



Personnel Policy Manual



FOREWORD

This policy primarily applies to employees and much of it does not apply to staff, subcontractors, and others providing services for ABLED based on a contract.

This manual is designed to answer the most common questions about your services. If this Personnel Policy Manual does not provide you with an answer to every question, talk to your supervisor, who can provide the needed technical assistance.

Because you play an important part in the ABLED, Inc. mission, this Policy Manual is issued as a means of providing basic information on important personnel policies.

It is important that you understand the manual is not an employment contract between you and ABLED, Inc. The manual contains a general description of personnel policies, services and benefits currently in effect, all of which are subject to change at any time within the sole discretion of the Governing Board of ABLED, Inc.

ABLED, Inc. is at will employer and you may be terminated at any time for any reason by you or by ABLED, Inc., with or without notice or cause. This arrangement may only be changed by an express written agreement signed by you and by the Chief Executive Officer of ABLED, Inc. Employees should not rely on any written or oral statement by any other manager, supervisor or official of ABLED, Inc. that is contrary to at will employment.

Employees should also become familiar with the Procedure for Payroll (See Initial Orientation training).

EQUAL OPPORTUNITY POLICY STATEMENT

ABLED, Inc. recruits and hires without discrimination due to race, color, sex, disability, national origin, age (as set by law or other regulations), or marital status. ABLED, Inc. will give equal pay for equal work and will provide opportunities for employees to move to higher positions. This may include transfers from position to position or class to class in ABLED, Inc. personnel system. ABLED, Inc. assures all employees equal access to positions, without aforementioned restrictions. ABLED, Inc. guarantees that employees have equal rights to benefits, due process and conditions of employment.



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I. DEFINITIONS

These words and phrases, when used in these policies, have the following meaning, unless clearly indicated in the context.

BOARD OF DIRECTORS: The ABLED, Inc. Board of Directors.

CONFIDENTIAL INFORMATION: Communication received in confidence about ABLED, Inc. employees, and about the disability, finances, medical, and personal history of the individuals and their families. All data in files are confidential and restricted to professional use for professional purposes.

COORDINATOR: Direct supervisor position, officially titled "Residential Support Coordinator" for residential services and "Vocational Support Coordinator" for vocational services.

DATE OF EMPLOYMENT: Date which an employee begins employment with ABLED, Inc. If an individual is re-employed, only the date of their current employment will serve as the official date of employment for all personnel transactions, except as otherwise provided in these policies..

DISMISSAL: Termination of employment at the discretion of ABLED, Inc.

ELIGIBLE: Qualified for employment according to these policies.

IMMEDIATE FAMILY: Spouse or children, step-children, mother, father, stepmother, stepfather, mother-in-law, father-in-law, daughter-in-law, son-in-law, brothers, sisters, grandparents, step-grandparents, grandchildren, and step grandchildren of employee or spouse. It also includes relatives who reside in the household of the employee.

JOB: A collection of tasks, duties and responsibilities grouped into a unit which make up the established assignment for an employee.

ORIENTATION PERIOD: The first six months of service following appointment or promotion to any position or examination period during which the employee can be removed by the appointed official without right to appeal under the ABLED, Inc. Grievance Procedure.

PART-TIME EMPLOYEE: An employee who has regularly scheduled, but less than full time hours.

PAY STATUS: The eligibility of employees to receive their regular rate of pay as stated in these policies.

MAIN OFFICE: Main Office where official personnel files are kept.



POLITICAL PRESSURE: The application of force through a governmental agency or personalities.

POSITION: The job performed by a particular employee.

PROMOTION: A change from a position in one pay grade to a position in a higher pay grade.

REGULAR EMPLOYEE: An employee whose retention has been approved at the completion of the orientation period.

RESIDENTIAL SERVICE PROVIDER (RSP): Position title for employees providing direct supports.

RESIGNATION: The termination of employment at the discretion of the employee.

SECONDARY FAMILY: Sister-in-law, brother-in-law, great grandchildren, great grandparents, aunt, uncle, nephew, niece or first cousin of the employee or spouse.

SUSPENSION: A forced leave of absence for disciplinary purposes or pending investigation of charges against an employee.

TRANSFER: Movement of an employee from one position to another having the same pay grade whether in the same job or another job. Transfer may also refer to the movement of an employee from one area program to another area program and is recorded on the Personnel Status Change Form in the "Transfer" section.

VOCATIONAL SERVICE PROVIDER (VSP): Position title for employees who assist in finding community based paid or volunteer hours to suit the individuals' interests, transport individual to job/volunteer sites, and assist individuals in the completion of their onsite job duties.

ALL REFERENCES to employees in these policies refer to both sexes. When male or female gender is used, it applies to both male and female employees unless, according to the context, it clearly refers to men or women.



ABLED, Inc. PURPOSE

On October 7, 2012 Andrew C. Tagart departed from this world to the heavenly realm. Andrew touched many lives. Several of the individuals whose lives he changed organized ABLED, Inc. with desire to serve. In February 2014 ABLED, Inc. established an organization with the intent of serving Nebraska individuals with intellectual disabilities.

MISSION STATEMENT

The mission of ABLED, Inc. is to empower people with intellectual disabilities to creatively explore all possible avenues of freedom, education, and skills to live and enjoy their lives to the fullest extent possible.

QUALITY STATEMENT

ABLED, Inc. will promote quality by focusing on customer satisfaction, employee involvement, teamwork, communication, continuous improvement, and data based decision making.

PRINCIPLES

To fulfill its mission, ABLED, Inc. believes:

1. Every individual has value.
2. Every individual should be treated with dignity and respect.
3. Every individual can grow and learn through community experiences.
4. Every individual should experience life in the most natural setting.
5. Every individual has the right to be the primary decision maker in their life and carries the responsibility for the direction it takes.
6. Every individual is protected by the full weight of the constitution and its amendments.

GOALS

- Goal 1. ABLED, Inc. will provide education/opportunities so that individuals can make informed choices and experience desired outcomes.
- Goal 2: ABLED, Inc. will support individuals in developing interdependent lifestyles by emphasizing personal relationships and community involvement.
- Goal 3: ABLED, Inc. will provide a quality service system that is responsive and accountable to individuals, their families, and the public.
- Goal 4: ABLED, Inc. will conduct public education activities to promote understanding, support, and full acceptance of all individuals.
- Goal 5: ABLED, Inc. will provide staff with training and information necessary to provide quality services to individuals.



II. HIRING

A. Notices of Position Vacancies

ABLED may give public notice of position vacancies when they occur and will make every reasonable effort to attract qualified persons to apply. When the demand for applicants is high, the main office may establish a recruitment program that will be both positive and continuous. ABLED will post notice of vacancies within the organization and may select public media best suited to disseminate the information to qualified applicants. The public notices will specify: position title, minimum qualifications required, closing date, and any other pertinent information and requirements. The public notice will include the statement "An Affirmative Action/Equal Opportunity Employer."

B. Minimum Qualifications for Filing Applications

ABLED, Inc. sets standards or requirements for each position. Anyone who meets the standards in training, experience, age, physical condition, and other factors relating to ability to do the job may apply.

Employees must be 18 years old (19 to provide medication) and have a valid driver's license, or must agree to provide for their own transportation needs to fulfill the requirements of the job.

C. Filing Applications

The applicant must complete the ABLED, Inc. application form and file it with the main office on or before the closing date specified in the announcement. Such applications may require information concerning education, experience, references and other pertinent information. All applicants must sign their application forms. The signature certifies the truth of the information. Applicants must meet the minimum qualifications specified in announcements as to training and expertise.

D. Disqualification of Applicants

ABLED, Inc. may refuse to interview an applicant, or after interviewing, may disqualify the applicant, or may remove the person already hired for any of the following reasons:

1. The person does not meet the preliminary requirements established for the job.
2. The person has made an intentionally false statement in the application process.
3. The person has used or attempted to use political pressure to secure an advantage in employment.
4. The person has failed to submit an acceptable application within the prescribed time limits.
5. The person has previously been dismissed from a position in ABLED, Inc. or has resigned while charges for dismissal were pending.
6. The person has been convicted of a felony.
7. The person has otherwise willfully violated the provisions of these policies.



