



DISTRICT OF COLUMBIA  
PUBLIC CHARTER SCHOOL BOARD

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# Employee Handbook

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**October 2013**

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As an independent agency of the District of Columbia Government, the PCSB's Handbook is superseded by the District Personnel Manual (DPM) in cases of omission. However, the PCSB's compensation and employee benefits programs are different from those provided to the DC Government employees.

## ***Handbook Receipt Form***

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**I acknowledge that I have received my personal copy of the “*District of Columbia Public Charter School Board (PCSB) Employee Handbook*” and that I have carefully read the information concerning the policies and other information applicable to employees of PCSB.**

I understand the policies and other information described in the handbook and I accept responsibility and accountability for adhering to the principles and policies concerning my business conduct while employed by PCSB. I am also aware that violations of these principles can lead to disciplinary action, up to and including dismissal.

In addition, I understand that this handbook states PCSB’s policies and practices in effect, as of the date of publication. I understand that nothing contained in the handbook may be construed as creating a promise of future benefits or an express or implied binding contract with PCSB for benefits or for any other purpose.

*I agree that this handbook does not constitute an employment or other form of contract, that it may be revised at any time at PCSB’s sole discretion, without prior notice, and that it in no way changes the fact that PCSB’s relationship with me is governed by the legal doctrine of “employment at will”.*

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**Date**

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**Employee’s Name Printed**

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**Employee’s Signature**

## ***Introduction***

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The District of Columbia Public Charter School Board (PCSB) is an independent agency within the District of Columbia (DC) government, established in 1997, to authorize, hold accountable, and when necessary, revoke public charter schools in Washington, D.C.

The PCSB Board of Directors is comprised of seven members who are appointed by the Mayor and confirmed by the City Council. The PCSB Board of Directors is responsible for reviewing and approving charter school petitions and providing oversight of the charter schools it authorizes. The PCSB Board of Directors defines the agency's policies and hires staff to implement them. According to the DC Code, the Chair of the Board has legal authority to "appoint, terminate, and fix the pay" of an Executive Director and other staff. The Executive Director makes recommendations to the Chair of the Board for hiring of other staff, and supervises staff in the day-to-day operation of PCSB.

### **Vision Statement**

PCSB's vision is to lead the transformation of public education in DC, and serve as a national role model for charter school authorizing and accountability.

### **Mission Statement**

PCSB's mission is to provide quality public school options for DC students, families, and communities through:

- A comprehensive application review process;
- Effective oversight;
- Meaningful support; and,
- Active engagement of its stakeholders.

Because PCSB's mission is to serve the DC community and its budget comes mostly from public funding sources, PCSB believes that its employees have a special responsibility to adhere to the highest standards of ethics and professionalism in representing the organization and carrying out its mission.

### **Purpose of the Employee Handbook**

The PCSB employee handbook is intended to serve as a guide for the personnel policies and practices of PCSB. It is not a contract of employment, and its provisions shall not constitute contractual obligations enforceable against PCSB.

PCSB reserves the right to make changes, from time to time, with or without notice, in the policies and practices described in the employee handbook. Moreover, because it is impossible to anticipate every situation that may arise, PCSB reserves the right to address a situation in a manner different from that described herein if, in PCSB's discretion, the circumstances so warrant.

If you have questions about the policies and procedures described in this handbook, or suggestions for improvement, please see a member of the PCSB leadership team.

# ***Section I – Employment Practices***

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## **Staff Structure**

The PCSB is lead by the Executive Director, with a leadership team consisting of the Deputy Director, General Counsel, Director of Finance and Operations, Director of Human Capital and Strategic Initiatives, and Director of Communications. The Executive Director, in consultations with appropriate directors, directs and oversees all hiring and firing decisions, performance evaluations, base salary and bonus determinations, and all other major PCSB personnel decisions. The Executive Director reports and is accountable to the DC Public Charter School Board for staff operations and organizational performance.

## **Employment At-Will**

PCSB abides by the legal doctrine of "Employment At-Will." This means that an employee's employment can be terminated "at-will" (i.e., at the option of the employer or employee at any time, with or without prior notice and with or without cause).

Being hired by PCSB is neither a guarantee of employment for any specified duration nor an employment contract of any kind. Any exception to the "Employment At-Will" policy may occur only with written authorization from the Executive Director.

Notwithstanding anything to the contrary in any section of this employee handbook, including any language which otherwise might be construed as a promise, this employee handbook is not intended to create, nor does it create, any expressed or implied contractual rights in any person.

This employee handbook is not a contract or any offer to form a contract, and it does not create any binding contractual commitments between employees and PCSB regarding any subject, and does not alter or limit the at-will employment status of PCSB's employees.

By proceeding to any section in this employee handbook, employees are acknowledging their knowledge and understanding that the employee handbook neither creates any contractual rights nor alters their status as an at-will employee.

Further, by acknowledging receipt of the employee handbook, employees agree to abide by the terms of this policy and accept this doctrine as the basis of their employment with PCSB.

## **Equal Employment Opportunity**

PCSB greatly appreciates the talent and dedication of employees and is dedicated to treating all employees with dignity and respect. This includes a commitment to providing a pleasant and safe work environment. It also includes a commitment to maintaining a well-trained, knowledgeable management team that is willing to do what is necessary to foster good employee relations and ensure PCSB's success in achieving its mission.

PCSB is an equal employment opportunity employer in both policy and practice. Accordingly, we recruit, hire, train, promote and make all other employment decisions without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, veteran or parental status, disability (except where related to ability to perform the job) or any other status protected by applicable federal, state, or local law. Further, in carrying out this commitment, we make

## ***Section I – Employment Practices***

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reasonable accommodations when necessary for applicants and employees with known disabilities to perform essential job functions.

It is also our policy that any form of discrimination or harassment on the basis of race, color, religion, national origin, sex, age, marital status, sexual orientation, veteran or parental status, disability or any other status protected by federal, state, or local law will not be tolerated in the workplace. Included within this prohibition is any form of sexual harassment, whether it involves verbal or physical conduct or otherwise interferes with employees work or working environment.

### **Discrimination**

PCSB believes that employees have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, PCSB expects all relationships among individuals in the office will be business-like and free of bias, prejudice and harassment.

It is PCSB's policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, age, disability, marital status, sexual orientation, citizenship or any other characteristic protected by law. Any such discrimination or harassment is strictly prohibited. It is also PCSB's policy to comply fully with all applicable state or local laws, which may forbid discrimination on the basis of other characteristics.

The conduct prohibited by this policy applies not only to conduct exhibited by fellow employees or volunteers but also to persons not directly connected to PCSB (e.g., outside vendors, consultants, contractors, customers, etc.). Further, the conduct prohibited by this policy involves not only conduct in the workplace but also in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

PCSB encourages prompt reporting of all perceived incidents of discrimination or harassment so that they may be investigated. PCSB strictly prohibits retaliation against employees who report discrimination or harassment or who participate in an investigation of such reports.

### **Policy Applicability**

PCSB's policy against discrimination applies to any aspect of the employer-employee relationship. This relationship includes but is not limited to:

- PCSB-sponsored social and recreational programs;
- Benefits;
- Compensation;
- Disciplinary actions;
- Hiring;
- Recruiting;

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- Leaves of absence;
- Promotions;
- Recruiting;
- Training and development;
- Position upgrades; and
- Work environment.

### **Harassment**

PCSB is committed to a work environment in which all employees are treated with respect and dignity. Employees have the right to work in a professional atmosphere that prohibits discriminatory practices, including harassment. PCSB expects that all relationships among persons in the workplace (or during company-sponsored events) to be business-like and free of bias, prejudice and harassment.

#### **Definition of Harassment**

Harassment on the basis of any protected characteristic also constitutes discrimination. Under this policy, harassment is considered to be verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of their relatives, friends or associates, and that:

- Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- Has the purpose or effect of unreasonably interfering with an employee's work performance; or
- Otherwise adversely affects an employee's employment opportunities.

It is the policy of PCSB to vigorously investigate reports of sexual harassment and prohibit retaliation against individuals who report such an incident or participate in an investigation. If sexual harassment is found to exist in the workplace, immediate and appropriate disciplinary action will be taken up to and including dismissal.

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

Sexual harassment, one form of prohibited harassment, consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexually-biased nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- An employment decision is based on an individual's acceptance or rejection of such conduct; or

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- Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It also includes non-sexual behaviors such as verbal abuse that reflects harassment of an individual as a result of their sex or other status, regardless of whether sexual innuendo is used.

Sexual harassment may also include a range of subtle and not so subtle behaviors that may involve individuals of the same or different gender.

