



NORTHEAST TECH

Employee Handbook

FY 2019

Northeast Tech EMPLOYEE HANDBOOK

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INTRODUCTION

Whether you have just joined our staff or have been at Northeast Tech for a while, we are confident that you will find our district a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of NTC to be one of its most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship. The electronic version of this employee handbook is embedded with hyperlinks in the headers of the sections. If you have internet access you can click on the board policy number hyperlink and the NTC board policy will open on your computer.

There are several items to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your supervisor or the Human Resource department. Neither this handbook nor any other district document confers any contractual right, either expressed or implied, to remain in the district's employ. Nor does it guarantee any fixed terms and conditions of your employment.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Most subjects described in this handbook are covered in detail in official NTC Board Policies which can be accessed at www.netech.edu hover over "District" then "School Board" and click on "School Board Policies." Refer to these documents for specific policy information because this handbook only briefly summarizes those policies, guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

DIVERSITY

Equal Employment Opportunity Statement (BP 1001)

Northeast Tech provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. NTC complies with applicable state and local laws governing nondiscrimination in employment in every location in which the district has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfers, leaves of absence, compensation and training.

NTC expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Improper interference with the ability of Northeast Tech employees to perform their expected job duties is absolutely not tolerated. Anyone who believes they have been subjected to unlawful employment practices or harassment or has questions should contact the EEO Officer for the District.

Northeast Technology Center's Anti-Harassment Policy and Complaint Procedure (BP 5002, 5099, 5100, 5103)

Northeast Tech is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Northeast Tech expects that all relationships among persons in the office or workplace will be business-like and free of bias, prejudice and harassment.

It is the policy of Northeast Tech to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information. Northeast Tech prohibits any such discrimination or harassment.

Northeast Tech encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Northeast Tech to promptly and thoroughly investigate such reports. Northeast Tech prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment
2. Has the purpose or effect of unreasonably interfering with an individual's work performance
3. Otherwise adversely affects an individual's employment opportunities

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on district time or using district equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to NTC (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process (BP 5002, 5099, 5100, 5103)

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with an NTC Administrator, Superintendent or NTC Board Member.

When possible, NTC encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. NTC recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

NTC encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to Northeast Tech's Superintendent or board of education.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) (BP 5001)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Northeast Tech to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our district policy not to discriminate against qualified individuals with disabilities in regard to application

procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The district will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship on NTC. Contact the Human Resource department or Administration with any questions or requests for accommodation.

EMPLOYMENT

Employee Classification Categories (BP 5070, 5095, 5096)

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Please refer to Board Policy 5095 and 5096 for more in-depth information.

Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

Exempt employees are generally managers or professionals, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

NTC has established the following categories for both nonexempt and exempt employees:

1. **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work the district's full-time schedule of 35 hours or more per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program
2. **Regular, Part time with Benefits:** Employees who are not in temporary status and who are regularly scheduled to work thirty (30) to thirty-five (35) hours per week. These employees are eligible for health benefits and some of the other benefits offered by the district subject to the terms, conditions and limitations of each benefit program
3. **Regular, part-time:** Employees who are not in a temporary status and who are regularly scheduled to work less than 29 hours per week. Regular, part-time employees are eligible for some of the benefits offered by the district subject to the terms, conditions and limitations of each benefit program
4. **Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are

temporarily scheduled to work the district's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status

5. **Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the district's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status

Temporary workers are not eligible for district benefits unless specifically stated otherwise in district policy or are deemed eligible according to plan documents.

Background and Reference Checks (BP 5101, 5102)

To ensure that individuals who join Northeast Tech are well qualified, and to ensure that NTC maintains a safe and productive work and learning environment, it is our policy, mandated by state law, to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a national criminal background check report that is acceptable to NTC. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead NTC to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks shall include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record may be made on applicants for particular job categories if appropriate and job related.

NTC also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

Annual Search of Sex Offender and Violent Crime Offender and Questionnaire

Pursuant to Okla. Stat. tit. 57, § 589, NTC shall conduct an annual name search against the Oklahoma Sex Offenders Registry and the Mary Rippy Violent Crime Offenders Registry of all District employees who provide or offer services to secondary students and children.

Student and staff safety is of paramount concern to NTC's Board of Education. Employees who have committed criminal offenses could be a threat to the safety of students and staff. The Board commits itself to make the best possible effort to maintain a workplace safe for all students and employees. On an annual basis, all NTC employee who are employed on September 1 will be required to truthfully answer the Employee Annual Criminal Record Questionnaire, found in BP 5102.

Internal Transfers/Promotions

The administration may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work requirements.

Northeast Tech offers employees promotions to higher-level positions when appropriate. Administration prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the district's best interest.

Administration retains the discretion to make exceptions to the policy.

Nepotism, Employment of Relatives and Personal Relationships

Northeast Tech wants to ensure that district practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and spouses or domestic partners of the above-named relatives.

If employees begin a dating relationship or become relatives, partners or members of the same household, and if one party is in a supervisory position, that person is required to inform Administration and Human Resources of the relationship.

NTC reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

Progressive Discipline (BP 5094, 5095)

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

Northeast Tech supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our policy has been designed consistent with our organizational values, Human Resources best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. NTC reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines Northeast Tech's progressive discipline process:

1. **Verbal Warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference
2. **Written Warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the serious nature of the written warning
3. **Performance Improvement Plan (PIP):** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a PIP. The PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, due process leading to dismissal may occur

NTC reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Separation of Employment (BP 1090, 5020, 5080, 5081)

Separation of employment within the district, with the exception of employees covered by the ACT negotiated contract, can occur for several different reasons.

1. **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given
2. **Retirement:** Employees who wish to retire are required to notify their department director and the Human Resource department in writing before April 1 to become eligible for the Retirement Incentive Program. It is the practice of NTC to give special recognition to employees at the time of their retirement
3. **Termination:** Employees of Northeast Tech are employed on an at-will basis for the first year of employment, and the district retains the right to terminate an employee at any time during this first year

Suspension, Demotion, Termination or Non-Reemployment of Support Employees (BP 5095)

A support employee who has been employed by NTC for more than one year shall be suspended, demoted, terminated or non-reemployed during the term of his/her contract only for cause as provided in this policy. In addition to the definition of cause stated in section 3 of this Policy, "cause" shall also specifically include lack of funds or lack of work. Any support employee who has been employed by NTC for less than one year (12 months) is not entitled to invoke the procedures of this policy and such employee's contract can be terminated at any time without cause.

Cause for Suspension, Demotion, Termination or Non-reemployment

A support employee may be suspended, demoted, terminated or non-reemployed during the term of his/her contract for any of the following:

1. Violation of any rule, regulation or requirement issued by the Office of the Superintendent or Board of Education of NTC
2. Conduct not otherwise specified in the above rules, regulations or requirements which constitutes insubordination, neglect of duty, incompetency in job performance, dishonesty, or causing or allowing damage, destruction or theft of school property

The rules, regulations and requirements referred to above shall be posted in a prominent place at each work location or otherwise communicated in writing to all support employees. The rules, regulations and requirements, which may be revised from time to time, shall state that violation of the rules, regulations and requirements may result in suspension, demotion, termination or Non-Reemployment during the term of his/her contract. Please see [Board Policy 5095](#) for the list of Support Employee Rules and Regulations.

