

Region 2

WORK FORCE

West Virginia
USA

South Western West Virginia
Region 2 Workforce Investment Board

Employee Handbook

2699 Park Avenue * P.O. Box 9009
Huntington West Virginia 25704-0009

Equal Opportunity Employer/Program"

"Auxiliary Aids and Services Are Available Upon Request To Individuals With Disabilities

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INTRODUCTION

10 Welcome New Employee!

On behalf of the South Western WV REGION 2 - WORKFORCE INVESTMENT BOARD, I welcome you to our office and wish you every success here.

I believe that each professional employee contributes directly to the success of South Western WV Region 2 - Workforce Investment Board's (Region 2 WIB) workforce development goals, and I hope you will take pride in being a member of our team. We are responsible to effectively manage a multi-million dollar annual budget for the purpose of developing a more highly skilled workforce while meeting the skill and training needs of our primary customers, individual job seekers and businesses. We all perform a significant public service and have ethical responsibilities in managing and administering these matters.

Region 2 WIB's management philosophy is that we are a staff of professionals developing and administering a brand new system from the ground up. Each employee is empowered to make decisions and develop solutions as needed within the prescribed policies and procedures.

This handbook has been developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. You should familiarize yourself with the contents of this employee handbook as soon as possible, for it will answer many questions about employment with REGION 2 - WORKFORCE INVESTMENT BOARD.

I hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

A handwritten signature in black ink, appearing to read 'Claude J. Hunt', written over a horizontal line.

Claude J. Hunt
Executive Director

20 ORGANIZATION DESCRIPTION

The Workforce Investment Act of 1998(WIA) and successor Workforce Investment and Opportunity Act of 2014(WIOA) directed the creation of local workforce investment boards in each state. West Virginia is composed of seven (7) regions. The Region 2 WIB was established during March 2000 and is responsible for Boone, Cabell, Lincoln, Logan, Mingo, Putnam, Wayne and the city of Huntington. Region 2 WIB offices are located in the Huntington State Office Building at 2699 Park Avenue Huntington, West Virginia. The board, 51% representing businesses, developed the Workforce Investment System that is administered by the Region 2 WIB staff. Staff management consists of a full time Executive Director/Program Coordinator, Performance Specialist/ Equal Opportunity Officer; Director of Administrative Operations; Coordinator of Instruction and Coordinator of Employment Operations. From time to time contract employees and part time employees are used to accomplish the Board's goals. Region 2 operates as a service provider by contracting to provide services to clients in this Region with other State or Federal or Private agencies.

A Workforce Development System is administered that is designed to improve the skills of employability of the Region 2 workforce, improve productivity of business employees and help develop the types of skills necessary for the success of individuals age 16+ entering today's workforce.

30 INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with REGION 2 - WORKFORCE INVESTMENT BOARD and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by REGION 2 - WORKFORCE INVESTMENT BOARD to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As REGION 2 - WORKFORCE INVESTMENT BOARD continues to grow, the need may arise and REGION 2 - WORKFORCE INVESTMENT BOARD reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or REGION 2 - WORKFORCE INVESTMENT BOARD to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur.

40 EXPLANATION OF HANDBOOK

This handbook is intended to provide employees with a general understanding of our personnel policies and answer many common questions concerning employment with REGION 2 - WORKFORCE INVESTMENT BOARD. The only recognized deviations from the stated policies are those authorized and signed by the Executive Director of REGION 2 - WORKFORCE INVESTMENT BOARD.

This handbook is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor REGION 2 - WORKFORCE INVESTMENT BOARD is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

50 EMPLOYEE RELATIONS

REGION 2 - WORKFORCE INVESTMENT BOARD believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to the Executive Director.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that REGION 2 - WORKFORCE INVESTMENT BOARD amply demonstrates its commitment to employees by responding effectively to employee concerns.

SECTION 1 - GOVERNANCE

101 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at REGION 2 - WORKFORCE INVESTMENT BOARD will be based on merit, qualifications, and abilities. REGION 2 - WORKFORCE INVESTMENT BOARD does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, or any other characteristic protected by law.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Executive Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

105 BUSINESS ETHICS AND CONDUCT

The successful business operation and reputation of REGION 2 - WORKFORCE INVESTMENT BOARD is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of REGION 2 - WORKFORCE INVESTMENT BOARD is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to REGION 2 - WORKFORCE INVESTMENT BOARD, its customers, and board members to act in a way that will merit the continued trust and confidence of the public.

REGION 2 - WORKFORCE INVESTMENT BOARD will comply with all applicable laws and regulations and expects its board, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Supervisor or the Executive Director for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every REGION 2 - WORKFORCE INVESTMENT BOARD employee.

110 IMMIGRATION LAW COMPLIANCE

REGION 2 - WORKFORCE INVESTMENT BOARD is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with REGION 2 - WORKFORCE INVESTMENT BOARD within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Executive Director. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

115 CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which REGION 2 - WORKFORCE INVESTMENT BOARD wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Executive Director for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of REGION 2 - WORKFORCE INVESTMENT BOARD. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific Executive Committee-level approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Region 2 - Workforce Investment Board's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of REGION 2 - WORKFORCE INVESTMENT BOARD as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant Executive Directorship in a firm with which REGION 2 - WORKFORCE INVESTMENT BOARD does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving REGION 2 - WORKFORCE INVESTMENT BOARD.

120 OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with REGION 2 - WORKFORCE INVESTMENT BOARD. All employees will be judged by the same performance standards and will be subject to Region 2 - Workforce Investment Board's scheduling demands, regardless of any existing outside work requirements.

If REGION 2 - WORKFORCE INVESTMENT BOARD determines that an employee's outside work interferes with performance or the ability to meet the requirements of REGION 2 - WORKFORCE INVESTMENT BOARD as they are modified from time to time,

the employee may be asked to terminate the outside employment if he or she wishes to remain with REGION 2 - WORKFORCE INVESTMENT BOARD.

Outside employment will present a conflict of interest if it has an adverse impact on REGION 2 - WORKFORCE INVESTMENT BOARD.

EMPLOYMENT STATUS AND RECORDS

205 EMPLOYMENT CATEGORIES

It is the intent of REGION 2 - WORKFORCE INVESTMENT BOARD to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and REGION 2 - WORKFORCE INVESTMENT BOARD.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Executive Director with approval of Personnel Committee.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work Region 2 - Workforce Investment Board's full-time schedule. Generally, they are eligible for Region 2 - Workforce Investment Board's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 40 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of Region 2 - Workforce Investment Board's other benefit programs.

INTRODUCTORY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with REGION 2 - WORKFORCE INVESTMENT BOARD is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Region 2 - Workforce Investment Board's other benefit programs.

PER DIEM employees are those who routinely work either a full-time or a part-time schedule and who accept additional compensation in lieu of participation in all but legally mandated benefit programs. REGION 2 - WORKFORCE INVESTMENT BOARD offers this category in limited classifications and to limited numbers of employees. Individuals participating in this program must sign waivers of their rights to participate in the benefit programs applicable to regular employees. Service in this category cannot be credited in any way toward any benefit program, even if the employee is later assigned to a benefit-eligible category. A change to or from this category can be accomplished only with the written consent of the Executive Director.