Some examples of inappropriate behavior are:

- Unwanted sexual advances or requests for sexual favors;
- Sexual jokes and innuendo;
- Verbal abuse of a sexual nature;
- Commentary about an individual's body, sexual prowess or sexual deficiencies;
- Leering;
- Whistling or touching;
- Insulting or obscene comments or gestures;
- Display in the workplace of sexually suggestive objects or pictures; and
- Other physical, verbal or visual conduct of a sexual nature.

### **Incident Reporting**

Employees are strongly encouraged to report all perceived incidents of discrimination, harassment and/or retaliation, regardless of the offender's identity or position. Employees who believe they have been the victim of such conduct should discuss their concerns with their manager.

PCSB also encourages employees who believe they are being subjected to such conduct to promptly advise the offender that their behavior is inappropriate and request that it be discontinued. Often this action will resolve the matter. However, individuals have the option to pursue such matters through informal or formal complaint procedures, as they feel appropriate.

### **Complaint Procedures**

#### Informal Discussion

If, for any reason, employees do not wish to address the offender directly, or if such action does not successfully end the offensive conduct, employees should notify their manager or the ombudsperson.

Employees reporting discrimination, harassment or retaliation should be aware, however, that PCSB might deem it is necessary to take action to address such conduct beyond an informal discussion. This decision will generally be discussed with the employee. The best course of

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action in any case will depend on many factors and, therefore, the informal procedure is flexible by design.

NOTE: The informal complaint procedure is not a required first step for employees wishing to report a perceived incident of conduct prohibited by this policy. However, if employees feel they are the victim of discrimination, harassment or retaliation, they must bring it to the attention of management through either the formal or informal procedure.

### Formal Procedure

Employees who believe they have been the victim of discrimination, harassment or retaliation or who believe they have witnessed such conduct may choose to formally report their concerns, in writing, to their manager. If the manager is the person accused of the inappropriate conduct, the employee may submit the written complaint to the Executive Director. If the Executive Director is the person accused of the inappropriate conduct, the employee may submit the written complaint to the Board Chair. PCSB encourages prompt reporting so that rapid and constructive action can be taken.

All reported allegations of discrimination, harassment, or retaliation will be investigated promptly. Such investigations may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. It may also include review of personnel files and other pertinent documents for the purpose of discovering or analyzing facts.

Confidentiality is maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Additionally, if the complainant inquires about the status of a pending discrimination complaint, the complainant must be advised that management may not discuss the case.

Misconduct constituting discrimination, harassment or retaliation is dealt with appropriately. Responsive action may include:

- Training;
- Referral to counseling;
- Disciplinary actions such as warnings or reprimands;
- Demotions and/or withholding promotions;
- Reassignment;
- Suspension without pay; and
- Dismissal.

Employees who have questions or concerns about this policy should contact their manager or a member of the PCSB leadership team.

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### **Americans with Disabilities Act**

PCSB is committed to the protection of qualified individuals from employment discrimination because of a disability, in accordance with the Americans with Disabilities Act (ADA) of 2008. Under ADA disability is defined as an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

This commitment applies to all phases of the employment process, including: job application, hiring, advancement, discharge, compensation and training. Applicants or employees who satisfy the particular job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job-related, and who are able to perform the tasks as essential to the job, with or without reasonable accommodation, are protected. Employees should bring complaints of discrimination to the attention of their manager.

If the person charged with discrimination is an employee's manager, employees should take the complaint directly to the Executive Director. If the person charged with discrimination is the Executive Director or a member of the PCSB, employees should take the complaint directly to the Board Chair.

After notification of a complaint, an impartial investigation will be initiated by the manager (or the Executive Director, if necessary) as soon as possible, and not later than three (3) weeks from the date the complaint was filed. After the investigation has been completed, a determination will be made by the Executive Director or Board Chair, if necessary, regarding the resolution of the case within five (5) days of the completion of the investigation. If warranted, the disciplinary action will be taken up to and including involuntary termination.

This policy prohibits retaliation against employees who bring discrimination charges or who assist in investigating charges. Employees who bring a good faith discrimination complaint or assists in the investigation or such a complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint.

## ***Section II – Workplace Conduct and Expectations***

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### **Employee Conduct**

PCSB is committed to providing a professional and safe work environment for all employees. To ensure this environment is maintained, it is important that all employees conduct themselves in a professional and honest manner. Employees should behave with decorum and in a polite manner to all staff and visitors.

The information discussed here is intended to serve as a framework to guide employee conduct on a day-to-day basis. The list is not meant to be all-inclusive, and other circumstances may arise that require the discipline and/or immediate dismissal of an employee.

### **Code of Ethics**

All PCSB employees are expected to maintain a high standard of ethical business practices in their accepted roles and responsibilities, and in all operations.

It is the policy of PCSB to fully comply with the intent and spirit of all applicable laws and regulations. PCSB expects its employees to conduct themselves in a professional and honest manner. Further PCSB expects employees to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct.

### **Outside Employment**

This policy sets forth guidelines and restrictions for PCSB employees who wish to engage in paid employment activities outside of PCSB.

Outside employment is defined as employment not compensated through PCSB for activities including consulting, part-time and short-term employment in general. PCSB employees may engage in outside employment activities outside PCSB hours and away from PCSB subject to the following restrictions:

- The outside employment must not interfere with performance of their duties; and
- The outside employment must not create a real or apparent conflict of interest.

All outside employment activities must be conducted without the use of PCSB supplies, equipment, including computers, or facilities; or the use of privileged, official, or protected information. No portion of PCSB time may be devoted to private purposes. Details regarding restrictions that apply to outside employment are discussed below.

#### **Restrictions on Outside Employment**

- Working or Volunteering at Charter Schools. PCSB employees may not work for a DC public charter school, or group applying for a charter without written permission from the Executive Director. Unless tutoring students, PCSB employees may not volunteer for a

## ***Section II – Workplace Conduct and Expectations***

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DC public charter school, or group applying for a charter without written permission from the Executive Director.

- **Interference with the Performance of Job Duties.** Outside employment activities must occur outside an employee's work schedule. PCSB employees may not engage in outside employment activities that interfere with their work assignment or the satisfactory performance of their job duties.
- **Conflicts of Interest.** Conflicts of interest are not permitted, regardless of the amount of compensation or time base. The following guidelines are used to determine whether a real or apparent conflict of interest would exist as a result of outside employment. Questions concerning potential conflicts of interest should be referred to the Executive Director.

**Avoidance of Unfair Competitive Advantage.** An employee's employment, consulting, or other business activity(s) outside of PCSB may not influence decisions made at PCSB in such a way as to give unfair competitive advantage to an outside business organization.

- **Separation of PCSB and Private Interests.** An employee's outside employment, consulting or other outside business activity must not affect PCSB's business dealings with an outside organization in which the employee or a near relative of the employee has a financial interest.
- **Use of Confidential Information.** The use of confidential information for personal financial gain is a type of conflict of interest and is prohibited. Confidential information is information that is known to an individual because of their connection with PCSB but is not available to the public.

### **Disclosure and Reporting Requirements**

Employees engaged in outside business activity as defined in this policy are required to disclose the following information to PCSB, in order for outside business activities to be reviewed for continued appropriateness and to assure that outside business activities meet PCSB requirements:

- Changes in an employee's outside employment relationship or assignment;
- An appreciable change in the number of hours involved; and/or
- Notification that the employee is the target of an investigation by a federal or state agency.

Disclosure and reporting of outside employment activity should be provided in writing to the manager and Director of Human Capital and Strategic Initiative for the employee file.

### **Employment of Relatives/Personal Relationships**

In an effort to ensure fairness and objectivity, and to avoid conflicts of interests or favoritism, nepotism or bias by one employee toward another, PCSB has established the following guidelines:

## ***Section II – Workplace Conduct and Expectations***

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- Managers may not date a subordinate;
- No employee is permitted to hire a relative;
- When related persons work for PCSB, one relative may not supervise another; and
- Related persons may not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other budget-related decisions.

For the purposes of this policy only, the terms "*relative*" and "*related person*" are deemed to include individuals related by marriage, blood or adoption, or by virtue of a domestic partnership.

Potential conflicts of interest also may involve current employees who establish a formal relationship (e.g., marriage), or begin dating each other. A potential conflict-of-interest situation may exist when such employees work in the same office or department (or in a manager/subordinate relationship), or when one employee has access to confidential information.

Although PCSB does not prohibit hiring relatives or those with a close relationship to current employees, applicants are required to disclose any such relationships.

### **Conflict of Interest**

All employees are expected to maintain a high standard of ethical business practices in their accepted roles and responsibilities, and in all PCSB operations.

Outside activities, actions, employment or proprietary interests that jeopardize, displace, overlap with, or materially interfere with PCSB interests form a basis for conflict and are prohibited.