Suspension, Dismissal and Non-Reemployment of Teachers (BP 5095A)

"Teacher" means a duly certified or licensed person who is employed to serve as a counselor, librarian, school nurse, or any instructional capacity. An administrator shall be considered a "teacher" only with regard to service in an instructional, not administrative capacity.

Grounds for Dismissal or Non-Reemployment

A career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty
2. Repeated negligence in performance of duty
3. Incompetency
4. Unsatisfactory teaching performance
5. Instructional ineffectiveness
6. Mental or physical abuse to a child
7. Commission of an act of moral turpitude

8. Abandonment of contract
9. Criminal sexual activity or sexual misconduct (as those terms are defined by law) which has impeded the effectiveness of the teacher's performance of school duties
10. Conviction of any sex offense subject to Oklahoma's Sex Offenders Registration Act, another state's, or the Federal Sex Offender Registration Provisions
11. Failure to meet local school board staff development requirements (non-reemployment only)
12. Any other grounds hereafter allowed by law

Abandonment of contract means the failure of a teacher to report at the beginning of the contract term or otherwise performs the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment. A career or probationary teacher shall be dismissed or not reemployed for conviction of a felony. A probationary teacher may be dismissed or not reemployed for cause. A cause listed in 2A(i) - (v) for a career teacher, or any cause related to inadequate teaching performance for a probationary teacher, shall not be a basis for a recommendation to dismiss or not reemploy a teacher unless corrective action procedures involving admonishment / plan for improvement have been followed. Dismissal or non-reemployment for any cause not listed in 2A(i) - (v) for a career teacher, or not related to inadequate teaching performance for a probationary teacher, shall not require corrective action procedures (i.e. admonishment) to be followed.

Corrective Action – Admonishment / Plan for Improvement

1. When the administrator who has evaluated a teacher pursuant to technology center policy identifies poor performance or conduct that the administrator believes may lead to a recommendation for the teacher's dismissal or non-reemployment, the administrator shall
 - a. admonish the teacher, in writing, and make a reasonable effort to assist the teacher in correcting the poor performance or conduct
 - b. establish a reasonable time for improvement, not to exceed two (2) months, taking into consideration the nature and gravity of the teacher's performance or conduct
2. Whenever a member of the board of education, superintendent, or other administrator identifies poor performance or conduct that may lead to a recommendation for dismissal or non-reemployment of a teacher, the administrator who has responsibility for evaluation of the teacher shall be informed and shall admonish the teacher as described above. If the administrator fails or refuses to admonish the teacher within ten (10) days after being informed of the problem, the board, superintendent or other administrator who identified the problem shall admonish the teacher
3. If the teacher does not correct the poor performance or conduct cited in the admonition within the time specified, the administrator (or other admonishing official) shall make a recommendation to the superintendent for the dismissal or non-reemployment of the teacher. The superintendent shall furnish a copy of the recommendation to the board of education

Return of District Property

The separating employee must return all district property at the time of separation, including keys, PCs and any other equipment assigned to or used by the employee, and identification cards.

Health insurance terminates 30 days after the last day of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.

Rehire

Former employees who left NTC in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resource department and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Administration prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

WORKPLACE SAFETY

Drug-Free Workplace (BP 5097, 5097A, 5106)

Northeast Tech has a longstanding commitment to provide a safe and productive work and learning environment. Alcohol and drug abuse pose a threat to the health and safety of students and employees and to the security of our equipment and facilities. For these reasons, NTC is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of NTC. The Human Resource department is responsible for policy administration.

In order to maintain a healthy educational and working environment, and to comply with the requirements of the Drug-Free Workplace Act of 1988 for purposes of receiving federal assistance, the board of education adopts the following policies and regulations:

1. Use, possession, dispensing, manufacture, sale, or distribution; or conspiring to sell, distribute, or possess; or being in the chain of sale or distribution; or being under the influence of a controlled substance, alcoholic beverage, or low-point beer (as defined by Oklahoma law, i.e., 3.2 beer) in any of NTC's facilities, on technology center property (including vehicles), or at a technology center sponsored function or event by an employee is prohibited. Violation of this prohibition shall result in disciplinary action, which may include dismissal or nonrenewal of employment. Violations which constitute criminal acts will be referred for prosecution
2. Employees who are engaged in the performance of work under the terms of a federal grant must, as a condition of their employment, notify a technology center administrator in writing of any drug conviction (including a plea of nolo contendere) for a violation of a criminal drug statute which occurred at a technology center workplace within five calendar days after the conviction. The conviction shall result in dismissal or nonrenewal, or a requirement that the

employee satisfactorily participate in drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement or other appropriate agency

3. The conviction shall be reported in writing by NTC's grant administrator to the relevant federal granting agency within 10 calendar days of the notification by the employee or other actual notice of the conviction
4. This policy statement shall be included in NTC's employee manual, and shall be distributed to all employees at the commencement of each school year
5. The employee in-service training period prior to the commencement of each school year shall include a review and discussion of the dangers of drug and alcohol abuse in the workplace, NTC's policy for a drug and alcohol free workplace, the penalties for violating the policy, and available sources of information, counseling, rehabilitation, and re-entry programs regarding drug and alcohol use

Work Rules

The following work rules apply to all employees:

1. Whenever employees are working, are operating any district vehicle, are present on district premises, or are conducting related work off-site, they are prohibited from
 - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia)
 - b. Being under the influence of alcohol or an illegal drug as defined in this policy
2. NTC will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked. If necessary, an employee may request a meeting with his/her supervisor and Human Resources to hold an interactive accommodation meeting to see if a reasonable accommodation can be made
3. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution

Required Testing

The district retains the right to require the following tests:

1. **Pre-employment:** All applicants must pass an alcohol/drug test after receiving an offer of employment and before beginning work. Refusal to submit to testing will result in disqualification of further employment consideration
2. **For Cause:** Employees are subject to testing anytime NTC reasonably believes that an employee may be under the influence of drugs or alcohol, but not limited to the following circumstances. Human Resources must be consulted before sending an employee before For Cause testing
 - a. Drugs or alcohol on or about the person or in the vicinity of the employee

- b. Conduct on the part of the employee that suggests impairment or influence of drugs or alcohol
 - c. A report of drug or alcohol use by the employee while at work or on duty
 - d. Information that the employee has tampered with drug or alcohol testing at any time
 - e. Negative performance patterns of the employee
 - f. Excessive or unexplained absenteeism or tardiness of the employee
3. **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that damage a district vehicle, machinery, equipment or property and/or result in an injury to themselves or another employee. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner
 4. **Random Testing:** Testing at random for drugs and alcohol for all bus drivers
 5. **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge

Consequences

Applicants who refuse to cooperate in an alcohol/drug test or who test positive will not be hired. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including possible discharge.

Employees will be paid for time spent in alcohol/drug testing and suspension pending the results of the alcohol/drug test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of administration and Human Resources. Should the results prove to be negative, the employee will be allowed to return to work.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

Inspections

Northeast Tech reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including possible discharge. EMPLOYEES HAVE NO EXPECTATION OF PRIVACY IN ANY NTC PROPERTY, INCLUDING BUT NOT LIMITED

TO FACILITIES, STORAGE AREAS, DESKS, COMPUTERS, NETWORKS, TABLETS AND PHONES.