From time to time contract employees are used to accomplish the Board's goals. While representing Region 2 these contractors must comply with all applicable provisions of this handbook relating to conduct, harassment, reference checks and confidentiality.

210 ACCESS TO PERSONNEL FILES

REGION 2 - WORKFORCE INVESTMENT BOARD maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of REGION 2 - WORKFORCE INVESTMENT BOARD, and access to the information they contain is restricted. Generally, only supervisors and management personnel of REGION 2 - WORKFORCE INVESTMENT BOARD who have a legitimate reason to review information in a file are allowed to do so.

With reasonable advance notice, employees may review their own personnel files in Region 2 - Workforce Investment Board's offices and in the presence of an individual appointed by REGION 2 - WORKFORCE INVESTMENT BOARD to maintain the files.

215 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join REGION 2 - WORKFORCE INVESTMENT BOARD are well qualified and have a strong potential to be productive and successful, it is the policy of REGION 2 - WORKFORCE INVESTMENT BOARD to check the employment references and conviction records through a background check of all applicants.

The Executive Director will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to factual information that can be substantiated by Region 2 - Workforce Investment Board's records.

220 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify REGION 2 - WORKFORCE INVESTMENT BOARD of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in

the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Director of Administrative Operations (DAO).

225 INTRODUCTORY PERIOD

The introductory period is intended to give new non-exempt employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. REGION 2 - WORKFORCE INVESTMENT BOARD uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or REGION 2 - WORKFORCE INVESTMENT BOARD may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired non-exempt/exempt employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If REGION 2 - WORKFORCE INVESTMENT BOARD determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.

230 EMPLOYMENT APPLICATIONS

REGION 2 - WORKFORCE INVESTMENT BOARD relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

In processing employment applications, REGION 2 - WORKFORCE INVESTMENT BOARD may obtain a consumer credit report for employment purposes only concerning credit worthiness, credit standing, and credit capacity. If REGION 2 - WORKFORCE INVESTMENT BOARD takes an adverse employment action based in whole or in part on the consumer credit report, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided as well as any other documents required by law.

235 PERFORMANCE EVALUATION

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of a non-exempt/exempt employee's initial period in any new position. This initial period allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted on an annual basis to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses,

encourage and recognize strengths, and discuss positive, purposeful approaches for meeting personal and corporate goals.

240 RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with REGION 2 - WORKFORCE INVESTMENT BOARD. Although advance notice is not required, REGION 2 - WORKFORCE INVESTMENT BOARD requests at least 1 week' written resignation notice from all employees.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire and will forfeit personal leave.

Section 3 - EMPLOYEE BENEFITS PROGRAMS

305 - BENEFITS SUMMARY

Eligible employees at REGION 2 WORKFORCE INVESTMENT BOARD are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Life Insurance – Short Term Disability-Required
- Military Leave
- Sick Leave
- Personal Leave
- Workers Compensation Insurance
- Unused Personal Leave at end of Calendar Year Payment

310

315 WORKERS' COMPENSATION INSURANCE

REGION 2 - WORKFORCE INVESTMENT BOARD provides a comprehensive workers' compensation insurance program. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither REGION 2 - WORKFORCE INVESTMENT BOARD nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by REGION 2 - WORKFORCE INVESTMENT BOARD.

320 LIFE INSURANCE

Life insurance offers you and your family important financial protection. REGION 2 - WORKFORCE INVESTMENT BOARD provides a basic life insurance plan for eligible employees.

All regular full-time employees must participate in the basic level of the Region 2 WIB Life Insurance Plan. Eligible employees may purchase additional life insurance subject to all terms and conditions of the agreement between REGION 2 - WORKFORCE INVESTMENT BOARD and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Director of Administrative Operations for more information about life insurance benefits.

325 SHORT TERM DISABILITY

All regular full-time employees are eligible to request medical leave as described in this policy. Exceptions to the service requirement will be considered to accommodate disabilities.

Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to REGION 2 - WORKFORCE INVESTMENT BOARD. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the temporary disability, up to a maximum of 6 months within any 24-month period. Any combination of medical leave and family leave may not exceed this maximum limit.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans. Benefits will be provided as long as the employee continues to receive paychecks, after that, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from medical leave, benefits will again be provided by REGION 2 - WORKFORCE INVESTMENT BOARD according to

the applicable plans.

For hourly paid employees, holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide REGION 2 - WORKFORCE INVESTMENT BOARD with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, REGION 2 - WORKFORCE INVESTMENT BOARD will assume that the employee has resigned.

REGION 2 - WORKFORCE INVESTMENT BOARD will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and child care, not related to medical disabilities for those conditions will be considered in the same manner as other requests for unpaid family or personal leave.

SECTION 4 - LEAVE OF ABSENCES

405 HOLIDAY SCHEDULE

- 1 New Year's Day (January 1)
- 1 Martin Luther King, Jr. Day (third Monday in January)
- 1 Memorial Day (last Monday in May)
- 1 Independence Day (July 4)
- 1 Labor Day (first Monday in September)
- 1 Veterans Day November 11
- 2 Thanksgiving and day after- the fourth thursday in November
- 1 Christmas December 25
- 1 Floating Holiday

10

REGION 2 - WORKFORCE INVESTMENT BOARD will grant paid holiday time off to all eligible employees from the first day of employment. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day had the office not been closed.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday.

A recognized holiday that falls on a Sunday will be observed on the following Monday. If a recognized holiday falls during an eligible employee's leave of absence for family medical or sick leave, the non-exempt employee will be ineligible for holiday pay.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime. In the event that available holidays are not taken by the end of the calendar year, employees will forfeit the unused time.

410 PERSONAL LEAVE

Personal time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees classified as Regular Full-Time are eligible to earn and use personal time as described in this policy

Employees are awarded 18 days (9 on January 1 and 9 on July 1) for Full-time employees who are employed on December 31 of previous year and have completed 1 year of service.) Personal Leave is granted at the 1st of the month. New hires are awarded (1.5 days per month Personal Leave. However, before personal time can be used, a waiting period of Ninety (90) calendar days must be completed by new hires. After that time, employees can request use of earned Personal Leave time including time that accrued during the waiting period.

Personal Leave time can be used in minimum increments of one hour and should be requested in advance approval from their supervisor. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Personal Leave is paid at the employee's base pay rate at the time of leave. It does not include overtime or any special forms of compensation. Employees must record the Personal Leave on their Timesheets and cannot be taken without supervisor approval.

Upon Termination of Employment, employees will be paid for unused Personal Leave that has been earned through the last day of work. However, if Region 2 Workforce Investment Board, in its sole discretion, terminated employment for cause, forfeiture of unused Personal Leave time may result.

410-A - PERSONAL INCENTIVE LEAVE

Personal Incentive leave addresses available personal leave not used during the calendar/benefit year. Employees are eligible for payment of \$100.00 per day for each personal day remaining at year end, if probationary period has been completed.

