



MADERA COUNTY WORKFORCE INVESTMENT CORPORATION

A G E N D A

**February 23, 2012
3:00 p.m.**

Meeting will be held at:

***Madera County Workforce Assistance Center
Conference Room
441 E. Yosemite Avenue
Madera, CA 93638
(559) 662-4589***

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the Madera County Workforce Investment Board, may request assistance by contacting the Senior Administrative Assistant at Madera County Workforce Development Office, 441 E. Yosemite Avenue, Madera, CA 93638; Telephone 559/662-4589; Fax 559/673-1794.

This agenda and supporting documents relating to the items on this agenda are available through the Madera County Workforce Investment Board website at http://www.maderawac.org/WIB/public_meetings/Pages/index.aspx. These documents are also available at the Madera County Workforce Assistance Center – office of the Executive Director.

1.0 Call to Order

1.1 Pledge of Allegiance

2.0 Public Comment

This time is made available for comment from the public on matters within the Board's jurisdiction. The comment period will be limited to 15 minutes. Each speaker will be limited to 3 minutes and only one speaker per subject matter.

3.0 Introductions and Recognitions

4.0 Consent Calendar

4.1 Approve Madera County Workforce Investment Corporation (MCWIC) Meeting Minutes – October 25, 2012

5.0 Action Items

- 5.1 Approve Obtaining Bank of America Credit Card
- 5.2 Approve Obtaining Gas Credit Card(s) – Chevron, Shell, Valero
- 5.3 Approve Authorization for Bank of America Facsimile Signature Stamp
- 5.4 Approve Employee Handbook
- 5.5 Approve Resolution for ICMA Retirement Plans

6.0 Information Items

- 6.1 Executive Director Evaluation Process
- 6.2 Employees' Status Update

6.3 General Insurance Update

6.4 Health and Retirement Update

6.5 Operational Contracts Update

6.6 Fictitious Name Update

6.7 MCWIC Business Plan

6.8 MCWIC Board of Director's Binder

7.0 Written Communication

8.0 Open Discussion/Reports/Information

8.1 Committee Members

8.2 Staff

9.0 Next Meeting

January 24, 2013

10.0 Adjournment



MADERA COUNTY WORKFORCE INVESTMENT CORPORATION

October 25, 2012

MINUTES

PRESENT: Debi Bray, Bob Carlson, Cecilia Massetti, Ed.D., Max Rodriguez, Robyn Smith, Kelly Woodard

ABSENT:

GUEST:

OTHERS: Elaine Craig, Tracie Scott-Contreras, Gail Lopez, Jessica Roche, Maiknue Vang, Nicki Martin

1.0 Call to Order

Meeting called to order by Chair Bob Carlson at 3:30 p.m.

1.1 Pledge of Allegiance

2.0 Public Comment

None

3.0 Introductions and Recognitions

None

4.0 Consent Calendar

4.1 Approve Madera County Workforce Investment Corporation (MCWIC) Meeting Minutes – September 27, 2012

Debi Bray moved to approved meeting minutes, seconded by Bob Carlson. Motion approved unanimously.

5.0 Action Items

5.1 Approve Hiring of Employees for MCWIC

Staff is getting ready for the transition to the Madera County Workforce Investment Corporation (MCWIC). The transition will be effective as of January 1, 2012. Madera County Office of Education (MCOE) will be giving lay-off notices to all workforce staff on November 7-8, 2012. The MCWIC by-laws allow for the hiring of employees to the Corporation. All staff will accrue vacation and sick pay at the same rate as when employed by MCOE. All staff vacation time will be paid out upon their separation from MCOE. Health and life insurance brokers will be making presentations to staff to provide information on their future benefits. The MCWIC will pay for the employee's health insurance premium. The employee will need to decide on a plan and whether they will include their family members on the plan. All employees will be part-time except for 1 part-time employee. Payroll will run bi-weekly on the 5th and the 20th of the month. All employees will receive an application packet on 10/26/12.

Max Rodriguez moved approve, seconded by Kelly Woodard. Motion approved unanimously.

5.2 Approve the Designation of the Executive Director as the Secretary to the MCWIC

5.3 Approve the Designation of the Fiscal Manager as the Treasurer to the MCWIC

5.2 and 5.3 Items 5.2 and 5.3 were discussed as a group. The MCWIC previously approved appointing staff as Secretary and Treasurer to the MCWIC but could not name the staff member because no employees had been hired under the Corporation. Because staff will be hired as of 1/1/13, staff now asks to name the Executive Director (Elaine Craig) as the Secretary and the Fiscal Manager (Jessica Roche) as the Treasurer to the MCWIC. As of 1/1/13, the Corporation will become the fiscal agent and operator of the Madera County One Stop.

Kelly Woodard moved to approve items 5.2 and 5.3, seconded by Max Rodriguez. Motion approved unanimously.

5.4 Approve the Executive Director as the Primary Signatory Authority for MCWIC

Staff request that the Executive Director be approved as the primary signatory authority for all business and operational matters effective 1/1/13 to include the purchase of a signatory stamp. The stamp will be stored in a secure, locked cabinet with limited access to designated staff. The signature block will be mainly for payroll but can also be used for contracts, leases, grants, etc.

Debi Bray moved to approve, seconded by Max Rodriguez. Motion approved unanimously.

5.5 Approve the Fiscal Manager as the Back Up for Signatory Authority for the MCWIC

Staff request approval of the Fiscal Manager/Treasurer of the MCWIC as the back-up signatory. Staff will put into place internal protocols and policies as to instances when the Executive Director is away and cannot sign and fiscal documents need to be signed. In those instances, a secondary non-fiscal staff signature by the Workforce Manager will be required. The signatory back-up would mostly be used primary in emergency, highly urgent instances. Directors suggest that staff consider that the second-in-command, the Workforce Manager should be considered the signatory authority back up as the Fiscal Manager is already highly involved in many of the documents that require signature.

Kelly Woodard moved to approve the Workforce Manager as the signatory authority with the Fiscal Manager as a concurrent signatory authority, seconded by Max Rodriguez. Motion approved unanimously.

5.6 Approve Evaluation Process for Executive Director

Staff recommends the approval to begin the process of selecting a method for the evaluation of the Executive Director with the understanding that all evaluations would be conducted in closed session. Staff would like direction from the MCWIC for recommendations for appropriate methods. Staff has access to many different tools that can be used but welcome any input that the Board could provide.

Ceci Massetti moved to have staff gather information for evaluation methods and provide that information to the Chair and Vice Chair at a meeting in order to finalize an evaluation method of the Executive Director, seconded by Max Rodriguez. Motion approved unanimously.

5.7 Approve General Insurance Plans for MCWIC

Staff recommends the approval of general liability, Director and Officer (D&O), employment practices liability (EPLI), workers compensation, property and auto insurance with VanBeurden Insurance Inc. effective 1/1/13 for insurance amounts of \$1 million for all categories except for property insurance for the amount of \$380,000. The price for the property insurance was a little high due to our 4 different sites. Staff contacted different brokers in order to obtain the best rates. Staff contacted many different brokers but received interest with only 2 brokers - 1 local broker and VanBeurden who is from Kingsburg. Staff met with both brokers to provide information so that they could write up a quote. Of the 2 quotes received, VanBuerden's quote came in at \$15,199 compared to the second quote of \$22,100. There was no written RFP process done as there was not enough time. The RFP process will be used when the time comes to renew the contracts and obtain new quotes. Director Debi Bray expressed concern that there may not have been sufficient follow-up with the losing broker so that they better understood the end result - a professional courtesy. Staff assured the Board that they met with the local broker in order to ensure that they understood exactly what staff was looking for in their quote.

Bob Carlson moved to approve item 5.7 as recommended, Ceci Massetti seconded. Debi Bray abstained. Motion approved: 3 yes; 0 no; 1 abstention.

5.8 Approve Health and Retirement Plans for MCWIC Employees

Staff requests approval of 5 health plan options from Anthem Blue Cross, a \$10,000 life insurance and employee assistance program (EAP) through VanBuerden brokers, and a mandatory 401a and optional 457b insurance plans through ICMA effective 1/1/13. The MCWIC will cover the employee's cost for insurance while the employee has the option to include their family members with 1 of 5 plans available. Employees are allowed to opt out of health insurance coverage as long as they have alternate coverage. The MCWIC will pay a percentage into the employees' 401a retirement plan. Workforce staff will now be paying into Social Security benefits - not previously done through MCOE. Because the MCWIC is a new employer, staff was unable to receive quotes for insurance from Blue Shield. Staff will possibly go out for additional quotes and options once the MCWIC has been in business for a minimum of 90 days.

Robyn Smith moved to approve, seconded by Ceci Massetti. Debi Bray - no. Motion approved by majority: 3-1.

5.9 Approve Operational Contracts

Staff requests approval of necessary contracts for IT, phone service, HR services, copier, and janitorial services. Staff contacted various local janitorial service companies to obtain quotes but have not received many. Staff is still interviewing companies for janitorial services. Staff is still looking at copier leases. Payality will provide payroll services. Payality will provide most basic HR services at no cost. Any issues not included can be obtained from Payality on a fee for service basis.

Debi Bray moved to approve, seconded by Ceci Massetti. Motion approved unanimously.

5.10 Approve Amendment to Contractual documents for Name Change from Madera County Superintendent of Schools (MCSOS) to MCWIC

5.11 Approve Obtaining Fictitious Name Statement – Madera County Workforce Investment Corporation as Madera County Workforce Assistance Center

5.10 and 5.11 were discussed as a group. Staff requests approval to amend all necessary contracts and documents to change the organization name from Madera County Superintendent of Schools to MCWIC and obtaining a fictitious name statement for the MCWIC. Directors reminded staff to make sure to include all their sites in the statement.