Crimes Involving Drugs

Northeast Tech prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on district premises or while conducting district business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Workplace Bullying (BP 5100, 5103)

Northeast Tech defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates the district Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and administration, that the district will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including possible discharge.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. NTC considers the following types of behavior examples of bullying:

1. **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks
2. **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property
3. **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages
4. **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities
5. **Cyber-bullying:** The use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature

Violence in the Workplace

All employees, students, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, customer, vendor or business associate will not be tolerated. Northeast Tech resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. NTC treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Human Resources, or any member of administration. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident unless the employee reasonably believes he/she can stop the incident with no injury to themselves or to others.

Employees should promptly inform the Human Resource department or Administration of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. NTC will not retaliate against employees making good-faith reports

Northeast Tech will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. NTC will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, NTC may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including possible discharge.

NTC encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. NTC will not discipline employees for raising such concerns in good faith.

Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a student/client.

Although most safety regulations are consistent throughout each department and program, employees have the responsibility to identify and familiarize themselves with the emergency plan for their working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action. Employees who sustain work-related injuries must **immediately notify** their department supervisor and complete the necessary forms.

Furthermore, Administration requires that every person in the organization assume the responsibility of individual and organizational safety. Failure to follow district safety and health guidelines or engaging in conduct that places the employee, student/client or district property at risk can lead to employee disciplinary action up to and including possible discharge.

Quarterly Safety Training

All employees are required to participate in quarterly safety training. Each quarter training month will begin on the first of the following months August, November, February and May. The training must be complete before the end of the current quarter. This training is conducted at the NTC In-Service in August and quarterly on Moodle thereafter.

Smoke-Free Workplace (BP 3066)

It is the policy of Northeast Tech to prohibit smoking inside all district buildings and certain areas of the premises in order to provide and maintain a safe and healthy work environment for all employees and students. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

1. All areas inside district buildings
2. All vehicles owned or leased by the district
3. All visitors (customers and vendors) to the district premises
4. All contractors and consultants and/or their employees working on the district premises
5. All employees, temporary employees and student interns, and students

Smoking is permitted by adults in **approved** outdoor smoking areas only.

Employees who violate the smoking policy will be subject to disciplinary action up to and including possible discharge.

WORKPLACE EXPECTATIONS

Confidentiality

Our students, clients and other parties with whom we do business entrust the district with important information relating to their business. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a "need to know." If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

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 Deputy Superintendent or Superintendent (or his designee) of the district.

Conflicts of Interest

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of Northeast Tech may conflict with the employee's own personal interests. District property, information or business opportunities may not be used for personal gain.

Conflicts of interest could arise in the following circumstances:

1. A direct or indirect financial interest in any business or organization that is a district vendor or competitor, if the employee or board of education member can influence decisions with respect to the district's business
2. Use of any district asset for the employee's personal business advantage (examples of such assets include not only equipment, tools, and supplies, but also valuable ideas, technical data, and other confidential information)
3. Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all district employees

Employees with a conflict-of-interest question should seek advice from administration. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their supervisor or the Human Resources department.

Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise the district's interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by NTC. This prohibition also extends to the unauthorized use of any district tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If NTC determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

Attendance and Punctuality (BP 5095)

All district employees are informed of the expectation that employees must call or contact their immediate supervisor when they may be late or not able to report to work. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. **A no call/no show lasting three days may be considered job abandonment and may be sufficient grounds to begin discipline procedures that may include termination.**

Annual leave days must be scheduled with one's supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Medical documentation within the guidelines of the FMLA may be required in these instances. Please refer to board policies and other areas in this employee handbook that further explain paid leave benefits.

Attire and Grooming (BP 5007)

It is important for all employees to project a professional image while at work by being appropriately dressed. NTC employees are expected to be neat, clean and well-groomed while on the job. Clothing must be consistent with the standards for a business or trade environment and must be appropriate to the type of work being performed.

NTC is confident that employees will use their best judgment regarding attire and appearance. Administration reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in possible termination.

Electronic Communication and Internet Use (BP 5104, 5105)

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

1. Internet, district-provided equipment (e.g., cell phone, laptops and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature
2. The following actions are forbidden
 - a. Using disparaging, abusive, profane or offensive language
 - b. Creating, viewing or displaying materials that might adversely or negatively reflect upon Northeast Tech or be contrary to NTC's best interests

- c. Engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and district-provided equipment such as cell phones and laptops
3. Employees obtaining copyrighted materials may not copy, retrieve, modify or forward, except with permission
4. Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via flash drives. Employees are prohibited from sending or receiving files that are not related to work
5. Employees should not open suspicious e-mails, pop-ups or downloads. Contact I.T. immediately with any questions or concerns to reduce the release of viruses or to contain viruses
6. Internal and external e-mails 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 district

Right to Monitor

All district-supplied technology and district-related work records belong to the district and not to the employee. NTC routinely monitors use of district-supplied technology. Inappropriate or illegal use of communications may be subject to disciplinary action up to and including possible termination of employment.

Social Media—Acceptable Use (BP 5105)

Below are guidelines for social media use.

Employees may not post financial, confidential, sensitive or proprietary information about the district, clients, employees, applicants, or students.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the district, clients, employees, applicants, or students.

NTC may monitor content out on the Internet. Policy violations may result in discipline up to and including possible termination of employment.

Solicitations, Distributions and Posting of Materials

Northeast Tech prohibits the solicitation, distribution and posting of materials on or at district property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by NTC administration and district-sponsored programs related to NTC's products and services.

Provisions:

1. Nonemployees may not solicit employees or distribute literature of any kind on District premises at any time
2. Employees may only admit nonemployees to work areas with administrative approval or as part of a district-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times
3. Employees may not solicit other employees during work times, except in connection with a district-approved or sponsored event
4. Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a district-sponsored event
5. The posting of non-district related materials or electronic announcements is permitted only with prior approval from Administration

Violations of this policy should be reported to Human Resources or the Administration.

Employee Personnel Files

Employee files are the custody of and maintained by the Human Resource Coordinator and are considered **confidential**. Accessing these files without permission from the HR Coordinator is a **violation of the privacy act**. Managers and supervisors may only have access to personnel file information with permission from the HR Coordinator on a need-to-know basis.

A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resource department. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Professional Conduct by Staff (BP 5103)

NTC's Board of Education counts on staff to adhere at all times to recognized standards of professional conduct. Teachers, administrators, and support employees are role models and must exemplify ethical behavior in their relationships with students, patrons, and other staff members. The Board expects staff to be mindful that they are professionals and their conduct, particularly in relation to students, patrons, and other staff, must be consistent with professional standards. Staff members must never engage in conduct which detracts from a safe, positive or appropriate learning environment.

The Board believes that all staff members have a responsibility and professional obligation to be familiar with, and abide by, the laws of Oklahoma, the policies of the Board, and the administrative regulations designed to implement them – as they affect the employee’s job and commitments to students and others.