415 - SICK LEAVE *amended 8.14.15 and effective 10.1.15

Employees will be eligible for 144 hours of sick leave on January 1, if employed fulltime on December 31, and if the 90 day probationary period has been completed. If the above conditions are not met, the employee will be eligible for 12 hours of sick leave per month through the 90 day probationary period, then eligible for 12 hours per calendar month, times the number of months left in the year, after the 90 days. EXAMPLE: Employee is hired April 1. Probationary period ends on June 30. On July 1, the employee is

eligible for 36 hours of sick leave which has been earned during the probationary period. The number of months left in the year (6 months) x 12 hours =72 hours +36=108 of sick leave. Unused sick leave up to a maximum of 240 hours can be carried over to the next year. Sick leave is not paid out at termination or resignation of employment.

All regular full-time employees are eligible to request medical/ sick leave as described in this policy.

Eligible employees should make requests for medical/sick leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted upon return to work after the 3rd day of sick leave. Any changes in this information should be promptly reported to Region 2 Workforce Investment Board. Employees returning from medical/sick leave must submit a health care provider's verification of their fitness to return to work.

420 BEREAVEMENT LEAVE

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

REGION 2 WIB defines "immediate family" as the employee's spouse, parent, child, sibling; Father-In-Law, Mother-In-Law; or other person with whom you have legal guardianship and/or medical power of attorney.

Up to three days of paid bereavement leave will be provided to eligible employees classified as Regular, Full-Time.

Bereavement pay is calculated using the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Employees may, with the approval of the Executive Director, use accumulated Personal Leave for additional time off as necessary.

425 MILITARY LEAVE

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the

applicable plans for which the employee is otherwise eligible.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Executive Director for more information or questions about military leave.

SECTION 5 PAYROLL

505 TIMEKEEPING

Accurately recording time worked is the responsibility of each employee. All employees must have a time sheet for each scheduled period of compensation. Federal and state laws require REGION 2 - WORKFORCE INVESTMENT BOARD to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Paid Overtime work must always be approved before it is performed. Timesheet should reflect funding source for the time period worked on any project. Travel time should be divided among funding sources if travel is for more than one purpose.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employee time is recorded on a Weekly Timesheet. It is the employees' responsibility to sign in writing or electronically sign time records with Employee Name and I.D. to certify the accuracy of all time recorded. Timesheets of all employees are to be signed in ink by the Employees' Supervisor. In the absence of a Supervisor, the Executive Director shall sign the Timesheet.

Timesheets are to be submitted on a weekly basis by 12:00 Noon Friday, or on the last work day of the week when there is a Holiday or employee Personal Leave of Absence. An unplanned leave of absence on the last day of the work week can be handled by conversation with Supervisor or Executive Director.

Applicable attachments are to be submitted with the timesheet and are initialed by

Supervisor or Executive Director. Completed Timesheets and back-up are to be submitted electronically or as original document to Executive Director or Supervisor.

The supervisor will review timesheet prior to submission for payroll processing. If electronic signed timesheet is in need of modifications the Timesheet shall be marked (Amended) by Supervisor/Director and returned to Employee. If Employee agrees, no further action is needed. If employee disagrees, employee should immediately, or the next working day inform Executive Director and Supervisor of disagreement. Once corrections or modifications are agreed upon both the employee and the supervisor must verify the changes by initialing the time record.

All Employee Timesheets, approved Leave of Absence and applicable back-up are filed and maintained according to Fiscal Policy and Procedures.

510 PAYDAYS

All employees are paid every other Friday for the previous 2 week time period. All timesheets must be submitted to Supervisor or Executive Director. Due to Fiscal Clerk Key-in of detailed staff time and Automated QuickBooks/Banking, Payroll Review by Director and Supervisors as well as and Payroll Reports by DAO must be completed for submission to Fiscal Clerk Processing by Noon Monday.

Each paycheck will include earnings for all work performed through the end of said pay period. Temporary or contracted employees may be paid on a separate schedule including such programs as Summer Youth. Also all travel for reimbursement must be submitted and attached to timesheet and will reflect coordination between charges to funding sources for time and travel.

515 ADMINISTRATIVE PAY CORRECTIONS

REGION 2 - WORKFORCE INVESTMENT BOARD takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Executive Director so that corrections can be made as quickly as possible.

520 PAY DEDUCTIONS AND SETOFFS

The law requires that REGION 2 - WORKFORCE INVESTMENT BOARD make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. REGION 2 - WORKFORCE INVESTMENT BOARD also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." REGION 2 - WORKFORCE INVESTMENT BOARD matches the amount of Social Security taxes paid by each employee.

REGION 2 - WORKFORCE INVESTMENT BOARD offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by REGION 2 - WORKFORCE INVESTMENT BOARD, usually to help pay off a debt or obligation to REGION 2 - WORKFORCE INVESTMENT BOARD or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

SECTION 6 - WORK CONDITIONS

605 SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, REGION 2 - WORKFORCE INVESTMENT BOARD has established a workplace safety program. This program is a top priority for REGION 2 - WORKFORCE INVESTMENT BOARD. The Executive Director has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

REGION 2 - WORKFORCE INVESTMENT BOARD provides information to employees about workplace safety and health issues through regular internal communication channels such as weekly staff meetings, supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of the Executive Director. Reports and concerns about workplace safety issues may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Executive Director or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

610 LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. REGION 2 - WORKFORCE INVESTMENT BOARD supports these endeavors as long as employees are able to meet acceptable performance standards.

Medical information on individual employees is treated confidentially. REGION 2 -

WORKFORCE INVESTMENT BOARD will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Executive Director for information and referral to appropriate services and resources.

615 Work Schedules

Work schedules for employees vary throughout our organization. Supervisors will advise non-exempt employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Exempt employees are scheduled to work a normal workweek but are expected to meet deadlines through additional hours as needed.

620 USE OF PHONE AND MAIL SYSTEMS

Personal use of telephones for incoming and outgoing calls, including local calls, should be restricted to work schedule changes or emergencies. Employees may be required to reimburse REGION 2 - WORKFORCE INVESTMENT BOARD for any charges resulting from their personal use of the telephone.

621 USE OF COMPANY PROVIDED CELL PHONE

Employees provided with company cell phones must respect that these phones are meant for business purposes, as such, personal calls should be kept to a minimum. Company cell phones are the property of the company, and are therefore revocable at any time. Use of a cell phone, company owned or otherwise, is prohibited during the operation of a motor vehicle, unless the vehicle is equipped with appropriate hands-free device(s). This includes texting while driving. Violation of this rule may result in termination, and will result in the revocation of the company cell phone.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

625 INTERNET USAGE

Internet access to global electronic information resources on the World Wide Web is provided by Region 2 - Workforce Investment Board to assist employees in obtaining work-related data and technology. These guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities. Personal use of the Internet is not permitted.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of Region 2 - Workforce Investment Board and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of Region 2 - Workforce Investment Board. As such, Region 2 - Workforce Investment Board reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by Region 2 - Workforce Investment Board in violation of law or Region 2 - Workforce Investment Board policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization

- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Sending anonymous e-mail messages
- Engaging in any other illegal activities

630 MEAL PERIODS

All full-time regular non-exempt employees are expected to take a meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Non-exempt employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

630 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence or holiday will not be considered hours worked for purposes of performing overtime calculations.