All business transactions conducted in the name of the PCSB are to be made in an objective manner, free from favoritism, nepotism or bias. This includes any business, management or financial interest or activity in any entity that is a customer or supplier of PCSB. An employee's failure to report a potential conflict of interest to their manager may subject the employee to disciplinary action, up to and including termination.

### **Work Hours and Attendance**

#### **Basic Workweek**

The regular, full-time workday is from 9:00 a.m. to 5:30 p.m. and the regular full-time work week is from Monday to Friday. PCSB may consider adjustments in the time parameters of the workday on a case-by-case basis. No employee will make arrangements to arrive for work after 10:00 a.m. An employee should discuss this matter with their manager for approval.

## ***Section II – Workplace Conduct and Expectations***

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Lunch and breaks for non-exempt employees should be scheduled and taken according to the applicable state's wage and hour laws. Managers are responsible for ensuring adequate coverage during lunch periods and exceptions to such schedules can only be approved by managers.

Non-exempt, full-time employees, whether regular or temporary, are required to take a minimum of thirty (30) minutes (unpaid) for lunch each day. Subject to state law, non-exempt, part-time employees, whether regular or temporary, may work up to five (5) hours per day without a lunch period.

### **Attendance**

Employees are expected to report to work when scheduled and to be on time. Regular attendance and punctuality are essential to the efficient operation of all PCSB activities, and they are a requirement for continued employment. We do recognize that occasional illness or extenuating personal reasons may cause unavoidable absence or tardiness. PCSB's expectations when such instances occur are described below.

#### Early Departure

If employees need to leave work before the end of their scheduled work period, they must obtain permission from their manager prior to leaving.

#### Makeup Time for Tardiness and Short Absences (Non-Exempt Employees)

As stated above, all employees are expected to arrive at work on time. In the event non-exempt employees arrive more than one hour late for work in the morning or returning from lunch will be required to use personal or vacation leave for the time missed.

#### Vacation Leave

Employees are expected to request approval of vacation leave, in advance, from their manager.

#### Failure to Report to Work

Employees, whether exempt or non-exempt, are expected to call-in prior to being absent from work (unless an emergency situation makes this impossible). If an employee is off from work or late for any reason and has not received advance permission for the absence, he or she must call his or her manager before 8:45 a.m. to report the absence or lateness.

Employees who fail to report to work without contacting their manager or leaving their manager a message for three (3) consecutive workdays will cause PCSB to consider the employee to have voluntarily "abandoned" their job. In this situation, employees will be removed from the payroll and will be ineligible for rehire.

Further, absence without prior official leave approval for three (3) separate days within a two (2)-month period will be grounds for disciplinary action. Such action may be reconsidered if an employee provides acceptable, detailed and verifiable written evidence of extenuating circumstances immediately upon return.

## ***Section II – Workplace Conduct and Expectations***

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### **Professional Appearance**

Employees are expected to maintain an appropriate appearance that is businesslike, neat and clean, as determined by the requirements of their position. PCSB reserves the right to define appropriate standards of appearance for the workplace.

As a general rule, PCSB maintains a policy allowing business casual dress in the workplace when the employee has no external meetings. In the event of external meetings, employees are to dress in business attire. However, employees are expected to wear attire that is appropriate for the workplace at all times. Examples of unacceptable attire include:

- Leggings (or Spandex pants) and shorts;
- Sweats/exercise clothes;
- Flip-flop plastic sandals, slippers or bedroom shoes;
- Clothing that reveals undergarments or resembles sleepwear, i.e. camisole appearance; and
- Clothing that is tight fitting, revealing, or with holes or tears.

### **Workplace Infractions**

PCSB recognizes that each problem that may arise in the workplace will present a unique set of circumstances. When this happens, the unique situations will be addressed based on the individual facts and the context of relevant surrounding circumstances. For this reason, the list of infractions below is not intended to alter the “at-will” employment relationship and is merely illustrative of the types of conduct that will not be tolerated.

The following is a partial list of infractions that will result in disciplinary action or dismissal:

- Insubordination or refusal to comply with instructions;
- Disclosing information about PCSB that has been identified as confidential;
- Falsification of organizational records, documents and communications of any kind;
- Excessive, unscheduled absences and tardiness;
- Discovery by PCSB that criteria utilized in the hiring process was false or purposely misleading;
- Failure to comply with finance, accounting or travel guidelines and policies;
- Engaging or participating in activities considered to be unethical or fraudulent;
- Theft or misuse of funds, services, supplies or equipment;
- Downloading of inappropriate information, graphics or software;
- Inability to perform the job;

## ***Section II – Workplace Conduct and Expectations***

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- Failure to adhere to PCSB policies;
- Harassment of any type, discrimination or other prohibited conduct;
- Threatening, coercing or intimidating other employees;
- Immoral, indecent, disrespectful or demeaning conduct;
- Use of abusive language, disorderly conduct;
- Possession of, or attempting to work under the influence of, alcohol or any illegal or controlled substance;
- Violation of criminal laws on PCSB premises or while representing PCSB, and
- Possession of a weapon on PCSB's premises or at a PCSB event.

This list is not all-inclusive.

### **Drug and Alcohol Use**

PCSB is committed to a drug and alcohol free work place during normal business hours. To that end, PCSB's policy forbids the possession, use, distribution or sale of alcohol or illegal drugs in the work place or while employees are on company business. However, the PCSB may sponsor a business-related event(s) where alcohol may be consumed in the work place.

It is the goal of PCSB in establishing this policy to:

- Establish and maintain a safe, healthy working environment for all employees;
- Reduce absenteeism and tardiness and improve productivity; and
- Reduce the risk of injury to other employees, the impaired employee, to third parties, such as colleagues of clients, or to property.

Employees who begin work while impaired or who become impaired while at work are guilty of a major violation of PCSB's policy and federal regulations and subject to severe disciplinary action. Severe disciplinary action can include suspension, dismissal, or any other penalty appropriate under the circumstances. Likewise, the use, possession, transfer, or sale of any substance in PCSB's building or any other work site, such as a conference, is prohibited; and violations are subject to severe disciplinary action.

Employees who are taking prescription drugs that might affect their ability to perform or their safety are responsible for reporting this fact to their manager. The purpose of such reporting is for the protection of the employee (e.g., for safety purposes in case of an adverse reaction to the drug while at work, and to prevent false accusations of illegal substance use).

Maintaining a drug free work environment is an important goal of PCSB. Violation of this policy may lead to disciplinary action up to, and including, termination of employment.

## ***Section II – Workplace Conduct and Expectations***

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### **Smoke-free Workplace**

For health and safety reasons, employees are prohibited from smoking in the workplace or while representing PCSB, except where provided otherwise under state law.

For purposes of this policy, the following definitions apply:

- The “*workplace*” is considered to be all PCSB premises as well as meeting rooms, other facilities, or areas used for PCSB-sponsored functions and events.
- “*While representing PCSB*” is understood to include any time employees are attending a business or social function as part of their role or job duties with PCSB.

Employees who smoke in the workplace or at a PCSB-sponsored event or function will be subject to disciplinary action up to and including termination.

### **Corrective/Disciplinary Action**

PCSB strives to make all employees aware of any performance-related problems. If an employee’s work habits, behavior, attendance, and/or productivity do not meet the requirements of their position, the employee’s manager will point out the deficiencies at the earliest possible opportunity to determine the appropriate course of action.

#### **Categories of Corrective Action**

When a manager determines that an employee is not meeting his/her responsibilities, the manager generally will advise the employee of any gaps between their objectives and actual performance. This can be done through informal discussions or more formalized action. The severity of corrective action depends on the seriousness of the performance issue as determined by the manager, in consultation, with the Human Capital Department.

## ***Section II – Workplace Conduct and Expectations***

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### Informal Counseling

The manager may bring the problem to the attention of an employee first through informal counseling. Employees generally will be advised of the conduct warranting the counseling and of the necessary steps to be followed in order to avoid further management action.

### Letter of Caution

A letter of caution generally will be given to employees in cases where informal counseling has not proven successful or where the manager and the Executive Director determine the infraction should first be addressed at this level.

### A Final Written Warning, Suspension and Dismissal

A final written warning, suspension or dismissal is warranted in cases where employees continue not to meet their responsibilities by engaging in unacceptable conduct after receiving a letter of caution or when the manager, the Director of Business Oversight, or designee determine that the infraction should first be addressed at one of these levels. Except for circumstances warranting disciplining employees at a later step, discipline will normally proceed on the first occasion of adverse conduct following the issuance of a letter of caution to a final written warning. For example, an employee may be placed on Leave Without Pay (LWOP) for a minimum of one half day to a maximum of three days.

### Suspension

An employee's manager may, under certain conditions and in an attempt to achieve fairness, recommend to the Executive Director that an employee be suspended (with or without pay) to allow for a reasonable length of time to gather facts and arrive at a decision.