Robyn Smith moved to approve items 5.10 and 5.11, seconded by Bob Carlson. Motion approved unanimously.

5.12 Approve Fiscal and Budget Review Process

Staff request approval to begin the process of determining the best method of bringing fiscal and budget information to the MCWIC. Staff welcomed any input from the Board. Directors suggested that staff continue to provide fiscal information to the Board in the current fashion.

Bob Carlson moved to continue to receive fiscal updates as is currently done, seconded by Robyn Smith. Motion approved unanimously.

5.13 Approve Resolution to Obtain Bank Accounts

Staff recommends the approval of the Bank of America bank resolution in order to obtain and bank account and conduct standard banking. The resolution would cover 2 accounts: corporate banking and taxes. The accounts would include general banking and credit cards. Staff must also get gas credit cards. The resolution is required by the bank and must be signed by the Chair and the Secretary.

Ceci Massetti moved to approve the resolution with the addition of the back up signatory, seconded by Debi Bray. Motion approved unanimously.

5.14 Approve MCWIC Meeting Calendar

Staff wanted clarification on the meeting time for the MCWIC as there was some confusion of the start time previously. It was clarified that the MCWIC meetings would be scheduled to take place at 3:00 on the meeting dates.

Debi Bray moved to approve the meeting time of 3:00 p.m., seconded by Bob Carlson. Motion approved unanimously.

5.15 Approve MCWIC Logo

Staff provided the MCWIC with the new MCWIC logo for approval.

Debi Bray moved to approve, seconded by Ceci Massetti. Motion approved unanimously.

5.16 Approve MCWIC Employee Handbook and Policies

5.16 Staff request approval of the draft Employee Handbook. The handbook contains standard policies.

Ceci Massetti moved to approve the handbook with a review of the final draft in December, Robyn Smith seconded. Motion approved unanimously.

6.0 Information Items

6.1 Budget Update

6.2 Facilities Update

6.3 County Local Elected Official (CLEO) Update

6.4 MCWIC Business Plan

6.5 MCWIC Board of Directors Binder

7.0 Written Communication

8.0 Open Discussion/Reports/Information

8.1 Committee Members

8.2 Staff

9.0 Next Meeting

Discussion held regarding having another MCWIC meeting as soon as possible after Thanksgiving to conduct business as needed. Next meeting to be held December 6, 2012

10.0 Adjournment

Meeting adjourned at 5:05 p.m.



Agenda Item 5.1

Consent

Action

Information

To: Madera County Workforce Investment Corporation

**From: Elaine Craig, Executive Director
Workforce Investment Board**

Date: December 6, 2012

Subject: Approve Obtaining Bank of America Credit Card

Recommendation:

Staff recommends approval to obtain a Bank of America credit card.

Summary:

Due to the transition of the administrative and fiscal agent from MCSOS to MCWIC, we will need a credit card in order to make reservations for hotels, travel or purchases such as textbooks from online stores. The minimum credit amount would be \$1,000 and the maximum credit amount would be \$2,500. The credit card is not carried by any employee but rather will be kept in the safe and used only when a purchase order or check is not an option. Myself, Jessica Roche Fiscal Manager and Nicki Martin, Senior Administrative Assistant will be the initial authorized users. Bank of America requires either a resolution or a specific agenda item with board minutes approving the card.

Financing:

Workforce Investment Act of 1998



**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 5.2

Consent

Action

Information

To: Madera County Workforce Investment Corporation

**From: Elaine Craig, Executive Director
Workforce Investment Board**

Date: December 6, 2012

Subject: Approve Obtaining Gas Credit Cards

Recommendation:

Staff recommends approval to obtain a Chevron/Texaco, Shell and Valero gas credit cards.

Summary:

Due to the transition from Madera County Superintendent of Schools (MCSOS) to Madera County Workforce Investment Corporation (MCWIC) we will need to have gas credit cards to be used only for travel for work purposes and in the MCWIC van. The cards will be kept in a locked drawer and will need to be signed out by staff who are using the van. Only gas and periodic car washes or if in the event of an emergency need such as oil, windshield wipers/fluid will be authorized.

Financing:

Workforce Investment Act of 1998



**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 5.3

Consent

Action

Information

To: Madera County Workforce Investment Corporation

**From: Elaine Craig, Executive Director
Workforce Investment Board**

Date: December 6, 2012

Subject: Approve Authorization for Bank of America Facsimile Signature Stamp

Recommendation:

Staff recommends the approval an authorization to obtain a Bank of America facsimile signature stamp.

Summary:

Due to the transition from Madera County Superintendent of Schools (MCSOS) to Madera County Workforce Investment Corporation (MCWIC), we will need to obtain a facsimile signature stamp, in the name of Elaine M. Craig, Executive Director, Madera County Workforce Investment Board. Bank of America requires a specific authorization from the Board for a facsimile signature stamp. This stamp will be kept in the safe and currently myself, Jessica Roche Fiscal Manager, Nicki martin, Senior Administrative Assistant and Tracie Scott-Contreras, Manager have access to the safe. This stamp is primarily used only for payroll checks.

Financing:

Workforce Investment Act of 1998



**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 5.4

Consent

Action

Information

To: Madera County Workforce Investment Corporation

**From: Elaine Craig, Executive Director
Workforce Investment Board**

Date: December 6, 2012

Subject: Approve MCWIC Employee Handbook

Recommendation:

Staff recommends the approval of the MCWIC Employee Handbook and Policies.

Summary:

Staff has drafted a new employee handbook for MCWIC employees and this includes MCWIC policies. The handbook is scheduled to be provided to all employees at a staff meeting/new employee orientation on Friday, December 14, 2012 wherein we will review page by page the handbook, policies and also all new forms and processes. At the October 25, 2012 MCWIC meeting the Board approved staff drafting this handbook.

Financing:

Workforce Investment Act of 1998



EMPLOYEE HANDBOOK

DRAFT

Effective: January 1, 2013

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INTRODUCTION

WELCOME TO OUR ORGANIZATION!

We're very happy to welcome you to the Madera County Workforce Investment Corporation. Thank you for joining us! We want you to feel that your association with the organization will be a mutually beneficial and pleasant one.

You have joined an organization that has established an outstanding reputation for quality services. This is due to the dedication and commitment of our employees. We hope you too, will find satisfaction and take pride in your work here.

BACKGROUND / HISTORY

The Madera County Workforce Investment Corporation is the fiscal and administrative agent of the workforce development system within Madera County, and operates the Madera County Workforce Assistance Centers. We are authorized and funded by the Federal Workforce Investment Act of 1998. There are 49 local Workforce Investment Areas in the State of California.

HANDBOOK PURPOSE

This Employee Handbook is presented as a matter of information and has been prepared to inform you about the Organization's philosophy, employment practices, policies, the benefits provided to you as a valued employee, as well as the conduct expected from you. While this handbook is not intended to be a book of rules and regulations, it does include some important guidelines about which you should know. Except for the at-will employment provisions, the Handbook can be amended at any time.

This Employee Handbook will not answer every question you may have, nor would we want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this guide will help you feel comfortable with us. We depend on you – your success is our success. Please don't hesitate to ask questions. Your supervisor or manager will gladly answer them. We believe you will enjoy your work and your fellow employees here. We also believe you will find the Organization a good place to work.

No one other than authorized management may alter or modify any of the policies in this Employee Handbook. No statement or promise by a supervisor or manager is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only the subject provision.

We ask that you read this handbook carefully, become familiar with the Organization and our policies, and refer to it whenever questions arise.

EMPLOYMENT

EQUAL EMPLOYMENT

The Madera County Workforce Investment Corporation is an equal opportunity employer and makes employment decisions on the basis of merit. MCWIC policy prohibits unlawful discrimination based on race, religion, color, creed, gender, sexual orientation, religion, pregnancy, age, national origin, ancestry, physical or mental disability, medical condition including genetic characteristics, marital status, ethnicity, alien status or any other protected classification, in accordance with applicable federal, state, and local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful.

The MCWIC is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in MCWIC operations and prohibits unlawful discrimination by any employee of MCWIC, including supervisors and coworkers.

If you believe that you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the Executive Director. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, contact the designated Equal Employment Opportunity officer, or the Executive Director. Upon receipt of any such complaint, an immediate, thorough and objective investigation and an attempt to resolve the situation will be undertaken.

If MCWIC determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. MCWIC will not retaliate against any individual for filing a complaint and will not knowingly permit retaliation by management employees or coworkers.

Equal employment opportunity includes, but is not limited to, employment, training, promotion, demotion, transfer, leaves of absence, and termination.

BACKGROUND CHECKS

Prior to making an offer of employment, the Organization may conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, employment physical / drug test, DMV printout, and / or criminal record and credit checks. Third-party services may be hired to perform these checks.

AT-WILL NOTICE

The contents of the Employee Handbook are presented as a matter of information. While this Handbook is not intended to be a book of rules and regulations it does include some

important guidelines, which you should know. Except for the at-will employment provisions, the Handbook can be amended at any time. The Handbook, the plans, policies, and procedures described herein and the language used herein, are not intended to create, or is it to be construed to constitute, a contract between the Organization and any or all of its employees. Likewise, neither is this Employee Handbook, the plans, policies and procedures described herein, nor the language used herein, intended to be or is, a guarantee or promise of employment or continuing employment.

You are not hired for any definite or specified period of time even though your wages are paid regularly. You are an at-will employee of the Organization and your employment can be terminated at any time, with or without cause and with or without prior notice. The Organization's policy requires all employees to be hired at-will and this policy cannot be changed except by a written document signed by you and the Executive Director of the Organization. There have been no implied or verbal agreements or promises to you that you will be discharged only under certain circumstances or after certain procedures are followed. There is no implied employment contract created by this Handbook or any other Organization document or written or verbal statement or policy.