Employees who work overtime without receiving prior authorization from the supervisor

may be subject to disciplinary action, up to and including possible termination of employment.

635 EQUIPMENT, VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

640 RETURN OF PROPERTY

Employees are responsible for all REGION 2 - WORKFORCE INVESTMENT BOARD property, materials, or written information issued to them or in their possession or control. Employees must return all REGION 2 - WORKFORCE INVESTMENT BOARD property immediately upon request or upon termination of employment. Where permitted by applicable laws, REGION 2 - WORKFORCE INVESTMENT BOARD may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. REGION 2 - WORKFORCE INVESTMENT BOARD may also take all action deemed appropriate to recover or protect its property.

645 TRAVEL

Travel Advance and Reimbursement can be provided to Board Members, Executive Committee Members and Staff Members for program related business trips or conferences. Out-of-State Travel by Staff or Executive Committee members requires Pre-Approval of the Executive Committee; to which a copy of said minutes must be attached to Travel Documents.

The Executive Director approves In-State Travel for any Staff Member and the LEO or Board Chairman approves In-State Travel for the Executive Director.

Any Cash Advance and Expense Report must be reconciled within 15 days of return from travel and any funds owed Region 2 WIB must be paid with reconciliation report on form provided by Region 2 WIB.

Local travel will be reimbursed bi-weekly on scheduled pay day as travel voucher must be sent with timesheet. Funding source charged for time must also be charged for travel. All travel must be approved by supervisor.

Temporary Assignment

As of 8/1/15-Mileage reimbursement shall be for the difference between the mileages an employee's primary assigned work location and his/her temporarily assigned site. No mileage will be paid if temporary site is closer than primary site to employee's residence. For example, if it is 20 miles from residence to primary but only 10 to temporary no mileage would be paid. An assignment is considered temporary for only 60 working days and after that period it becomes your primary assignment. No mileage reimbursement for permanent placement.

SECTION 7 - EMPLOYEE WORK ETHICS

705 EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, REGION 2 - WORKFORCE INVESTMENT BOARD expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct
- Improper internet usage

Employment with REGION 2 - WORKFORCE INVESTMENT BOARD is at the mutual consent of REGION 2 - WORKFORCE INVESTMENT BOARD and the employee, and

either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

710 DRUG AND ALCOHOL USE

It is Region 2 - Workforce Investment Board's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on REGION 2 - WORKFORCE INVESTMENT BOARD premises and while conducting business-related activities off REGION 2 - WORKFORCE INVESTMENT BOARD premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify REGION 2 - WORKFORCE INVESTMENT BOARD of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Executive Director without fear of reprisal.

REGION 2 - WORKFORCE INVESTMENT BOARD adopts the Drug Testing Policy attached hereto.

715 SEXUAL AND OTHER UNLAWFUL HARASSMENT

South Western West Virginia Region 2 Workforce Investment Board (Region 2 WIB) is committed to the maintenance of an environment free of discrimination and all forms of coercion that impede the professional freedom or diminish the dignity of any member of the staff. Region 2 WIB emphasizes this policy specifically as it pertains to prevention of sexual harassment and to the obligations of male and female staff in this regard. Other unlawful harassment such as racial or otherwise is prohibited and subject to the following provisions as applicable.

It is the policy of Region 2 WIB that no male or female staff member--may sexually harass any other member of the staff. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education;

- Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's professional performance or creating what a reasonable person would sense as an intimidating, hostile, or offensive employment, educational, or living environment.

The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to the Executive Director. If the Executive Director is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Director or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

720 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, REGION 2 - WORKFORCE INVESTMENT BOARD expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on REGION 2 - WORKFORCE INVESTMENT BOARD. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

725 PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image REGION 2 - WORKFORCE INVESTMENT BOARD presents to the community.

During business hours or when representing REGION 2 - WORKFORCE INVESTMENT BOARD, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards.

It is the policy of Region 2 Workforce Investment Board to provide a guideline to be used by all Region 2 WIB employees for proper business dress code attire, since our role is to assist individuals to gain self-sufficient employment and set example of proper work place behavior.

Job Requirement

- Each employee shall follow three business-related dress code standards:
- (1) Present a professional appearance for the customers, students and public.
 - (2) Promote a positive working environment and limit distractions caused by outrageous, provocative, or inappropriate dress, and
 - (3) To ensure safety while working.

Exceptions to the Policy:

Region 2 WIB will make reasonable accommodations for employee's medical conditions or religious beliefs consistent with business necessity to present a professional appearance to the public.

Special Considerations:

Certain special circumstances (i.e. Snowstorms, work outings) may warrant relaxing the dress code policy functions. This is at the discretion of the Executive Director of Region 2 WIB.

730 SECURITY INSPECTIONS

REGION 2 - WORKFORCE INVESTMENT BOARD wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, REGION 2 - WORKFORCE INVESTMENT BOARD prohibits the possession, transfer, sale, or use of such materials on its premises. REGION 2 - WORKFORCE INVESTMENT BOARD requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of REGION 2 - WORKFORCE INVESTMENT BOARD. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of REGION 2 - WORKFORCE INVESTMENT BOARD at any time, either with or without prior notice.

REGION 2 - WORKFORCE INVESTMENT BOARD likewise wishes to discourage theft or unauthorized possession of the property of employees, REGION 2 - WORKFORCE INVESTMENT BOARD, visitors, and customers. To facilitate enforcement of this policy, REGION 2 - WORKFORCE INVESTMENT BOARD or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto Region 2 - Workforce Investment Board's premises.

735 SOLICITATION

In an effort to ensure a productive and harmonious work environment, persons not employed by REGION 2 - WORKFORCE INVESTMENT BOARD may not solicit or distribute literature in the workplace at any time for any purpose.

REGION 2 - WORKFORCE INVESTMENT BOARD recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information



805 - EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about REGION 2 - WORKFORCE INVESTMENT BOARD, and I understand that I should consult the Executive Director regarding any questions not answered in the handbook. I have entered into my employment relationship with REGION 2 - WORKFORCE INVESTMENT BOARD voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or REGION 2 - WORKFORCE INVESTMENT BOARD can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Region 2 - Workforce Investment Board's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Executive Director of REGION 2 - WORKFORCE INVESTMENT BOARD has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies, including the Grievance and Sexual Harassment Policies, contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

810 REGION 2 WORKFORCE INVESTMENT BOARD POLICY LETTER #08

SUBJECT: CONFLICT OF INTEREST - EFFECTIVE DATE: MARCH 20, 2001

No member, employee or agent of Region 2 WIB can vote on any matter that he/she, or a member of his or her immediate family is an officer, owner or employee. Immediate family is defined as; parent, grandparent, spouse, child, sibling, spouse of sibling, and the spouse or child of any of the foregoing (including step relationships).