For each category of corrective action employees shall be given the opportunity to prepare a written response rebutting the facts and/or conclusions contained either in the letter of caution or in the written memo of disciplinary action.

## **Grievance**

Within any group of people working together, honest differences of opinion regarding working conditions or other matters may arise from time to time. PCSB recognizes this and believes that employees having a complaint made in good faith should have the opportunity to be heard and to have any discrepancy resolved without fear of recrimination or penalty. Further, PCSB believes such employees should expect and receive fair and courteous consideration of their complaints and/or problems as well as a prompt reply.

To ensure employees are afforded the opportunity and considerations inherent in this policy, PCSB has established a formal grievance resolution process. This process is applicable to complaints and/or problems related to policy interpretation and/or policy administration.

## ***Section II – Workplace Conduct and Expectations***

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NOTE: This grievance resolution process does not apply to issues specifically related to sexual harassment or discrimination. Please refer to the Sexual Harassment and Discrimination policies in Section I and any applicable state policies for additional information on addressing complaints concerning these issues.

### **Grievance Resolution Process:**

PCSB's grievance resolution process has a number of specific steps which generally must be followed systematically by all employees having a complaint or problem that falls within the scope of this process. These steps and associated target timeframes are summarized below. If employees feel uncomfortable raising their complaint with their manager, they may raise the complaint with the Human Capital Associate or Director of Human Capital.

<b>Grievance Procedure Steps</b>	<b>General Time Frame for Completion</b>
<p>1. An employee brings the matter to the attention of their immediate manager in order to resolve the matter.</p> <ul style="list-style-type: none"><li>▪ If an employee is not satisfied with the suggested resolution, the employee should initiate a meeting with the Executive Director.</li><li>▪ If the employee grievance is with the Executive Director, the employee should submit the grievance in writing to the Board Chair.</li></ul>	5 Days
<p>2. The Executive Director conducts a formal investigation of the employee's complaint and provides the employee with a response.</p>	15 Days

NOTE: Management generally will use its best efforts to complete each step of the grievance procedure within the suggested timeframes. However, this may not always be possible, due to, for example, pressing work issues and vacation and holiday schedules. In addition, certain employee matters may be serious enough that managers should consider bypassing certain steps and bringing the matter directly to the attention of the Human Capital Department.

### **Non-Exempt Employees:**

Federal law requires the maintenance of detailed timekeeping records for all employees eligible for overtime payment. A PCSB timesheet should be used to record and report time worked daily.

Non-exempt employees who do not work a full day and use leave for a portion of the workday should record the applicable leave on their time card to the nearest hour.

## ***Section II – Workplace Conduct and Expectations***

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### **Exempt Employees:**

In instances where the District of Columbia Family and Medical Leave Act applies, exempt employees working a reduced leave schedule in increments of less than one full day should record the time actually worked to the nearest hour.

Exempt employees who are absent for a day or more may receive pay for that absence, to the extent they have any unused vacation leave, sick leave or other paid leave hours. An exempt employee's salary will be reduced only when they miss a full workday or more and have exhausted all available paid leave.

### **Use of Company Property**

A large percentage of PCSB's business is transacted by telephone and email. The telephone equipment of PCSB is provided for the purpose of providing service to our clientele; therefore, employees should try to limit personal calls, whether incoming to outgoing, to those made out of absolute necessity or emergency.

The copier and fax are intended for business use. The equipment may be used for personal reasons, provided it:

- Does not interfere with PCSB business; and
- Is done on personal time (during a break or before or after the work day).

### **Computer Usage**

PCSB operates an electronic information system (EIS) which is comprised of computer hardware, software, network accounts providing e-mail, World Wide Web browsing, etc, and is the property of PCSB. The EIS is intended to be used for business purposes in serving the interests of PCSB in the course of normal operations. This policy provides PCSB employees with an effective and consistent standard relative to the use of computers, e-mail, and internet usage.

The communication systems, as well as the equipment and stored data, are and remain at all times the property of the PCSB. Accordingly, all messages and files created, sent, received or stored within the system should be related to organizational business and are and will remain the property of PCSB.

### **Downloading Software**

Employees are prohibited from downloading software from the internet without prior written approval of the Information Technology Director. Downloading of games from the internet is prohibited. Downloading of any executable files or programs which change the configuration of your system by anyone other than information technology personnel is prohibited. Employees should take extreme caution when downloading software or files from the internet. All files or software should be passed through virus protection programs prior to use. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into the PCSB

## ***Section II – Workplace Conduct and Expectations***

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network. It is mandatory that you comply with copyright and trademark laws when downloading material from the internet.

If employees find that any damage occurred as a result of downloading software or files, the incident should be reported immediately to the Information Technology Director.

Employees may not install other on-line services to access the internet on PCSB owned computers. Any questions should be directed to the Information Technology Director.

### **E-mail Usage**

The primary purpose of the electronic mail system is to expedite necessary business communications between two or more individuals. As such, the use of electronic mail is for PCSB's business purposes.

This policy should be read and interpreted in conjunction with all other PCSB policies, including but not limited to policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. The content of e-mail messages and other communications, whether oral or written, may not contain anything that would reasonably be considered offensive or disruptive to any employee. Offensive content would include, but is not limited to, sexual comments or images, racial slurs, gender specific comments, or any comments that would offend someone on the basis of their age, sex, sexual orientation, religious or political beliefs, national origin, or disability. Employees are prohibited from using electronic mail for any unethical purposes, including but not limited to pornography, violence, gambling, racism, harassment, or any illegal activity. Employees are forbidden from using profanity or vulgarity when posting electronic mail. Employees should consult the PCSB Style Guide for the standard PCSB email protocols.

Disclosure of any confidential information through electronic mail to any party not entitled to that information is prohibited.

The dissemination of copyrighted materials or proprietary data without appropriate approval is strictly prohibited.

### **Email Etiquette**

When utilizing e-mail, etiquette is important. The strategies for effective e-mail communication are as follows:

- Communicating urgent matters for immediate response;
- Keeping all messages as brief as possible will minimize reading time for recipient, therefore keeping communication efficient;
- Be as complete as possible by using the simple rules of who, what, when, where and why to answer any anticipated questions;
- Avoid communicating through e-mail on a sensitive subject that should be addressed in person; if possible; and
- Communicate confidential information through a form other than e-mail.

## ***Section II – Workplace Conduct and Expectations***

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While the PCSB encourages employee use of the internet, its use is restricted to the following:

- To communicate with employees, vendors, or clients regarding matters within an employee's assigned duties;
- To acquire information related to, or designed to facilitate the performance of regular assigned duties; and
- To facilitate performance of any task or project in a manner approved by the employee's manager.

### **Personal Use**

As previously stated, the EIS is intended for business purposes. Incidental personal use of the system is permitted. However, personal use should not interfere with PCSB's operations. Any personal use is expected to be on the employee's own time and at the employees own expense and is not to interfere with the employee's job responsibilities.

### **PCSB's Right to Monitor and Consequences**

PCSB reserves the right to retrieve and review any message or file composed, sent or received. It should be noted that although a message or file is deleted or erased, it is still possible to recreate the message. Therefore, ultimate privacy of messages cannot be assured to anyone. Although electronic mail and voice mail may allow the use of passwords for security, confidentiality cannot be guaranteed. It is possible for messages to be retrieved and viewed by someone other than the intended recipient. Furthermore, all passwords are known by the administrators of the PCSB system as the system may need to be accessed in the absence of an employee.

Violations of this policy may be subject to disciplinary actions, up to and including termination.

### **Confidential Information**

PCSB understands that employees in the course of their employment will receive and become aware of information, projects, and practices which are sensitive and confidential in nature. All employees are expected to keep all such information strictly confidential, and agree that they will not communicate, disclose, divulge or otherwise use, directly or indirectly, such confidential and/or sensitive information.

By accepting employment, employees agree to maintain in confidence and to use only in the interest of PCSB any and all information acquired by them in the course of their employment and to only use such information for the performance of their jobs. Particular care must be taken to keep confidential any information received under an express or implied secrecy obligation or information received from third parties.

Further, information acquired in the course of employment must not be used for individual benefit. Access to confidential information does not carry with it personal benefit or advantage but imposes an obligation to keep such information confidential and to use it solely in the interest of PCSB.

## ***Section II – Workplace Conduct and Expectations***

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It is PCSB's policy that all information considered confidential will not be disclosed to external parties or to employees without a "need to know." If there is a question or doubt regarding whether certain information is considered confidential, employees should first check with their manager or the Executive Director.