8. When the employment of the individual is considered detrimental to the best interest of ABLED, Inc.
9. The person does not meet employment requirements as specified in ABLED, Inc. contract to provide state funded services.

E. Training and Experience of Applicants

ABLED, Inc. may evaluate the training and experience qualifications of the applicants. Within 30 days of hire or before working alone with an individual, anyone working with individuals will be trained in the following areas.

1. Emergency procedures;
2. Cardiopulmonary resuscitation;
3. Basic first aid;
4. Infection control;
5. Individuals' medical protocols as applicable; and
6. Individuals' safety protocols as applicable;

F. Records

The main office is responsible for the maintenance of all records pertinent to job applications. ABLED, Inc. may immediately remove from consideration the applications of applicants who fail to appear for interviews.

G. Vacancies

When a vacancy occurs in any ABLED, Inc. position, or new positions are established and new employees are needed, the following actions may be taken:

1. The opening may be listed in-house should any eligible ABLED, Inc. employee be interested in seeking a new position;
2. The main office may provide the hiring supervisor with names on a re-employment list, if any are available;
3. The main office may provide the hiring supervisor with all applications obtained from internet and newspaper advertisements, Nebraska Work Force Development, employment agencies, affirmative action plan sources and any other sources of applicants whose education, training and experience meet the requirements of the position.

H. Interview of Applicants

Applicants who have passed the initial screening may have an interview with the person who will be their immediate supervisor if they are hired. Besides the immediate supervisor, another management team member or others may participate in the interview.



I. Selection of Applicants

The applicant will be selected from recommendations of the immediate supervisor and Chief Operations Officer. However, ABLED, Inc. will not offer the applicant the job if:

1. Applicant declines the job or requests that they not be considered for the job;
2. Applicant fails to reply within a reasonable period of time to the notification of the supervisor that they have been selected for the job;
3. Applicant accepts the job but fails to report for duty at the agreed upon time and place, unless reasons for the delay are satisfactory to the supervisor.

J. Orientation Appointment

The hiring of a new employee to a position will be an orientation appointment.

K. Emergency Appointment

The appointment of an employee without regard to the other requirements of these policies is an emergency appointment for thirty (30) working days. The main office requires the information for payroll. If necessary, the Chief Operations Officer may extend the appointment for an additional thirty (30) days.

L. Temporary Appointment

Appointments for short term or seasonal employment may occur as necessary to carry out ABLED, Inc. business. The Chief Operations Officer may authorize the temporary appointment of any qualified person. A temporary appointment will be not more than four (4) months in any one year. In certain cases, such as special projects, the Chief Operations Officer may extend a temporary appointment to a maximum of one year. Temporary employees of a seasonal nature may have their names on a re-employment list for the following season. If a temporary employee becomes a regular employee, the appointment will be retroactive to the date of their appointment on a temporary basis. Pay increases, vacation and sick leave will be based on the date of employee's first appointment, if service has been continuous.

M. Re-employment

An employee who has been laid off, through no fault of their own, may ask to have their name on a re-employment list for a similar position, according to policy. Eligibility to remain on the re-employment list may be continuous one (1) year from the effective date of the layoff or separation. The appointment of a person from the list is re-employment. A person re-employed



in a different position must successfully complete the orientation period, according to applicable policies.

A re-employed employee will have their service time computed back to the original date of employment minus time not employed.

N. Reinstatement

An employee who has resigned in good standing may be rehired within one (1) year from the effective date of separation, provided the candidate meets the current qualifications for the job. If an employee has already satisfactorily completed the orientation period, they will not need to do so again.

A reinstated employee will have their service computed back to the original date of employment minus the time not employed.



III. ORIENTATION PERIOD

A. Nature, Duration and Purpose

Normally, the first six (6) months of service in a position is the initial orientation period. ABLED may, with the approval of the Chief Operations Officer, extend the period up to an additional six (6) months.

The employee receives orientation credit for temporary services of less than six months (without a break in employment) for the job immediately before appointment to any position.

The orientation period is an examination process. Employees whose performance or conduct does not meet acceptable standards are dismissed.

B. Conditions Preliminary to Becoming a Regular Employee

The immediate supervisor will evaluate employees at the end of six (6) months. The supervisor will complete a performance appraisal and write a statement as to the effectiveness of the employee during the orientation period. The supervisor will recommend whether the employee should become a regular employee. The main office will receive a copy of the evaluation form and the statement for the employee's personnel record. The employee will also receive a copy of each. An employee may be separated from their position during the initial orientation period without the right of appeal under the ABLED, Inc. Grievance Procedure.

Initial Orientation Requirements: All new employees will complete initial orientation prior to working alone with individuals. Employees will complete the following training requirements:

1. Individual's choice;
2. Individual's rights in accordance with state and federal laws;
3. Confidentiality;
4. Dignity and respectful interactions with individuals; and
5. Abuse, neglect, and exploitation and state law reporting requirements and prevention.

These requirements are met by completing initial training and signing the Staff Development document.

C. Second Orientation Period

An additional orientation period is necessary whenever an employee receives a promotion or transfer from one position to another if there is a qualitative change in the minimum requirements of the new position. The supervisor may remove the employee without the right to an appeal or hearing under the ABLED, Inc. Grievance Procedure.



D. Central Registry

Employment is contingent upon receipt of acceptable reports from Central Registry as required by State Law. **All verifications must be completed before the hire date.**

Employees who provide direct support services may not work alone with individuals served until the results of the registry checks and the criminal history background checks as specified in 404 NAC 4-004.03A and 4-004.03B are reviewed by the Chief Operations Officer or designated staff.

ABLED, Inc. will use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska in accordance with Title 404, 4-004.01. This must be completed within 3 days of hire.

ABLED, Inc. will document decisions to maintain a staff person listed on a registry or found to have a criminal history as outlined in 404 NAC 4-004.03F. This will include specific reasons for that decision and the plan to reduce risks to individuals and to provide protections. Documentation will be retained at the ABLED, Inc. main office.

Specific Crimes: ABLED, Inc. will not allow employees found to be convicted of the following crimes to work alone with individuals served by ABLED, Inc.:

1. Child pornography;
2. Abuse of a child or vulnerable adult;
3. Felony domestic assault;
4. Misdemeanor domestic assault within the last five years;
5. Shoplifting after age 19 and within the last three years;
6. Felony fraud within the last ten years;
7. Misdemeanor fraud within the last five years;
8. Possession of any controlled substance within the last five years;
9. Possession of any controlled substance with intent to deliver within the last ten years;
10. Felony assault without a weapon within the last ten years;
11. Felony or misdemeanor assault with a weapon in the last 15 years;
12. Prostitution or solicitation of prostitution within the last five years;
13. Felony or misdemeanor robbery or burglary within the last ten years;
14. Rape or sexual assault; or
15. Homicide.

All employees will notify ABLED, Inc. immediately if convicted of any of the crimes listed above or if his/her name is placed on any of the Department's registries.

All employee verification documentation will be retained for at least one year following the termination of employment. All employment records will be retained at the ABLED, Inc. main office.



IV. PAYROLL ADMINISTRATION

A. Pay

Employee pay will be based on the salary stated by the CEO, Executive Staff, or by contract.

B. Pay Periods

ABLED, Inc. employees are paid by direct deposit to personal accounts or by check. The pay period for runs from the first day of the month to the last.

C. Deductions

ABLED, Inc. payroll will automatically process all deductions including garnishment, as required by law.

D. Advance in Pay

ABLED, Inc. will not advance pay to employees except as approved by the Chief Operations Officer and/or the Chief Executive Officer.

E. Questions about Payroll

Anyone with a question about the calculation of their pay should contact the ABLED Executive Team. If ABLED, Inc. has made an error, ABLED, Inc. will make the correction as soon as possible. If the error is due to an oversight by the employee, ABLED, Inc. will make the corrections on the next payday.