The OSDE *Standards of Performance and Conduct* set forth standards for the professional conduct of teachers. The Board, like the State Department of Education, requires teachers in the school system to adhere to this code. It expects its administrators also to adhere to requirements for administrators. In addition, the Board approves specific ethical standards that should guide the conduct of all staff members.

Specific Responsibilities

Essential to the success of ongoing NTC operations and the instructional program are the following responsibilities, required of all personnel:

1. Support and enforcement of policies of the Board and regulations of NTC administration in regard to students
2. Concern and attention toward their own and NTC’s legal responsibilities for the safety and welfare of students, including the need to assure that students are reasonably supervised within the constraints presented
3. Avoidance of exploitation of relationships with students, other staff members, or district patrons
4. Consistency and promptness in attendance at work
5. Diligence in submitting required reports promptly at the times specified
6. Care and protection of NTC property

Staff - Student Relationships

Exploitation of staff-student relationships is inconsistent with obligations owed to students. Commercial and business dealings between students and staff members are prohibited. A staff member may not use a teacher/administrator relationship with a student for personal gain. Likewise, staff members may not use student property for personal use or benefit. Staff members who suspect or recognize an inappropriate relationship between a student or staff member or who observe inappropriate conduct toward or contact with a student are required to report this in writing to their supervisor, the Superintendent, or other NTC official.

Exploitation of a Student

Exploitation of a student may result from an improper personal relationship encouraged by a teacher, administrator or support employee. Staff members should be aware that gestures and physical conduct, even though innocent and properly motivated, may be misinterpreted by students or parents. Therefore, teachers, administrators, and support employees must avoid any conduct that might be characterized as evidencing an improper or unprofessional personal attachment toward a student. Coaches, sponsors or chaperones shall not sleep in the same rooms with students on overnight activity or athletic trips unless the sponsor or chaperone is the

parent or legal guardian of the student. Likewise, coaches, sponsors or chaperons shall not accompany a single student on a camp trip or activity unless written approval is received from parents or legal guardian of the student and the Superintendent or Superintendent's designee. Sexual or romantic involvement with a student and sexual harassment by any employee, regardless of the student's age or the student's placement in or out of the teacher's class, is prohibited. NTC officials will seek criminal investigation and prosecution of any employee suspected of engaging in child exploitation.

Standards of Behavior

Staff is expected, in their capacity as role models, to establish an example of acceptable behavior for students. Teachers, administrators and support employees must refrain from the use of vulgar or obscene language and conduct in the presence of students. Similarly, discussion with students of issues personal to the staff member, such as divorce, sexual issues, or similar highly personal subjects, is inappropriate. The use of alcohol by any staff member in the presence of students is prohibited. Likewise, the use of illegal or illicit drugs by employees, in or outside the presence of students, is prohibited and grounds for disciplinary action, including dismissal.

Staff members are required to limit communication with students via computers or wireless telecommunication devices to matters concerning the student's education or extra-curricular activities for which the staff member has assigned responsibility. Even when communication is related to NTC matters, employees should avoid frequent messaging - particularly when messaging is to a single student. Wireless communication devices include, but are not limited to, cellular telephones, pagers, personal digital assistants, camera technology and phones with audio record capabilities. The term "cell phone" includes, but is not limited to, cellular phones, mobile phones, VOIP, smart phones and Internet phones. Staff members, absent written administrative approval, are prohibited from engaging in exchanges with students via MySpace, Facebook, Xanga, blogging and similar sites, and any staff member who does so in violation of this Policy – acts outside the scope of his or her employment. No staff member may establish an Internet site for the purpose of communicating with students regarding school/NTC matters without the express written permission of the Superintendent or other designated school official.

Employees who, as a part of the employee's job, communicate electronically with students must furnish students with specific guidelines which the teacher, coach, or sponsor will follow with respect to the use of electronic communications. Employee communications to students, regardless of the form in which made, must be appropriate and within professional boundaries. In instances where a student's communications to an NTC employee are inappropriate or outside permissible and professional boundaries, the employee has the responsibility to stop the inappropriate communication, report the communication to his or her supervisor, and take prompt action to re-direct the student's communication as is appropriate to specific circumstances.

Staff members are expected to refrain from comments or statements, even in jest, reflecting adversely on any person or group with reference to race, religion, sex, national origin, sexual orientation, or handicapping conditions. Racial, ethnic, or sexual slurs in the presence of students or during work or work related activities or programs constitute unprofessional conduct.

Exploitation by Supervisors of Subordinate Employees

The exploitation by supervisors of subordinate employees is improper and prohibited. In particular, any employee who supervises, directs, evaluates or makes any employment

recommendations with regard to any other employee (i.e. acts as a supervisor) is prohibited from engaging in any commercial, business, romantic, sexual or other similar type of personal relationship with any employee who is or may be subordinate to the supervisor.

Fiscal Management

It is imperative that sound fiscal management procedures be followed by staff to ensure maximum benefit for each dollar expended. Accordingly, misuse of NTC property and/or funds constitutes unacceptable behavior. Employees must adhere to accepted procedures of sound accounting, reporting, business and purchasing practices.

Every employee of NTC has the duty to abide by this professional conduct policy in all respects. Failure to do so may lead to disciplinary action including dismissal or non-renewal from employment, referral to law enforcement authorities for prosecution, or other action appropriate to the nature, gravity, and effect of the relationship on students, other staff members, or NTC operations.

Standards of Performance and Conduct for Teachers

PRINCIPLE I

Commitment to the Students:

The teacher must strive to help each student realize his or her potential as a worthy and effective member of society. The teacher must work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the teacher:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassment or disparagement
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
7. Shall not use professional relationships with individuals for private advantage

8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose and is permitted by law or is required by law.

PRINCIPLE II

Commitment to the Profession:

The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert very effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualification
2. Shall not misrepresent his/her professional qualifications
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position
5. Shall not assist an unqualified person in the unauthorized practice of the profession
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions

COMPENSATION (BP 5056)

Safe Harbor Policy

It is the policy and practice of NTC to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that all non-exempt (hourly) employees are paid properly for all time worked and that no improper deductions are made, they must record correctly all work time and review their time keeping record and paychecks promptly

to identify and to report all errors. Employees also must not engage in off the clock or unrecorded work.

Pay Stub Review

Every effort is made to ensure employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to Payroll's attention, NTC promptly will make any correction that is necessary. Employees should review their paystub when they receive it to make sure it is correct. If an employee believes a mistake has occurred or if there are any questions, please contact the Payroll Department.

Report Violations of This Policy, Communicate Concerns or Get Information

It is a violation of NTC policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of NTC policy for any employee or supervisor to instruct another employee too incorrectly or falsely report hours worked or alter another employee's time card to under- or over-report hours worked. If any manager or employee instructs another employee to.

1. Incorrectly or falsely under- or over-report your hours worked
2. Alter another employee's time records to inaccurately or falsely report that employee's hours worked
3. Conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Human Resources Department

Employees should not work any hours outside of their scheduled work day unless the supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless authorized to do so and that time is recorded on a time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work performed but failed to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including dismissal.