ANNIVERSARY DATE

The employee's date of hire is his or her official employment anniversary date.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will use their hire date from MCSOS.

IMMIGRATION LAW COMPLIANCE

All individuals hired by the Organization will be required to establish and certify their identity and right to work in the United States. Each individual offered employment and prior to start of employment by the Organization will be required to produce, within three (3) days, proof of his/her identity and eligibility to work in the United States. Each individual hired by the Organization will be required to certify on the appropriate Form I-9 his / her identity and right to work in the United States.

INTRODUCTORY PERIOD

Your first six (6) months of employment at the Organization are considered an introductory period. This introductory period will be a time for getting to know your fellow employees, your supervisor or manager and the tasks involved in your job position, as well as becoming familiar with the Organization's services. Your supervisor or manager will work closely with you to help you understand the needs and processes of your job.

This introductory period is a time for both you, as an employee, and the Organization, as an employer to evaluate your suitability for employment, and you can evaluate the Organization as well. At any time during this six (6) month period, you may resign. If, during this period, your work habits, attitude, attendance, performance, or other relevant factors do not meet our standards, we may release you from employment.

During the course of your introductory period, your supervisor or manager will discuss

your job performance with you. During the discussion(s), you are encouraged to give your comments and ideas as well.

Please understand that completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause nor does completion of the introductory period imply that you now have a contract of employment with the Organization, other than at-will. Completion of the introductory period does not alter the at-will employment relationship.

A former employee who has been rehired after a separation from the Organization of more than one year is considered an introductory employee during their first six (6) months following rehire.

EMPLOYMENT CLASSIFICATIONS

The Organization has established the following Employee Classifications for compensation and benefit purposes only. Management will inform you of your classification, status, and responsibilities at the time of hire, rehire, promotion, or at any time a change in status occurs. These classifications do not alter your at-will employment status.

- Regular Full-Time Employee: An employee who is scheduled to work no less than 100% of the scheduled work hours in a work week on a fixed work schedule (not less than 40 hours). The employee may be exempt or non-exempt and is eligible for all employment benefits offered by the Organization.
- Regular Part-Time Employee: An employee who is scheduled to work less than 40 hours in a work week. Regular part-time employees working at least 25 hours per week are typically non-exempt, and are eligible for vacation, sick, and holiday pay on a pro-rated basis. They are ineligible for any other benefits.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will retain their eligibility for health and retirement plan benefits.

- Temporary Employee: An employee who is scheduled to work on a specific need of the Organization. The employee will not receive any benefits unless specifically authorized in writing. The employee is non-exempt and is compensated on an hourly basis.
- Exempt: An employee whose position meets specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay or compensatory time off requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet his/her work responsibilities. This includes the Executive Director and other designated management/administrative staff.
- Non-exempt: an employee whose position does not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked. Unless notified otherwise in writing by Management, all employees of the Organization, with the exception of designated management and supervisory staff, are non-exempt.

PERSONNEL RECORDS

The Organization will maintain various employment files while you remain an employee of the Organization. Examples of these files are: your personnel file, your attendance file, your I-9 file and files for medical purposes. If you should have any changes with respect to personal information, such as a change in your home address and telephone number or a change of name, you are required to notify your supervisor or manager so the appropriate changes can be made in your files.

Your files have restricted access. You and management, or its designated agents, may have access. In the event that you wish to review your personnel file, you must do so in the presence of management or designee. You may review your personnel file by making a written request to management. The written request will become a permanent part of your file.

EMPLOYEE REFERENCES

The Organization makes strict provision regarding information provided to people outside the Organization for current and former employees. This information is restricted to the employment dates and positions held in the Organization for that person. This is done to protect the Organization and its employees. This information will only be released by authorized management.

JOB VACANCIES

The Organization will make every effort to promote qualified individuals from within rather than to select persons from outside the organization to fill vacancies in established positions or to fill newly created positions.

JOB POSTINGS

When job openings occur, the Organization will, at its discretion, post those openings in order to provide Organization employees the opportunity to submit their applications.

TRANSFERS

Management reserves its right to place you where and in whatever jobs it deems necessary. All job transfers, job changes, reassignments, promotions or lateral transfers are at the discretion of the Organization.

EMPLOYMENT OF RELATIVES

The Organization does not have a general prohibition against hiring relatives. However, a few restrictions have been established to help prevent problems of safety, security, supervision and morale.

While we will accept and consider applications for employment from relatives, close family members such as parents, grandparents, children, spouses, brothers and sisters, or in-laws, generally may not be hired into positions where they have access to sensitive information regarding a close family member, would be supervised by a close family member, or if there is an actual or apparent conflict of interest.

DRAFT

CONDUCT AND BEHAVIOR

GENERAL GUIDELINES

Orderly and efficient operation of the Organization requires that employees maintain proper standards of conduct and observe certain procedures. These guidelines are provided for informational purposes only and are not intended to be all-inclusive. Nothing herein is intended or shall be construed to change or replace, in any manner, the “at-will” employment relationship between the Organization and you. The Organization views the following as inappropriate behavior:

- (1) Negligence, carelessness or inconsiderate treatment of Organization clients or employees and / or their matters / files.
- (2) Theft, misappropriation, or unauthorized possession or use of property, documents, records or funds belonging to the Organization, or any client or employee; removal of same from Organization premises without authorization.
- (3) Divulging confidential information, of any kind, to any unauthorized person(s) or without an official need to know.
- (4) Obtaining unauthorized confidential information pertaining to clients or employees.
- (5) Changing or falsifying client records, Organization records, personnel or pay records, including time sheets without authorization.
- (6) Willfully or carelessly damaging, defacing or mishandling property of a client, the Organization or other employees.
- (7) Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information or to obtain a position. Acceptance of any gratuities or gifts must be reported to Management.
- (8) Entering Organization premises without authorization.
- (9) Willfully or carelessly violating security, safety, or fire prevention equipment or regulations.
- (10) Unauthorized use of a personal vehicle for Organization business.
- (11) Rude, discourteous, or unbusiness-like behavior; creating a disturbance on Organization premises or creating discord with clients or fellow employees; use of abusive language.
- (12) Insubordination or refusing to follow instructions of the immediate supervisor or management; refusal or unwillingness to accept a job assignment or to perform job requirements.
- (13) Failure to observe scheduled work hours, failure to contact supervisor in the event of illness or any absence within thirty (30) minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
- (14) Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- (15) Sleeping or loitering during regular working hours.
- (16) Recording time for another employee or having time recorded to or by another employee.
- (17) Use or possession of intoxicating beverages or illegal use or possession of narcotics or drugs, on Organization premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job performance.
- (18) Unauthorized possession of a weapon on Organization premises.

- (19) Gambling on Organization premises.
- (20) Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on Organization property. These activities are closely controlled in order to prevent disruption of Organization services and to avoid unauthorized implication of Organization sponsorship or approval. However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas. Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular conduct of the Organization business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee of the Organization is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on Organization property at all times.
- (21) Falsification of one's employment application, medical or employment history.
- (22) Unlawful or unbusiness-like conduct, on or off Organization premises, which adversely affects the Organization services, property, reputation or goodwill in the community, or interferes with work.

ANTI-HARASSMENT POLICY

The Organization affirms its commitment to provide a work environment free from intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist or sexist slurs or through other derogatory or objectionable conduct or bullying is offensive employee behavior. If you harass another employee of the Organization or applicant to the Organization because of race, religion, creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, age, or any other protected classification, in accordance with applicable federal, state, and local laws, you will be subject to disciplinary action, including discharge. Likewise, if you feel you have been the object of any type of harassment or intimidation based upon the aforementioned, including sexual harassment, you are to advise your supervisor, and follow the appropriate complaint procedure as outlined below. In the event you are unable to address the situation with your immediate supervisor, you must advise the Executive Director.

Any employee found to be in violation of the Anti-Harassment policy will be subject to disciplinary action, up to and including dismissal, and may also be subject to civil damages and/or criminal penalties.

SEXUAL HARASSMENT POLICY

Sexual harassment is a form of sex discrimination, and is defined as unwanted sexual attention of a persistent and offensive nature made by a person who knows, or should reasonably know, that such attention is unwanted. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe as to unreasonably interfere with an employee's job performance or create an intimidating, hostile, or offensive working environment. While sexual harassment may encompass a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee a reward, if the employee complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee, if the

- employee refused to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee an employment-related opportunity, if the employee refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive physical contact or behavior, or touching another employee in a way that is unwelcome;
- Displaying, storing, or transmitting pornographic or sexually oriented materials using the Organization's equipment or facilities;
- Engaging in indecent exposure; or
- Making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own might not be considered harassing. Other examples of sexual harassment are:

Unwelcome Physical Contact such as touching, hugging, kissing, pinching, flirting, brushing up against and blocking a person's path.

Unwelcome Verbal Behavior such as obscenities, suggestive comments or jokes, sexual propositions, inappropriate humor, threats and remarks about physical attributes.

Unwelcome Non-Verbal Behavior such as staring, obscene gestures, sexually suggestive glances, suggestive noises, sexual content on computer displays, printed calendars or posters and inappropriate letters or email.

Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on the Organization's premises and whether or not the incidents occur during working hours. Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in position of greater authority as the harasser, individuals in positions of lesser or equal authority can also be found responsible for engaging in prohibited harassment.

If an employee believes that they have been subject to sexual harassment or any unwanted sexual attention, they should make their unease and/or disapproval directly and immediately known to the harasser if at all possible, and make a written record of the date, time, nature of the incident and the names of any witnesses. The affected employee should then immediately report the incident to their immediate supervisor, another manager, or the Executive Director. All incidents of sexual harassment or inappropriate sexual conduct must be reported immediately, regardless of the seriousness of the allegation.