F. Personnel Status Change Form

The Personnel Status Change Form may be used to document new employees, separations, changes in address, job title, rate of pay, scheduled work hours, and transfers. When written notice of an action is necessary, usually the Personnel Status Change Form will be sufficient.

G. Attendance

Pay is determined using the Attendance tracking system of Therap. Salaried employees may be paid a fixed amount per month.

H. Overtime Administration

ABLED Executive Team may approve reasonable periods of overtime work to meet operating needs. Overtime will be approved for nonexempt employees before they do the work. The payroll office will keep records of overtime.



I. Overtime Compensation

All nonexempt employees who physically work more than forty (40) hours in a given work week will be paid at the rate of one and one-half ($1\frac{1}{2}$) times their regular hourly rate for all hours worked beyond the fortieth hour. Paid leave (vacation, sick leave, holidays, etc.) will not contribute to overtime.

Exempt employees will not receive pay for overtime. Their work cannot be standardized in relation to a given time period. Overtime is incidental to the job.



V. STAFF BENEFITS

A. Social Security

Under the Federal Insurance Contributions Act (F.I.C.A.), an amount is withheld from an employee's pay that is established by law. ABLED, Inc. also pays the required amount under the act.

B. Group Health Insurance

ABLED, INC. may provide a group health insurance plan.

C. Group Life Insurance

ABLED, Inc. may provide a group term life insurance plan.

D. Voluntary Life Insurance

ABLED, Inc. may offer an additional plan that provides employees the opportunity to purchase extra life insurance for themselves, spouse, and dependents.

E. Dental Insurance

ABLED, Inc. may offer a voluntary dental insurance plan that provides employees and their families with dental coverage.

F. Flexible Benefit Plan

ABLED, Inc. may offer a flexible benefit plan to its full-time employees allowing them to voluntarily pay for certain expenses on a pre-tax basis.

G. Retirement

ABLED, Inc. may provide a tax-sheltered annuity retirement program.

H. Credit Union

ABLED, Inc. may offer a variety of credit union benefits and services.

I. Tuition Reimbursement

When attending an accredited college, partial tuition reimbursement may be approved up to semester and yearly amounts established by ABLED, Inc. management. Prior approval and successful completion of the class are required before any payment is made. The class does not have to be directly related to the employee's job.



J. Paid Time Off

At the present time ABLED does not offer paid time off.

1. Injury Leave & Worker's Compensation

ABLED, Inc. will carry Worker's Compensation insurance to cover injuries that occur on the job. Injured employees must immediately notify their supervisor of the injury. Worker's Compensation forms must be completed promptly to have the injury reported to Worker's Compensation and receive authorization to pay medical bills.

ABLED, Inc. may require an employee to return to work at a different position to meet any light duty or medical limitations until the employee can return to their original position.

2. Family and Medical Leave

Employees may receive up to 12 weeks of Family and Medical Leave for certain family and medical reasons. Employees may also be eligible because of a qualifying event arising out of the fact that the spouse, son, daughter, parent, or next of kin of the employee is on active duty or has been notified of an impending call or order to active duty.

Employees are eligible for Family and Medical Leave if they have worked for ABLED, Inc. for at least 12 months and for 1,250 hours over the 12-month period immediately preceding the commencement of the leave. They may take unpaid leave for:

- a. The birth and care of a newborn child.
- b. The placement with the employee of a child for adoption or foster care and to care for the newly placed child.
- c. To care for the employee's spouse, child, or parent with a serious health condition.
- d. The employee's own serious health condition.
- e. Notification of an employee's spouse, son, daughter, parent, or next of kin of an impending call or order to active duty in the military.

An employee may take a total of up to 12 weeks unpaid leave in any "rolling" 12-month period measured backward from the date an employee uses any Family and Medical Leave for circumstances described above. Unless other provisions of this Family and Medical Leave policy apply, Family and Medical is generally unpaid leave.

If an employee takes leave on an intermittent or reduced leave schedule, only the amount of leave actually taken may be counted toward the 12 weeks of Family and Medical Leave to which an employee is entitled.

Where an employee normally works a part-time schedule or variable hours, the amount of leave to which an employee is entitled is determined on a pro rata or proportional basis by comparing the employee's new schedule while on Family and Medical Leave with the employee's normal schedule. For example, if an employee who normally works 30 hours per week works only 20 hours a week under a reduced leave schedule, the employee's 10 hours of leave would constitute one-third of a week of Family and Medical Leave for each week the employee works the reduced leave



schedule. If an employee's schedule varies from week to week, a weekly average of the hours worked over the 12 weeks prior to the beginning of the leave period would be used for calculating the employee's normal work week.

General Rules and Conditions

1. Care for a newborn, newly adopted child, or newly placed foster child.

Family and Medical Leave for the birth or care of a newborn child or for the placement of a child by adoption or foster care or to care for a child placed by adoption or foster care can only be taken within the 12-month period following the birth or placement of the child. Leave for birth or for placement of a child cannot be taken intermittently unless the mother or child has a serious health condition. If both husband and wife are employed by ABLED, Inc., that husband-wife team is entitled to only 12 weeks total of Family and Medical Leave during any 12-month period if leave is taken for the birth or care of a newborn child or for the placement or care of a child by adoption or foster care.

An employee must first use all accumulated vacation leave and may use parental leave with pay as described elsewhere in this manual. The remaining portion of the 12 weeks Family and Medical Leave will be unpaid, though ABLED, Inc. will maintain contributions to the employee's health insurance at ABLED, Inc. same contribution rate as when the employee was on a non-Family and Medical Leave status. The employee will be expected to pay their share of any health insurance premium each month when it comes due. If the employee does not return to work following Family and Medical Leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle the employee to Family and Medical Leave; or (2) other circumstances beyond the employee's control, the employee will be required to reimburse ABLED, Inc. for health insurance premiums paid on the employee's behalf during Family and Medical Leave.

2. Care for an employee's spouse, parent, or child having a serious health condition.

ABLED, Inc. may require a medical certification by a health care provider where Family and Medical Leave is necessitated by the serious health condition of the employee's spouse, child, or parent. If a medical certification is required, ABLED, Inc. will provide a form to be used by the health care provider in making a medical certification of a serious health condition on the employee's verbal or written notice indicating the need for Family and Medical Leave. The required medical certification will include the following information and any other information ABLED, Inc. is permitted to request under the Family and Medical Leave Act:

- Information about the serious health condition, including date of onset of the serious health condition and its probable duration.
- A statement that the employee is needed to care for the person as a result of a serious health condition.



- When the leave is to be intermittent or taken on a reduced leave schedule, the dates and duration of planned medical treatment and/or the medical necessity for an intermittent or reduced leave schedule.

ABLED, Inc. reserves the right to obtain a second opinion and to obtain subsequent written medical recertifications at reasonable time intervals.

An employee taking Family and Medical Leave to care for an employee's spouse, parent, or child having a serious health condition must first use all accumulated vacation, personal leave, and paid sick leave (up to 5 days sick leave per year, per family member, per Family and Medical Leave qualifying reason). The remaining portion of the 12 weeks of Family and Medical Leave will be unpaid, although ABLED, Inc. will maintain contributions to the employee's health insurance at the same rate as when the employee was on a non-Family and Medical Leave status. If both husband and wife are employed by ABLED, Inc., that husband-wife team is entitled to only 12 weeks total of Family and Medical Leave during any 12-month period if leave is taken to care for the serious health condition of an employee's parent.

3. Serious health condition of an employee.

ABLED, Inc. may require a medical certification by an employee's health care provider regarding an employee's own serious health condition that prevents the employee from performing the functions of their position. If a medical certification is required, ABLED, Inc. will provide a form to be used by the health care provider in making a medical certification of a serious health condition on the employee's verbal or written notice indicating the need for Family and Medical Leave.

