and/or compromise customer service, selective use of telephone monitoring and/or audio/video surveillance is employed at Housing Authority locations. The Housing Authority acknowledges that its residents, employees and the surrounding communities, need or expect privacy in certain locations. The Authority intends to balance this need with the need for safety of its employees and residents.

This Audio and Video Surveillance Policy applies only to audio and video surveillance conducted by the Housing Authority. It does not apply to law enforcement personnel.

A. Telephone Monitoring

The Housing Authority may monitor and/or record telephone calls involving one or more Housing Authority employees that are made or received using a Housing Authority owned or issued telephone. Such monitoring is for business reasons, including but not limited to the evaluation of customer service provided by Housing Authority employees.

B. Video Camera Surveillance

In an effort to further the safety and security of Housing Authority employees, residents, and property, the Housing Authority may use video surveillance cameras to monitor any areas where residents and/or employees do not have an expectation of privacy. These include, but are not limited to, resident and employee work areas, hallways, parking lots, outdoor areas, building entrances and exits, lobbies, and waiting areas. Video surveillance cameras may not be used in areas where employees or residents may have a reasonable expectation of privacy, such as restrooms or locker rooms. Video surveillance cameras operated by the Housing Authority shall not be directed or zoomed into the windows of any private residence.

Use of video surveillance cameras may be accompanied by signage indicating use of such cameras. When used, signage shall be appropriate for the location and specific placement of the video surveillance camera. Signage content and placement must be approved by the Housing Authority department head or his/her designee.

C. Review of Telephone Recordings and Camera Footage

Telephone call recording and video surveillance camera images or footage may be monitored or reviewed only by i) the Housing Authority department head or his/her designee, ii) federal, state, or local law enforcement personnel, iii) other individuals who are authorized by the Housing Authority to view the video or images in connection with a legitimate need or purpose of the Housing Authority, and iv) others authorized by law. Video tapes or other media will be stored and transported in a manner that preserves security, but may be accessed as applicable according to the North Carolina Public Records Laws. Current and archived tapes or media shall be kept locked and secured.

Any employee who tampers with or destroys a video surveillance camera or any part of the video surveillance system may be subject to disciplinary action up to and including termination, as well as potential prosecution in the criminal justice system.

4. WORKPLACE VIOLENCE

The Housing Authority is committed to maintaining a safe environment for its employees, free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Such behavior will be taken seriously and will not be tolerated. This includes, but is not limited to oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from Housing Authority

premises and may be subject to disciplinary action, criminal penalties, or both.

Employees of the Housing Authority should not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If anyone on Housing Authority premises displays such behavior, whether or not he/she is an employee, such behavior should be reported immediately to the Human Resources Department. The Human Resources Department will promptly investigate the incident and initiate appropriate action.

Threats or assaults that require immediate attention by police should be reported first to police at 911, then the Department Head and the Director and the Human Resources Department.

X. LEAVING EMPLOYMENT

1. LAYOFFS AND REDUCTION IN FORCE

A Departmental Vice President, with the approval of the CEO or his/her designee, may lay off or reduce the number of personnel in any department for lack of work or lack of budgeted funds. When possible, an advance notice of at least two (2) calendar weeks from the effective date of separation should be given to each regular employee to be separated from employment due to a lay off or reduction in force. In the event that a lay off or reduction in force becomes necessary, and to the extent possible, consideration will be given to each employee's past performance, and to the organizational needs of the Housing Authority.

2. RESIGNATION

An employee who wishes to resign should give his/her supervisor at least two (2) calendar weeks' advanced written notice of the resignation. This time is necessary for the Housing Authority to locate and train the employee's replacement, and it also provides official notice of the resignation to the Housing Authority which will allow the employee to be paid on a scheduled pay date.

Failure to comply with this policy may result in the employee's ineligibility for re-employment with the Housing Authority.

3. EXIT INTERVIEW

In order to ensure that all employees who leave Housing Authority employment are sufficiently informed about their final pay, continuation of fringe benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA), and their rights and conditions of separation, exit interviews are conducted by the Human Resources Department staff.

4. RE-EMPLOYMENT

A former employee of the Housing Authority is eligible for re-hire if his/her Housing Authority employment record has been satisfactory. Individuals re-employed are subject to the conditions of employment in effect at the time of re-employment. Re-hired individuals receive a new employment date in the HAWS system for retirement plan purposes.

With the exception of employees terminated for disciplinary reasons, employees who are re-hired within 1 year of their original separation date may be eligible for a continuation of their most recent leave accrual rate. This accrual rate will be based on their new position and previous years of service. Recent rehires may also be eligible for continued retirement benefits as described in the retirement plan.

HOUSING AUTHORITY OF THE CITY OF WINSTON-
SALEM'S

**RECEIPT FOR THE
HAWS EMPLOYEE
HANDBOOK**

I have received a copy of the Housing Authority of the City of Winston-Salem's Employee Handbook and have read and understand all of the policies and provisions in the manual. I will comply with all aspects of the policies as stated.

I understand that should I violate the provisions of the Handbook I am subject to disciplinary action up to and including termination.

I understand that if I have any questions regarding any of the policies or procedures I am responsible for seeking clarification from the Human Resources Department before signing this statement.

I understand that the policies, procedures, and/or benefits may be changed at any time and that an updated copy of the Handbook is available to me at any time through my department, the agency website or the office of Human Resources.

I also understand that my employment relationship may be terminated at any time and for any reason by the Housing Authority, or by me, and that the Personnel Policies in no way constitute an employment contract.

Employee Name (printed)

Signature

Date