Supervisors/managers and/or the Executive Director will deal expeditiously and fairly with allegations of sexual harassment whether or not there has been a written or formal complaint. Management staff members will act promptly to investigate all allegations of sexual harassment or inappropriate sexually oriented conduct and will report the alleged harassment to the employee's direct supervisor and to the Executive Director. Immediate corrective action will be taken to prevent a reoccurrence of the prohibited conduct.

Upon receiving a complaint alleging sexual harassment, the supervisor/manager will meet with both parties individually to make them aware of the seriousness of a sexual harassment complaint and to explain the sexual harassment policy and the investigation procedures to both parties. Any potential informal means of resolving the complaint will be

communicated to the parties involved in an effort to resolve the situation promptly. If informal resolution is not possible, the supervisor/manager will undertake a formal investigation of the complaint and prepare a written summary outlining any findings.

Any employee found to be in violation of the Sexual Harassment policy will be subject to disciplinary action, up to and including dismissal, and may also be subject to civil damages and/or criminal penalties.

Retaliation is against the law and will not be tolerated. If retaliation is found to have occurred, any persons involved in the retaliation are subject to disciplinary action, up to and including dismissal, and may also be subject to civil damages and/or criminal penalties.

COMPLAINT PROCEDURE

The Organization subscribes to the open door policy. You may bring a particular complaint to your supervisor for resolution. When matters cannot be handled on an informal basis, the Organization has established a formal procedure for a fair review of any work related controversy, dispute or misunderstanding. A complaint may be brought by one or more employees concerning any work-related problem where the complaint has not been satisfactorily resolved in an informal manner.

Step 1 – The complaint must be submitted in writing to management or designee as soon as possible, but no later than three (3) working days of the incident. Generally, a meeting will be scheduled to take place within three (3) working days of receipt of the employee's complaint depending upon scheduling availability. Witnesses will be allowed as necessary. If the problem is not resolved during this meeting management or designee will give the employee a written resolution within three (3) working days. If the employee is not satisfied, the employee may proceed to Step 2.

Step 2 – If the employee is not satisfied after Step 1, the employee may submit a written request for review of the complaint to the Executive Director. Such a request must be made within three (3) working days following the receipt of the initial resolution. The Executive Director will review the complaint and proposed solution and may call a further meeting to explore the problem. This meeting is to be attended by the employee concerned, the employee's immediate supervisor or manager, and any other supervisor or manager of the Organization whom the aggrieved employee chooses. The Executive Director will render the final decision within ten (10) working days after receiving the request, assuming scheduling availability. The decision will be given to the employee in writing and will become part of the employee's personnel file.

COMPENSATION

PAY PERIODS

The standard workweek for the Organization will begin at 12:01 a.m. Sunday and end at midnight the following Saturday.

The designated pay period for all employees is semi-monthly. Generally, the first pay period extends from the first day of the month through the fifteenth day of the month. The second pay period of the month extends from the sixteenth of the month through the end of the month.

Paychecks are distributed on the 20th day of the month, for the first pay period and on the 5th day of the following month, for the second pay period. Except as otherwise provided, if any date of paycheck distribution falls on a Saturday, Sunday or holiday, you shall be paid on the preceding scheduled workday.

PAY ADJUSTMENTS

All pay increases are based upon performance, step increases, longevity and funding factors. There may not be an automatic annual cost of living or salary adjustment to reflect current economic conditions.

Your pay also may be adjusted downward. Salary decreases may take place when there is: job restructuring, job duty changes, job transfers, or adverse business economic conditions.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will retain their eligibility for step and longevity pay increases consistent with MCSOS policies based on their original date of hire by MCSOS.

OVERTIME

The Organization complies with all applicable federal and state laws with regard to payment of overtime work.

Any overtime you work must be authorized by management, in advance. Working unauthorized overtime is not acceptable work performance, subject to disciplinary action, up to and including dismissal.

Compensatory time off may be approved in lieu of overtime pay for irregular or occasional overtime work for nonexempt employees.

PERFORMANCE EVALUATION

Following completion of your introductory period, you will receive an appraisal of your job performance upon the completion of six (6) months of employment and approximately every year thereafter based on the date of hire. This evaluation will be written. Evaluations may occur at any time if deemed necessary due to performance issues, changes in assignment, classification, etc.

If in this appraisal you are given an evaluation sheet or other written document, you will be required to sign it. Your signature does not necessarily indicate that you agree with all the comments, but merely that you have had the opportunity to examine the evaluation and fully discuss the contents of it with your supervisor or manager. The completed and signed evaluation form will be placed in your personnel file. You will receive a copy of the performance evaluation, and will have the opportunity to submit additional documents or information for inclusion in your personnel file.

Because pay increases are based on performance, the performance evaluation is an important element in the review. In addition to the formal semi-annual review, informal coaching sessions may be conducted from time to time. Employees are encouraged to ask questions and/or seek assistance if they have any concerns at any time during their employment.

CORRECTIVE ACTION

A high level of job performance is expected of you. In the event that your job performance does not meet the standards established for your position, you should seek assistance from your supervisor or manager to attain an acceptable level of performance. If you fail to respond to or fail to make positive efforts toward improvement, corrective action may ensue, including termination of employment.

It is the policy of the Organization to regard discipline as an instrument for developing total job performance rather than as punishment. Corrective action is one tool the Organization may select to enhance job performance. Corrective action may be in the form of a written or oral reprimand, notice(s) of inadequate job performance, suspension, discharge or in any combination of the above, if the Organization so elects. The Organization reserves its prerogative to discipline, and the manner and form of discipline, at its sole discretion.

If you violate established Organization procedures, guidelines, or exhibit behavior that violates commonly accepted standards of honesty and integrity or creates an appearance of impropriety, the Organization may elect to administer disciplinary action.

PERFORMANCE AND SALARY POLICY

The performance appraisal provides a means for discussing, planning and reviewing the performance of each employee. Regular performance appraisals:

- Help employees clearly define and understand their responsibilities, provide criteria by which their performance will be evaluated and suggest ways in which they can improve performance.
- Identify employees with potential for advancement within the Organization.
- Help managers distribute and achieve departmental goals.
- Provide a fair basis for awarding compensation based on performance.

Performance appraisals influence salaries, promotions and transfers, so it is critical that supervisors/managers be objective in conducting performance reviews and in assigning overall performance ratings.

PROCEDURE:

I. PERFORMANCE REVIEW SCHEDULE

Performance appraisals are conducted on a semi-annual cycle. Employees will receive a performance review every six (6) months based on their established anniversary date each year. Performance increases are not guaranteed and are based upon organization performance and financials. When provided, a performance increase may accompany a performance review if the employee's performance and salary level so warrant, and budget permits.

II. PERFORMANCE REVIEWS--SALARY INCREASES

Each MCWIC supervisor or manager is responsible for the timely and equitable assessment of the performance and contribution of his/her employees. A performance review does not always result in an automatic salary increase. The employee's overall performance and salary level relative to his/her position responsibilities must be evaluated to determine if a salary increase is warranted and budget allows.

III. RESPONSIBILITY – MAKE THIS NEXT SECTION ONE COMPLETE PARAGRAPH WITHOUT SPACING

The performance evaluation will be discussed and signed both by the employee and the supervisor/manager to ensure that all strengths, areas for improvement and job goals for the next review period are clearly communicated. Salary increases must be supported by a performance appraisal for salary change processing. The supervisor/manager will not discuss any proposed action with the employee until all written approvals are obtained.

The Executive Director and Fiscal Manager will review all salary increase/adjustment requests to determine fiscal feasibility and ensure compliance with the Organization's performance increase policy and that they fall within the provided guidelines.

PROMOTIONS

The Organization is interested in providing maximum opportunity for your advancement within the Organization if advancement opportunities are available. Accordingly, present employees of the Organization may be considered for promotions and may be preferred for promotion before any new employees are hired to fill vacancies that may arise. Of course the Organization retains sole discretion to determine the factors to be applied in any promotion

decision, and the relative weight of the factors.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will retain their eligibility for step and longevity pay increases consistent with MCSOS policies based on their original date of hire by MCSOS.

DEMOTION

Demotion is a reduction in responsibility usually accompanied by a reduction in salary. Demotions are based on performance evaluations.

WORK ASSIGNMENTS

From time to time, you may be required to perform duties or tasks of a fellow employee who is absent or for a position that is temporarily vacant. Work assignments may also occur at satellite offices or other locations where work is being performed.

MILEAGE REIMBURSEMENT

When the company vehicle is not available and with prior approval from supervisor or manager, the Organization will reimburse employees at the business standard mileage rate per IRS requirements for miles traveled by the employee in the employee's car while traveling to and returning from work related activities.

TRAVEL POLICY

All MCWIC travel arrangements will be made by authorized personnel only. MCWIC travel shall be properly authorized, reported, and reimbursed; under no circumstances shall expenses for personal travel be charged to, or be temporarily funded by, MCWIC. It is the employee's responsibility to report his or her actual travel expenses in a responsible and ethical manner, in accordance with the regulations set forth in the Policy. Any exceptions to the Policy must be submitted to the supervisor or manager, as defined in the Policy, for approval.

Approval of Travel

Employees may not approve the reimbursement of their own travel expenses. All travel expenses must be approved by your supervisor or manager.

Payment of Travel Expenses

Payments of all travel will be done through normal requisition and purchase order process. Certain prepaid expenses such as transportation tickets and conference fees may be billed directly to the Organization.

Transportation Expenses

Transportation expenses shall be reimbursed based on the most economical mode of transportation and the most commonly traveled route consistent with the authorized purpose of the trip.

Transportation tickets should be procured in advance in order to obtain any discounts offered by the carrier or negotiated by MCWIC. Such tickets shall be purchased by authorized personnel only from the MCWIC contracted travel agency or on-line resource, whichever is most cost effective.