If employees have questions about deductions from paychecks, please contact Payroll immediately. If employees believe their wages have been subject to any improper deductions or their pay does not accurately reflect all hours worked, employees should report their concerns to a supervisor immediately. If a supervisor is unavailable or if believed it would be inappropriate to contact that person (or if employees have not received a prompt and fully acceptable reply within three business days), employees should immediately contact the Human Resources.

Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy.

In addition, NTC will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including dismissal.

Performance Review

Performance reviews are conducted on an annual cycle for all employees before the end of April. Career Teachers will be evaluated prior to April 10 each year except as otherwise provided by law. The performance appraisal will be discussed, and both the employee and supervisor will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

Payment of Wages

All employees are paid on the 25th of each month unless the 25th falls on a weekend or district recognized holiday. During those months the payday will be moved to the last working day before the weekend or holiday.

Overtime shall be paid to non-exempt employees during the pay period in which the overtime is worked. If it is not possible to process overtime payment during the pay period in which the overtime was worked, it will be paid on the next pay period,

It is the district's policy that employee paychecks may be direct deposited, or the check be given personally to that employee, or mailed to his/her home address if requested.

In the event of a lost paycheck, the payroll department must be notified in writing as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered and the district identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the district within 24 hours of the time it is demanded.

All regular full-time or part-time with benefits employees who do not have at least 5 working days of any type of leave, excluding donated sick leave, will have their pay check moved to the last day of the month for the remainder of the fiscal/school year. The employee's paycheck can be picked up at the Administration office on the last working day of the month.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the payroll department.

Time Reporting

A work hour is any hour of the day that is worked and should be recorded to the nearest quarter of an hour. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven consecutive days beginning on Monday and ending on Sunday.

Overtime is defined as **hours worked** by a nonexempt (hourly) employee in excess of 40 hours in a workweek and should be recorded to the nearest quarter of an hour. Overtime must be approved in advance by the supervisor to whom the employee reports.

Employees will submit their time record weekly as directed by their supervisor. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

Meal/Rest Periods

The scheduling of meal periods at Northeast Tech is set by the employee's immediate supervisor with the goal of providing the least possible disruption to district operations.

Mandatory Meal Period

Employee meal periods are important to district productivity and employee health. Employees who work at least five consecutive hours will be provided a meal break not to exceed 60 minutes. The employee's supervisor will determine the time and duration of employee's meal period. The meal period will not be included in the total hours of work per day and is not compensable. Nonexempt employees are to be completely relieved of all job duties while on meal breaks and must clock out for meal periods.

Rest Breaks

Exempt employees may choose to take 15-minute breaks as needed or scheduled. Nonexempt employees are permitted a 15-minute rest break for each four hours of work. Nonexempt employees on rest breaks are not required to clock in and clock out for breaks of 15 minutes or less in duration because this time is considered "time worked" and is compensable.

Impermissible Use of Meal Period and/or Rest Breaks

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure, or to cover time off for other purposes—for example, rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long break.

Overtime Pay (non-exempt employees)

Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half or given the option of compensation time for the same amount.

Paid leave, such as holiday, sick or annual leave pay, ***does not apply toward work time.***

The workweek begins at 12:00 a.m. on Monday morning and ends at 11:59 p.m. on Sunday night.

Supervisors are required to obtain approval from administration prior to the use of overtime.

Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

During busy periods, employees may be required to work extended hours. In these instances, prior approval is still needed.

Call-Back Pay for Non-exempt Employees

In the event an employee is called back to work, time worked while on call will be calculated at the employee's regular rate of pay. If an employee is called back to work, he or she will be paid for travel time. Overtime compensation is applicable only when total hours **worked** exceeds 40 hours in a workweek.

Employee Travel and Reimbursement (BP 2070)

Employees will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of the district.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 10 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses. For more details, refer to the district policies on the website and intranet for detailed travel policies, procedures and authorization and reimbursement forms.

Exempt employees will be paid their regular pay for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

TIME OFF/LEAVES OF ABSENCE

Paid Time Off

Entering your request for leave into the Leave Scheduler system will not replace the need to contact your supervisor before you take leave. All employees are expected to contact their supervisor by phone (or in person if able to) at least 30 minutes before normal work hours when they cannot be at work by starting time, or to notify their supervisor of a future date of absence. All leave is given to eligible employees annually. If an employee is hired after the start of the fiscal year their leave benefits will begin accruing on the first of the month following day of hire, this leave will be given on a prorated basis. The amount of any leave given per day will equal the employee's average work day.

Holiday Pay (BP 5093)

Holidays designated and approved by the Board upon presentation by the administration each calendar year shall normally include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas, and other days so designated may be observed by all school employees unless regularly assigned duties require the presence of the employee.

Non-certified personnel; however, will normally be required to perform their regular duties during holiday periods. If assigned duties do not require the employee to be present, the administration may grant permission to the employee thus affected to observe the holiday period.

Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

Part-time employees are not paid for these holidays.

Time off may be granted to employees who desire to observe a religious holiday that is not recognized by the district, but the employee will be required to use paid leave.

Annual Leave (BP 5092)

All full-time, twelve-month employees, who work at least 35 hours per week, and part-time employees with benefits, those who work an average of 30 hours per week, are eligible for annual leave benefits. Annual leave accrual begins on the first of the month following the first day of full-time employment and is earned on a prorated basis. Annual leave is accrued according to the schedule in district policy, it cannot be used until it is earned and will not be earned during an unpaid leave of absence.

Annual leave is subject to the approval of an employee's Supervisor and whether it will leave insufficient department/campus coverage. An employee should always speak with their supervisor before booking flights or making other forms of transportation/plans to be sure approval will be granted. To schedule annual leave time, employees should submit a request in the Leave Scheduler system at least two weeks before the requested leave for supervisor approval. Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, ***including department operation and staffing requirements***. The supervisor should respond to the leave request of the employee within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for annual leave is denied, the supervisor should provide an appropriate reason to the employee.

Annual leave will be paid at the employee's base rate at the time the leave is taken. Annual leave pay is not included in overtime calculation and does not include any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If a holiday falls during the employee's annual leave, the day will be charged to holiday pay rather than to annual leave pay.

Leave taken beyond an employee's available annual leave balance may be unpaid unless employee has other types of paid leave balances or otherwise required under state or federal law.

If employment is terminated, accrued unused annual leave earned through the last day of active employment will be paid at the employee's base rate of pay at termination. In the event of the employee's death, earned unused annual leave time will be paid to the employee's estate or designated beneficiary.

Sick Leave (BP 5082, 5091, 5098)

Each regular full-time, part-time with benefits and regular part-time employees accrue sick leave from the first of the month following the first day of hire and are earned on a prorated basis. Employees who work 10-months will receive ten days annually, 12-month employees receive twelve days annually of sick leave.

Sick leave may be used for an employee's personal illness, well-care, and medical and dental appointments. Sick leave may also be used for illness and well-care of individuals in an employee's immediate family. Immediate family is defined as parent, spouse or child.

Sick leave may be accrued to a maximum of 125 days and may not be used before accrual. If sick leave is exhausted, any available annual leave hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days may be asked to present medical documentation for the absence.

Upon termination of the employee, he/she or the beneficiary will be paid at his/her daily rate for those days in excess of sixty (60) days with a maximum of twenty (20) days.