### **Violence in the Workplace and Workplace Safety**

Every workplace has the potential for violence. Violence may be directed at managers or peers, and can come from employees, former employees, family members, customers, vendors or visitors in the workplace. It can range from starting rumors or exchanging angry words to taking physical action. In rare cases, violence may even take the form of an armed assault.

PCSB has a commitment to providing a safe environment for employees, customers, and visitors and will not tolerate threatened or actual violence, intimidation or assaultive behavior in the workplace or at events sponsored by PCSB. Any display or threat of violence will subject an employee to disciplinary action, up to, and including dismissal.

#### Examples of Violent Behavior

Regardless of the cause, violent behavior will not be tolerated. For purposes of this policy, violent behavior may range from verbal abuse to actual physical assault. Some specific examples include:

- Making direct or indirect threats (at work or at home), either in person or through letters, phone calls, voice mail, e-mail, etc.;
- Forcefully throwing or striking objects;
- Stalking, frightening or showing undue focus on another person;
- Concealing or using a weapon (gun, knife, etc.); or
- Physically assaulting (e.g., shoving, tripping, punching, etc.) a co-worker, manager, volunteer, etc.

#### Security Precautions

Visitors in the workplace can also cause violent incidents.

To guard against this potential source of violence, employees are encouraged to:

- Escort visitors while they are on the premises;
- Report suspicious activities to a manager;
- Never prop open a locked door or entrance; and
- Report burned out lights and broken locks to person(s) responsible for the facility.

## ***Section II – Workplace Conduct and Expectations***

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### Dealing with Upset Employees

If employees feel an employee is displaying examples of potentially violent behavior, they should notify their manager or the Executive Director for guidance.

### Dealing with a Violent Situation

In the event of a violent situation, employees should not put themselves in potential danger. Rather, they should:

- Get to a safe area;
- Try to remain calm
- Call 911 if emergency assistance is required. As instructed by the 911 Operator, stay on the line and provide specific information as to your whereabouts in the building. and
- Notify your manager or the Executive Director as soon as possible.

## **Solicitations**

Solicitations for any causes or organizations other than the PCSB are prohibited during working time. If a solicitation occurs, employees are not required to make any contribution or provide support.

Distribution of literature for outside interests is permissible only in non-work areas and during non-work times. “Working area” includes any portion of PCSB premises where employees customarily perform or are actually performing their regularly assigned duties or any other activities in furtherance of the organization’s business. “Working time” includes all working hours during which an employee is on duty, but does not include such periods as lunch or rest breaks.

Harassing or intimidating tactics in the course of these activities are strictly forbidden. In addition, employees may conduct approved activities only during their own lunches or breaks and in non-work areas.

## ***Section III – Hiring and Employment Practices***

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### **Employment Classifications**

There are three classifications of employees with respect to applicability of these policies. Employees are classified as regular full-time, regular part-time, or temporary according to the following definitions.

#### Regular Full-time

Regular full-time employees are employees who work a standard work week of 35 hours or more on a regularly scheduled basis with full-time responsibility and are entitled to full benefits in accordance with the applicable eligibility requirements.

#### Regular Part-time (Benefits Eligible)

Regular part-time employees are ones who work less than a standard 35-hour work week on a regularly scheduled basis and are eligible for only those benefits outlined in their employment letter or other written agreement with PCSB, as authorized by the Executive Director.

#### Temporary

Temporary employees are those who are hired with the understanding that their employment will not continue beyond a stated date or beyond completion of a specified project or projects and are not entitled to regular benefits.

NOTE: Independent contractors, including consultants, are those non-employees who are paid on a fee-for-service basis to perform certain specified services. Volunteers are those who provide services to the PCSB without financial compensation, other than reimbursement for authorized expenses. Neither independent contractors nor volunteers are considered employees of the PCSB and are not covered by this handbook.

### **Exempt and Non-Exempt Employees**

Employees are classified as exempt or nonexempt according to the following definitions:

#### Salaried Exempt

Positions of a managerial, administrative, or professional nature, as prescribed by federal and state labor statutes, are exempt from mandatory overtime payments.

#### Salaried Nonexempt

Positions of clerical, technical, or service nature, as defined by statute, which are covered by provisions for overtime payments under the Fair Labor Standards Act are entitled to overtime pay at the rate of one-and-a-half times their regular rate of pay for all hours worked in excess of 40 hours per week.

Nonexempt employees must maintain an accurate record of actual hours worked and must obtain prior approval of their manager for any work in excess of 40 hours per week.

## ***Section III – Hiring and Employment Practices***

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### **Orientation and Adjustment Period**

The first six months (180 calendar days) of employment are considered an Orientation and Adjustment Period; in addition, employees that transfer or are promoted will also be subject to a six-month orientation and adjustment period. This period may be extended at the discretion of the manager.

The Orientation and Adjustment Period begins on the date an individual is hired as a regular employee by PCSB and runs for 180 calendar days thereafter. During this period, employees have a chance to determine their satisfaction with PCSB and their job. At the same time, the employee's manager has the opportunity to evaluate their ability to perform the assigned position's requirements effectively.

NOTE: PCSB abides by the legal doctrine of "Employment At-Will," meaning that employment may be terminated at the option of the employer or the employee at any time, with or without advance notice, and with or without cause. (See Section I – Employment Practices, *Employment At-Will*)

Managers may request that an employee's Orientation and Adjustment Period be extended in the following circumstances:

- Extended absence or illness on the part of the manager or employee;
- For reasons outside the individual's control, the employee is unable to assume the full responsibilities of the position; and/or
- The employee's performance does not meet expectations after six months of employment.

Except in these extenuating circumstances, the expectation is that both parties will become clear about whether the individual and the position are a good match before the end of the six-month period.

### **Employee Privacy and Personnel Records**

PCSB recognizes an employee's right to privacy. In achieving this goal, PCSB adopts these basic principles:

- Collection of employee information will be limited to that needed for business and legal purposes.
- Confidentiality of an employee's personal information in PCSB records will be protected to the greatest extent possible.
- All in-house employees involved in record keeping will be required to adhere to these policies and practices. Violations of this policy will result in disciplinary action.

## ***Section III – Hiring and Employment Practices***

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- Internal access to an employee’s records will be limited to those employees having an authorized, business-related “need to know.” Performance reviews conducted by an employee’s current manager will be made available to a potential new manager if the employee applies for another employment opportunity within PCSB.
- PCSB will refuse to release potential personal information to outside sources without an employee’s written approval, unless legally required to do so.
- Employees are permitted to see their personal information maintained in PCSB records. They may correct inaccurate factual information or submit written comments in disagreement with material contained in their records.
- PCSB will verify the following information requested as part of legitimate credit checks authorized by employees: date of employment; position held; annual gross salary; and social security number.

From time to time, PCSB may conduct internal investigations pertaining to security, auditing, or work-related matters. Employees are required to cooperate fully with and assist in these investigations if requested to do so. Employees who refuse to cooperate fully with an investigation may be subject to discipline, up to and including termination.

### **Job Performance**

Generally, performance reviews of employees will be conducted three-months after entry and on an annual basis. Performance reviews are intended to identify both those aspects of the job that employees are performing well and those aspects that need attention. They are also a formal opportunity for employees to express any concerns they may have relative to their job or about employment with PCSB. However, if employees do have concerns, they should not wait until their next review to express them; employees approach their manager about issues, problems or questions related to employment with PCSB.

## ***Section IV – Compensation Administration***

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### **Pay Schedule**

PCSB employees are paid biweekly on alternating Fridays by direct deposit into a banking account designated by the employee. Employees are responsible for providing the appropriate bank account information to the Human Capital Department in order to initiate this process.

Paychecks are accompanied by a summary of payroll deductions authorized by the employee and a statement of gross and net income. Pay statements are delivered to employees by Friday of each pay week.

### **Payroll Deductions**

The following mandatory deductions will be made from every employee's gross wages:

- Federal income taxes;
- Social Security tax;
- Medicare tax; and
- State tax and local tax (when appropriate).

In accordance with federal regulations, employees are required to complete and submit a federal withholding allowance certificate (IRS Form W-4) on or before their first day on the job as well as anytime their circumstances change.

PCSB also makes any voluntary deductions that employees have authorized, such as health insurance benefits, or monies for PCSB's retirement plan.

Employees receive an annual Wage and Tax Statement (IRS Form W-2) for the preceding year on or before January 31. Employees, who believe their payroll deductions are incorrect for any pay period, or on the W-2, should contact the Human Capital Associate.

### **Overtime Pay**

Non-exempt employees who work more than forty (40) hours per week will receive overtime pay for all additional hours worked (i.e., time worked beyond forty (40) hours). Overtime pay for these additional hours are computed at 1 ½ times the employee's normal hourly rate. Overtime is paid for work completed in excess of 40 hours a week or as required by District law.

Employees must receive approval from their manager prior to working extra hours that would qualify for overtime pay.