No member, employee, or agent of Region 2 WIB can vote on any matter, which would provide direct financial benefit to that member.

No member can participate in the award or administration of any grant or contract that is funded through WIOA.

Where there is a conflict of interest or an appearance of a conflict of interest on the part of a member, the member shall disclose the material facts as to his or her interest or benefit from the proposed Region 2 WIB action.

No member, officer, employee or agent of the Region 2 WIB shall: (1) solicit or accept gratuities, favors, or anything of monetary value from contractors or suppliers or potential contractors or suppliers; (2) solicit, accept or agree to accept any benefits for exercising WIOA authority and performing their duties; and (3) perform their duties in a manner contrary to the rules of the State of West Virginia Ethics Commission.

By executing this Employee Handbook, I understand and agree that I will not initiate any correspondence to a funding source without first informing and receiving written permission from my supervisor or the Executive Director.

I will copy my supervisor or the Executive Director on any correspondence initiated by me to a funding source.

If I receive any request for information from a funding source or from anyone with whom Region 2 WDB has a business relationship, I will inform my supervisor or the Executive Director of such request, and will take their direction before responding.

My signature indicates my review and acceptance of this policy.

Expiration Date: Effective until rescinded or modified by Region 2 Workforce Investment Board.

Approval: April 19 2001.

Each board member and Youth Council member is required to sign a *Conflict of Interest Agreement*.

810 - CONFLICT OF INTEREST AGREEMENT

No member, employee or agent of the South Western West Virginia Region 2 Workforce Investment Board (hereinafter "Region 2 WIB) shall:

- A. cast a vote on the provision of service under the Workforce Innovation and Opportunity Act (WIOA) Title I Plan by that member, by any member of his or her family, or by any organization of which that member or any member of his family is an officer, owner, or employee, or
- B. vote on any matter which would provide direct financial benefit to that member, or
- C. participate in the award or administration of any grant or contract, that is funded through the WIOA Title I Plan, where he or she knows that any of the following has a financial interest in the person or organization that will receive or has received the grant or contract:
 - 1. the member, employee, or agent;
 - 2. any family member of the member, employee, or agent;
 - 3. any partner of the member, employee, or agent
 - 4. any person or organization that employs, or is about to employ any person described in 1,2, or 3.

Where there is a conflict of interest or an appearance of a conflict of interest on the part of a member/employee, such member/employee shall disclose the material facts as to his or her interest or benefit from the proposed Region 2 WIB action, and, in the event the measure requires approval by the Region 2 WIB, the proposed action may then be approved upon the affirmative vote of a majority of the disinterested members present, even though the disinterested members may be less than a quorum. Such interested members may be counted in determining the presence of a quorum at the meeting at which the issue is considered. The interested member shall refrain from discussing with or attempting to persuade other members prior to the vote on the proposed action.

No member, officer, employee or agent of the Region 2 WIB shall: (1) solicit or accept gratuities, favors, or anything of monetary value from contractors or suppliers or potential contractors or suppliers; (2) solicit, accept or agree to accept any benefits for exercising authority and performing their duties; and (3) perform their duties in a manner contrary to the rules of the State of West Virginia Ethics Commission.

For purposes of this policy, family is defines as: parent, grandparent, spouse, child, sibling, spouse of sibling, and the spouse or child of any of the forgoing (including step relationships).

Member / Staff/ Agent

Date

815 REGION 2 WORKFORCE INVESTMENT BOARD POLICY LETTER 01

Subject: Grievance and Complaint Policy

1. **Purpose:** Establish and publish a procedure by which individuals are able to file a grievance or complaint related to activities available through the Workforce Investment & Opportunity Act Title I.

This grievance procedure is the exclusive remedy for Region 2 employees, service providers, contractors and participants, other than as specifically explained.

815 - REGION 2 WORKFORCE INVESTMENT BOARD GRIEVANCE PROCEDURE

Purpose:

This policy sets forth the procedures required under the Workforce Development Act (WIOA) to address grievances or complaints alleging a violation under the requirements of WIOA by South Western West Virginia Region 2 Workforce Investment Board.

This policy does not address the procedure for processing complaints alleging discrimination under WIOA section 188 and/or 29 CFR part 37. Such complaints must be handled in accordance with the procedures set forth in that regulatory part. Questions about or complaints alleging a violation of the non-discrimination provision of WIOA section 188 may be directed or mailed to Executive Director, NR/MR WDB, 6580 Valley Center Drive, Suite 119, Radford VA 24141 or Director, Civil Rights Center, US Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210, for processing.

References:

P.L. 113-128, Workforce Innovation and Opportunity Act of 2014, Section 181(c). Federal Register, August 19, 2016, Part VI, Department of Labor, Employment and Training Administration, 20 CFR Part 603,651,652, et al. Workforce Innovation and Opportunity Act; Final Rules. 20 CFR Part 683, Subpart F- Grievance Procedures, Complaints, and State Appeals Processes. 29 CFR Part 38, WIOA Section 188 Nondiscrimination and Equal Opportunity Regulations.

Definitions:

The following terms, when used in this policy, have the following meanings unless the context clearly indicates otherwise:

Complainant – an individual, group or agency that files a formal complaint alleging violation of the WIOA and/or provisions of a related agreement.

Direct Recipient – any person or governmental department, agency or establishment that receives WIOA funds through a local area in order to carry out WIOA programs, but does not include an individual who is the beneficiary of such a program.

Grievant – an individual, group or agency that files a formal grievance alleging violation of the WIOA and/or provision of a related agreement.

Participant - an individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services authorized under the WIOA) under a program authorized by the WIOA. Participation commences on the first day, following determination of eligibility on which the individual begins receiving subsidized employment, training or other services provided under WIOA.

GRIEVANCES AND COMPLAINTS PROCESSING

The grievance and complaint review procedures for the local level apply to alleged violations of the requirements of WIOA and/or provisions of a related agreement. These grievances or complaints may be submitted by participants and other interested

parties affected by the local workforce Development system, including one-stop partners and service providers.

Filing a Grievance or Complaint

The One-Stop Center, Service or Training Provider shall provide participants with the name, address and telephone number of the agency's official and the NR/MR WDB Executive Director to whom grievances and complaints can be directed. Examples of who may file a grievance or complaint include the following:

1. Applicants and/or registrants for aid, benefits, services or training,
2. Eligible applicants/registrants,
3. Participants,
4. Employers,
5. Applicants for employment under WIOA,
6. Service providers or
7. Eligible service providers.

Each grievance or complaint must be filed, in writing, within 30 calendar days of the alleged situation and must contain the following information:

1. The name, address and phone number of the person filing the grievance or complaint;
2. The date of the alleged situation and the date the grievance or complaint was filed;
3. The identity of the respondent (i.e. the individual or entity against whom the grievance or complaint is alleged);
4. A description of the allegation(s). This description must include enough detail to allow the reviewer to decide whether the allegation(s), if true, would violate any of the provisions of WIOA; and
5. The signature of the person filing the grievance or complaint.