Retirement Reserve

Once an employee has accrued the maximum of 125 days of sick leave, any additional sick leave will rollover into Retirement Reserve on Leave Scheduler. In the event an employee uses all available leave for a serious health condition they will be allowed to use their Retirement Reserve leave as needed for any of the reasons addressed by the [NTC Sick Leave Board Policy 5082](#)

Sick Leave Donation

Sick Leave days may be donated from one District employee to another within the guidelines of [Board Policy 5098](#). Donated Sick Leave may be used in accordance to [NTC Sick Leave Board Policy 5082](#).

Personal and Emergency Leave (BP 5089, 5090)

Regular Full-time and Part-time with Benefits Employees

Three (3) days of personal business leave with pay will be provided annually for each Regular Full-time and Part-time with Benefits employees. Personal business leave may be used for, but not limited to, attending to personal business, legal business and/or family matters which cannot be taken care of during non-duty hours. Personal leave must be requested in writing twenty-four (24) hours in advance in order to allow the Campus Director/Supervisor time to secure a substitute if necessary. Personal business leave shall not be cumulative from one year to the next and no payment for unused personal business leave days will be made at any time, except as provided in [Board Policy 5090](#).

Two (2) days of emergency leave will be provided annually for emergencies that arise as a result of unforeseen, uncontrollable circumstances, not including inclement weather. A written request for emergency leave stating the purpose shall be submitted in advance to the Campus Director if reasonably possible. In cases of extreme emergency, the Campus Director/Supervisor may approve the emergency leave request by telephone. Emergency leave shall not be cumulative

from one school year to the next and no payment for unused personal business leave days will be made at any time, except as provided in [Board Policy 5090](#).

As an incentive to encourage attendance, each Regular Full-time employee and Part-time with Benefits employee will receive at the end of the fiscal year an annual attendance incentive as follows:

1. Support employees in the amount of \$70.00 times the number of personal business and emergency leave days not used during a school year and
2. Other full-time employees in the amount of \$100.00 times the number of personal and emergency leave days not used during a school year. An unused balance of less than four (4) hours will not receive attendance incentive pay.

Regular Part-time Employees

Three (3) days of personal business leave will be provided annually to Regular Part-time employees. For Regular Part-time employees, the length of an employee's "day" will be the number of hours regularly scheduled during a typical workday. Personal business leave may be used for, but not limited to, attending to personal business, legal business, and/or family matters which cannot be taken care of during non-duty hours. Personal business leave must be requested, in writing, twenty-four (24) hours in advance in order to allow time to secure a substitute if necessary. Personal business leave shall not be cumulative from one year to the next.

Personal days may be taken as one whole day or one half day only.

As an incentive to encourage attendance, each Regular Part-time employee under Board Policy 5089 will receive an attendance incentive in an amount based on \$35.00 per day for each unused personal day remaining at the end of a school year.

Employees hired during the school year will be credited with personal business days on a prorated basis.

Unpaid Leave

All employees are eligible for unpaid leave with supervisor approval. Employees must use Leave Scheduler to schedule Unpaid Leave. The amount of Unpaid Leave taken will be deducted from the employee's paycheck for non-exempt employees and will be deducted from exempt employee's paycheck according to Part 541 of the Fair Labor Standards Act.

If an employee believes there is a need to be absent from work for any reason not covered in approved leave policies, the employee may request unpaid leave for that purpose from their immediate supervisor. If their supervisor grants the unpaid leave, an amount equal to the unpaid leave taken will be deducted from the employee's paycheck.

If an employee is absent without securing approval for an unpaid absence, the employee shall be denied their pay for such absence and will be considered to be engaging in willful neglect of duty and, therefore, subject to disciplinary action up to and including termination of employment.

Family and Medical Leave Act (BP 5003)

It is the policy of Northeast Tech to comply fully with the requirements of the Family and Medical Leave Act of 1993 (FMLA) and all its related revisions, including the National Defense Authorization Act (NDAA), collectively referred to in this policy as "FMLA." NTC is a covered employer and, accordingly, will provide up to 12 weeks of unpaid leave to eligible employees. This leave must run concurrently with any paid leave the eligible employee has available. Eligible employees may also be entitled to 14 additional weeks of leave (26 weeks total) for service member family leave.

Any employee utilizing FMLA leave is required to cooperate in matters of scheduling, providing prompt notice of the need to use leave and availability for return to work, completing paperwork, etc.

This policy is not intended to create any leave obligations for NTC in addition to those provided under the FMLA. In the event any conflict exists between this policy and the FMLA, the FMLA will be the final authority.

Definitions

1. "Eligible employees" are those employees who:
 - a. Have been employed for at least one year by NTC
 - b. Worked at least 1,250 hours during the previous 12-month period
 - c. Have requested leave for a reason covered by the FMLA
 - d. There are at least 50 employees within a 75-mile radius

NOTE: Full-time instructional employees are deemed to have met the 1,250 hours of employment requirement if they worked full time during the prior year.

2. A "child" means a biological, adopted, foster or step child, a legal ward, an individual with an in loco parentis relationship with the employee or military member, and adult children who are physically or mentally incapable of self-care
3. A "serious health condition" is one which requires either in-patient care or continuing treatment by a health care provider. This includes conditions or illnesses affecting health to the extent that in-patient care is required, or absences are necessary on a recurring basis or for more than just a few days. A "serious health condition" does not include short-term conditions for which treatment and recovery are very brief as such; conditions would normally be covered by NTC sick leave policies
4. A "year" means a rolling 12-month period measured backward from the date an employee uses any leave

5. A “week” means 5 business days
6. A “covered military member” (for purposes of active duty leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves and who has been called to active duty
Veterans receiving treatment or therapy, or those who are recuperating and were discharged or released for any reason other than dishonorable discharge within the 5 years preceding the employee’s request for leave are also included in this definition.
7. A “covered military member” (for purposes of service member family leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves who is undergoing treatment or therapy for a serious injury or illness incurred or exacerbated while on active duty
8. A “serious injury or illness” is an injury or illness incurred (or exacerbated) by the service member in the line of duty in the Armed Forces or National Guard and Reserves which:
 - a. May render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating
 - b. Resulted in the member receiving a VA Service Related Disability Rating of 50% or more
 - c. Substantially impairs the veterans’ ability to be gainful employed
 - d. Resulted in the member’s enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers

Reasons for Leave

All eligible employees who meet FMLA requirements may be granted leave as provided in this policy and required by law for the following reasons:

1. For the birth of a child and to care for such child, or placement for adoption or foster care of a child

NOTE: If both parents are employed by NTC, the combined amount of FMLA leave cannot exceed 12 weeks

2. To care for a spouse, child or parent with a serious health condition
3. For a serious health condition of the employee that makes the employee unable to perform his or her job functions
4. For covered active duty leave with one or more of the following exigencies