Paid leave (e.g., vacation, personal, etc.) is not included for purposes of computing overtime. Overtime is based solely on hours worked. Employees should review the Overtime Policy for further information.

## ***Section IV – Compensation Administration***

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### **Bonuses**

Bonuses, when paid, are a matter of discretion, not of right. Namely, whether a bonus will be paid in a particular year will depend upon a number of factors to be considered by the Executive Director and the Board of Directors. PCSB makes no promise regarding the payment of bonuses, and employees should not expect to receive a bonus. The fact that a bonus may be granted once, or more than once, does not mean that it will be granted again in the future, or that, if granted, it will be in the same amount.

### **Wage Garnishments or Attachments**

PCSB recognizes its responsibility in protecting personal privacy and dignity of employees. For this reason, the PCSB exercises great care and judgment in the collection, maintenance, use and release of personal information about employees.

The Human Capital Associate handles all wage garnishments, attachments, or other legal processes that require PCSB to withhold an employee's earnings.

Managers are not informed of a garnishment or wage attachment situation unless there are unusual circumstances or a compelling "need to know." All requests for employee information (i.e., other than business reference information) must be directed to the Director of Business Oversight for reply.

Legal requests requiring disclosure of information or attachment of wages are handled by the Director of Business Oversight in consultation with the Executive Director. Absent a legal duty to provide information, no information is provided to attorneys or private agencies without an employee's consent.

Should a server come to PCSB to affect a summons, garnishment papers, etc., PCSB will notify applicable employee in order to provide them with an opportunity to meet privately with the outside servers. In such situations, the decision to meet or not meet with the server is solely the employee's. An employee's decision to meet or not meet with the server will not affect PCSB's legal requirement to execute the garnishment.

### **Pay Policies in Case of Emergency Closing**

PCSB follows the lead of the District of Columbia Government. If the District of Columbia Government allows "liberal leave", the office will be open and employees must use their vacation or personal leave if they deem it unsafe to report to work. Employees with no available vacation or personal will be unpaid.

## ***Section V – Employee Benefits***

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### **Federally Required Benefits**

PCSB pays for the following legally mandated benefits on behalf of employees:

- Social Security and Medicare
- Workers' Compensation
- Unemployment Insurance

PCSB also complies with the legal requirements of the following:

- Consolidated Omnibus Budget Reconciliation Act (COBRA)
- Health Insurance Portability and Accountability Act (HIPAA).

These legally mandated benefits provide additional protection if employees become disabled, separate from PCSB, divorce, etc. Highlights of the benefits are provided below.

#### **Social Security and Medicare**

Social Security and Medicare provide four basic benefit provisions:

- Retirement income;
- Disability income;
- Death benefits; and
- Retirement health care (Medicare)

Rates for employees and PCSB are established by law and represent a percentage of earnings. Contributions to Social Security and Medicare are deducted from every paycheck subject to federal guidelines.

#### **Workers' Compensation**

Workers' Compensation is an insurance program that provides income protection for employees who sustain a work-related injury or illness while at work or traveling on behalf of PCSB. Contributions for Workers' Compensation are regulated by state law and are paid in full by PCSB on behalf of employees.

#### **Leave Benefits: Vacation Leave**

Regular full-time employees are entitled to paid vacation leave as specified in their employment letters. Vacation leave is prorated based on the employee's hire date. While employees are encouraged to use vacation leave during the year, they may carry-over up to 40 hours of vacation, which must be used within one year of the carry-over date. Vacation leave should be scheduled with consideration of PCSB's activities and work requirements, and managers must approve all vacation requests in advance. If a paid holiday falls during an employee's requested vacation period, only non-holiday days will be counted as vacation leave. Employees will be

## ***Section V – Employee Benefits***

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paid for accrued vacation time upon termination. If an employee voluntarily or involuntarily leaves, any used vacation time that has not been accrued will be owed to PCSB. An automatic deduction will apply to the employee's last paycheck or the employee will receive an invoice if the payment due exceeds the amount of the employee's last paycheck.

**Increase in leave begin on anniversary date of employment as follows:**

- \* 15 days per year- 4 years of employment
- \* 20 days per year-7 years of employment
- \* 25 days per year-10 years of employment

### **Leave Benefits: Personal Leave**

Personal leave consists of paid days off that the employee may take at any time with their manager's approval, in order to celebrate religious or other holidays not on PCSB's holiday list, attend to personal business, or for any other purpose. Consistent with the terms of the employee's employment letter, personal leave is accrued at four hours per pay period.

The Accrued Sick and Safe Leave Act allows employees who are employed for one year and have worked at least 1,000 hours during the 12-month period are entitled to roll-over 40 hours of personal leave. The PCSB allows all employees to roll-over 40 hours of personal leave.

Employees must complete the proper steps to request leave, including getting approval from their manager and submitting record of leave taken. An employee who is absent due to illness may be asked to provide acceptable proof that the leave was illness-related. Employees will not be paid for unused personal leave upon termination of employment with PCSB.

### **Leave Benefits: Holiday Leave**

Each calendar year, a list of paid holidays that will be recognized by the PCSB is circulated to employees. In general, the PCSB follows the schedule of holidays observed by the DC Government:

- Martin Luther King's Birthday
- President's Day
- DC Emancipation Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day and the Friday following Thanksgiving
- Christmas Eve
- Christmas Day

## ***Section V – Employee Benefits***

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- New Year's Eve
- New Year's Day

If a holiday falls on a Saturday, it will be observed on the Friday prior to the holiday. If a holiday falls on a Sunday, it will be observed on the Monday following the holiday.

Regular full-time employees are paid for each observed holiday. Regular part-time employees are entitled to be paid for only those designated holidays or portions thereof on which they would ordinarily work, according to their regular, approved schedules.

### **Leave Benefits: Accrued Sick and Safe Leave Act**

The Accrued Sick and Safe Leave Act requires employers within the District of Columbia to provide paid leave to employees for an absence if the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse; provided the absence is directly related to social or legal services pertaining to the stalking, domestic violence, or sexual abuse, to:

- Seek medical attention for the employee or the employee's family member to recover from physical or psychological injury or disability caused by domestic violence or sexual abuse;
- Obtain services from a victim services organization;
- Temporarily or permanently relocate;
- Take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence or sexual abuse; or
- Take other actions to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or to enhance the safety of those who associate or work with the employee.

Employees who are employed for one year and have worked at least 1,000 hours during the 12-month period immediately preceding the request for leave are entitled to up to five days of paid safe leave per calendar year to ensure the safety of the employee or a family member as defined.

Employees must request safe leave in writing, state a reason for the absence and indicate the expected duration of the leave. If the need for leave is foreseeable, the employee must provide 10 days' advance notice. If the need for leave is unforeseeable, an oral request should be provided prior to the start of the work shift for which the paid leave is requested. In the case of an emergency, employees must provide notification prior to the start of the next work shift or within 24 hours of the onset of the emergency, whichever is sooner.

Employees who take safe leave for three or more consecutive days are required to provide reasonable certification of the need for leave including, for example, a police report, a court

## ***Section V – Employee Benefits***

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order, or a signed statement from a victim or witness advocate or domestic violence counselor. This certification shall be provided upon the employee’s return to work. In providing certification, no health care provider shall be required to provide information protected by the Social Security Act or the Health Insurance Portability and Accountability Act (HIPAA).

Employees will not face retaliation or reprisal for requesting or using leave or asserting rights under this policy. PCSB will not interfere with, restrain or deny an eligible employee’s use of leave, attempt to use leave or assertion of rights under this policy. Employees may raise concerns regarding this policy and seek redress for those concerns without fear of discrimination or discharge. Any employee who believes he or she has been treated in violation of this paragraph should immediately inform the Human Capital Department, his/her manager, or the Executive Director.

### **Family and Medical Leave (FML)**

Employees of PCSB benefit from the District of Columbia Family and Medical Leave Act (FML) of 1990 (DC FMLA) which allows eligible employees to take job-protected, unpaid leave for the birth of a child, placement of a child for adoption or in foster care, the employee’s own serious health condition and to care for a family member with a serious health condition.

An employee who has worked for PCSB for at least one year without a break in service, and has worked at least 1,000 hours in the 12 months preceding the start date of leave is eligible for up to 16 weeks of medical leave and 16 weeks of family leave in a 24-month period.

An employee may be eligible for an unpaid leave of absence for the following reasons:

- a. The birth and care of a newborn child (“family leave”);
- b. The placement of a child for adoption or foster care, and to care for a newly placed child for whom the employee permanently assumes and discharges parental responsibilities (“family leave”);
- c. To care for a family member with a serious health condition (“family leave”); or
- d. An employee’s own serious health condition that creates an inability to perform job functions (“medical leave”).