Methods of Resolution/Disposition of Complaints

Upon receipt of the grievance or complaint, the reviewer will provide written notice to the grievant or complainant. This correspondence will be sent within five (5) business days and must include the following:

1. A summary of the allegation(s) submitted;
2. The date, time and place of the meeting or hearing with the reviewer;
3. A notice that the NR/MR WDB Executive Director may arrange for an informal resolution to the complaint prior to the official meeting or hearing;
4. A notice that the grievant or complainant may be represented by an attorney; and
5. A notice that the grievant or complainant may present witnesses and documentary evidence.

Each One-Stop Center, Service or Training provider must notify the NR/MR WDB Executive Director, in writing, of the complaint within 48 hours of receiving the complaint. The WDB Executive Director has a maximum of 30 calendar days to conduct an investigation of the allegations and offer a resolution.

Notice of Final Action

Once the investigation is complete and a decision has been reached, a Notice of Final Action must be sent to the grievant or complainant with a copy to the agency. If an informal resolution was provided, the Notice of Final Action must summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action must contain the following information:

1. The reviewer's decision and the reasons supporting the decision;
2. A brief description of the investigation process implored to reach the decision;
3. A notice that, if no decision is reached within 60 days or if dissatisfied with the decision, the grievant or complainant may appeal to the Commonwealth of Virginia within 10 business days of receipt of the Notice of Final Action; and
4. A notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

Record Keeping Requirements

Records regarding grievances and complaints must be maintained for at least three years from the date of resolution of the grievance or complaint. All records must include the following:

1. The name and address of the grievant or complainant;
2. A description of the grievance or complaint;
3. The date the grievance or complaint was filed;
4. The disposition (final action);
5. The date of disposition of the grievance or complaint; and
6. Any other pertinent information

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential. The information may only be used for purposes of:

1. Record keeping and reporting;
2. Determining the extent to which an entity is operating its WIOA funded programs or activities in a nondiscriminatory manner; or
3. Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

PROCESSING APPEALS OF AGENCY LEVEL GRIEVANCE AND COMPLAINT DECISIONS

The grievance and complaint review procedures for the agency level apply to alleged violations of their requirements of WIOA and/or provisions of a related agreement. These grievances or complaints may be submitted by participants and other interested parties affected by the local workforce Development system, including One-Stop Centers, Center Partners, Service and Training Providers. The Workforce Development Board (WDB) will review:

1. Appeals of decisions made at the local agency level during the grievance and complaint process;
2. Grievances or complaints alleging a violation of the requirements of the WIOA

and/or provisions of a related agreement, filed by interested parties who have no recourse to the grievance and complaint procedure of a local agency, but who are affected by the WIOA programs offered through the West Virginia Workforce Network;

3. Grievances or complaints from eligible providers of training services who are denied equitable opportunities to provide training programs to WIOA participants, by a one-stop center or program operator, or otherwise adversely affected by the one-stop center or program operator. *

*Grievances or complaints from providers of training services who are denied eligibility by the WDB, or who's eligibility is terminated or otherwise adversely affected by the WDB must file their complaints with the State of West Virginia.

Filing an Appeal

Each appeal must be filed, in writing, within 10 business days of the date of which the Notice of Final Action is received and must contain the following information:

1. The name, address and phone number of the person filing the appeal;
2. The identity of the respondent (i.e. the individual or entity against whom the grievance or complaint is alleged);
3. A description of the allegation(s). This description must include enough detail to allow the reviewer to decide whether the allegation(s), if true, would violate any of the provision of WIOA;
4. Pertinent dates, including the date on which the grievance or complaint was filed at the local agency level, the date of the alleged occurrence for which the grievance or complaint was filed and the date a written decision was issued (or should have been issued);
5. If applicable, copies of the provisions of the WIOA, the regulations, etc. which are believed to have been violated;
6. A statement disclosing other steps pursued at any level regarding the grievance or complaint in question;
7. A copy of the agency's Notice of Final Action, if such was rendered; and
8. The signature of the person filing the appeal.

NOTE: The appeal must be accompanied by all documentation submitted to the agency when filing the original complaint. Only information received by the agency during the initial investigation will be allowed as evidence in the appeal process.

Methods of Resolution/Disposition of Complaints

Upon receipt of the written request for appeal and all of the pertinent information outlined above, the reviewer for the WDB will provide the grievant, or complainant, and the respondent with written acknowledgement of the appeal. This correspondence will be sent within five (5) business days and include both, a summary of the allegations submitted and an offer to resolve the issue informally prior to rendering a decision based on the written records. Finally, the acknowledgment will include a notice that upon review of the documentary evidence presented, the reviewer will make his/her decision.

The reviewer may offer the opportunity to resolve the issue informally prior to rendering a decision based on the written records. If the parties decline this opportunity, the

reviewer will accept, reject or modify the decision for the local agency based on a review of the evidence. The reviewer may also remand the grievance or complaint to the local agency for further investigation. In any case, the reviewer has a maximum of 30 calendar days to review the allegation(s) and offer a resolution.

Notice of Final Action

Once a decision is reached, a Notice of Final Action must be sent to the grievant or complainant and respondent. If an informal resolution was provided, the Notice of Final Action will summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action will contain the following information:

1. The reviewer's decision and the reason supporting the decision;
2. A notice that, if dissatisfied with the decision, the grievant or complainant may appeal to the State of West Virginia, within 10 days of the Notice of Final Action from the WDB;
3. Notice that copies of appeals submitted pursuant to the Workforce Development Act Consultant, P.O. Box 9009, Huntington, West Virginia 25704, must be sent to the reviewer at P.O. Box 9009, Huntington, West Virginia 25704; and
4. A notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

Record Keeping Requirements

Records regarding grievances and complaints must be maintained for at least three years from the dated of final resolution. All records must include the following:

1. The name and address of the grievant or complainant;
2. A description of the grievance or complaint;
3. The date the grievance or complaint was filed;
4. The disposition (final action);
5. The date of disposition of the grievance or complaint; and
6. Any other pertinent information

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential. The information may only be used for purposes of:

1. Record keeping and reporting;
2. Determining the extent to which an entity is operating its WIOA funded programs or activities in a nondiscriminatory manner; or
3. Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

BY SIGNING THIS FORM YOU ARE ATTESTING THAT YOU HAVE RECEIVED A COPY OF THE REGION 2 WORKFORCE INVESTMENT BOARD GRIEVANCE PROCEDURES.