The employee taking Family and Medical Leave for the employee's own serious health condition must first use all accumulated vacation, personal leave, and paid sick leave as described in the 'Paid Sick Leave' section of this handbook. The remaining portion of the 12 weeks of Family and Medical Leave will be unpaid, although ABLED, Inc. will maintain contributions to the employee's health insurance at the same rate as when the employee was on a non-Family and Medical Leave status.

Upon an employee's return from Family and Medical Leave for the employee's own serious health condition, ABLED, Inc. may exercise the right to request a written certification that the employee is able to return to work from the employee's health care provider.

Employee Notice to ABLED, Inc. Requesting Family and Medical Leave

In the event of a foreseeable Family and Medical Leave, ABLED, Inc. must be provided with at least 30 days notice by the employee. If 30 days notice is not practical because of lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given to ABLED, Inc. as soon as practical. Where leave is foreseeable but where it is not possible to give as much as 30 days' notice, "as soon as practical" ordinarily means at least verbal notification to ABLED, Inc. within 1 or 2 business days of when the need for



leave becomes known to the employee. Where the need for Family and Medical Leave is not foreseeable, the employee should give notice to ABLED, Inc. within no more than 1 or 2 working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Otherwise, ABLED, Inc. standard procedure for leave will be followed. In the event of planned medical treatment, and subject to the approval of the health care provider, reasonable efforts will be made on the part of the employee to avoid disruption of ABLED, Inc. activities.

For active duty leaves, the employee must provide a copy of the military orders once they have been received. Their obligation is to provide notice to ABLED, Inc. as early as possible after they receive notification.

Service Member Family Leave

Employees who qualify under this FMLA provision are eligible to receive up to 26 weeks of unpaid FMLA leave to care for a spouse, son, daughter, or parent, who has a serious injury or illness sustained while on active duty in the Armed Forces.

Intermittent or Reduced Leave Schedule Family and Medical Leave

In the case of a serious health condition of an employee or of an employee's spouse, son, daughter, or parent, Family and Medical Leave may be taken intermittently or on a reduced leave schedule when medically necessary. An employee who requests intermittent leave or leave on a reduced leave schedule may be required to transfer temporarily to an alternative position for which the employee is qualified, which has equivalent pay and benefits, and which accommodates the employee's recurring periods of leave better than the employee's regular position. As noted previously in this Family and Medical Leave policy, intermittent leave is not available for those employees taking Family and Medical Leave due to birth, placement, or care of a newborn or newly placed adopted or foster child.

3. Family Military Leave

Under Nebraska's Family Military Leave Act, employees may receive unpaid family leave if a spouse or child of the employee is serving in the military under a state or federal deployment of 180 days or more.

- a. **Eligibility:** To be eligible for family military leave, an employee must meet the following criteria:
 1. The employee must have been employed by ABLED, Inc. for at least 12 months and have worked at least 1,250 hours during the 12 months immediately preceding the request for leave.
 2. The employee must be the spouse or parent of a person called to military service lasting 180 days or more with the state or the United States under orders from the Governor of Nebraska or the President of the United States.
- b. **Length of Leave:** Eligible employees may request up to 30 days of family military leave during the time that a deployment order is in effect.
- c. **Procedure for Requesting Leave:**



1. If an eligible employee wants to use family military leave of more than five consecutive work days, the employee must give at least 14 days written notice of the date that the leave will commence and the anticipated length of the leave. The employee should consult with the employee's supervisor so that the leave is not unduly disruptive to ABLED, Inc.'s operations.
 2. If an employee wants to use family military leave of less than five consecutive days, the employee must give as much advanced written notice as is practical under the circumstances.
 3. ABLED, Inc. may require the employee to obtain certification from the appropriate military authority to verify the employee's eligibility for the family military leave requested.
- d. Effect on Other Employment Benefits: Eligible employees will be restored to the position held or a similar position with equivalent benefits, pay, seniority, and other terms and conditions of employment upon their return and will retain any benefits accrued at the time of the leave. ABLED, Inc. will continue employee benefits during an employee's family medical leave, which may be at the expense of the employee.

Reinstatement

At the end of Family and Medical Leave, the employee will be reinstated to their previous position or to an equivalent position. An employee is not entitled to the accrual of any seniority or employment benefits during the portion of the period the employee takes Family and Medical Leave without pay. In the event of a layoff or reduction in force in which the employee would have lost their job had they not been on Family and Medical Leave, the employee is not entitled to reinstatement under the Family and Medical Leave Act.

All full-time and part-time employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve or Coast Guard Reserve may have leave with pay on days in which they are in the active service of the State of Nebraska or the United States. Hours will be prorated for part-time employees. Such leave of absence will be beyond the regular annual leave of the employee.

When the Governor of the State of Nebraska declares that a state of emergency exists, an additional leave of absence will be granted to all full-time or part-time employees who are ordered to active service and until such time they are released from active service. The employees will receive such portion of their pay or compensation as will equal the difference between their military base pay and their regular pay with ABLED, Inc.

4. Special Leave

Besides the leaves authorized above, a supervisor may authorize an employee to be absent without pay for personal reasons.

The supervisor, with approval of the CEO, may authorize special leaves of absence without pay for any period or periods for the following purposes: attendance at college, university or business school in subjects related to the employee's job that will benefit ABLED, Inc.; urgent personal business requiring the employee's attention for an extended period (settling estates, liquidating a business, attending court as a witness); and providing technical assistance or professional consultation.



5. Absence without Leave

Any employee who is absent from duty will report the reason to their supervisor immediately. Unauthorized and unreported absences will be considered absent without leave. In this case, the time will be deducted from the employee's pay and disciplinary action may follow.



VI. PROMOTION, TRANSFER AND DEMOTION

A. Promotion

Vacancies will be filled by promotion whenever practical and in the best interest of ABLED, Inc. Promotions will be based upon qualifications, according to procedures established in these policies.

In a promotion, an employee advances from a position with a lower pay grade to fill a vacancy. An employee who receives a promotion must serve the orientation period in that position. During the orientation period, the employee will retain their status in the lower position. In making promotions, the supervisor considers qualifications, performance, appraisals, conduct and seniority of the applicants.

Management will submit the name of the employee proposed for promotion to the Chief Operations Officer for approval. A copy of the approval/disapproval will be forwarded to the main office for inclusion in the employee's file.

It is the intent of ABLED, Inc. to identify employees who have the interest and potential for advancement. Training opportunities will be provided to increase appropriate skills. Identification and training does not guarantee advancement within ABLED, Inc.

B. Transfer

A supervisor may transfer any employee from one job to another with the same pay grade within their area program, or an employee may request a transfer.

Two supervisors may transfer the employee from one job to another with the same pay grade between their respective area programs.

C. Demotions

The movement of an employee to a position in a lower pay grade is a demotion.

An employee may be demoted for cause only after the employee receives written notification of the reason(s) for the demotion. The Chief Operations Officer must receive a copy of the supervisor's report and the employee's reply. An employee may appeal their demotion for cause, according to the appeal procedure.

If an employee requests in writing an assignment to a position in a lower pay grade, the supervisor may make such a decision. In such cases, the demotion is considered voluntary. Refer to the compensation plan for new pay rate.

Regular full-time or part-time employees changing to less than half-time:

- a. Will no longer earn any benefits.
- b. Will be paid for vacation leave accrued.
- c. May not use any sick leave accrued.



VII. RESIGNATION

An employee ending their job with ABLED, Inc. will complete a Personal Status Change (PSC) form with the effective date of departure and reason for leaving. The PSC is forwarded promptly to the Main Office.

Resignations are effective at the end of the shift on the final day the employee is working for ABLED, Inc. In addition, the employee must be physically working their regular schedule during the preceding fourteen (14) calendar days, unless excused for illness. Vacation days may not be added to the effective day of the resignation.

Management will forward a copy of the PSC to the Chief Operations Officer. Non-supervisory employees will submit resignations at least fourteen (14) calendar days before the final work day. Supervisory staff will submit their resignation at least thirty (30) calendar days before the final work day. The main officer will file a copy of the employee's resignation and payroll status in the employee's service record.