- a. Short-notice deployment: employees can take up to 7 calendar days leave to address issues that arise from service members' call or order to active duty seven calendar days or less prior to the date of deployment
 - b. Military events and related activities: employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related to service members' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to service members' active duty or call to active duty
 - c. Childcare and school activities: employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need (but not every day) basis, enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff (such as parent-teacher conferences) due to service members' active duty or call to active duty
 - d. Financial and legal arrangements: employees can take leave to make or update financial or legal arrangements to address service members' absence while on active duty or call to active duty, such as executing powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, or obtaining military identification cards and to act as the service members' representative before governmental agencies to obtain, arrange, or appeal military service benefits while service members are on active duty or called to active duty and for 90 days following termination of active duty status
 - e. Counseling: employees can take leave to attend counseling that is provided by someone other than a healthcare provider for service members or their children for needs arising from service members' active duty or call to active duty
 - f. Rest and recuperation: employees can take up to 15 days leave to spend time with service members on short-term, temporary rest and recuperation leave during a period of deployment
 - g. Post-deployment activities: employees can take leave to attend arrival ceremonies, reintegration briefings and events and other official ceremony or program sponsored by the military that occurs within 90 days following termination of service members' active duty status or to address issues arising from service members' death while on active duty, including meeting and recovering the body and making funeral arrangements
 - h. Additional activities: employees can take leave to address any other events that arise from service members' active duty or call to active duty when NTC and employee agree that such leave qualifies as an exigency and agree upon the timing and duration of the leave
5. For service member family caregiver leave, provided that the leave (when combined with other forms of FMLA leave) does not exceed 26 workweeks during a 12-month period

6. For parental care leave to care for (including making arrangements for care, patient transfer and meetings with staff at a care facility) a parent-in-law who is unable to care for him/herself while the service member is on active duty

Application for Leave

Employees who wish to utilize FMLA leave must submit an application for leave (with all required supporting documentation) on the forms available through the superintendent's office (NTC will utilize all required forms as provided by the US Department of Labor. The forms are available at <http://www.dol.gov/whd/fmla/index.htm#Forms>). NTC requests that, when practical, FMLA requests be submitted at least 30 days prior to the use of the leave. In emergency circumstances, NTC may provisionally place an employee on FMLA leave if conditions appear to warrant such action. The employee is ultimately responsible for completing the necessary paperwork to finalize the use of FMLA leave at least 15 days in advance.

Medical Documentation (for Leave Related to a Serious Medical Condition)

In addition to all medical documentation required pursuant to the FMLA, NTC may, in its sole discretion and at its own expense, require a second opinion related to the need for FMLA leave. If the first and second opinions differ regarding the need for FMLA leave, NTC and the employee shall mutually agree upon a provider to conduct a third opinion of the employee's need for leave. The cost of this third opinion will be paid for by the employer.

NTC may also require supplemental certifications of the employee's continuing need for leave. These certifications may not be more than one time per month unless the employee requests an extension of leave, changes circumstances regarding the illness or injury, or NTC receives information that casts doubt on the validity of an existing certification.

In the event an employee wishes to request an extension of leave, such request must be promptly submitted to his/her supervisor with supporting documentation from the health care provider regarding the reason for the extension. The extension is only available as long as the employee does not exceed the maximum leave permitted by the FMLA.

Intermittent Leave or Leave On a Reduced Leave Schedule

Eligible employees may request to use their available leave on an intermittent basis by following the same application and certification process as described above and under the following conditions:

1. Intermittent leave in connection with the arrival of a new child must be approved by NTC
2. Employees must coordinate the intermittent leave with their supervisor to attempt to reduce the negative impact of the leave on school operations
3. NTC reserves the right to transfer the employee to a position better suited to intermittent leave
4. If an instructional employee will be absent more than 20% of the total working days in the

period in which the leave will be used, NTC may require the employee to either

- a. Take leave for a "particular duration" or time which is not greater than the duration of the planned treatment
- b. Be transferred to an alternative position

The Effect of Leave on Benefits

During a period of FMLA leave, an employee will be retained on NTC's medical insurance plan under the same conditions that applied before leave began, including making any payments the employee previously made. An employee's failure to timely pay his/her share of the medical premium may result in loss of coverage. The employee is required to pay all of the premiums for any other type of insurance coverage which may exist.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse NTC for payment of health insurance premiums during the FMLA leave, unless the reason for the failure to return to work are due to circumstances beyond the employee's control.

NOTE: Employees do not accrue or lose any seniority or employment benefits during a period of FMLA Leave

Return to Work

Employees must update their supervisor regarding the intent to return to work, including providing all necessary releases and paperwork, at least 5 business days in advance of the expected return date.

Although NTC cannot guarantee that an employee will be returned to his/her original position, employees will generally be restored to an equivalent position and employment conditions upon return from FMLA leave. Highly compensated employees are those individuals who are salaried and are among the highest paid 10% of the employees employed within 75 miles of the employee's worksite. A highly compensated employee may not be returned to work if it is necessary to prevent substantial and grievous economic injury to the operations of NTC. NTC will make all determinations regarding job duties upon an employee's return from FMLA leave.

Failure to Return from Leave

Employees who fail to return to work when scheduled (absent an approved extension) are subject to immediate termination for cause, subject to applicable due process hearing rights.

Upon hire, Northeast Tech provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities Under the Family and Medical Act.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact your supervisor, administration, or the Human Resources Department in writing.

Employee Status and Benefits During Leave

While an employee is on leave, the district will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status after Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

All paid annual leave, personal and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Certification for the Employee's Serious Health Condition

The district will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for the Family Member's Serious Health Condition

The district will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification of Qualifying Exigency for Military Family Leave

The district will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The district will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

The district may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the district may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the HR Coordinator with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the HR Coordinator will provide the employee with the DOL Notice of Eligibility and Rights. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the district's usual and customary notice and procedural requirements for requesting leave.

Eligibility Notice of FMLA and Timeline

When an employee requests FMLA leave, or when the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee of the employee's eligibility to take FMLA leave within five business days, absent extenuating circumstances.

All employees requesting FMLA leave must provide the HR Coordinator with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the HR Coordinator will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave.

After eligibility notice has been given to the employee, the employee will have 15 calendar days to return the completed certification to Human Resources. If more information is needed for the

medical certification the employer will notify the employee and they must return the requested information within 7 calendar days.

Within five business days after the employee has submitted the complete and appropriate certification form, the HR Coordinator will provide the employee with a written response to the employee's request for FMLA leave.

Decline to use FMLA

If the employee declines the use of FMLA for an FMLA qualifying reason the employee should indicate on the Notice of Eligibility and Rights WH-381 form, they are declining use of FMLA and return within 15 calendar days. If this form has not been returned within 15 calendar days, the employer may start FMLA for the employee at that time. Until which time the FMLA leave is exhausted or the employee has returned the decline form.

If the employee decides to use FMLA for a qualifying reason after declining, the leave time will be stated 15 calendar days after the original notice of FMLA was given to the employee.

Intent to Return to Work from FMLA Leave

The district may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Special Rules for School Employees under FMLA

The special rules affect the taking of intermittent leave or leave on a reduced leave schedule, or leave near the end of an academic term (semester), by instructional employees. "Instructional employees" are those whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include, and the special rules do not apply to, teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

Limitations on Intermittent Leave

Leave taken for a period that ends with the school year and begins the next semester is leave taken consecutively rather than intermittently. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. An instructional employee who is on FMLA leave at the end of the school year must be provided with any benefits over the summer vacation that employees would normally receive if they had been working at the end of the school year.