Signature _____ Date _____

FILING DATE: _____

REGION 2 WORKFORCE INVESTMENT BOARD
GRIEVANCE FORM

Name: _____ Social Security Number: _____

Address:

Street/ P.O. Box City State/Zip Code

Telephone Number: (____) _____ Alternate Telephone Number: (____) _____

Training Provider/ Employer:

Instructor/ Supervisor:

Address:

Street / P.O. Box City State/Zip Code

STEP 1

Nature of Complaint/ Grievance: ***All Workforce Investment System participants have the right to file a grievance if they are adversely affected or prejudiced by an alleged violation of the Workforce Investment Act.** (Specify section of Act or regulations grievant seeks compliance with)

Remedy Sought:

Customer's Signature: _____ Date: _____

Supervisor/ Instructor's Response/ Decision:

Supervisor's Signature: _____ Date: _____

Complainant's Answer to Decision:

- I am **satisfied** with the Decision.
- I am **not satisfied** with the Decision and wish to proceed to **Step 2**.

STEP 2

Decision of Training Provider / Employer: _____

Signature of Training Provider/Employer: _____ Date _____

Customer's Answer to Step 2 Decision:

- I am satisfied with the Decision request a
appropriate.
- I am not satisfied with the Decision and
review, investigation, or hearing, as
appropriate.

Customer's Signature: _____ Date _____

STEP 3

FORWARD TO: Compliance Officer
Region 2 Workforce Investment Board
2699 Park Avenue, P. O. Box 9009
Huntington, West Virginia 25704-0009

TIME FRAME:

- Step 1: *Supervisor responds within three (3) working days of filing
 *Customer appeals/responds within two (2) working days of response.
- Step 2: *Training Provider/Employer responds in writing within five (5) working
 days of receipt of grievance.
- Step 3: *Customer forwards grievance within two (2) working days of decision.
 *Workforce Investment Board staff reviews information, resolves complaint
 during informal process or schedules hearing within 30 days of original
 filing date.
- *Written response confirming informal resolution or formal hearing
 decision provided to all parties within 60 days of original filing date.
- *This response will specify final course of action available to grievant if this
 response is not acceptable.

820 - CIVIL RIGHTS STATEMENT

EQUAL OPPORTUNITY IS THE LAW

As an APPLICANT/CLAIMANT, we welcome you to WORKFORCE West Virginia.

--- It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and

Against any beneficiary of programs under Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of citizenship/lawful residence/work status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIOA Title I-funded program or activity; Providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under WIOA Title I-funded program or activity, you may file a complaint within 180 days from the date of the alleged violation with either the recipient:

Equal Opportunity Officer, WORKFORCE West Virginia, 112 California Avenue, Charleston, WV 25305, 304-558-1600; 304-558-1549 (TDD) or The Director, Civil Rights Center, (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210, 202-693-6502; 202-693-6516/16 (TTY).

If you file a complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

I have read the above Civil Rights Statement and understand it.

___ I Agree ___ I Disagree

Print Name

Signature

SNN-Last 4 digits _____

DATE _____

825 - Region 2 Workforce Investment Board Policy Letter #05

**South Western West Virginia Region 2 Workforce Investment Board
POLICY ON SEXUAL HARASSMENT**

South Western West Virginia Region 2 Workforce Investment Board (Region 2 WIB) is committed to the maintenance of an environment free of discrimination and all forms of coercion that impede the professional freedom or diminish the dignity of any member of the staff. Region 2 WIB emphasizes this policy specifically as it pertains to prevention of sexual harassment and to the obligations of male and female staff in this regard.

It is the policy of Region 2 WIB that no male or female staff member--may sexually harass any other member of the staff. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when:

- submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education;
- submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for employment decisions affecting that individual; or
- such conduct has the purpose or effect of substantially interfering with an individual's professional performance or creating what a reasonable person would sense as an intimidating, hostile, or offensive employment, educational, or living environment.

Melissa Bias/Equal Opportunity Officer

Date

Signature of Employee

Date

REGION 2 - WORKFORCE INVESTMENT BOARD DRUG AND ALCOHOL POLICY

Purpose:

It is the policy of the Region 2 - Workforce Investment Board (hereinafter referred to as "Region 2", that its employees be free of substance and alcohol abuse. Consequently, the use of illegal drugs by employees is prohibited. Further, employees shall not use alcohol or engage in "prohibited conduct" as defined herein. The overall goal of this policy is to ensure a drug and alcohol-free environment and to reduce accidents, injuries and fatalities.

Consequences of Policy Violation:

Any employee who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

Prohibited Conduct:

The following shall be considered "prohibited conduct" for purposes of this policy:

1. No employee shall report to duty or remain on duty while having an alcohol concentration of .02 or greater.
2. No employee shall be on duty or operate a commercial motor vehicle or equipment while the employee possesses alcohol unless the alcohol is manifested and transported as part of a shipment.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee shall perform safety-sensitive functions within four hours after using alcohol.
5. No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, random, reasonable, suspicion, return-to-duty or follow-up alcohol or drug test.
7. No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when use is

pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate a commercial motor vehicle or city owned.

If an employee engages in prohibited conduct, the employee is not qualified to drive a commercial motor vehicle or city equipment and shall be immediately removed from service. Region 2 may, in its discretion, at the request of the employee, keep the employee's position open while such employee attempts to become re-qualified. Region 2 may also take action against the employee up to and including termination.

Testing Policy Requirements:

Testing or retesting for the presence of drugs or alcohol by Region 2 (employer) shall be carried out within the terms of this written policy which is distributed to every employee subject to testing, and is available for review by prospective clients.

Scheduling of Tests:

Any drug or alcohol testing by Region 2 (employer) of employees shall occur during, or immediately before or after, a regular working period. Testing by Region 2 is worked time for the purposes of compensation and benefits of current employees. An employer shall pay all actual costs for the testing being required by the employer of employees and prospective employees. Region 2 is required to provide transportation or to pay reasonable transportation costs to current employees if their required tests are conducted at a location other than the employee's normal work sites.

Procedure for Testing:

The collection of samples shall be performed under reasonable and sanitary conditions. Any observer of the collection of urine samples shall be of the same sex as the employee. Sample collections shall be documented and these documentation procedures shall include: (1) labeling of the samples so as to reasonably preclude the possibility of misidentification of the person tested in relation to the test result provided and handling of samples in accordance with reasonable chain-of-custody and confidentiality procedures; (2) an opportunity for the employee to voluntarily provide notification of any information which may be considered as relevant to the test, including, identification of currently or recently prescribed drugs and non-prescribed drugs. All sample collection, storage, and transportation to the place of testing shall be performed so as to preclude the possibility of sample contamination, adulteration, and misidentification.

Refusal to Test:

Refusal to submit to the types of drug and alcohol tests employed by Region 2 will be grounds for refusal to hire employees/applicants and to terminate employment of existing employees. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. Refusing to sign step 2 of the alcohol form is considered a refusal to test. A delay in providing urine, breath or saliva specimen could be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he or she will be evaluated by a physician of Region 2's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance, the employee has violated one of the prohibitions of the regulations.

Types of Test:

Pursuant to regulations promulgated by the Department of Transportation (DOT) and Department of Health and Human Services, Region 2 has implemented six circumstances for drug and alcohol testing: (1) pre-employment (drug testing only); (2) post-accident testing; (3) random testing; (4) reasonable suspicion testing; (5) return-to-duty testing; and (6) follow-up testing.