The supervisor may recommend reducing or waiving the period of notice when it is possible to get a replacement for the employee.



VIII. DISABILITY

An employee may be separated for disability if they possess or develop a physical/mental impairment that keeps them from doing the essential duties of the job and there is no reasonable accommodation. The main office or supervisor may require an employee to have an examination by a physician to determine the employee's ability to do the essential duties of their job. ABLED, Inc. will pay the cost if the main office or supervisor requests a physical examination. The main office will consult with an employee separating from ABLED, Inc. due to disability to ensure the employee is aware of available services.



IX. REDUCTION IN FORCE

A. Reduction in Force Policies and Procedures

A supervisor or director may lay off an individual when necessary due to: a) shortage of funds or work, b) phasing out a position, c) situations where the work would be ineffective or non-productive, d) change in duties or organization, or e) changes in approved intervention hours. Regular full-time employees will receive notice of the lay off at least fourteen (14) days before the effective date. They will also receive written notice of the reasons for the reduction in force. Notification will be by registered mail to the employee's home address. Reductions in force lasting eighty (80) hours or less will not require a fourteen (14) day warning or written notification of the reasons. Community workers employed to complete contract work are exempt from the 14 days' notice.

The ABLED, Inc. main office will use these guidelines for reduction in force. The employee's existing relationships with persons supported, performance, type of appointment, and seniority will be considered in determining layoffs. In determining the skill and job experience of employees being considered for layoff, ABLED, Inc. will use, at minimum, the most recent employee evaluation. ABLED, Inc. may also review other information, which could include input from individuals supported, families, Department of Health and Human Services, and others affected by services. No employee is to be laid off while there are temporary employees in the same job.

The supervisor and the main office will place the employee in another position, if one is available, for which the employee has the qualifications.

Management will consider part-time employment in place of layoffs if part-time employment meets the needs of ABLED, Inc.

B. Hiring Following Reduction in Force

Management will determine how many people to hire for each job. New employees will not be hired until employees who have been laid off receive notice of vacancies. Management will notify the employee by sending a registered letter to the last address on area program records. An employee who refuses any but a similar job may continue the lay off without affecting seniority or ability to be rehired within a one (1) year period.

If an employee does not respond to notification within seven (7) days, they will be considered to have quit.



X. DISCIPLINARY ACTIONS

A. Forms of Disciplinary Action

Disciplinary action will be reported to Management in writing and may include:

- Verbal warnings
- Written Clarification of Expectations
- Written warning
- Failure to be recommended for the annual pay increase
- Suspension with or without pay
- Involuntary move to a job in a lower pay grade or another job in the same pay grade without a reduction in pay
- Reduction of compensation without change of pay grade, but not below the entrance rate for the job
- Placing the employee on probation for up to six months
- Dismissal

B. Probation Period

At the discretion of the President, the immediate supervisor may notify and place an employee on probation for up to 6 months to correct unsatisfactory performance before considering dismissal. The employee has the right to appeal this decision if they have completed the orientation period.

If, during the designated probation period, it is determined that the services of the employee have been unsatisfactory, the employee may be dismissed. The employee has the right to appeal this decision. During the appeal process, the employee may need to vacate the position.

Management may deny the use of accrued leave time during such time an employee is put on probation.

C. Dismissals, Demotions and Suspensions

1. Dismissal

A supervisor may dismiss or suspend any regular employee at any time for any reason or for no reason. Within five (5) calendar days, the employee will receive written documentation regarding the dismissal or suspension. The employee will have five (5) calendar days to reply in writing.

Certain violations of ABLED, Inc. policies are cause for immediate dismissal. The employee retains the right to appeal under the provisions of this section, if they have successfully completed the orientation period.

Disciplinary action may be taken for, but not limited to, the following:



- a. Conviction of a felony that makes the employee unfit to perform the duties of the position.
- b. Physical intervention to an individual, unless the act was done in self-defense, to protect the lives of others, or to prevent the flight of an individual within services.
- c. Action that reflects on ABLED, Inc. adversely including being under the influence of alcohol or unlawfully under the influence of a controlled substance while on duty.
- d. Insubordination to or failure to obey a direction from the supervisor.
- e. Incompetence or ineffective performance, including being unable to work with individuals with intellectual disabilities or co-workers as assigned.
- f. Carelessness or negligence with finances or property of ABLED, Inc. and individuals supported.
- g. Threats, use, or attempts to use personal or political influence to secure promotion, leave of absence, transfer, change of pay rate or character of work.
- h. Inducing or attempts to induce an officer or employee of ABLED, Inc. to commit an unlawful act or to act in violation of ABLED, Inc. policies or government regulation.
- i. Accepting a fee, gift or other valuable item when the gift is given with intent to receive favor or better treatment than that given other persons.
- j. Engaging in outside business activities on ABLED, Inc. time or using ABLED, Inc. property for the activity.
- k. Failure to maintain a satisfactory attendance record.
- l. Falsifying official records, including, but not limited to: employment application, time cards, individual expense records or records for other agencies such as Health & Human Services or the Social Security Administration.
- m. Releasing confidential information without proper consent.
- n. Failure to attend scheduled Employee Assistance Program session as directed by a supervisor.
- o. A dishonest act, such as lying or stealing.
- p. Failure to inform supervisor of any misdemeanor or felony charges and convictions. Notice will be made to the appropriate supervisor within 24 hours of charge or conviction;
- q. Failure to notify supervisor if employee's name is placed on State Health and Human Services Central Registries.



- r. Violation of the provisions of this Personnel Policy handbook or any other policies/procedures applicable to the employee.
- s. Employees convicted of any charges specified in the ABLED, Inc. contract to provide state funded services will immediately cease providing any direct supports to individuals served by ABLED, Inc. This may result in immediate dismissal.
- t. Refusal to submit to drug/alcohol testing for cause.

A regular employee may appeal actions under this section according to ABLED, Inc. policies.

D. Separation During Initial Orientation Period

During the initial orientation period, an employee may be separated without the right of appeal under the ABLED, Inc. Grievance Procedure.

E. Reimbursing Finances of Individuals Served

When an employee is clearly responsible for the missing funds of an individual served, or has caused finance charges to accrue due to negligence, the employee will be required to reimburse the individual.



XI. COMPETENCY REVIEW

ABLED, Inc. conducts employee competency reviews so that the supervisor may ensure training is provided to help the employee assess their skills on the job.

At minimum, the immediate supervisor of an employee will complete a competency review at the end of the employee's orientation period and then on the employee's anniversary date. The employee will have the opportunity to assess their own skills. The employee will then have a review interview with the supervisor, and both must sign the Employee Review Form. The original form is placed in the employee's file and a copy is given to the employee.

All records of staff training and competency reviews will be maintained at the ABLED, Inc. main office. Training documentation will note the following:

1. Topic;
2. Date staff attended training;
3. Date competencies verified;
4. Name of person conducting training; and
5. Verification of competencies.

The Chief Operations Officer is responsible for the overall training and competency reviews.



XII. EMPLOYEE RESPONSIBILITIES

A. Attendance

ABLED, Inc. provides services and supports 24 hours per day, seven days per week. ABLED, Inc. office hours are Monday through Friday, 9:00 a.m. to 4:00 p.m. Management may change the hours of local programs, with the approval of the Chief Executive Officer.

Repeated tardiness, leaving work early or excessive absenteeism may result in disciplinary action.

B. Personnel Records and Changes of Information

ABLED, Inc. keeps up-to-date records on employees and their jobs. Employees must report the following changes: name; marital status; address or telephone number. Current copy of driver's license and proof of auto insurance must be provided with respect to all employees who drive motor vehicles as a function of their job.

Any change in the income tax withholding form (W-4) or the account used for direct deposit of payroll must be submitted to ABLED, Inc. When leaving employment, the employee should provide a forwarding address.

C. Protection and Care of ABLED, Inc. Property

Employees must report maintenance and repair problems to their supervisors.