A **“serious health condition”** is a physical or mental illness, injury, or impairment that involves inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care, OR a condition which requires continuing care by a licensed health care provider or other competent individual. This policy covers illnesses of a serious and long-term or chronic nature resulting in recurring or lengthy absences, but may not require treatment from a healthcare provider during the absence.

A **“family member”** is someone to whom the employee is related by blood, legal custody or marriage; a foster child; a child living with the employee for whom the employee permanently assumes and discharges parental responsibility; or a person with whom the employee shares or has shared, within the last year, a mutual residence and with whom the employee maintains a committed relationship.

## ***Section V – Employee Benefits***

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Eligible employees may request up to a maximum of 16 workweeks of unpaid family leave in a 24-month period and, separately, up to 16 workweeks of unpaid leave in a 24-month period for medical leave. Leave to bond with a child must be taken within 12 months of the birth or placement of a child. Any combination of family and medical leave may not exceed the maximum limit. If both spouses work for PCSB and are eligible for leave under this policy, the spouses will be limited to taking 4 weeks of family leave simultaneously. PCSB will measure the 24-month period as a “rolling 24-month period” measured backward from the date an employee uses or would use any leave under this policy.

If medically necessary for a serious medical condition concerning the employee or a qualifying family member, leave may be taken on an intermittent or as needed basis. When employees have some control over the timing of the leave, such as leave needed for medical appointments, they are expected to consult with their manager to arrange a time that will minimize the disruption to the operations. If leave is “intermittent,” each time an employee takes leave, PCSB will compute the amount of leave the employee has taken under this policy and subtract it from the amount of available leave; the balance remaining is the amount to which the employee is entitled for that DC FMLA-qualifying period. The 16 workweeks of family leave may be taken on a reduced schedule over a period not to exceed 24 consecutive workweeks. If leave is unpaid, PCSB will reduce an employee’s compensation to reflect the amount of leave taken.

For eligible employees, the PCSB will provide four (4) weeks of paid FML. An employee may elect to use any available vacation or personal leave for the remainder of the FML period. Otherwise, the balance of the leave will be unpaid.

### **Required Notice/Forms**

If the need for family or medical leave is foreseeable, employees must notify their manager and complete the necessary leave request form at least 30 days prior to the date on which he/she anticipates the need for leave. When the need for leave is unforeseeable, the employee should notify his/her manager no later than five (5) days after the leave commences or as soon as practicable under the circumstances, and comply with PCSB’s call-in procedures. You should provide your manager with as much information as possible so he/she knows that you are requesting FML. Notice can be provided by the employee’s spouse, any adult family member, a healthcare provider or any other responsible party if the employee cannot personally do so. Failure to provide timely notice may result in a delay of the start of job-protected leave until proper notice is given.

### **Certification**

For a leave requested because of a serious health condition, whether it involves an employee or a family member, a healthcare provider must complete a *Certification of Healthcare Provider for Employee’s Serious Health Condition/Certification of Healthcare Provider for Family Member’s Serious Health Condition* form, which can be obtained from the Human Capital and Strategic Initiatives Department.

## ***Section V – Employee Benefits***

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Employees are responsible for obtaining and forwarding the appropriate form to the healthcare provider for certification and for ensuring that the completed form is returned to the Human Capital and Strategic Initiatives Department within the designated timeframe.

The Human Capital and Strategic Initiatives Department will notify employees if certification is required as well as when it is due (within 15 days of the request for leave, unless it is not practicable under the circumstances despite an employee’s diligent “good faith” effort). Failure to provide the necessary certification in a timely manner may result in the delay or denial of leave until satisfactory documentation is provided.

At its discretion, PCSB may require a second medical opinion at its own expense. If the second healthcare provider’s opinion *conflicts* with the original certification, PCSB, at its expense, may require a third mutually agreeable healthcare provider to conduct an examination and provide a final and binding opinion. PCSB may require that the employee obtain subsequent recertification for either family leave or medical leave where the employee requests an extension of FML, the PCSB obtains information which causes PCSB to doubt the validity of the need for leave, or more than six (6) months have passed since the initial certification.

### **Leave is Unpaid**

Only the first four (4) weeks of absence under the FML Policy is paid although employees may be eligible for short or long-term disability payments, vacation, paid sick and safe leave, personal and/or workers’ compensation benefits under those programs. Disability and workers’ compensation leaves will run concurrently with a DC FMLA-qualifying leave. Depending upon the reason for the leave, other available accrued paid leave can be substituted for unpaid leave. Any paid leave will run concurrently with a DC FMLA-qualifying leave.

1. If an employee requests leave because of adoption or foster care placement of a child, parental as well as any accrued vacation and/or personal leave can be substituted for unpaid family leave.
2. If an employee has requested leave because of his/her own serious health condition, birth of a child, or to care for a family member, any accrued paid leave can be substituted for unpaid family/medical leave at the employee’s election.

**NOTE:** The substitution of paid leave does not keep the absence from counting towards the maximum family/medical leave protected under the DC FMLA.

### **Health and Other Benefits**

FML does not cause employees to lose any previously accrued employment benefits; however, employees will not accrue seniority or other employee benefits during the period of an unpaid FML. During paid FML leave, employees continue to accrue benefits.

During FML, PCSB will maintain an employee’s health, life, and disability benefits, as though the employee continued to be actively employed.

## ***Section V – Employee Benefits***

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1. Paid Leave of Absence - If an employee's leave is paid, his/her regular portion of any required plan premiums will be deducted as a regular payroll deduction. Accruals for seniority, sick and vacation leave also continue.
2. Unpaid Leave of Absence - If the leave is unpaid, an employee must pay his/her portion of the premium, no later than the normal due date. Before commencing FML, an employee must contact the Human Capital Associate to arrange for payment of premiums. An employee's insurance coverage will cease if the premium payment is more than 45 days late. In addition, an employee does not accrue benefits (e.g., sick leave, vacation, seniority, etc.) while on an unpaid leave of absence.

### **Continuation of Employment**

Upon return from FML, employees will be restored to their original position or an equivalent position with equivalent pay, benefits and other terms of employment. The only exception to the restoration procedure is for key employees. Key employees may be denied reinstatement if:

1. The denial of restoration of employment is necessary to prevent substantial and grievous economic injury to PCSB's operations, and the injury is not directly related to the employee's need for FML; and
2. PCSB notifies the employee of its intent to deny restoration to employment and the basis for the decision at the time it provides the eligibility for leave letter to the employee following a request for FML.

### **Parental Leave**

The DCFMLA also requires all employers to provide 24 hours of parental leave per year to allow employees to attend school-related events. D.C. Code § 32-1201 (2001). The employee must give ten days' advance notice, unless such notice is impossible. The employer may deny the leave only if providing the requested leave would disrupt business operations and make the achievement of production or service delivery unusually difficult. Employers are required to provide leave to allow a parent, aunt, uncle, or grandparent to attend school-related events sponsored by a school or parent-teacher association, including concerts, plays, rehearsals, sporting games or practices, and meetings with teachers or counselors.

### **Paid Leaves of Absence (Bereavement)**

Regular full-time employees who experience the death of a parent, parent-in-law, spouse, domestic partner, sibling, child, grandparent, grandchild, step-parent, step-sibling, step-child, or step-grandchild may take up to three days of paid bereavement leave. Employees taking bereavement leave must fill out a leave form and follow normal procedures for leave submission.

## ***Section V – Employee Benefits***

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### **Paid Leaves of Absence (Military)**

If called for National Guard service or military reserve duty, regular full-time employees are granted leave with pay. PCSB pays the difference between such employees' normal earnings and the military base pay for a period of up to two (2) weeks per year. Employees who are called to active duty or who volunteer for emergency active duty are guaranteed reemployment upon return in accordance with the "Veterans Reemployment Rights Act." During such leaves, employees are eligible to purchase continued health, vision and dental coverage under provisions of COBRA as described in the Medical/Dental Summary Plan Description.

### **Paid Leaves of Absence (Jury Duty)**

If an employee is selected for jury duty, the employee will be placed on paid leave. During this leave period, PCSB will pay the difference between the employee's normal pay and his or her "jury duty" pay. It is imperative that employees selected for jury duty give their manager notice of their selection for jury duty within three business days of receiving the notice. Employees taking leave for jury duty must fill out a leave form and follow normal procedures for leave submission.

### **Paid Leaves of Absence (Voting)**

It is the policy of PCSB to provide employees time off to vote in state, national, and local elections.

Employees who are registered voters may receive up to three hours of paid time off to vote. Leave must be taken at the beginning or end of the employee's regularly scheduled work time, whichever allows the most free time for voting and the least time off from the regular working schedule, unless otherwise approved.