Pre-Employment Testing:

All applicants for affected positions must submit to urine drug tests. An employee/applicant is not required to submit to a urine drug test if (1) Region 2 can verify that the employee has participated in a valid drug testing program within the preceding 30 days; (2) while participating in that program, was either tested within the past six months or participated in a random selection program for the previous 12 months; and (3) no prior employer has knowledge that the driver violated any part of the regulations within the last six months.

Random Testing:

Region 2 conducts random drug and alcohol testing. Region 2 or its agents will submit all employees operating machinery, equipment or driving a vehicle for the benefit of Region 2 to a random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread through the year. Region 2 will drug test, at a minimum, 50% of the average number of employee positions in each calendar year. Region 2 will select, at a minimum, 10% of the average number of employee positions while in the employment of Region 2 in each calendar year for random alcohol testing. Random selection, by its very nature, may result in employees being selected in successive

selections or more than once a calendar year. Alternatively, some employees may not be selected in a calendar year.

If an employee is selected at random, for either drug or alcohol testing, a Town official will notify the employee. Once notified, every action the employee takes must lead to a collection. If the employee engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

Post-Accident Testing:

The employee must submit to drug and alcohol testing any time he or she is involved in an accident where (1) a fatality is involved; or (2) the employee receives a citation for a moving violation arising from the accident, and any party involved requires immediate treatment for an injury away from the accident scene, or if any vehicle or equipment involved incurs "disabling damage" (i.e., must be towed away). Following any accident, the employee must contact Region 2 as soon as possible. The employee has been presented with an information card setting forth certain instructions for post-accident drug and alcohol testing. The employee shall follow the instructions contained on the information card as well as any additional instructions from Region 2 or its representatives.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as possible following the accident. If no alcohol test can be made within eight hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within 32 hours, attempts to make such collection shall cease.

In the event that federal, state or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, these tests may meet the requirements of this section, provided the tests conform to applicable federal, state or local requirements. Region 2 may request testing documentation from such agencies, and may ask the employee to sign a release allowing Region 2 to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee may provide necessary authorization for Region 2 to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system.

Reasonable Suspicion Testing:

Reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical or

behavioral symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such employee conduct must be witnessed by at least one supervisor trained in compliance with Section 382.603 Code of Federal Regulations Part 382. Should a supervisor observe such symptoms or reaction, the employee must submit to testing.

Substance Abuse Evaluation, Return-to-Duty and Follow-Up Testing:

Any employee who engages in prohibited conduct shall be placed on medical leave and provided with the names, addresses and telephone numbers of qualified substance abuse professionals (SAPs). If the employee desires to become re-qualified, the employee must be evaluated by a SAP and submit to any treatment the SAP prescribes. Following evaluation and treatment, if any, in order to become re-qualified, the employee must submit to and successfully complete a return-to-duty drug and/or alcohol test. Such employee is also subject to follow-up testing. Follow-up testing is separate from and in addition to the Company's reasonable suspicion, post-accident and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP. Follow-up testing may continue for a period of up to 60 months following the employee's return to duty. No fewer than six tests shall be performed in the first 12 months of follow-up testing. The costs of any SAP evaluation or prescribed treatment shall be borne by the employee. Region 2 does not guarantee or promise a position to the employee should he or she regain qualified status.

Drug Urinalysis:

Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana; (2) cocaine; (3) opiates; (4) amphetamines; and (5) phencyclidine (PCP).

Drug testing must be conducted at a laboratory that (1) is certified by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration; (2) approved by the U.S. Department of Health and Human Services under the Clinical Laboratory Improvements Act; and/or (3) approved by the College of American Pathologists.

The urinalysis procedures start with the collection of a urine specimen. Urine specimens will be submitted to a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials, a primary vial and a secondary vial. The SAMHSA certified laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests

positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the Medical Review Officers (MRO) as a positive.

All laboratory results will be reported by the laboratory to a MRO designated by Region 2. Negative test results shall be reported by the MRO to Region 2. Before reporting a positive test result to Region 2, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact Region 2 Clerk, who shall, in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately, or if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If after failing to contact the MRO after five days, or if the employee cannot be contacted at all within five days, the MRO may verify the test as positive. After any positive verification, the employee may petition the MRO to reopen the case for reconsideration.

Pursuant to the COT and Department of Health and Human Services regulations, individual test results for employee/applicants and employees will be released to Region 2 and will be kept strictly confidential. All communications received by an employer relevant to employee drug or alcohol test results and received through the employer's drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery or disclosed in any public or private proceeding, except in a proceeding related to an action taken by an employer.

Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. The secondary vial must be tested by a different SAMHSA certified lab than tested the primary specimen. The individual making the request for a test of the secondary specimen must pre-pay all costs associated with the test. The request for testing of a secondary specimen is timely if it is made to the MRO within 72 hours of the individual being notified by the MRO of a positive test result.

Alcohol Tests:

Region 2 will perform alcohol testing using a device that is on the National Highway Traffic Safety Administrations (NHTSA) Conforming Products List (CPL) and meets the DOT's testing requirements. This may be a breath testing device or a saliva-based testing device, and may be provided through a vendor or agent. The device will be operated by a technician who is certified and trained on the

specific device he or she will be operating. The employee shall report to the alcohol testing site as notified by Region 2. The employee shall follow all instructions given by the alcohol technician.

Any initial test indicating a blood alcohol concentration (BAC) of .02 or greater will be confirmed on an evidential breath testing device (EBT) operated by a breath alcohol technician (BAT). The confirmation test will be performed no sooner than 15 minutes and no later than 30 minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .02 to .0399, the employee shall be removed from duty for 24 hours or until his or her next scheduled on-duty time, whichever is longer. Employees with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during or just after duty.

Challenges to Testing:

In the event an employee desires to challenge the results of the initial sample test result, he/she shall have the right to have the split sample tested by another laboratory. Cost of such shall be the responsibility of the person challenging the test result.

Training:

Region 2 shall ensure supervisors designated to determine whether reasonable suspicion exists to require an employee to undergo testing under Section 382.307 of 49 Code of Federal Regulations Part 382 receive at least 60 minutes of training on recognizing alcohol misuse, and receive at least 60 minutes of training on recognizing controlled substances use. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

Education Materials:

Region 2 shall provide educational materials that explain the requirements of Section 382.601 of 49 Code of Federal Regulations Part 382, consequences of violating the regulations and the employer's policies and procedures with respect to meeting these requirements. The materials supplied to employees may include information on additional employer policies with respect to the user or possession of alcohol or controlled substances, for example, the consequences for an employee found to have a specified alcohol or controlled substance level based on the employer's authority independent of Section 382.601 of 49 Code of Federal Regulations Part 382. The Company shall ensure each employee is required to sign a statement certifying that he or she has received a copy of these

materials described in Section 382.601 of 49 Code of Federal Regulations Part 382.

This policy is not intended nor should it be construed as a contract between Region 2 and the employee. This policy may be changed at any time at the sole discretion of Region 2.

Date: _____

EMPLOYEE - PRINT NAME

EMPLOYEE - SIGN NAME