D. On-the-Job Illness

Employees who become ill while on duty and cannot continue working must notify their supervisor at once. Their supervisor will determine the appropriate action to take. Any fees charged by a private physician are the employee's responsibility.

E. On-the-Job Injury or Accident

Employees who are involved in an accident or injured at work, must notify their supervisor at once, and complete a written report no matter how minor the incident may seem. The supervisor will determine the appropriate action to take.

F. Loyalty

Employee loyalty is extremely important to ABLED, Inc. efforts to provide service. ABLED, Inc. needs employee support to meet the needs of individuals with disabilities in the community.

G. Cell Phones

Cell phones belonging to ABLED, Inc. will be used for ABLED, Inc. business and reasonable personal use is permitted by ABLED, Inc. management. Management reserves the right to develop specific policies and/or guidelines regarding the use of personal cell phones or other



personal communication devices by employees while on duty. The use of cell phones for any communication, including texting, while in a paid status and driving is prohibited.

H. Telephone Calls and Interruptions

Employees are expected to keep personal telephone calls and other interruptions to a minimum during working hours. Occasionally it may be necessary for an employee to make a personal calls.

I. Computers

All information on ABLED, Inc. computers is the property of ABLED, Inc. Management will be granted access at any time. All passwords related to ABLED, Inc. computers must be on secure files.

J. Mail

Employees must have personal mail sent to their home, not to ABLED, Inc.

K. Confidential Information

Employees are entrusted with confidential information concerning individuals in services and their families and will be expected to protect the right of privacy of all individuals supported. Confidential information can only be provided on a "need to know" basis or with proper release.

Confidential information will not be given to newspapers, magazines, TV or radio reporters or photographers on the telephone, e-mail or in person. Such inquiries should be directed to the Chief Operations Officer. If an employee releases confidential information without proper consent, they are subject to dismissal.

L. Solicitations

Employees may distribute materials at ABLED, Inc. facilities, if it is not disruptive. People who are not employees are prohibited from distributing materials. Bulletin boards maintained by ABLED, Inc. at its various locations are reserved for use by the employer.

M. Tips and Gifts

ABLED, Inc. prohibits employees from accepting money from individuals supported. ABLED, Inc. also discourages employees from accepting gifts from individuals or from others with whom ABLED, Inc. has contact. The employee should refer anyone wishing to make a donation or gift to ABLED, Inc. to the main office. Solicitation of personal gifts or donations from individuals served or their families is prohibited.

N. Suggestions

Employees are in the best position to know and understand the details of their work. They may discover new or improved ways of doing their work or have suggestions about working relationships. Employees are urged to make suggestions to their supervisor.



O. Inventions or Patent Agreements

All discoveries, inventions, patents, inventor's rights, ideas, formulas, processes, or any apparatus conceived, developed or improved by employees with the use of ABLED, Inc.'s time, equipment or tools will be the sole and exclusive property of ABLED, Inc.

P. Subpoena/Expert Witness

Employees who receive a subpoena as a witness to appear in court, on behalf of ABLED, Inc., will be paid for the time spent in court. Employees must notify their supervisor immediately upon receipt of such subpoena.

If an employee needs to be in court for other than ABLED, Inc., the employee will not be paid for time away from work.

Q. Service on Committees

Employees may from time to time be asked to serve on various committees in which ABLED, Inc. has an interest. It is the employee's responsibility to prevent these committee assignments from interfering with normal duties. The employee should spend no more time than necessary to accomplish committee objectives. With a committee outside the region, employees should remember that other agencies/individuals may form lasting impressions of ABLED, Inc. from the employee's performance. When the committee works on issues affecting ABLED, Inc., employees should remember that the committee is not a policy making body but functions primarily to give expert advice, guidance, comments and recommendations to the ABLED, Inc. Management and/or Board of Directors.

R. Policy on Consulting

1. When representing ABLED, Inc.

Employees may be requested by ABLED, Inc. to provide their services to other businesses, organizations, including civic groups, or agencies as representatives of ABLED, Inc. Such arrangements are permissible and are considered a legitimate job function subject to two qualifications:

- a. It is the employee's responsibility to exert every effort to prevent these arrangements from interfering with normal duties.
- b. Any fee, honorarium, or other form of payment, if offered, is contributed to ABLED, Inc. This does not include reimbursement for actual expenses incurred in providing the consultation.

2. When not representing ABLED, Inc.

Employees may be requested to provide their services to other businesses, organizations, or agencies. Such arrangements are permissible under ABLED, Inc. policies subject to three qualifications:

- a. It is the employee's responsibility to exert every effort to prevent these arrangements from interfering with normal duties.
- b. The employee must be in a leave status for the time involved. Leaves may include non-paid time off, vacation leave or personal leave.
- c. Time off must be approved by the immediate supervisor.



S. Service on Elections

Employees should give at least 30 days' notice that they intend to work at the election. Employees serving on elections will have their pay reduced for each hour of work missed (up to eight hours) by an amount equal to the hourly compensation paid for election service. Employees must provide a letter from the Election Office to ABLED, Inc. as proof of hours worked and the rate of pay for each hour.

T. Smoking Policy

Smoking is prohibited in ABLED, Inc. owned or operated buildings and vehicles and private vehicles when paid staff are transporting individuals supported.



XIII. GRIEVANCE PROCEDURE

A. For all Eligible Employees Except Those Directly Supervised by the President

Grievances among employees should be resolved between themselves, if possible. If the situation remains unresolved, Step 1 of the Grievance Procedures should be implemented. It is the employee's responsibility to initiate this process.

Step 1 - Immediate Supervisor (Informal): The grievant has five (5) working days after the occurrence which caused the grievance to talk to their immediate supervisor.

The grievant and the supervisor have three (3) working days to attempt to arrive at a solution to the grievance.

Step 2 - Immediate Supervisor (Formal): The grievant has five (5) working days to present the grievance in writing to the supervisor using the Grievance Form if a satisfactory solution cannot be arrived at in Step 1.

The supervisor has three (3) working days to respond on the Grievance Form and return a copy of the form to the grievant and the original to Management.

Step 3 – Executive other than President: If a satisfactory solution is not achieved, the grievant may appeal to an executive other than the president within three (3) working days after receiving the supervisor's written response. Management may request the grieving party and their supervisor to discuss the grievance at an informal conference with Management.

Management will have five (5) working days after receiving the grievance or the informal conference, if one takes place, to submit a final decision in writing to the grieving party.

Step 4 - President: If a satisfactory solution cannot be achieved at Step 3, the grievant has five (5) working days to appeal the decision to the President. The President has ten (10) working days to state a decision on the Grievance form and to return a copy to the grievant. The decision of the regional President is final.

B. For Employees Directly Supervised by the President

Step 1 - President (Informal): The grievant will have five (5) working days from the occurrence which caused the grievance to talk to the President. The grievant and the President has three (3) working days to attempt to informally arrive at a solution.

Step 2 - President (Formal): If a satisfactory solution to the grievance cannot be achieved at Step 1, the grievant has five (5) working days to present the grievance to the President, on the Grievance form. The President has three (3) working days to respond on the Grievance form and return a copy to the grievant.

Step 3 - Executive Committee of the Board of Directors: If a satisfactory solution to the grievance cannot be achieved at Step 2, the grievant has three (3) working days after



receiving the President's written response to request that the President convene a meeting of the Executive Committee of the ABLED, Inc. Board of Directors. The meeting must be held within ten (10) working days of the request. The Executive Committee will determine the time and place for hearing the grievance. Upon hearing the grievance, the Executive Committee will put its decision in writing on the Grievance Form and will forward copies to the grievant as well as the President.

All decisions of the Executive Committee are final.



XIV. TRAVEL AND EXPENSE POLICIES AND PROCEDURES

A. General Information

ABLED, Inc. may reimburse traveling expenses for transacting ABLED, Inc. business. Reimbursements may be limited at the discretion of the Executive Team. ABLED, Inc. strictly forbids reimbursing traveling expenses for any other purpose. Allowable expenses are: personal vehicle use, travel by train, bus or aircraft, ground transportation to and from terminals, meals (including tips), lodging, parking, tolls, baggage handling, taxi (including tips), telephone and postage. All expenses claimed must reflect only those amounts actually spent.