This time will not be deducted from leave balances; however, it should be recorded as "Administrative Leave" on timesheets. Employees must notify their managers at least one day prior to the day of the election if they are planning to take any time at the start or the end of the workday.

If additional time is needed to vote, employees can use accrued vacation or personal leave at their discretion. Time off to vote is recorded for non-exempt employees as non-worked time when calculating overtime.

### **Unpaid Leave of Absence**

Full-time employees may request unpaid leave, not covered by any of the other policies included herein, by filing a written request with the Executive Director. The Executive Director may use discretion in granting or denying the request, depending on the circumstances of the request and/or the needs of the PCSB. If a request for unpaid leave is granted, the PCSB will, in its discretion, determine whether any benefits will continue through the leave, and at what cost, if

## ***Section V – Employee Benefits***

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any, to the employee. This will depend upon a number of factors, including the nature and extent of the leave.

### **Health Insurance**

PCSB offers individual health insurance coverage to all regular full-time employees. Those employees wishing to expand their coverage to include family members must make arrangements individually with the Human Capital Department for payment of additional coverage.

The benefits provided, as well as the exclusions, deductible amounts, requirements for eligibility and other terms and conditions of coverage, are summarized in the Summary Plan Description. A copy is located on the shared drive under HC-Employee Information.

If an employee's employment relationship with PCSB is terminated, his or her medical coverage continues through the last day of the month in which the termination occurs. Deductions for the remainder of the month will be taken from the employee's last paycheck. After the last day of employment, continuation of coverage is available through COBRA. The employee is responsible for premium payment to the PCSB on a monthly basis.

### **Life Insurance**

PCSB currently provides group life insurance to its regular full-time employees. Summary Plan Descriptions of the insurance plans describe, in general terms, eligibility requirements and benefits provided. A copy of these descriptions is located on the shared drive under HC-Employee Information.

### **Short and Long Term Disability**

PCSB currently provides short-term and long-term disability to its regular full-time employees. Summary Plan Descriptions of the insurance plans describe, in general terms, eligibility requirements and benefits provided. A copy of these descriptions is located on the shared drive under HR-Employee Information.

Those employees that will need disability coverage must make arrangements with the Human Capital Department.

### **Retirement Plan**

PCSB offers a retirement plan to regular full-time employees. Summary Plan Descriptions of the insurance plans describe, in general terms, eligibility requirements and benefits provided. A copy of these descriptions is located on the shared drive under HC-Employee Information.

### **Professional Development**

## ***Section V – Employee Benefits***

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PCSB believes strongly in the value of on-going staff training and education, and seeks to support activities that will enhance the skills and performance of its employees. Requests regarding professional development activities will be evaluated and approved by the manager on a case-by-case basis. Please review the Professional Development Policy for more information.

### **Parking/Commuter Reimbursement**

PCSB offers free parking to its employees. Reimbursements are available to employees who use public transportation to commute to work or attend external meetings. To receive reimbursement, an expense account form with receipts attached (if applicable), must be submitted within one month of the date on which they were incurred to the Finance and Operations Department. Reimbursement checks will be prepared in the biweekly payment cycle.

### **Flexible Spending Account**

Regular full-time employees may make contributions toward the cost of healthcare expense and dependent coverage on a pre-tax basis. In addition, employees may also contribute on a pre-tax basis toward expenses not covered by health, dental, and vision plan. The Summary Information Sheet with the general terms, eligibility requirements, and benefits provided is located on the shared drive under HC-Employee Information.

### **Work-Life Balance Employee Assistance Program**

PCSB currently provides a work-life balance employee assistance program to its regular full-time employees as part of the long-term disability. Descriptions of the program, in general terms, eligibility requirements, and benefits provided are located on the shared drive under HC-Employee Information.

### **Workers Compensation**

All employees of the PCSB are covered by workers' compensation insurance, as required by law. If an employee is injured during work or sustains an accident on the PCSB premises or while traveling on Board business, the employee should report the injury or illness immediately (within 24 hours) to the Human Capital Department.

## ***Section VI – Separating from PCSB***

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### **Voluntary Resignation**

Employees desiring to terminate employment, regardless of employment classification, are expected to give as much advance notice as possible. A minimum of two weeks or 10 working days is considered to be sufficient notice time.

An employee's manager, the Executive Director, or designee, may require an employee to leave PCSB immediately rather than work during the notice period. When immediate voluntary termination occurs, employees may receive pay "in lieu of notice," the maximum being two weeks.

### **Involuntary Separation**

#### **Involuntary Separation With Cause**

Employment may be terminated by PCSB at any time for cause, without providing advanced notice and/or severance pay.

Examples of cause for termination include, but are not limited to:

- Malfeasance;
- Breach of confidentiality;
- Supplying false information;
- Insubordination;
- Use or possession of alcohol or drugs while on the job;
- Failure to satisfactorily complete the Orientation and Adjustment Period;
- Sexual harassment or discrimination;
- Chronic unexcused absence or lateness;
- Unsatisfactory job performance;
- Theft of organization property;
- Failure to comply with PCSB's Standards of Conduct policy;
- Conflict of interest; or
- Any other activities showing willful disregard of PCSB interests or policies.

Each termination situation presents a unique set of circumstances. Fairness and common sense dictate that each separation decision be reviewed and decided on its individual facts, in the context of surrounding circumstances.

#### **Involuntary Separation Without Cause**

Termination may result from changes in PCSB's financial or programmatic operating circumstances.

Examples of involuntary separation with cause include but are not limited to:

## ***Section VI – Separating from PCSB***

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- Job elimination;
- Loss of funding; or
- Inadequate funding.

In all such actions, PCSB strives to ensure that such decisions are made as fairly as possible and with concern for the well being of employees involved.

### **Severance Pay**

Severance pay is not available to employees who are dismissed for reasons related to misconduct as an employee, including violations of the PCSB's policies.

Regular full-time employees who have completed at least one year of full-time employment with the PCSB and who are laid off because of cutbacks or reductions in staff, or terminated involuntarily for reasons not connected with misconduct or unsatisfactory performance, are entitled to severance pay calculated at the rate of one week's pay for every year of employment, so long as they:

- Continue to work until the last day scheduled for their employment, unless this requirement is expressly waived by the Executive Director or the Chair of the Board of Directors;
- Turn in all reports and paperwork required to be completed by them when due and no later than the last day of work;
- Return any files, documents, equipment, keys, software or other property belonging to the Board;
- Participate in an exit interview, upon the request of their manager; and
- Agree to sign a release of employment-related claims against the PCSB, upon the Executive Director or Chair of the Board of Directors' request.

Notwithstanding the above, employees who violate the PCSB's policies or who demonstrate unacceptable conduct (including insufficient effort on the job) during the remainder of their employment following notice of the termination or lay-off may be denied severance pay and/or may be dismissed prior to the agreed-upon termination date, in the discretion of the Executive Director or Chair of the Board of Directors.

### **Final Pay**

When employees leave PCSB, their final paychecks include payment for time worked during the final pay period, any vacation leave due and any petty cash or expense reimbursements due.

All outstanding time records must be approved and submitted to Payroll before payment can be given for any vacation due. As permitted by law, deductions, previously authorized in writing,

## ***Section VI – Separating from PCSB***

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will be made for settlement of indebtedness to PCSB. As permitted by law, deductions will also be made for any vacation or personal leave taken in excess of what has actually been accrued.

Keys, credit cards and other PCSB materials and equipment must be turned in or accounted for. In addition, other documented obligations to the PCSB, including personal expenses on organizational credit cards, etc., must be satisfied or resolved by the employee before the final paycheck is released.

### **Unemployment Compensation**

Unemployment compensation is required by law and PCSB contributes to the appropriate state fund to cover all employees.

Eligibility for unemployment compensation insurance is determined according to state regulations and may provide state-regulated income in certain cases when employees leave PCSB.

### **Employment References and Verification**

All requests involving employment references for former PCSB employees should be referred to the Human Capital Department.

Reference information provided by PCSB is limited to verification of an employee's dates of employment, and last position(s) held. Final rate of pay is only disclosed when the request is accompanied with an employees' (active or former) signature.

Under no circumstance does PCSB disclose information regarding the following:

- Eligibility for rehire;
- Reason for leaving;
- Circumstances surrounding separation;
- Performance history; or
- Any other data requested.

## ***Section VII – Other Policies***

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### **Employee Incurred Expenses and Reimbursement**

Employees must obtain advance consent of the Director of Business Oversight before incurring job-related expenses over \$150. Approved expenses should be documented on a voucher request, with receipts attached, and submitted within one month of the date on which they were incurred to the Director of Business Oversight. Expense checks are prepared on a bi-weekly cycle. Consult with the Director of Business Oversight to obtain further information on the bi-weekly expense reimbursement process.