Mileage Expenses

Mileage shall ordinarily be computed between the employee's primary work location and the destination. Expenses for travel between the employee's residence and primary work location (commuting expense) shall not be allowed. If using a personal vehicle, with prior approval from a supervisor, only the driver may claim mileage reimbursement. Passengers are not allowed to claim reimbursement.

Air Travel

Coach class or any discounted class airfare shall be used in the interest of economy.

Automobile Travel

• *Private Vehicles*

Employees may use their private vehicle for business purposes if it is less expensive than renting a car or using alternative transportation. Use of private vehicle must be approved in advance by supervisor or manager.

• *Mileage Reimbursement Rate*

The standard mileage reimbursement rate increases or decreases in accordance to the IRS regulations, which takes into account all actual automobile expenses such as fuel and lubrication, towing charges, repairs, replacements, tires, depreciation, insurance, etc. Under IRS regulations, employees who claim this rate are not required to substantiate the actual costs of operating the vehicle.

• *Surface Transportation Used in Lieu of Air Travel*

If advance approval has been obtained, a traveler may use surface transportation for personal reasons even though air travel is the appropriate mode of transportation. The cost of meals and lodging, parking, mileage, tolls, taxis, and ferries incurred while in transit by surface transportation may be reimbursed.

Rental Cars

A vehicle may be rented when renting would be more advantageous to MCWIC than other means of commercial transportation, such as using a taxi. Advance reservations should be made whenever possible and a compact or economy model requested. The Organization is responsible for obtaining the best available rate commensurate with the requirements of the trip. The discount negotiated with car rental agencies by MCWIC should be requested when available.

Travel Advances: Cash advances may be authorized for specific situations that might cause undue financial hardship for business employees. These situations with supervisor's or manager's approval are limited to staff traveling on behalf of MCWIC.

Conference Registration Fees: Conference registration fees can be prepaid with a check with approval from the supervisor or manager. Business related banquets or meals that are considered part of the conference can be paid with the registration fees; however, such meals must be deducted from the employee's per diem allowance.

Meal Reimbursement

The cost of meals will be reimbursed at the following rates:

Breakfast \$6.00

Lunch \$10.00

Dinner \$20.00

Reimbursement will not be made for tips, guests or alcoholic beverages.

When a trip begins at 7:00 a.m. or later and ends at 6:00 p.m. or earlier only lunch will be allowed.

Miscellaneous Expenses

Employees shall be reimbursed for the actual costs for authorized miscellaneous expenses such as parking, taxi, baggage fees, internet/phone costs, etc.. Receipts must be provided.

All requests for reimbursement must be submitted within 90 days of the expense in order to be reimbursed.

ADVANCES AND LOANS

The Organization does not give salary advances or loans to its employees.

BENEFITS

HOLIDAYS

Regular full-time employees are entitled to the following paid holidays observed by the Organization:

Independence Day
Labor Day
Veterans Day
Thanksgiving Holiday
Christmas Holiday
New Year's Holiday
Martin Luther King Day
Lincolns Birthday
Presidents Day
Memorial Holiday

Other days or parts of days may be designated as holidays with pay. No holiday pay will be paid to an employee who is on an unpaid status, on any leave or absence due to workers' compensation. If a holiday falls on a Sunday, the holiday will be observed on the following Monday. If the holiday falls on a Saturday, the holiday will be observed on the preceding Friday. An annual calendar reflecting actual days will be provided each year.

NON-PAID DAYS

Other days or parts of days may be designated as closure days without pay. These days will be included in the annual calendar of days off.

VACATION

All full-time regular non-exempt employees and part-time non-exempt employees generally working at least twenty-five hours per week will accrue paid vacations according to the following schedule. Employees normally working less than full time will have their vacation accrual prorated to reflect the percentage of the full week that is worked.

Employment Years	Vacation Earned
Years One through Two	8 hours per month
Years Three through Five	10 hours per month
Years Six through Ten	12 hours per month
Years Eleven and above	14 hours per month

Vacation begins to accrue at the commencement of employment and accrues on a monthly basis. However, vacation cannot be used until after the completion of the six (6) month introductory period.

Vacations provide a break beneficial to both the Organization and the employee.

Therefore employees are encouraged to take vacations annually. Vacation time no longer accrues once that employee's accrual reaches 200 hours. When that point is reached the employee must take vacation to begin accruing again.

Employees are not paid wages in lieu of unused vacation time. All accrued vacation not taken at the time an employee leaves employment will be paid upon departure.

Vacations need to be scheduled with the appropriate supervisor/manager with sufficient notice so as to not disrupt the workplace.

SICK LEAVE

Sick leave is earned at a rate of 1 day per month and may be used for illnesses, doctor or dental appointments. All full-time regular employees are eligible to receive a maximum of twelve (12) days of paid sick leave per calendar year. Sick leave accrual does not have a cap and may be carried over from year to year. Sick leave is not paid out upon departure from the Organization.

To be eligible for paid sick leave, you must provide proper notification of absence as discussed under the Attendance/Tardiness policy. You must give this notification for each day you are absent. On the third day of consecutive absence, you will be required to submit, in writing, documentation from a physician for your continued sick leave and the estimated date of return. The Organization may also require, at any other time, written verification from your physician.

If your absence extends beyond your period of accrued sick leave, you may submit a request for a leave of absence. Before your return to work, a written statement from your physician will be required stating your ability to return to your regular duties with or without accommodations.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will begin to accrue sick leave on 7/1/2013 since 96 hours of sick leave was credited to them on 7/1/2012.

FAMILY MEDICAL LEAVE ACT

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees or public agencies to provide eligible employees with unpaid leave. The following provides a general overview of two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy. (Note: Employees with any further questions about their eligibility for FMLA leave should contact their immediate supervisor or manager).

Employees are eligible for FMLA leave if they:

1. Have worked for the Organization for at least 12 months in the last 7 years;
2. Have worked at least 1,250 hours for the organization during the 12 calendar months immediately preceding the request for leave; and

3. Are employed at a work site that has 50 or more employees within a 75-mile radius or a public agency.

Basic FMLA Leave. Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. To care for the employee's son or daughter during the first 12 months following birth;
2. To care for a child during the first 12 months following placement with the employee for adoption or foster care;
3. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
4. For incapacity due to the employee's pregnancy, prenatal medical or child birth; or
5. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Military Family Leave. There are two types of Military Family Leave available:

1. *Qualifying exigency leave.* Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:
 - o Short-notice deployment (up to 7 days of leave)
 - o Attending certain military events
 - o Arranging for alternative childcare
 - o Addressing certain financial and legal arrangements
 - o Periods of rest and recuperation for the servicemember (up to 5 days of leave)
 - o Attending certain counseling sessions
 - o Attending post-deployment activities (available for up to 90 days after the termination of the covered servicemember's active duty status)
 - o Other activities arising out of the servicemember's active duty or call to active duty and agreed upon by the organization and the employee
2. *Leave to care for a covered servicemember.* There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

After the leave, the employee must be restored to the same or essentially-same position held before the leave. Health care benefits will be maintained during the leave.

MEDICAL/DENTAL/VISION BENEFITS

All full-time regular employees are entitled to benefits under the Organization's paid medical plan, as may be in effect. The Organization reserves the right to change or terminate medical plans or other benefits at any time, with required written notice as mandated by law.

New full-time employees joining the Organization will be eligible for coverage thirty (30) days from the date of employment. New employees, with the permission of the Organization, may elect not to be covered, provided the percentage of employees not covered is within the plan and they have other medical coverage elsewhere.

****Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), and are less than full-time will retain eligibility for medical benefits.**

CONTINUATION OF BENEFITS

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may be allowed to continue their health insurance benefits, at the employee's expense, for up to 18 months after either voluntary or involuntary termination, if the employer has 20 or more employees.

To qualify for COBRA continuation coverage, an employee must have a qualifying event that causes the employee to lose group health coverage. The following are qualifying events for:

Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked

Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

RETIREMENT PLAN BENEFITS

All full-time non-exempt and exempt employees will be eligible and required to participate in a deferred compensation 457 retirement plan after completion of six (6) month

introductory period. Employee has 30 days to enroll in the mandatory 457 from the date of eligibility. Mandatory non-exempt employee contribution is 3% and exempt is 5% with employer contribution of 6%. Employees may contribute additional monies beyond the 3% up to a maximum of \$17,000 per year and if over the age of 50 may contribute \$22,000 maximum per year.

*Employer contribution percentage is subject to change based on funding. The vesting period for employer contributions is ten (10) years.

**Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), and are less than full-time will retain eligibility for retirement benefits.

***Individuals hired on 1/1/2013 by the Madera County Workforce Investment Corporation, who were previously employed by the Madera County Superintendent of Schools (MCSOS), will use their original hire date from MCSOS for the purposes of determining the vesting period.

LIFE INSURANCE BENEFIT

All full-time employees are eligible for a \$10,000 life insurance policy.

MILITARY LEAVE

If you are on an extended military leave of absence, you are entitled to be restored to your previously held position or similar position, if available, without loss of any rights, privileges or benefits provided you meet the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment law. A letter from your commanding officer is required to establish the dates of duty.

JURY SERVICE LEAVE

If you are summoned to report for jury duty, you will be granted up to 5 days of leave with pay. Anything beyond the 5 days the employee is permitted to use vacation or any accrued compensatory time. If the employee does not have accrued time, a leave of absence without pay will be approved when you notify and submit a copy of the original summons for jury duty to your supervisor. The Organization reserves the right to request that you seek to be excused from or request postponement of jury service if the absence from work would create a hardship to the Organization.

Any fees received for jury duty, including travel fees, are to be retained by you. You are to report to work on any day, or portion thereof, that is not actually spent in the performance of jury service. For each week of jury duty, a certificate of jury service shall be certified by the Court and filed with the Organization no later than Wednesday of the following week.

WITNESS LEAVE

If you are requested to serve as a witness on behalf of the Organization, you will be granted a witness leave at regular pay for such time as it is necessary to comply with the request. Paid witness leave shall not be granted to an employee subpoenaed as an expert witness, as a party in a case, or as a lay witness other than as delineated above.

VOTING LEAVE

If you cannot vote because of your scheduled work hours, you will be given up to two hours to vote in any state or federal election. The two hours shall be compensated at your regular rate of pay.

BEREAVEMENT LEAVE

A full-time employee of the Organization may request a leave of absence with pay for a maximum of three (3) consecutive working days upon the death of a member of his or her immediate family. If traveling further than 350 miles, you may request a leave of absence with pay for a maximum of five (5) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: father, mother, spouse, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

PERSONAL LEAVE OF ABSENCE

Once you have been employed as a full-time regular employee of the Organization for more than one (1) year, you may request a personal leave of absence without pay. You must submit your request in writing and state the date the leave is to begin, the date of return to work and the reasons for the leave. You will receive either written approval or denial of the request. If approved, you must use your leave of absence for the approved reason or purpose. Sick leave, vacation time and seniority and other benefits are not earned during an unpaid leave of absence. Any paid holidays that fall within the leave of absence are not paid. If you fail to return to work on the scheduled date of return, you will be considered to have abandoned your position and voluntarily terminated your employment.

HEALTH, SAFETY, AND SECURITY

NON-SMOKING

Smoking is not permitted in any Organization buildings, facilities, work sites, or vehicles. Employees wishing to smoke should do so during their break times, outside organization buildings, in designated areas, and in accordance with local ordinances.

DRUG AND ALCOHOL

The Organization is dedicated to providing employees with a workplace that is free of drugs and alcohol. The Organization discourages drug and alcohol abuse by its employees. The Organization has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the Organization. Employees who are under the influence of a drug or alcohol on the job compromise Organization interests, endanger the employees own health and safety and the health and safety of others, and can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality in our services, and disruption of customer relations. Any identified usage of drugs or alcohol, or being under the influence of same during working hours will be grounds for discipline up to and including termination.

For the safety of our employees and clients the Organization reserves the right to test any employee for the use of illegal drugs or alcohol. This may be done in cases where the employee's job carries a risk of injury or accident due to such use, or there is an apparent inability to perform the requirements required of that position. Specific jobs may, at the Organization's discretion, require regular drug testing. Such a test may be conducted after an accident or with probable cause of impairment while on the job. Under those circumstances the employee may be driven to a certified lab, at the Organization's expense, for the drug test.

Any employee found to use, sell, possess or distribute any illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) while on the Organization premises, performing Organization-related duties, or while operating any Organization equipment, is subject to disciplinary action, up to and including termination of employment. Any suspected illegal drug confiscated will be turned over to the appropriate law enforcement agency.

Any employee taking medication should consult a medical professional to determine whether the drug may affect his or her personal safety or ability to perform the essential functions of the job and should advise his or her supervisor of any job limitations. Upon notification of job limitations, the Organization will make reasonable efforts to accommodate the limitation.

To the extent any federal, state or local law, rule or regulation limits or prohibits the application of any provision of this policy, then to the minimum extent necessary and only for that geographical area, this policy is deemed to be amended to be in compliance.

REASONABLE ACCOMMODATIONS

It is the policy of the Organization to comply with all the relevant and applicable provisions of the federal Americans with Disabilities Act (ADA), as well as state and local laws concerning the employment of persons with disabilities. The Organization will not discriminate against any qualified employee or job applicant because of a person's physical or mental disability with respect to any terms, privileges, or conditions of employment, including but not limited to hiring, advancement, discharge, compensation, and training.

Employees who become disabled should notify their supervisor or manager if the conditions of the disability impair their ability to perform the essential functions of their position. Where necessary and feasible, reasonable accommodations will be made for qualified disabled employees to perform the essential functions of the job in question, as long as the accommodation does not cause the Organization undue hardship.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until a Management decision has been made in regard to the employee's immediate employment situation.

SAFETY POLICY

It is the policy of MCWIC to encourage safe working conditions and comply with set standards of safety established by Management or by federal, state, and local law. Employees must do everything possible to safeguard co-workers, visitors, and themselves against accidents. All employees are covered by Workers' Compensation unless excluded from coverage by applicable law.

1. It is the responsibility of each employee that all tasks be conducted in a safe and efficient manner complying with all local, state and federal safety and health regulations, programmatic standards, and with any special safety concerns identified by MCWIC for use in a particular area or with a client.
2. Although most safety regulations are consistent throughout each department and program, it is the responsibility of the employee to identify and familiarize himself/herself with the Emergency Plan for his/her working area.
3. Each facility shall have an Emergency Plan detailing procedures in dealing with emergencies.
4. It is the responsibility of the employee to complete an "Accident and/or Incident Report" for each safety and health infraction that occurs by an employee or that the employee witnesses.
5. Any incident occurring at work that results in personal injury to an employee of MCWIC, no matter how minor, must be immediately reported to their direct supervisor or manager. Failure to do so may result in disciplinary action up to and including termination.

6. All work related accidents, whether they result in injury or not, may be followed by a post-accident drug screen.

7. Any fraudulent report of work injury results in immediate termination of all Employees involved.

8. Failure to follow MCWIC's safety and health guidelines or conduct which places the employee, volunteer, client or agency property at risk can lead to employee disciplinary action and/or termination.

9. Management requires that every person in the organization assumes the responsibility of individual and organizational safety.

10. Management will be responsible for investigating all workplace accidents and injuries. Management will maintain an accident investigation kit which will include, at a minimum:

- First-aid kit.
- Disposable gloves.
- Camera for taking pictures of the accident scene, NOT pictures of any injured person.
- Accident investigation forms and witness statements.
- Instructions for handling possible blood-borne pathogens/bodily fluid clean-up.
- Emergency contact instructions.
- Instructions for investigating accidents and proper reporting procedures (esp. Worker's Compensation).

11. Management shall have the responsibility to develop, and authority to implement, the safety and health program in the interest of a safer work environment.

12. Reporting Instructions. In addition to reporting accidents and injuries to management, supervisor or managers must also ensure compliance with the state's Worker's Compensation policies and file the necessary documentation.

13. Customer Accidents and Injuries. Customer accidents and/or injuries will be reported to the supervisor or manager on duty immediately. The supervisor or manager will initiate any first response initiatives necessary to ensure the safety and health of the customer (i.e. first aid, calling for medical response). The supervisor or manager on duty will complete the Accident/Incident report and call the incident into the liability insurance carrier. Incidents may be called in as injury or incident only and should be called in immediately even if the information is not complete. Additional information can be provided as it is obtained. The supervisor or manager on duty will:

- Ensure the safety of all customers and employees.
- Ensure all safety guidelines for blood-borne pathogens are followed.
- Preserve the accident scene until the accident investigation has been completed.
- Fill out all accident report paperwork and fax/send to the insurance carrier.
- Obtain witness statements from every witness and the victim (if possible). The supervisor or manager should not write the victim's statement for him or her.
- Assemble the investigation packet and cooperate with the insurance carrier to resolve the issue.

SAFETY

In the event you become injured or witness an injury during your work hours, you are to report it immediately to the nearest available supervisor or management personnel. You are to render any assistance requested by your management. Any questions asked by law enforcement or fire officials making an investigative report should be answered giving only factual information and avoiding speculation. Liability for personal injury or property damage should never be admitted in answering an investigatory question asked by law enforcement or fire officials. You should report all nonfunctioning hazardous office equipment and or building issues to your immediate supervisor or manager.

WORKERS' COMPENSATION PROGRAM

Workers' Compensation programs ensure that employees who are injured or disabled on the job are provided with monetary benefits, thus avoiding the need for litigation. Dependents of workers who are killed due to work-related accidents or illnesses are also provided benefits. By limiting the amount an injured employee may recover from an employer and by reducing the liability of co-workers, employers and employees are generally protected. While Federal statutes deal primarily with federal employees or workers greatly involved in interstate commerce, state Workers' Compensation statutes establish such a framework for most employment relationships. Each state has its own Workers' Compensation laws to handle claims from employees who are injured on the job.

The primary purpose of state Workers' Compensation Act is to restore an income stream to an injured worker to the extent it has been severed by an industrial injury or occupational disease; to provide timely medical services for the cure or relief of the injury; and to provide rehabilitation and retraining services to injured workers unable to return to their former jobs.

MCWIC provides insurance for all work-related injuries or illness. The name of MCWIC's workers' compensation insurance carrier and other pertinent information is posted. The carrier governs all insurance benefits provided by MCWIC. These contracts shall not be limited, expanded or modified by any statements of MCWIC personnel or MCWIC documents. Any discrepancies shall be determined by reference to the insuring contracts.

SECURITY/VIOLENCE IN THE WORKPLACE POLICY

It is the intent of the Organization to provide a safe workplace for employees and to provide a comfortable and secure atmosphere for customers and others with whom we do business. The Organization has zero tolerance for violent acts or threats of violence.

The Organization expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional or veiled threat of harm to any employee or Organization property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any employee who commits or threatens to commit a violent act against any person while on Organization premises will be subject to immediate discharge.

Employees within the Organization share the responsibility in identification and

alleviation of threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to their supervisor or a member of management. Any threat reported to a supervisor or manager should be brought to the attention of the Executive Director. All reports will be carefully investigated and employee confidentiality will be maintained to the fullest extent possible.

DRAFT

WORKPLACE GUIDELINES

HOURS OF WORK

The standard workweek for the Organization will begin at 12:01 a.m. Sunday, and end at midnight the following Saturday. The normal workweek for a full-time employee will consist of forty (40) hours.

The Organization's office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. You are expected to be at your desk, ready to work at 8:00 a.m.

You will be given your individual duty hours upon hire and at the time of any change in position. If your normal duty hours are changed or if the Organization changes its operating hours, you will be given written notice to facilitate your personal planning.

MEAL PERIODS

You are entitled to take a non-compensated meal period each workday of one (1) hour. Your one-hour meal period should be completed between the hours of 11:00 a.m. and 2:00 p.m. There must be at least one employee working during this period. Your supervisor or manager must approve any variation in the normal schedule in advance and should be notified immediately if you are unable for whatever reason to take a full one hour meal period.

All employee scheduled to work more than five (5) consecutive hours in a workday will take at least a 30 minute meal period. In no case may any meal period be waived to shorten an employee's work hours or to be used in lieu of time without pay. Any employee who is scheduled to work not more than six (6) hours in any workday, may, by mutual agreement between the Organization and the employee, work without a meal period.

REST PERIODS

Employees will take a fifteen-minute rest period during each half of a full workday. If you leave the premises during the fifteen-minute rest period, you must notify your supervisor or manager.

Breastfeeding. In recognition of the well documented health advantages of breastfeeding for infants and mothers and as part of our family-friendly policies and benefits, the Organization provides a supportive environment to enable breastfeeding employees to express their milk during work hours. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated by the Organization.

ATTENDANCE / TARDINESS POLICY

Your attendance is an asset to the Organization. Unsatisfactory attendance, including tardiness and leaving work early, is unacceptable performance. You will be rated in your performance appraisal in the categories of attendance and punctuality.

If you are ill, injured or an unexpected emergency arises which prevents you from

coming to work, you must notify your supervisor or manager prior to the start of your scheduled work day. If your supervisor or manager is not available, you should speak directly with a member of management. If you are physically unable to contact the Organization, you should direct another person to make the contact on your behalf. Leaving a message with a fellow staff employee or with the answering service is not considered proper notification.

When you call in absent, you are to advise the Organization of your expected date of return. Management reserves the right to require proof of illness, injury or accident, including a doctor's statement(s) or notice(s), for any temporary disability.

Repeated absences, excessive absences (excused or unexcused) or a pattern of absences are unacceptable job performance. If you are absent for three (3) consecutive days and have not provided proper notification, the Organization will assume that you have abandoned your position and you may be treated as having voluntarily terminated your employment with the Organization.

If you become ill at work, notify your supervisor immediately. If you are unable to perform your job task, you will be either sent to a doctor or your home. You will be paid only for time actually worked and may receive paid sick time if eligible.

You shall be at your workstation, prepared to begin work at the start of your scheduled work time or resumption of your work duties. If you are not, you will be considered tardy. Excessive tardiness, whether excused or unexcused, constitute unacceptable work performance. The Organization does not categorize tardiness as excused or unexcused. If you are tardy, your wages may be reduced by the amount of time you are tardy, calculated in whole minutes according to the Organization's clock or vacation time will be decreased accordingly.

All absences are to be arranged for as far in advance as possible. This includes vacations and time off for other reasons. If a doctor or dental appointment must be scheduled during the workday, it should be scheduled as early in the morning or as late in the afternoon as possible.

Employees who use all of their allotted sick time for the year may not make up the time (including doctor's appointments). Vacation time pay may not be used for sick leave unless pre-authorized (such as for surgery, etc.).

In order to fairly and consistently enforce this policy, the following guidelines will be used: All occurrences of absences will be tracked per each evaluation period whether the absence is paid or unpaid time.

Absence Definition

- Not reporting or not working the schedule you have been assigned including regular work hours, and other required hours such as training, mandatory meetings, etc.
- Absences due to illnesses for three or more consecutive days may require a physician's certification of the need for the absence as well as fitness for duty.
- Absences due to Family Medical Leave, Jury Service, Military Leave, Bereavement Leave, Vacation, Pregnancy Disability Leave, or any other protected leave or company-approved leave will not be considered an absence under this policy.

Late Arrival and Leave Early:

- Late arrivals and leaving work early require proper notification and / or authorization by a supervisor or manager under the absence reporting procedure.

PERSONAL APPEARANCE

The Organization is a professional business based on the trust and goodwill it engenders from its clients. In addition to providing excellent services, clients only do business with the Organization if they are also treated with courtesy, patience and appropriate deference. You are to treat all clients with the utmost courtesy. You will be evaluated in your performance appraisal in this category.

Since clients tend to think in terms of the individual employees with whom they come in contact with at the Organization, the way you perform your job and treat the individual client will determine, in part, the client's satisfaction with the Organization. A good employee will approach his / her job duties and responsibilities with a positive attitude and respect. A neat personal appearance and good grooming habits reflect respect for yourself and your workplace.

Expensive clothing is not necessary for a well-groomed appearance. You are to wear clothing appropriate for a professional business office. If you have any questions, you should contact your supervisor/manager for counseling.

Examples of inappropriate attire are:

Tank tops, tube tops, halter tops, denim jeans, casual leisure, "weekend wear", bare midriff, bare back tops, camisoles, "net wear", athletic sweatshirts, bare shouldered or low cut tops, leotards, shorts, leggings, mini-skirts or mid-thigh length or shorter skirts, no logo or screen printed shirts, flip flops, birkenstocks, athletic shoes.

The supervisor or manager of an employee has the authority to request that an employee go home and change into appropriate attire if he/she reports to duty dressed in an unacceptable manner. Time required to effect the necessary change may be without pay.

CONFIDENTIALITY POLICY

Our clients and other parties with whom we do business entrust MCWIC with important information. It is our policy that all information considered confidential will not be disclosed to external or internal parties or to employees without an appropriate signed release. If there is a question of whether certain information is considered confidential, the employee should first check with his/her immediate supervisor or manager.

Employees shall not seek to use personal or confidential information for their own use or personal gain. Employees must take all reasonable precautions to ensure privacy is maintained under the law while handling information in any form, including, but not limited to: voice, electronic (disk file, diskette, CD ROM, magnetic tape, E-mail, etc.), paper, photograph, and microfiche information. Included under this precaution is the disposal of any related materials as previously described.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to the Executive Director or designee.

Release of Employee Information

MCWIC maintains strict confidentiality of employee records. However, operating requirements of MCWIC do necessitate disclosure of employee information. The purpose of this policy is to outline circumstances in which employee information will be disclosed to external organizations.

Garnishments/Levies/Support Orders

Upon receipt of a properly authorized request to release information or initiate deductions from employee pay, the company will release salary/wage information and begin deductions from pay.

Lenders/Credit Organizations

Upon receipt of an authorized request that includes the employee's signature, the company will release information. The company will not respond to any telephone requests for information.

Prospective Employers

The company will provide information for reference purposes which will be limited to job title(s) held, work status (i.e. full-time, part-time, etc.), and dates of employment.

Letters of Recommendation

Letters of recommendation can only be completed by employee's direct supervisor or manager and only with prior approval from Executive Director.

CONFIDENTIALITY

The rule of thumb to remember is that all information gathered by, retained or generated by the Organization is confidential. There shall be no disclosure of any confidential information to anyone outside the Organization without the appropriate authorization.

It is your duty and responsibility to safeguard all confidential information. This includes the dissemination of information by any available means, including but not limited to telephone, fax and e-mail. When any inquiry is made regarding an employee or any former employee, the inquiry must be forwarded to your supervisor without comment on your part. When any inquiry is made regarding any client, the inquiry must be forwarded to management.

Confidential information shall be disclosed and/or discussed only on a "need to know" basis. Conversation of a confidential nature must never be held within earshot of the public or clients.

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BUSINESS GIFTS

We want at all times to avoid the appearance of impropriety in the acceptance of gifts from business contacts or clients. It is the express policy of the Organization that you are prohibited from, either directly or indirectly, asking, demanding, exacting, soliciting, or seeking, anything of value for yourself or for any other person or entity.

It is the express policy of the Organization that you are prohibited from, either directly or indirectly, accepting, receiving, or agreeing to receive anything of value for yourself or for any other person or entity (other than your pay check from the Organization) for or in connection with any transaction or business of the Organization that has a value of \$50 or more. If you are promised, offered, or given anything of value from any member, perspective member, customer, or perspective customer for or in connection with any transaction or business of the Organization, you are to advise your immediate supervisor at once.

CONFLICT OF INTEREST

The Organization is judged by the collective and individual performance of its officers and employees. The Organization has a particular interest in preserving its reputation and the reputation of its employees for the utmost honesty and integrity. Thus, the Organization holds itself and its employees to the highest standards of lawful and ethical conduct.

Therefore, you must be very careful that your relationship with clients or vendors or other activities do not subject you or the Organization to question or undue criticism. You must refrain from engaging in any activity that could be in conflict with your status as an Organization employee. This includes the use of your position with the Organization for personal profit or advantage or entering into transactions or relationships where it may appear you have a conflict of interest, are improperly benefiting from your affiliation with the Organization, or are violating laws governing fiduciary relationships. Good judgment and common sense are to supplement these provisions to avoid even the appearance of impropriety. To the extent there is a conflict or ambiguity between permissive conduct and that which is not permitted, the latter shall have precedence.

If you question the propriety of a transaction or activity, you should seek guidance from your supervisor or a member of management of the Organization. If necessary, you should seek written approval.

OUTSIDE ACTIVITIES

You may engage in outside employment or personal educational activities during non-working hours, provided that such activities do not interfere with your job performance or constitute a conflict of interest. If the position constitutes a conflict of interest or interferes with your Organization job, at any time, you may be required to curtail or terminate such activity.

REPORTING IRREGULARITIES

It is the responsibility of each employee of the Organization to report, immediately, any and all irregularities indicating actual or suspected existence of a loss, fraud, embezzlement or similar impairment of Organization funds or property, or suspicious persons or activity.

If you have actual or constructive knowledge of any irregularity, and do not report it to your supervisor, you have engaged in unacceptable job performance.

INSPECTIONS / SEARCHES

Any items or parcels taken out of or off Organization premises or property (or property controlled by the Organization) are subject to inspection/search. Your desk, workstation, work area, computer terminal, memory, files, etc. and your voice mail are subject to inspection/search at any time. The Organization may monitor any telephone conversation you have on Organization owned or controlled equipment, premises or property. Any inspection/search conducted by the Organization or its designee may occur at anytime, with or without notice.

You are prohibited from placing any passwords or restrictors on any document, computer or computer software without the prior authority of management. Any password or restrictor must be revealed to and maintained by a second authorized source. Removing, changing, deleting or erasing any Organization information, without the appropriate authorization, is strictly prohibited.

ELECTRONIC ASSETS USAGE/COMPUTER USE POLICY

The Organization recognizes that use of the Internet has many benefits for the Organization and its employees. The Internet and e-mail make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place the Organization and others at risk.

The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner:

- The Organization Internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or X-rated. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. Harassment or cyber bullying of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon the Organization or be contrary to the Organization best interests; and any illegal activities – including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail – are forbidden.
- Copyrighted materials belonging to entities other than the Organization may not be transmitted by employees on the Organization's network. All employees obtaining access to other companies' or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If you find something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his / her own.
- Do not use the system in a way that disrupts its use by others. This includes excessive sending or receiving many large files and "spamming" (sending e-mail messages to

thousands of users.)

- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Be sure to virus-check downloaded files immediately. Instructions on how to check for viruses are available through the IT Support. Also, many browser add-on packages (called “plug-ins”) are available to download. There is no guarantee that such will be compatible with other programs on the network and such may cause problems; therefore, please refrain from downloading such plug-ins.
- Each employee is responsible for the content of all text, audio or images that he/she places or sends over the Organization’s Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that the Organization’s name is attached to all messages so use discretion in formulating messages.
- E-mail is not guaranteed to be private or confidential. All electronic communications are Organization property. Therefore, the Organization reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. Also, the Internet is not secure so don’t assume that others cannot read or possibly alter your messages.
- Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the Organization.
- Use of company resources including time or equipment for personal reasons is prohibited.

All organization-supplied technology, including computer systems and organization-related work records, belong to the Organization and not the employee. The Organization routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are organization-owned, all organization policies are in effect at all times. Any employee who abuses the privilege of organization-facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

SOCIAL MEDIA POLICY

MCWIC recognizes that employees may have personal accounts on Facebook, Linked-In, MySpace, Twitter, Web-based email accounts such as Gmail, Hotmail and Yahoo! mail and the like (collectively, “Social Media”), and understands that employees may elect to review those accounts. Personal use of Social Media should be reserved for break times and meal periods on personal electronic equipment only.

MCWIC therefore notifies its employees that should employees log onto or access Social Media from MCWIC electronic assets of technology, computers or internet access that such employees shall have no expectation of privacy as to any information that they input or review while in

contact with Social Media, including passwords, codes or other information that is reviewed or that enables access to the Social Media.

To the extent employees are posting comments to Social Media outside the scope of their employment responsibilities, including an on-line forum, such as a blog, employees may not include any client or confidential information and may not make any statements that would give the impression that the views they have expressed are the opinions of MCWIC.

Employees should refrain from posting derogatory information about MCWIC on any such sites and proceed with any grievances or complaints through the normal channels. Employees may not post to any on-line forums using any official MCWIC e-mail address or providing any MCWIC telephone number or extension. Employees may not utilize any of MCWIC logos, drawings, trademarks, copyrights or other images or photographs of MCWIC or typically associated with MCWIC in conjunction with such activities. In all postings, employees are responsible for ensuring compliance with all of the company's policies, including its MCWIC Social Media Policy, Anti-Harassment Policy, Personal Use of Company Property Policy, Confidentiality Policy, and Workplace Violence Policy.

Social Media Policy Exceptions:

MCWIC understands that social networking, when used properly, can be an effective marketing and business tool. Therefore, some exceptions exist to the above policy for certain employees (generally those with marketing responsibilities) who have been designated in advance by the company's Executive Director. However, in order to protect our brand image in the community, we have developed the following guidelines for company posts on Social Media sites:

1. Only staff authorized to do so by the Executive Director may speak for MCWIC.
2. Designated staff may spend time adding content as determined by their job position and authorized by their supervisor or manager.
3. All photos or videos posted to any of MCWIC social media outlets must have a signed Visual/Audio Image Release Form on file prior to posting photos.
4. All Organizational and contract provider rules of confidentiality apply.
5. Representing personal opinions as those of the company is prohibited.
6. All copyright laws must be respected, and employees must reference or cite sources appropriately. (Plagiarism applies online as well.)

PHONE USAGE

The telephones of the Organization are to be restricted to business calls for Organization business. All employees are required to be professional and conscientious at all times when using organization phones and to refrain from usage of personal cell phones including texting and downloading of web content unless subject to emergency situations and / or as authorized by your Supervisor/Manager. Use of personal cell phones should be limited to meal and rest periods.

PERSONAL PROPERTY

The Organization is not liable for lost, misplaced or stolen property. You should take all precautions necessary to safeguard your personal possessions. Having personal mail sent to the Organization is prohibited.

Your work area and any other Organization property are subject to inspection / search at any time, with or without notice. Desks and office areas are to be kept as neat and organized as possible.

EMPLOYMENT SEPARATION

RESIGNATION

Non-exempt employees are requested to provide a minimum of two (2) weeks written notice of their intent to resign. Exempt employees are requested to provide a minimum of four (4) weeks written notice. Your notice of resignation to voluntarily terminate employment with the Organization should be submitted to your supervisor or a member of management. An exit interview may be requested.

TERMINATION

All employment with the Organization is “at will” employment. This means that you have not been hired for a specified duration, but that you can terminate your employment or the Organization can terminate your employment at any time, with or without cause, and with or without prior notice. Your at-will employment status can only be changed by a written agreement between you and the Organization, signed by both you and an Officer of the Organization.

Upon separation of your employment you are to remove your personal possessions. You will be paid for all unused vested vacation time. Upon separation, you are not entitled to severance pay.

RETURN OF ORGANIZATION PROPERTY

Any organization property issued to employees, such as computer equipment, keys, tools, parking passes or organization credit cards, must be returned to the Organization at the time of termination. Employees will be responsible for any lost or damaged items. All work product is the property of the Organization and will remain at the Organization at all times and at time of termination of employment.

MISCELLANEOUS

AUTOMOBILE ACCIDENT

If you are involved in an automobile accident while on Organization business (personal or Organization car) you must report the accident to your supervisor immediately. You should request and obtain a police report and police investigation at the scene of the accident.

You are not to drive a personal vehicle for Organization business unless authorized to do so. If your job requires you to operate your personal vehicle, you shall be required to submit proof of a current and valid state driver's license.

If you use your own vehicle, either by authorization or requirement, to carry out the business of the Organization, insurance must be maintained current as a term and condition of continuing employment.

PARKING

The Organization provides you with parking at no cost. All parking is at your own risk. It is recommended that you lock your car and take other appropriate safeguards. You are not to park in areas reserved for visitors.

ACKNOWLEDGEMENT

The contents of the Employee Handbook are presented as a matter of information. Except for the at-will provisions, the Handbook can be amended at any time. I agree to read the Handbook and to follow the guidelines and policies set forth in the Handbook and any amendments to the Handbook along with the other policies and procedures of the Organization.

It is specifically understood and agreed that the Handbook is for informational purposes only and is not intended to create a contract, nor is it a contract, of employment or continuing employment between myself and the Organization. It is further understood that neither the Handbook nor any policy of the Organization is a guarantee or promise of employment or continuing employment.

I understand that I am not being hired for any definite period of time even though my wages are paid regularly. I further understand that I am an at-will employee and my employment can be terminated at any time, with or without cause and with or without prior notice either by the Organization or myself. No promises or representations have been made to me that I can be disciplined or discharged from my employment with the Organization only under certain circumstances or after certain events.

Organization policy requires all employees to be hired at-will and this policy cannot be changed except by a written document signed by me and an appropriate officer of the Organization, specifically changing my at-will employment status. I have neither been requested nor have I signed any such document.

My at-will employment status with the Organization has been fully explained and I have been given an opportunity to ask any questions regarding Organization policies and my at-will employment status. No representative of the Organization has made any promise or other statements implying employment will be other than what has been stated above.

The undersigned acknowledges receipt of the Organization's Employee Handbook and Policies and agrees that a Manager/Supervisor of the Organization fully reviewed the Handbook and Policies with me. I also agree that I was provided ample opportunity to ask any questions, get clarification or ask for any other information as was needed and by signing below acknowledges and agrees to comply with the Organization's Employee Handbook and Policies.

Dated

Signature of Employee

Print Name

Signature of Manager/Supervisor



**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 5.5

Consent

Action

Information

To: Madera County Workforce Investment Corporation

**From: Elaine Craig, Executive Director
Workforce Investment Board**

Date: December 6, 2012

Subject: Approve Resolution for ICMA Retirement Plans

Recommendation:

Staff recommends approval of a Resolution for the implementation and participation in retirement plans with ICMA-RC.

Summary:

On October 25, 2012 the Board approved ICMA-RC retirement plans, 401 mandatory plan and a voluntary 457 plan for MCWIC employees. ICMA-RC requires a resolution rather than Board meeting minutes. In the intervening period of time from the October 25th MCWIC meeting and this scheduled meeting, changes have been made to the retirement plan options. MCWIC will offer only a 457 deferred compensation plan and not the 401 plan. The 457 will be a mandatory with the same employee contribution rate of 3% and the employer at 6%.

Financing:

Workforce Investment Act of 1998