ABLED, Inc. will not advance funds to employees for travel expenses. Management may, however, purchase air tickets for employees.

All documentation should be itemized so that the nature, purpose and necessity are apparent for expenditures. Expense claims should be presented according to ABLED, Inc. guidelines. Random checks may verify authenticity of receipts. All items claimed for reimbursement for a trip should be on the same expense claim. Management may make special provisions for extended travel reimbursements.

Employees must attach receipts to expense claims in support of the following expenses: (1) airline, train or bus tickets; (2) lodging; (3) postage in excess of one (\$1) dollar; (4) tolls and parking exceeding one (\$1) dollar; (5) registration or conference fees; (6) personally rented automobiles; (7) meals (including tips).

No reimbursement will be made for personal expenses.

ABLED, Inc. will not pay expenses during the time an employee has vacation, military leave, excused absence without pay, or sick leave.

If an employee, as part of their duties, attends a function at which a conference or registration fee is charged (which includes a meal) the entire amount is reimbursable. Such charges may also be paid by direct voucher.

Employees falsifying expenses on Individual Expense Records or on direct billings to ABLED, Inc. will be dismissed.

B. Travel - Lodging/Meals

Employees must report only actual expenses paid for lodging. Employees should always request the lowest rate, including the government rate for lodging in Nebraska.

The usual maximum allowance for meals per day will not exceed \$100. When circumstances merit, Management may approve claims for higher meal allowances.

C. Travel - Mode of Travel

An employee should use the most economical method of transportation when traveling within the state. The Chief Operations Officer may approve more costly methods under exceptional circumstances.



The ABLED, Inc. mileage reimbursement is set up to a rate allowed by the Internal Revenue Service. All requests for travel reimbursement must include: purpose, points of departure and arrival, and actual cost.

D. ABLED, Inc. Vehicle: Use and Operation of

Vehicles: When ABLED, Inc. vehicles are available, the supervisor may assign a vehicle to an employee for use on ABLED, Inc. business. ABLED, Inc. prohibits using any ABLED, Inc. vehicle for personal errands. It is the responsibility of the employee to see that the car is used for business only. Unauthorized travel is travel that ABLED, Inc. would not pay for if a private car were used.

Operator: An Employee who drives an ABLED, Inc. vehicle must have a valid driver's license while driving. An operator of an ABLED, Inc. vehicle who has failed to get a valid license may be disciplined. All traffic/parking violations are the personal responsibility of the operator.

E. Privately-Owned Vehicles Use and Reimbursement

All employees will use an ABLED, Inc. vehicle when available. When two (2) or more persons travel in the same vehicle, only the owner of the vehicle may collect mileage for each trip up to the rate allowed by the Internal Revenue Service.

When submitting a claim for reimbursement, the employee will record: the destination, odometer readings, (standard mileage may be used), the purpose, and the rate per mile. Reimbursement will be for business only. No consideration will be given for personal errands.

F. Vehicle Insurance

ABLED, Inc. has insurance in the minimum amounts of \$300,000 for bodily injury liability, property damage liability; \$15,000/\$30,000 for uninsured motorists and comprehensive (\$250 deductible) and collision (\$500 deductible) insurance. This insurance coverage applies to third parties other than employees. Worker's compensation covers medical expenses for employees.

Individuals using their privately-owned automobiles on ABLED, Inc. business must have coverage through their personal automobile policy. It is the individual's responsibility to contact their private insurance company to make sure their automobile policy provides the proper coverage. A written request to the insurance company should answer questions or misunderstandings that could arise after an accident.

It is important to remember that the primary purpose of ABLED, Inc. insurance is to protect ABLED, Inc. If an employee's privately owned vehicle is damaged while it is being used on business, there is no coverage to the vehicle under ABLED, Inc. insurance.



XV. OTHER POLICIES

A. Outside Employment

A position of profit referred to in the Conflict of Interests Act, 49-1101 to 49-1117 and in Section 810108, R.R.S., 1943, means a position in which the person might profit from conflict of interest.

Employees of ABLED, Inc. may take occasional or part-time jobs if there is: (1) no conflict in working hours (2) no detrimental effects to the employee's efficiency in their work and (3) no conflict or suspicion of conflict with the interests of the program. The President must be notified and approve all outside employment for Director and Coordinator positions.

Employees of ABLED, Inc. may not engage in outside business activities while on duty. They also may not use ABLED, Inc. property for personal business. A supervisor must approve the use of any property for community functions.

B. Employment of Relatives

No employee will supervise or be supervised by a member of their immediate family unless authorized by the board of directors. ABLED, Inc. will not hire, promote or transfer an employee when it would mean that they would supervise or be supervised by an immediate family member.

C. Petty Cash Fund

ABLED, Inc. offices may keep minimum petty cash funds to purchase small items (stamps, office and cleaning supplies, etc.). These petty cash funds are for the convenience of ABLED, Inc. office operations, and not for the convenience of employees. Employees may not borrow money from the petty cash.

D. Confidentiality of Employee Records

Except as otherwise provided in these rules and, by law, all employee records of the Main office will be considered confidential.

Employees may inspect their official personnel folders during regular office hours. Others may see the file only when they have the written authorization of the employee. Written authorization may be received at any time. Direct line supervisory staff, personnel administration staff and auditors of ABLED, Inc. are exempt from this restriction.

Employees needing to have information released from their file (i.e., change of jobs, insurance or home mortgage applications, etc.) should file a consent form.

Underwriting information required for any employee benefit plans will be kept strictly confidential and between the Main office and representative insurance entities. Employees have the right to request restrictions on certain uses and disclosures of their confidential information. Employees also have the right to inspect, amend and copy their protected health information.



E. Harassment

ABLED, Inc. will maintain a work environment that is free of discrimination and will not tolerate harassment of employees or persons served by anyone, including any supervisor, co-worker, vendor, or customer.

Harassment consists of unwelcome verbal, physical or visual conduct based on a person's sex, color, race, ancestry, religion, national origin, age, disability, medical condition, marital status, veteran status, citizenship, sexual orientation, or other protected group status. ABLED, Inc. will not tolerate harassing conduct that: (1) affects tangible job benefits, (2) interferes unreasonably with an individual's work performance, or (3) creates an intimidating, hostile, or offensive working environment.

An employee who sexually harasses another employee or individual is violating ABLED, Inc. policies. Any supervisor who knowingly permits sexual harassment of any employee or individual is also violating policies. In this policy, "sexual harassment" means unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature, when:

- a. Submission is made either explicitly or implicitly a term of an individual's employment or a condition to receiving services.
- b. Submission or rejection is used as the basis for employment or ABLED, Inc. decisions affecting an employee or an individual.
- c. The conduct interferes with an employee's work performance; creates an intimidating, hostile or offensive environment; or interferes with the services the individual is supposed to receive.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body.

All ABLED, Inc. employees are responsible for helping to assure that harassment is avoided. An employee who feels they have experienced or witnessed harassment, should notify immediately any Coordinator or Director, including the President. ABLED, Inc. forbids retaliation against anyone who has reported harassment.

ABLED, Inc. will investigate all such complaints thoroughly and promptly. As much as possible, ABLED, Inc. will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, ABLED, Inc. will take immediate disciplinary and/or corrective action, including termination.

Employees may also contact the Nebraska Equal Opportunity Commission (402-471-2024 or 1 800-642-6112), Commission on the Status of Women (402-471-2039), or a private attorney for assistance in reporting complaints of sexual harassment.



F. Infectious Disease Guidelines

Definition: Infectious diseases are conditions that are communicable and can produce serious illness in another person. These may include, but are not limited to, Hepatitis A & B, tuberculosis, Human Immunodeficiency Virus (HIV), staphylococcal skin infection, and rubella.

1. Employment of persons with an infectious disease

An employee with an infectious disease that may be transmitted in the work force should inform their supervisor of the disease at least one (1) calendar day before the next scheduled work shift.

An employee with an infectious disease may use sick leave or vacation time, or may be placed on a leave of absence without pay pending a physician's diagnosis and statement specifying:

- a. The potential of infecting other employees or individuals served at the work place or while doing job duties.
- b. The necessity of, and timing for, periodic medical evaluation regarding their condition, prognosis, and ability to return to work.
- c. Any special precautionary measures, beyond universal precautions (e.g., gloves, masks), which would permit the employee to continue working without infecting other people.
- d. Necessity or ability to transfer to another job within ABLED, Inc.

ABLED, Inc. may require that a medical professional, chosen by ABLED, Inc., review the employee's records and determine their ability to return to work.

If the employee can work, ABLED, Inc. may request periodic medical evaluations, at the employee's expense, to determine the employee's ability to continue working.

ABLED, Inc. will decide the extent to which co-workers need to know about the disease. Refer to Family and Medical Leave Act if employee is unable to work.

2. Employee interaction with co-worker with an infectious disease.

All people, including those with an infectious disease, will be treated with courtesy and respect. An employee assigned to an area in which another employee or an individual has an infectious disease will perform the normal work duties.

All ABLED, Inc. employees will take precautions to prevent the spread of infectious disease, including thorough hand washing and disposal of personal wastes. As all body fluids are potentially contaminated, employees should take precautions before and after contact with blood and body fluids. Employees will receive Hepatitis B information and a copy of the universal precautions for dealing with body fluids, developed by the Center for Disease Control.

If an employee declines to do their duties due to an unwarranted fear of infection, and the medical community has said there is no recognized risk of infection, the employee will be instructed to continue their job responsibilities. If an employee fails to do the assigned duties, the supervisor may take disciplinary action, following procedures



outlined in this policy. All documentation to support any disciplinary action will be placed in the employee's personnel file.

Employees with health problems who work with anyone who has an infectious disease are responsible for discussing the issue with their supervisor. The employee will provide a medical history or other information the supervisor requests.

3. Interactions with individual with an infectious disease

In the event an individual supported has an infectious disease, the individual's physician will determine what precautions employees should follow to prevent the spread of the disease. The team will develop a plan to comply with the physician's recommendations.

ABLED, Inc. does not intend to exclude individuals from service who have an infectious disease. Management will take measures to protect the health and safety of employees and people in services.

4. Significant exposure to blood or body fluids

A significant exposure is a situation in which the body fluids (blood, saliva, urine, feces, etc.) of a person may have entered another person's body either through: (1) a body opening (the mouth or nose), mucous membrane (the eye), or a break in the skin (a cut or abrasion); (2) a prick by a contaminated needle; (3) intimate respiratory contact (CPR without a barrier) or (4) any other manner.

Employees must immediately notify their supervisor of any significant exposure that they or an individual has experienced. An ABLED, Inc. Blood Borne Pathogen program will be on file. This program will be followed for any instance of significant exposure.

5. Employee training on Infectious Disease Control Guidelines

Upon hire, all employees will receive training and a copy of the "Infectious Disease Control Guidelines" during orientation. Employees are to follow universal precautions to prevent exposure to all body fluids. They will sign a statement saying that they have received information from ABLED, Inc. on universal precautions for all infectious diseases. All employees who have the possibility of occupational exposure to blood borne pathogens will be offered immunization for Hepatitis B at ABLED, Inc. expense.

6. Confidentiality

All information regarding employees or individuals who have an infectious disease is confidential and will be handled like all other confidential information.

G. Drug Free Work Place Policy

Employees involved in the use, manufacture, distribution, or possession of illegal drugs or unauthorized controlled substances while in an ABLED, Inc. facility or while conducting business will be subject to disciplinary action. They could be dismissed for the first offense. Employees must report to work in condition for duty. Being under the influence of alcohol or drugs is cause for disciplinary action, including dismissal for the first offense.

Any employee convicted of violating a criminal drug statute in an ABLED, Inc. facility or while conducting ABLED, Inc. business must inform ABLED, Inc. within 24 hours of the conviction (including pleas of guilty and nolo contendere). If an employee fails to inform ABLED, Inc., the supervisor will take disciplinary action. The employee may be dismissed for the first offense.



ABLED, Inc. will notify federal granting agencies within ten days after receiving notice of an employee's drug statute conviction.

ABLED, Inc. recognizes chemical dependency as an illness and a major health and safety problem. Therefore, ABLED, Inc. may provide information and referral for appropriate assistance. However, it is the employee's responsibility to seek and accept help. Conscientious efforts to seek help will not jeopardize an employee's job if the employee accepts help, becomes rehabilitated, and can fulfill expectations on the job.

All ABLED, Inc. employees and all new employees will receive a copy of ABLED, Inc. Drug Free Workplace Policy. Each employee's personnel record will include a signed, dated statement that the employee has received, understands, and will abide by ABLED, Inc. Drug Free Workplace Policy. All new employees will receive drug abuse awareness training in the first six months from date of hire.

H. Drug/Alcohol (for Cause) Testing

Employees of ABLED, Inc. will be required to submit to testing when reasonable suspicion exists that they are under the influence of drugs and/or alcohol. Reasonable suspicion may be a result of physical action, speech or appearance. Performance issues regarding supports to individuals served, accidents involving damage to property, or injury to persons may all be cause for this procedure to be implemented.



XVI. ABLED, Inc. MANAGEMENT'S RIGHTS AND RESPONSIBILITIES

ABLED, Inc. Management has exclusive rights of administration. These include, but are not limited to:

1. Manage and control the premises and equipment.
2. Select, hire, promote, suspend, dismiss, assign, supervise and discipline employees.
3. Change starting times, quitting times and shifts.
4. Transfer employees within departments and to other departments and other jobs.
5. Determine size, composition, and qualifications of work forces.
6. Establish, change and abolish policies, practices, rules and regulations.
7. Modify job descriptions, job classifications and job evaluations.
8. Change methods of providing services, including cooperating with other agencies to serve people with intellectual disabilities.
9. Assign duties to employees according to the needs and requirements of ABLED, Inc.
10. Carry out usual functions of management.
11. Use facilities and/or services of an outside agency, or provide services for another agency.

In all administrative decisions, ABLED, Inc. will carefully consider the needs of individuals supported and their relatives/advocates, employees, other agencies and the community.



XVII. POLICY CHANGE

These policies are subject to change at any time. If any section of these policies or any part of a section is declared invalid or unconstitutional, this will not affect the other sections.



XVIII. EXCEPTIONS

These policies and supplements will govern the operations of ABLED, Inc. However, ABLED, Inc. cannot foresee all situations. Special circumstances may merit special consideration by the President or the ABLED, Inc. Board of Directors.



XIX. ACKNOWLEDGMENT AND RECEIPT

I have been advised to access the ABLED, Inc. Personnel Policy on the website.

I understand that this Personnel Policy is not a contract.

Notwithstanding any other provision of this Policy, employment with ABLED, Inc. is at will and may be terminated at any time by ABLED, Inc. or by me with or without notice or cause.

I understand that this arrangement may be changed only by written agreement signed by me and the Chief Executive Officer of ABLED, Inc.

I understand that from time to time I may receive compensation increases, performance reviews, promotions, demotions, disciplinary action and the like, none of which is intended to alter the at-will nature of my employment with ABLED, Inc.

I understand that I should not rely on any statements, promises or representations, written or oral, from anyone in ABLED, Inc., that contradict ABLED, Inc.'s right to terminate my employment at any time, with or without notice or cause.

I authorize deduction from my paycheck for the cost of any ABLED, Inc. property issued to me that I fail to return in good condition (normal wear and tear excepted) when asked to do so, or for any other amounts that I owe ABLED, Inc.

I understand and acknowledge receipt of the ABLED, Inc. web address for all ABLED, Inc. policies. I agree to abide by these policies.

DATE: _____

SIGNED: _____

PRINTED NAME: _____