If an eligible instructional employee needs intermittent leave or leave on a reduced leave schedule to care for a family member with a serious health condition, to care for a covered service member, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment, and the employee would be on leave for more than 20 percent of the total number of working days over the period the leave would extend, the employer may require the employee to choose either to:

1. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
2. Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

These rules apply only to a leave involving more than 20 percent of the working days during the period over which the leave extends. For example, if an instructional employee who normally works five days each week needs to take two days of FMLA leave per week over a period of several weeks, the special rules would apply. Employees taking leave which constitutes 20 percent or less of the working days during the leave period would not be subject to transfer to an alternative position. "Periods of a particular duration" means a block, or blocks, of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed, and may include one uninterrupted period of leave.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the employer may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the employer may require the employee to delay the taking of leave until the notice provision is met.

Limitations on Leave Near the End of an Academic Term

There are also different rules for instructional employees who begin leave more than five weeks before the end of a term, less than five weeks before the end of a term, and less than three weeks before the end of a term. Regular rules apply except in circumstances when.

1. An instructional employee begins leave more than five weeks before the end of a term. The employer may require the employee to continue taking leave until the end of the term if
 - a. The leave will last at least three weeks, and
 - b. The employee would return to work during the three-week period before the end of the term
2. The employee begins leave during the five-week period before the end of a term because of the birth of a son or daughter; the placement of a son or daughter for adoption or foster care; to care for a spouse, son, daughter or parent with a serious health condition; or to care for a covered service member. The employer may require the employee to continue taking leave until the end of the term if
 - a. The leave will last more than two weeks, and
 - b. The employee would return to work during the two-week period before the end of the term
3. The employee begins leave during the three-week period before the end of a term because of the birth of a son or daughter; the placement of a son or daughter for adoption or foster care; to care for a spouse, son, daughter or parent with a serious health condition; or to care

for a covered service member. The employer may require the employee to continue taking leave until the end of the term if the leave will last more than five working days

For purposes of these provisions, “academic term” means the school semester, which typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA. An example of leave falling within these provisions would be where an employee plans two weeks of leave to care for a family member which will begin three weeks before the end of the term. In that situation, the employer could require the employee to stay out on leave until the end of the term.

Duration of FMLA Leave

If an employee chooses to take leave for “periods of a particular duration” in the case of intermittent or reduced schedule leave, the entire period of leave taken will count as FMLA leave.

In the case of an employee who is required to take leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. The employer has the option not to require the employee to stay on leave until the end of the school term. Therefore, any additional leave required by the employer to the end of the school term is not counted as FMLA leave; however, the employer shall be required to maintain the employee's group health insurance and restore the employee to the same or equivalent job including other benefits at the conclusion of the leave.

Restoration to “An Equivalent Position”

The determination of how an employee is to be restored to “an equivalent position” upon return from FMLA leave will be made on the basis of “established school board policies and practices, private school policies and practices, and collective bargaining agreements.” The “established policies” and collective bargaining agreements used as a basis for restoration must be in writing, must be made known to the employee prior to the taking of FMLA leave, and must clearly explain the employee's restoration rights upon return from leave. Any established policy which is used as the basis for restoration of an employee to “an equivalent position” must provide substantially the same protections as provided in the Act for reinstated employees. In other words, the policy or collective bargaining agreement must provide for restoration to an “equivalent position” with equivalent employment benefits, pay, and other terms and conditions of employment. For example, an employee may not be restored to a position requiring additional licensure or certification.

Jury Duty (BP 5056)

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The district will pay regular full-time and regular part-time employees for time off for jury duty. The employee must pay the district the amount paid by the courts to employee for jury duty service, excluding travel reimbursement.

Military Leave of Absence

Northeast Tech is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the district's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or district policy. If any employee believes that he or she has been subjected to discrimination in violation of district policy, the employee should immediately contact Human Resources or Administration.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact Human Resources to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and job restoration upon completion of leave, refer to the policies, procedures and forms on the district intranet site at www.netech.edu or contact Human Resources.

BENEFITS (BP 5070, 5075)

For more information regarding benefits programs, please refer to the district Summary Plan Descriptions, which were provided to employees upon hire, or contact Human Resources. For specifics regarding these benefits.

Medical, Dental and Vision Insurance

The district currently offers regular full-time employees regularly scheduled to work a minimum of 30 hours per week enrollment in medical, dental and vision insurance coverage options starting the first of the month following first day of employment.

Employees have up to 30 days from their date of hire to make medical, dental and vision plan elections. Once made, elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make mid-year changes in coverage consistent with the family status change. Please contact Human Resources to determine if a family status change qualifies under the Plan document and IRS regulations.

Near the end of each calendar year during open enrollment, employees may change medical, dental and vision elections for the following calendar year. Human Resources is available to answer benefits plan questions and assist in enrollment as needed.

Questions regarding this policy should be directed to the Human Resource department.

Flexible Spending Account

As part of the district's Flexible Benefits Plan, we currently offer an employee-funded flexible spending account (FSA) to regular full-time employees. Plan participants may elect an annual amount of flexible dollars to pay for eligible health care expenses, including medical, dental or vision insurance deductibles, copayments, and out-of-pocket costs for vision care and other types of care.

If eligible medical, dental or vision expenses are less than the elected annual amount of flex dollars for that year, the balance will be forfeited.

Group Life Insurance

The district offers regular full-time employees who have been employed by NTC for 30 days an employer-paid basic group term life policy along with an accidental death and dismemberment policy. Each policy generally pays a death benefit of \$60,000. Eligible spouse benefit is \$5,000, and an eligible depend child benefit is \$2,000.

403(b) and 457(b) Plans

The district offers a voluntary pretax wage reduction plan in which regular full-time and regular part-time employees (scheduled for and working a minimum of 20 hours per week), who are 21 years of age or older, may elect to participate beginning with the first payroll period administratively feasible after employment. The "window" periods during which an employee may change the dollar amounts or the percentages of his/her contributions are around April through June of each year. Notices of these "window" periods and other information regarding the Plan are circulated to all employees periodically throughout the year.

Further details about the Plan may be obtained from the Human Resource department and the Plan document.

Workers' Compensation Benefits (BP 5004)

The district is covered under statutory state workers' compensation laws. Employees who sustain work-related injuries must ***immediately notify*** their department supervisor and complete the forms necessary to implement the process for medical care under workers' comp.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

This handbook contains only general information, guidelines, and important information about Northeast Technology Center. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your supervisor, administrator, or the Human Resources department.

I understand that I have entered into my employment relationship with NTC voluntarily and, after the first year of employment, my contract will be reviewed and renewed on an annual basis in accordance with Oklahoma State Law.

I understand and agree that, other than the Board of Education, no manager, supervisor or representative of Northeast Technology Center has any authority to offer or enter into any agreement for employment; only the Superintendent of the district has the authority to make any such agreement and then only in writing signed by the Board of Education of NTC.

I understand that any and all policies and practices may be changed at any time by Northeast Technology Center, and the district reserves the right to modify my job description as needed. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies.

By signing this form below, I acknowledge that I have received the handbook, and I understand that I am expected to read the handbook and familiarize myself with its contents, and that the policies in the handbook apply to me. I understand that I will be expected to comply with all board policies contained in this handbook and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE