**PERSONNEL POLICY**

**1.0 PURPOSE**

This statement establishes basic rules and regulations affecting personnel of the Housing Authority. The Authority's Personnel Policy goals are:

1.1 To provide employees with a professional environment in which they can further their personal careers while meeting the goals of the Authority.

1.2 To ensure that all employees are aware of their obligations to the Authority, the regulations governing their employment, and their rights while in the employ of the Authority.

**This manual is not a contract, express or implied, guaranteeing employment for any specific duration.**

**Either you or the Authority may terminate the employment relationship at any time, for any reason, with or without cause or notice.**

**No individual representative of the Housing Authority has the authority to enter into an agreement for employment for any specified period or to make any promises or commitments contrary to the policies or information stated herein.**

**2.0 EMPLOYMENT POLICIES**

**2.1 Equal Employment Opportunity**

The Housing Authority is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in a manner that violates the law.

The Authority promotes equal employment opportunity for all persons without regard to race, sex, age, religion, national origin, political affiliation, veteran status, physical or mental disability.

It is the Authority’s intent that equal employment be provided in employment, promotion, wages, benefits, and all other privileges, terms and conditions of employment.

**2.2 Political Affiliation; Hatch Act Compliance**

In accordance with the provisions or purposes of the Hatch Act (5 U.S.C. 7323, inter alia), an employee shall NOT:

1. Use his official authority or influence for the purpose of interfering with an election or nomination for office or affecting the result thereof.

B. Directly or indirectly coerce, attempt to coerce, command, or

advise any other such officer or employee to make payment, loan, or contribution for political purposes.

C. Take any part in political management or in political campaigns unless:

1. it is in connection with questions which are not specifically identified with any national or state political party, such as questions relating to constitutional amendments, referendums, or approval of municipal ordinances; or
2. none of the candidates to be nominated or elected represents a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected.

The Hatch Act expressly states that all persons subject to the Act shall retain the right to vote as they may choose and to express their opinion on any and all political subjects and candidates.

Direct or indirect participation in any of the following types of political activity is in violation of the Hatch Act as construed by the Civil Service Commission:

(The prohibited activities are set forth in more detail under the heading “Prohibited Activities” in the pamphlet entitled **“POLITICAL ACTIVITY OF FEDERAL** **OFFICERS AND EMPLOYEES**”, commonly referred to as **PAMPHLET** **20**, prepared by the U.S. Civil Service Commission.)

a) Serving on or for any political committee, party, or similar organization,

or serving as delegate or alternate to a caucus or party convention.

b) Soliciting or handling political contributions

c) Addressing or organizing or serving as officer of a political club

1. Addressing or taking an active part in preparing, organizing or conducting

a political meeting or rally

1. Engaging in political conferences or canvassing a district soliciting

political support for a party, faction or candidate.

1. Taking an active part in primary or regular elections, such as soliciting

votes or helping to get out the voters on Election day.

1. Acting as an election officer in a capacity which may involve partnership

or partisan political management.

1. Publishing or being connected editorially or managerially with any

newspaper generally known as partisan from a political standpoint.

1. Writing for publication or publishing any letter or article, signed or

unsigned, in favor of or against any political party or candidate.

1. Becoming a candidate for nomination or election to any public office

which is to be filled in an election in which party candidates are involved.

l) Distributing campaign literature or material.

m) Initiating or circulating political petitions.

1. Becoming prominently identified with any political movement, party, or

faction, or with the success or failure of any candidate for election to public office.

**2.3 Nepotism**

The employment of members of the same immediate family shall be avoided insofar as possible.

Under no circumstances shall any employee supervise an immediate relative.

For purposes of this section, the terms “immediate family” and immediate relative” shall include spouse, sibling, children, parents, grandparents, grandchildren, or corresponding “in law” or “step” relations.

**2.4 Organization**

1. Organization Plan -- All positions shall be established in accordance with an operating budget and supplemental information clearly setting forth areas of responsibilities and authority.
2. Delegation of Authority—Every employee shall be given the authority necessary to perform his assigned duties.

C. Authority to effect personnel actions—Authority to appoint, promote, transfer, demote, and separate personnel—shall be vested in the Executive Director and such other officials as are formally designated to act for him.

# 2.5 Position Classification

A. Establishment of Classes—All positions shall be grouped in classes, each class to include those positions sufficiently alike to justify common treatment in selection and compensation.

B. Classification Plan—A Classification Plan, consisting of (l) a list of position classes, (2) descriptions for each class of job, and (3) organization chart showing each position and its title shall be stated in Appendices l and 2 of the Policy.

C. Reclassification—A person’s current position may be reclassified as a result of increased responsibility, increased work load, or a substantial change in the scope of work being done.

# 2.6 Immigration Law Compliance

The Authority is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

Former employees who are rehired must also complete the form if they have not completed and I-9 with the Authority within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues should contact their immediate supervisor who shall, as soon as possible, provide the information or answers to the employee.

Employees may raise questions or seek information about immigration law compliance without fear or reprisal.

**2.7 Nondiscrimination Against and Accommodation of Individuals With Disabilities**

The Authority complies with the Americans With Disabilities Act and applicable state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities.

The Authority will provide reasonable accommodation for such individuals in accordance with these laws.

The Executive Director is responsible for the evaluation of any request for accommodation pursuant to ADA guidelines and whether or not said request constitutes an undue hardship on the Authority.

All requests for said accommodations shall be in writing to the Executive Director.

**3.0 RECRUITMENT**

**3.1 Applications**

Persons desiring employment shall file written resumes at the Authority’s administrative offices, setting forth their qualifications for employment and other such information as may be required.

Pre-printed resumes will be made available upon request.

# 3.2 Examination and Selection

Selection of applications for exempt employment will be through a formal selection process as follows:

1. When a position becomes vacant or a new position has been created, an appropriate job description is prepared or modified.

B. The position is first advertised internally; at the discretion of the Executive Director, external advertisement of the position may be listed in the local newspapers or other means of publication.

## C. Each applicant’s resume will be reviewed by the Executive Director and discussed with staff as he deems appropriate. The Executive Director shall make final all hiring decisions.

NOTE: In the case of applications for the position of Executive Director, the provisions of this paragraph will apply to the Board of Commissioners.

1. A new employee’s supervisor will conduct a performance review at the conclusion of three months’ employment.

# 3.3 Job Posting

The Authority supports promotion of employees from within and has established the following policy in order to give all employees opportunities to apply for positions in which they are interested and qualified.

Vacancy announcements will be attached to the next paycheck due the employee. Said announcement shall state the title, position classification, pay-range, essential functions of and minimum requirements for the job.

Hiring will not take place prior to the next pay period following the initial announcement, except in emergencies, the designation of which shall be the responsibility of the Executive Director. (i.e. 14 days)

Eligibility is determined by meeting the minimum hiring specifications for the position, capability of performing the essential functions of the job (with or without reasonable accommodation), be an employee in good standing in terms of overall work record, and generally having served in his or her current position for a minimum of six months.

Employees ARE responsible for monitoring job vacancy notices and for acquiring, completing, and submitting job applications.

Employees are NOT required to notify their supervisor when submitting an application for a posted position.

If an employee is selected as a finalist for a posted position, supervisors will be contacted for, among other things, a recommendation.

**4.0 EMPLOYEE STATUS**

## 4.1 Full and Part Time Regular Employees

Any employee who works 30 hours or more per week on a regular basis shall be defined as a “full-time regular employee” and shall be eligible for leave and benefits as outlined in this policy.

Any employee who works less than 30 hours per week on a regular basis shall be defined as a “part-time regular employee”.

Part-time regular employees are eligible for sick and annual leave at an accrual rate one-half of that accorded to full-time employees.

Part-time regular employees are not eligible for health, pension, and disability benefits.

**4.2 Temporary Employees**

Employees engaged to work full-time or part-time on the Authority’s payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment or for an agreed upon time period shall be defined as “temporary employees”.

Temporary employees are NOT eligible for leave and benefits.

A temporary employee may be offered and may accept a new temporary assignment with the Authority and still retain temporary status.

Any employees hired through employment agencies for specific assignments shall remain employees of the respective agencies, NOT the Authority.

**4.3 Personnel Files**

The Authority maintains personnel files on each employee. These files contain documentation regarding all aspects of the employee’s tenure with the Authority, such as performance appraisals, beneficiary designation forms, disciplinary warning notices, and letters of commendation.

You may review your personnel file on an annual basis.

It is the employee’s responsibility to ensure that the required information in it is current.

Custody of the personnel files is vested solely in the Executive Director, who shall be responsible for accumulation of and disposition of their contents.

# 5.0 EMPLOYEE CONDUCT

# 5.1 Ethics of Employment

The Authority requires that employees observe the ethical standards and guidelines in the performance of their duties. To that end:

A. No employee shall use their position for personal gain or shall engage in any business or transaction or shall have a financial or other interest, direct or indirect, which is in conflict with the Authority’s operation;

B. No employee shall disclose confidential information concerning the Authority’s operation for any reason, including to advance the financial or other private interest of themselves or others;

C. No employee shall accept any gift, favor or item of value that may tend to influence an employee in the discharge of their duties;

D. Any employee offered a gift or favor who is NOT certain if acceptance is a violation shall inform their supervisor of the gift offer;

E. No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of their duties for the Authority.

Violations of this code will constitute a cause for suspension, removal from office or employment, or other disciplinary action.

**5.2 Use of Authority Property**

No employee shall use or allow to be used the Authority’s property such as vehicles, telephones, mailing privileges, material etc., etc. for personal use unless said use is approved, in writing, by the Executive Director and said use is properly accounted for pursuant to IRS rules and regulations governing imputed income derived from fringe benefits provided by the employer.

**5.3 Drug and Alcohol Abuse**

The possession, consumption, or working under the influence of intoxicating beverages or illegal drugs while on duty is STRICTLY PROHIBITED.

The Housing Authority of the City of \*\*\*\*\*\*\*\*\*\* is a drug-free workplace and ALL employees will be subject to RANDOM drug testing pursuant to procedures established by the Board of Commissioners in Appendix 5.

Employees are reminded that the abuse of alcoholic beverages is, under certain circumstances, subject to criminal penalties. Employees are reminded to conform their personal conduct to lawful activity.

Employees are further reminded that the possession, use, sale, delivery, or other contact with illegal drugs or other narcotics (if not prescribed by a physician) may be subject to criminal penalty as well.

Under no circumstances shall an employee present himself/herself for work, or perform work, while under the influence of intoxicating beverages and/or illegal drugs.

**5.4 Sexual Harassment**

The term “Sexual Harassment” is defined as follows:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made explicitly or implicitly a term or condition of an individual’s employment, or

2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or

3. such conduct has the purpose or affect of unreasonably interfering with an individual’s work performance or creating an intimidating or hostile or offensive work environment.

The Authority will not tolerate any behavior by employees or contractors providing services to the Authority which subject its employees to sexual harassment.

Any employee who feels that he or she has been subjected to such harassment shall immediately report the situation to the Executive Director or the Director of Administration & Finance or both.

Likewise, any employee has witnessed what he or she believes to be sexual harassment shall immediately report these observations to the Executive Director or the Director of Administration & Finance or both.

Sexual harassment WILL result in immediate discipline up to and including discharge of the employee or contractor involved.

No retaliatory action will be taken against any person who reports that he or she is a victim of or has witnessed harassment or other discriminatory conduct.

Any questions concerning this issue, now or in the future, are to be directed exclusively to the Executive Director or the Director of Administration & Finance or both.

1. **Safety**

Employees are obligated to be constantly vigilant with respect to unsafe working conditions, property, tools, practices etc. etc.

Common sense safety practices are the expected standard at ALL times for ALL employees.

Suggestions regarding safety are welcome and encouraged. They should be made to your immediate supervisor.

**5.6 Dress Code**

Employees are expected to attend to personal grooming and dress so as to present an acceptable appearance to the public.

Work apparel should be appropriate to the employee’s work assignment.

The Executive Director’s opinion in this matter shall be final.

**5.6 Workplace Violence**

The Authority’s policy expressly prohibits any acts or threats of violence by any employee or former employee against any other employee or person on the Authority’s property or elsewhere.

The Authority is committed to:

a) Providing a safe and healthful work environment;

b) Taking prompt remedial action up to and including termination of employment against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures;

c) The absolute prohibition of unauthorized firearms or other weapons on the Authority’s premises by any person;

d) Applying the provisions of a), b), and c) above to the general public or former employees as they may apply.

In furtherance of this policy, employees have a duty to warn their supervisors of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve persons engaged in or deemed about to be engaged in an activity defined in b) above.

Reports will be kept confidential and retaliation against the reporter will not be tolerated.

# 6.0 COMPLAINT RESOLUTION

Employees shall have the right to present complaints verbally or in writing, and, in so doing, employees shall be assured of freedom from restraint, interference, discrimination, and reprisal. Supervisors at all levels shall receive and act promptly on employees complaints.

It is expected that misunderstandings or conflicts will arise as a natural course of human interaction over any period of time.

It is further expected that all employees, regardless of position classification, will FIRST attempt to resolve those conflicts in a reasonable and rational manner AND in an INFORMAL setting

## 6.1 Basis For Formal Disciplinary Action

If an employee’s conduct falls below a desirable or required standard and resolution is not possible through informal efforts, formal disciplinary action may be initiated for any of the following reasons:

* Any action reflecting discredit on the Authority
* Misconduct
* Workplace Violence
* Inefficiency
* Incompetence
* Insubordination
* Indolence
* Malfeasance
* Misfeasance
* Conviction of a felony
* Absenteeism or Tardiness
* A willful violation of these rules
* The use, possession or reporting for work under the influence of alcoholic beverages during working hours.
* The use, possession, sale or reporting for work under the influence of a controlled substance other than a drug prescribed by a physician

This list is not all inclusive; it is intended to cover

the most common reasons

## 6.2 Formal Disciplinary Procedures

The Authority has instituted the following procedures for disciplining and, if necessary, terminating the employment of employees for just cause.

The employee has the right to appeal any disciplinary action pursuant to the following stated procedures.

Depending on the nature of the infraction and pursuant to his/her best judgment, the supervisor may use any of the following disciplinary actions:

### **Verbal Warning:**

This action is taken by a supervisor to notify an employee of actions or conduct which is subject to disciplinary action and its consequences. A verbal warning initially does not become part of the permanent employee record but may be retained by the supervisor for performance evaluation purposes.

### **Written Warning:**

This action is taken by a supervisor, with or without prior review or approval, to officially notify an employee of disciplinary action. This warning and any prior verbal warnings become part of the permanent employee record.

### **Suspension:**

There are two types of suspensions, both of which are WITHOUT pay, both of which are subject to approval by the Executive Director, and both of which become part of the employee’s permanent employment record.

* A disciplinary suspension may be given for a period of up to 10 working days.
* A suspension of 30 calendar days pending investigation of charges which, if substantiated, will result in dismissal. Such suspension, for good cause, may be extended to permit completion of the investigation.

### **Termination:**

There are two types of termination both of which are subject to the approval of the Executive Director and both of which become part of the employee’s permanent employment record;

* Termination from employment based on unsatisfactory job performance which shall, at the discretion of the Executive Director, shall require two weeks notice or two weeks termination pay, payable at the next pay period following said termination.
* Termination from employment based on violation of the rules outlined in this personnel manual may, at the discretion of the Executive Director, be made effective immediately, WITHOUT notice OR payment in lieu of notice.

Notice of termination shall be presented to the employee in writing, if requested, with a statement of the reasons said action is being taken.

**NOTE: The Director of Administration & Finance may be terminated only by formal resolution of the Board of Commissioners.**

## 6.3 FORMAL APPEAL PROCEDURE

Employees shall have the right to formal hearing before the next \_ level supervisor for personnel actions ONLY involving suspension or termination.

Said request, which shall be made in writing to the Executive Director, shall not delay the previously stated procedures to be used for a particular personnel action.

Said request is subject to any and all reasonable time constraints the Hearing Officer may incur in conducting the hearing.

That Hearing Officer will have the authority to amend, reject or uphold the previously issued personnel action.

**The authority to alter a previously issued personnel action**

**will be used only for the most compelling of reasons.**

In the case of Division Directors, the next level supervisor shall be the Board of Commissioners.

1. The hearing of appeals by the Board of Commissioners will be held in Executive Session pursuant to procedures established by Indiana Law with the Chairman or his/her designee presiding.
2. The Hearing Officer will have total control of the proceedings.
3. All involved parties will be present at the hearing. The Hearing Officer may decide in what manner to hear witnesses. The employee may have an attorney, or an attorney-advisor present.
4. The employee will state his case and the witnesses will state, under oath, any

relevant facts.

1. The Supervisor will be allowed to make further statements or present witnesses in rebuttal.
2. Only the Hearing Officer may ask questions. All other persons will not be allowed to ask each other questions. The Hearing Officer may, in order to facilitate the presentation, allow legitimate questions to the other parties.
3. The employee, or his attorney/non-attorney advisor, shall have the right to make the last presentation.

8. The Hearing Officer will issue a ruling, in writing, in a reasonable period of time.

The hearing does not waive any rights to due process that an employee

may have in a court of law. For a proper explanation of those rights

the employee is advised to consult an attorney.

1. If a Hearing Officer’s decision or a new set of facts alters a previously issued personnel action, any penalties involving compensation to the employee shall be eliminated or made good pursuant to the Hearing Officer’s decision or the incorporation of the new set of facts into the previously issued action.

### **8.0 EMPLOYEE COMPENSATION**

The Authority will establish its salary and rates at levels which permit optimum efficiencies WITHIN budgetary limitations.

#### 8.1 Personnel Salary Chart

A Personnel Salary Chart shall be maintained, showing the salary range and intermediate rates for each position in the Authority. Initial appointments shall generally be made at the minimum salary range.

The current Salary Chart is appended to this manual as Appendix 2.

The Authority reserves the right to update, amend, or revise the Salary Chart.

#### 8.2 Regular Pay; Hours of Work

A work week is measured from 12:01 A.M. Monday through 12:00 P.M. the following Sunday.

A regular work week for all full-time employees shall consist of 40 hours.

A regular work week shall consist of a minimum of 5 eight-hour days or a maximum of 4 ten-hour days with a 15 minute mid-morning break, a one-half hour lunch, and a 15-minute mid-afternoon break.

The Authority, in an effort to accommodate the varying needs and time constraints of each employee’s family, maintains a policy of a flexible work schedule, subject to aforementioned parameters AND subject to approval of the employee’s immediate supervisor.

The official hours during which the Housing Authority will conduct its business shall be 7:00 A.M. to 6:00 P.M. It is during that period of time that an employee shall be responsible for providing 40 hours of compensatible work.

The Authority will, at all times, at a minimum, be open to the general public between 8:30 A.M and 5:00 P.M.

**8.3 Overtime Pay**

All Maintenance employees, BSSI, BSSII, and Sector Chiefs, pursuant to the Fair Labor Standards Act, as amended, are considered Non-exempt and will be paid time and a half for all time worked in excess of eight hours in one day or 40 hours in one week, subject to approval by the Executive Director or his designee.

Paid time off, such as for holidays, vacations, or sick leave, does NOT count toward the eight hours per day or 40 hours per week overtime limit.

Casual or non-predictable overtime, on a rare basis is expected of all other employees and is compensated for by base salaries.

#### 8.3 PERSONNEL ACTIONS AFFECTING PAY

##### **1) Promotions**

When an employee is promoted to a position in a higher grade, his salary shall be increased to the minimum rate for the higher grade except, in the case of overlapping ranges, the promoted employee shall be increased to the step immediately above his present salary.

##### **2) Demotions**

When an employee is demoted to a position in a lower grade, he shall be paid at a comparable rate which is within the approved step range for the lower grade. The rate of pay will be selected to minimize the pay reduction the employee the employee must suffer unless the Executive Director, in writing, certifies that a lower rate is warranted.

In any personnel action affecting pay, the Executive Director will place written notice of said action in the permanent personnel record of the affected employee.

##### **3) Merit Pay**

Merit pay increases of varying amounts and duration may be granted for superior performance over a period of time.

Said periods or amounts of are not formally defined in this manual

but shall NOT, in any event,

a) occur more than once in any fiscal year

b) occur simultaneously with a promotion (as defined in 1) above)

and SHALL be

c) at the discretion of the Executive Director

d) AND subject to approval by the Board of Commissioners at a regular business meeting.

### **Note: Any pay increase or action affecting the Executive Director shall be taken in regular session of the monthly Board meeting and so recorded in the Minutes.**

### **9.0 EMPLOYEE BENEFITS**

This section of the personnel manual highlights some features of the Authority’s benefit programs. These benefits are more fully described in the summary plan description booklets which you are provided upon eligibility.

Complete descriptions of the Authority’s group health insurance program are also in the master insurance contract maintained in the Executive Director’s office.

**If the information in this manual and the summary plan contradict**

**information in the actual contracts, those contracts**

**and formal documents shall govern in all cases.**

#### 9.1 Group Health Insurance

Group hospitalization and surgical insurance coverage shall be made available to all permanent employees on an OPTIONAL basis, with the Housing Authority paying 100% of the premium for “single” coverage and 60% of the premium for “family” coverage.

**(SEE APPENDIX 4)**

#### 9.2 Pension

All regular full-time employees shall be covered by the Social Security Act and by the THHA’s Retirement Plan.

Participation in the retirement plan is COMPULSARY for eligible employees, on May 1 of any given year.

The amount of employee contribution will be 6.00 % of gross wages excluding overtime and any extra compensation.

The Authority will contribute an amount equal to 8.50 % of the employee’s regular wages.

**(SEE APPENDIX 3)**

#### 9.3 Disability Insurance

Long term disability insurance (intended to supplement the Authority’s sick leave benefits) is COMPULSARY for all full-time regular employees.

The Authority will pay 100% of the premium, which is subject to IRS rules and regulations regarding imputed income from employer provided benefits.

**10.0 LEAVE**

##### **10.1 Annual Leave**

Annual Leave with pay shall accrue at the rate of one working day per month for the first five years of service, and one and one quarter days per month thereafter.

Annual Leave may be carried over into any successive calendar years and may accumulate to a total of 30 days at the end of any calendar year.

Accumulated Annual Leave in excess of 30 days is FORFIETED,

Cash payments for accrued annual leave will not be made to current employees but will be made to all employees who separate from service.

Annual leave may only be taken at the convenience of the Authority, and requests for annual leave must be submitted for approval by the immediate supervisor at least ten days in advance.

##### **10.2 Sick Leave**

Sick leave with pay is intended to provide employees with protection against loss of salary during periods when they are required to be absent from work due to illness or injury.

Sick leave shall accrue at the rate of one working day per month, with no limit to the amount that can be accumulated.

No cash payment for accrued sick leave will be made under any circumstances.

#### 10.3 Family and Medical Leave

Pursuant to the Family and Medical Leave Act of 1993, as amended, any employee who has been employed for at least one year AND for at least 1,250 hours during the preceding 12-month period is eligible for family and medical leave.

Family and medical leave will be UNPAID leave.

Any eligible employee MAY be granted a TOTAL of twelve (12) weeks of unpaid family leave AND any paid sick leave AND any paid annual leave during any 12-month period for the following reasons:

1) the birth of the employee’s child and in order to care for the child; (expires 12 months from the date of birth)

2) the placement of a child with the employee for adoption or foster care; (expires 12 months from the date of placement)

3) to care for a spouse, child or parent who has a serious health condition;

4) a serious health condition that renders the employee incapable of performing the functions of his or her job.

An employee must give notice to his/her immediate supervisor as soon as the necessity for the leave arises.

An employee must submit an application for said leave at least 30 days prior to the beginning of said leave.

A “Medical Certification Statement” may be required at the discretion of the Authority.

During the period of family medical leave, the employee will be retained on the Authority’s health plan under the same conditions as applied before the leave commenced.

An employee neither loses or accrues any seniority or employment benefits while taking said leave.

An employee will be restored to his/her old position OR to a position with equivalent pay, benefits, and other terms and conditions of employment, which determination shall be at the discretion of the Authority.

An employee must provide written notification of his/her return to active status at least 5 days prior to their planned return.

Failure to return will result in immediate termination unless an extension is granted by the Executive Director.

NOTE: All forms for the use of this leave are available from the Director of Administration & Finance.

#### 10.4 Military Leave

Consistent with the Universal Military Training and Service Act, an employee who leaves a permanent job for the Armed Forces is entitled to reinstatement if:

1) they present a certificate showing satisfactory completion of their military service;

2) they apply for re-employment within 90 days of discharge; and

3) they are still qualified to do their former job.

They need not be given their former job if the circumstances have changed so as to make it impossible or unreasonable to do so. But, if the veteran is offered an alternative job, it must be equal in seniority, status and pay to job he/she left.

Veterans hospitalized for a year or less after discharge must be reinstated if they apply within 90 days of release from the hospital.

Each Reservist of the Armed Forces or member of the National Guard or Indiana National Guard is entitled to a leave of absence without loss of benefits for active duty or for training purposes.

The Reservist or Guard person will be allowed 15 days of paid leave , in any one calendar year, of military leave. The leave shall not be changed to any other leave.

The employee must provide written orders showing his/her actual duty period.

#### 10.5 Court Duty Leave

An employee called for service on a jury or as witness in court will be granted leave for the duration of the period for which called, unless released earlier, without charge against annual leave.

The Authority will pay the employee the difference between regular pay and court duty remuneration, excluding travel allowance by court.

#### 10.6 Leave Without Pay or Advanced Leave

Leave Without Pay or advanced leave, where no leave is accumulated, may be granted any employee at the discretion of the EXECUTIVE DIRECTOR for any length of time considered necessary or desirable.

Any employee on any type of leave without pay may continue their insurance and pension plans by paying to the respective plan their respective contribution plus the Housing Authority’s contribution.

#### 10.7 Sick Leave for Funerals

In the event of death in an employee’s immediate family (i.e., spouse, parent, grandparent, child or sibling), SICK leave may be used by the employee for a maximum of five days.

This provision is applicable only if the family and medical leave provisions are not applicable.

Attendance at all other funerals will be accomplished by the use of annual leave or leave without pay.

##### **11.0 HOLIDAYS**

The following holidays with pay shall be allowed employees of the Authority:

January 1 ----------------------------- New Year’s Day

Third Monday in February --------------- President’s Day

Friday before Easter ------------------- Good Friday

Last Monday in May --------------------- Memorial Day

July 4 --------------------------------- Independence Day

First Monday in September -------------- Labor Day

November 11 ---------------------------- Veterans Day

Fourth Thursday and Friday in November - Thanksgiving

December 25 ---------------------------- Christmas

If a legal holiday falls on a Sunday, the next Monday following shall be considered a holiday. If a legal holiday falls on a Saturday, the Friday preceding will be considered a holiday.

##### **12.0 TRAINING**

###### **12.1 Supplemental Training Programs**

The Authority recognizes that improved skills and capabilities of its employees can be valuable from the viewpoint of both the Authority and employees.

Consequently, it is the Authority’s policy to aid its employees to improve themselves through educational programs by agreeing to defray a portion of such costs, as provided below:

1. Eligibility.

All permanent employees who have served a minimum period of two consecutive years will be eligible to apply for financial assistance under this program.

2. Approved Curriculum

Any courses will be eligible which in the WRITTEN opinion of the Department Head AND PRIOR AUTHORIZATION by the Executive Director, will either:

(a) Improve the employee’s ability to perform his present job; or

(b) Help prepare the employee for a job with the Authority which will demand a higher level of responsibility and/or skill.

Approved courses may be taken at any accredited college, university, correspondence school, or other institution approved by the EXECUTIVE DIRECTOR.

###### **12.2 Financial Assistance**

The Authority will contribute $250 per approved course.

The total cost which the Authority agrees to share is limited to tuition, registration fee, books and laboratory fees.

**\*An approved course is one that is considered to directly—NOT**

**indirectly—enhance an employee’s job performance or ability to be promoted.\***

When it is necessary for an employee to use work time to attend an approved course, the employee’s time computed on an hourly basis will be made up, in equal amounts, at an agreed upon time between the employee and the supervisor.

Department Heads and Supervisors are responsible for developing in-service training programs for their employees, for establishing training schools within the Authority, referring employees to those programs, and making recommendations to the Executive Director on whether the Authority should contribute to the cost of such training.

##### **13.0 EQUIPMENT AND TOOLS**

Employees are urged to be as careful with tools and other Authority property assigned to their care as they are with their own belongings.

When Authority tools or other equipment are furnished to employees for use in their jobs, supervisors will see that they are properly instructed in their use and care.

Supervisors will further explain that, under Authority policy, employees to whom equipment is assigned will have full responsibility for it, financial and otherwise.

If such equipment is destroyed or damaged through neglect, misuse, carelessness or failure to follow instructions, the employee will pay for the damage or destruction.

**14.0 OPERATION OF AUTHORITY-OWNED VEHICLES**

Commissioners of the Authority, members of the executive staff or employees who will operate an Authority-owned vehicle, must possess a valid driver’s license issued by the authorities of the State of Indiana.

Use of an Authority-owned vehicle by an employee is neither a right nor a privilege but a trust conferred to facilitate necessary performance of duties.

Authority-owned vehicles shall be assigned and used only in the performance of official duty or safekeeping of vehicles.

Use of vehicles for unauthorized purposes will result in disciplinary action to the employee.

Because of the nature of the duties of the executive staff, occasional personal use of the Housing Authority-owned vehicles is viewed as being incidental to the business use of the vehicles and such usage shall not be deemed to be in violation of this policy but will be subject to IRS rules and regulations governing employer provided fringe benefits.

##### **15.0 TRAVEL**

###### **15.1 Travel Authorization**

Employees or Commissioners of the Authority may perform official travel upon authorization by the Board or as authorized by the Chairperson and/or Executive Director.

Travel within Board-approved budgets, however, shall be deemed approved by the Board of Commissioners and is subject to audit by the Executive Director.

It is the policy of the Housing Authority that all costs necessary, incidental and reasonable to the completion of authorized travel by an employee or Commissioner of the Housing Authority shall be paid for by the Housing Authority.

Employees and Commissioners shall be bound by their good sense and judgment as to whether or not an expense is necessary, incidental and reasonable.

Reimbursements for necessary, incidental and reasonable expenses for authorized travel shall be supported by actual receipts and itemized on Housing Authority expense forms.

Travel by private automobile shall be reimbursed at the published IRS rate, which is $.31 per mile.

**Accountability for the administration of this policy shall be**

**vested in the Executive Director.**

# APPENDIX NO. 1

## ORGANIZATION CHART

This chart shows the major functional elements of the organization, their relationship to each other, the appropriate levels of authority, and the basic lines of communication.

This functional chart can be supplemented by specific administrative charts for each department and/or office at the discretion of the Supervisor.

## DELEGATION OF AUTHORITY

During the absence of a supervisor, it is necessary to establish clear lines of authority. The following shall apply under these circumstances:

### 1. In the absence of the Executive Director, the following Division Directors shall act in his absence and in the stated order:

(1) DIRECTOR OF ADMINISTRATION & FINANCE

(2) DIRECTOR OF MAINTENANCE

(3) DIRECTOR OF COMMUNITY & FAMILY SERVICES

(4) DIRECTOR OF PROPERTY MANAGEMENT

(5) DIRECTOR OF ADMISSIONS

The delegation of authority in this instance is complete except that an Acting Executive Director may not permanently assign/staff any position at the Authority.

### 2. A Division Director may appoint any member of his/her staff to act in his/her capacity on a non-permanent basis during his/her absence.

## EMPLOYEE CLASSIFICATION

The Authority shall have five basic classifications of employees, as follows:

**CLASSIFICATION DESCRIPTION**

E Executive Director

D Division Director

C Program Manager

B Program Staff/Technical

A Program Staff/Non-Technical

Each functional position description will be salaried according to these classifications. It should generally fall within the same salary ranges (i.e., all Division Directors might be placed in Pay Class D).

Positions within the Authority have currently been classified and pay graded as follows:

### CLASSIFICATION E ................... Executive Director

### CLASSIFICATION D ................... Division Director

Director of Admissions

Director of Property Management

Director of Maintenance

Director of Finance & Administration

Director Of Community & Family Services

### CLASSIFICATION C .................... Program Manager

Physical Plant Superintendent

Senior Accountant

Building Services Sector Chief

Senior Property Manager

Admissions Officer

Chief Inspector

### CLASSIFICATION B .......................Program Staff/Technical

Property Manager

Housing Inspector

Support Services Officer

Senior Admissions Specialist

Accountant

Building Services Specialist II

### CLASSIFICATION A ......... Program Staff/Non Technical

Receptionist/Secretary

Teacher

Building Service Specialist

Driver

Support Services Clerk

Lead Teacher

Admissions Specialist

Administrative Assistant

(ANY PART-TIME OR TEMPORARY EMPLOYEE)

# APPENDIX 2

# PAY PLAN

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

# THERE IS NO SUCH THING AS A “COST OF LIVING” PAY ADJUSTMENT

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

The salary chart for the employees of the Authority includes five ascending salary classifications with corresponding step increases in pay within each classification.

Increases in salary are not possible unless there is evidence of sustained SUPERIOR PERFORMANCE over a duration of at least one year.

This chart may be upgraded from time to time, to suit the changing economic condition by Board Resolution.

Employees, where possible, will initially be hired at the minimum rate for their position and pay classification.

An employee may receive an increased salary in accordance with this plan by one of FOUR methods:

(1) MERIT STEP INCREASE

(2) POSITION RECLASSIFICATION

(3) MERIT PERFORMANCE AWARD

(4) SALARY CHART AMENDMENT

Salary increases are NOT automatic.

Salary increases ARE subject to fund availability.

Sole authority is vested in the Executive Director to DECIDE and DECIDE WHEN to recommend to the Board of Commissioners ANY salary adjustments for ANY reason.

# PAY CLASSIFICATIONS

A B C D E

$17,000 $22,000 $31,000 $42,000 BOARD

20,000 24,000 33,000 45,000

26,000 35,000 47,000 RESOLUTION

28,000 37,000 49,000

30,000

NOTE 1 - An employee in a “B” classification may not be reclassified to a “C” classification unless he/she has achieved at least two (2) CONSEC\_ UTIVE superior evaluations.

NOTE 2 - A BSS/II may not be re-classified to a BSS/SECTOR CHIEF unless he/she has achieved at least three (3) CONSECUTIVE superior evaluations AND formally “tests out” favorably for promotion in the presence of the Executive Director and the Director of Maintenance.

NOTE 3 - Maintenance salaries (wage rate determinations) are subject to annual re- evaluation and adjustment pursuant to regulations issued by the U.S. Department of Labor through the auspices of the U.S. Department of Housing and Urban Development.

# APPENDIX 3

# PENSION PLAN

## ELIGIBILITY

All regular full-time employees will be eligible on the pension anniversary date (MAY 1) provided they have attained the age of 20(1/2) and have six months of service to the Authority.

The service requirement may be waived at the discretion of the Executive Director.

## PAYMENT DUE DATE

Minimum age of 59 \_ and termination of employment; or

Total and Permanent Disability; or

Death

### **EMPLOYER CONTRIBUTION**

* 8.50 percent of salary (Vesting @20%/yr for years 1-5)

### **EMPLOYEE CONTRIBUTION**

* 6.00 percent of salary (Vesting @100% year 1)

### **PLAN TYPE = DEFINED CONTRIBUTION**

#### BENEFIT

* Life Insurance @ stated face and cash values.
* Variable Annuity upon separation and qualification.
* Voluntary contributions subject to plan restrictions.

**Document outlining the specifics of the \*\*\*\*\*\*\*\*\*\* Housing**

**Authority Pension Trust is available from the Director of**

**Administration & Finance**

# APPENDIX 4

# GROUP HEALTH INSURANCE BENEFITS

100% EMPLOYER PAID

### PREFERRED PROVIDER = AETNA SMALL GROUP

\*\*\*\*\*MEDICAL\*\*\*\*\*

CALENDAR YEAR DEDUCTIBLE - $ 500

FAMILY DEDUCTIBLE LIMIT - $1500

COINSURANCE LIMIT -

INDIVIDUAL $1000

FAMILY $3000

\*\*\*\*\*DENTAL\*\*\*\*\*

CALENDAR YEAR DEDUCTIBLE - $ 100

FAMILY DEDUCTIBLE LIMIT - $ 300

CALENDAR YEAR MAXIMUM - $1000

**Document outlining the specifics of the AETNA SMALL**

**GROUP Health Plan is available from the Director of**

**Administration & Finance**

**APPENDIX 5**

**HOUSING AUTHORITY OF \*\*\*\*\*\*\*\*\*\***

**DRUG AND ALCOHOL POLICY**

The Housing Authority of \*\*\*\*\*\*\*\*\*\* is determined that its employees and officers be drug and alcohol free. Employees who work under the influence of alcohol and/or drugs or who use such substances in the work environment are a threat to all citizens. The Housing Authority is committed to elimination of possession, distribution, purchase or sale of illegal drugs and controlled substances in the work environment

.

The following regulations and policy are applicable to all employees:

1. Any Housing Authority employee or officer who, while on Housing Authority property, sells, distributes, possesses, offers for sale or distribution, or who possesses for sale or distribution any illegal drugs or controlled substances will be immediately discharged.

2. Any Housing Authority employee or officer who, while on Housing Authority premises or while operating a Housing Authority vehicle during assigned duty hours or compensated overtime or uses, consumes, or works under the influence of alcoholic beverages, illegal drugs, or controlled substances will be immediately discharged.

**DRUG AND ALCOHOL TESTING PROCEDURE:**

The following procedures will apply to the employee drug and alcohol testing program.

**A. REASONABLE SUSPICION TESTING:**

When an employee is acting in an abnormal manner and there is “reasonable suspicion” to believe that the employee is under the influence of controlled substances and/or alcohol, the Housing Authority will require the employee to go to a medical clinic to provide a urine specimen for laboratory testing and/or to take an alcohol breath test (hereinafter referred to as “EBT”) at such place as the Housing Authority directs.

“Reasonable suspicion” means suspicion based upon specific personal observations that the Housing Authority representatives can describe concerning the appearance, behavior, speech or breath odor of the employee, where the odor is detected in addition to appearance, behavior or speech. Suspicion is not reasonable, and thus not a basis for testing, if it is based solely upon the observations and reports of third parties.

When an employee is requested to submit to drug and/or alcohol testing, he or she shall be informed in the presence of both supervisors that he or she is being asked to submit to the test. The employee shall be informed that refusal to submit to testing will constitute a presumption of intoxication and subject the employee to immediate discharge. If the employee refuses to submit to the test, this refusal shall be in writing.

If the employee consents to the testing, he or she shall sign a consent form authorizing the collection of a specimen of urine and/or the conduct of an EBT test and a release of the results of the laboratory testing and/or EBT test to the Housing Authority. This release shall be provided by the laboratory or clinic involved which shall retain a copy of the results.

Prior to the actual drug testing, the employee will be examined by a medical doctor at the designated hospital, laboratory and/or clinic if there is one available at that location. This examination will be made to determine whether the conduct or behavior observed may have been caused by a reason other than the possible influence of drugs and/or alcohol. If the medical doctor decides that the conduct or behavior observed by the supervisor is for a reason other than possible influence of drugs and/or alcohol, no test will be given and the employee will be returned to work without loss of pay, provided the medical doctor releases the employee to return to work. Such release must be in writing. If no doctor is reasonably available, the test shall be under the conditions set forth below.

**B. RANDOM AND POST‑ACCIDENT DRUG TESTING:**

The Housing Authority shall conduct random and post-accident drug and alcohol testing on all officers and employees. Such tests shall be conducted consistently with the requirements of the provisions of this Agreement.

**(1) POST‑ACCIDENT TESTING:**

Post‑accident testing shall occur only when an employee, officer, or department head is operating a Housing Authority owned vehicle during that person’s normal work hours or during a period in which that person is receiving overtime compensation.

Post-accident testing shall be conducted only after an “accident” which meets the definitions established by the D.O.T. and the Federal Highway Administration. Under those provisions, an “accident” for purposes of post-accident drug and alcohol testing is defined as follows:

a) The accident involved a fatality; or

b) The driver eligible for post-accident drug and alcohol testing

received a citation under State or Local law for a moving traffic violation arising from the accident; or

c) A driver or occupant of any vehicle involved received an injury requiring treatment at an emergency medical facility away from the scene; or :

d) A vehicle involved in the accident was required to be towed from the scene (or as a result of its damage received it was not in a condition for legal operation). This post-accident drug and alcohol testing shall be done as soon as practicable following an accident.

**(2) RANDOM ALCOHOL TESTING:**

Random alcohol testing will be conducted on all employees. The employee will be randomly selected for testing from the pool of all employees. The testing dates and times will be unannounced and set with unpredictable frequency throughout the year. An employee who is absent on the day he or she is randomly selected for testing will be tested on the day he or she next returns to work. Likewise, an employee who reports to work and then requests leave time for illness or otherwise on that date will be immediately tested upon his return from leave. An employee who provides a sample that is diluted, contaminated, or otherwise untestible will be subject to immediate re-test and/or discipline in the discretion of the medical review officer and the employee’s supervisor.

**(3) RANDOM DRUG TESTING:**

Random drug testing will be conducted on all employees. These tests will be unannounced. Some employees may be tested more than one time each year, some may not be tested at all depending upon the random selection. An employee who is absent on the day he or she is randomly selected for testing will be tested on the day he or she next returns to work. Likewise, an employee who reports to work and then requests leave time for illness or otherwise on that date will be immediately tested upon his return from leave. An employee who provides a sample that is diluted, contaminated, or otherwise untestible will be subject to immediate re‑test and/or discipline in the discretion of the medical review officer and the employee’s supervisor.

**D. CHAIN OF POSSESSION PROCEDURES:**

The supervisor requesting a test shall escort the employee to the independent hospital, laboratory, and/or clinic. The primary place of testing will be the Union Hospital Center for Occupational Health. Tests may also be administered at any other local hospital or clinic appropriately equipped and staffed. At the time a specimen is collected, the employee will be given a copy of the specimen collection procedures.

The specimen must be immediately sealed, labeled and initialed by the employee to ensure that the specimen tested by the laboratory is that of the employee.

The required procedure is as follows:

1. Urine shall be a wide-mouthed clinic specimen container which shall remain in full view of the employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.
2. Immediately after the specimens are collected, the urine bottles shall, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at a site other than the drug and/or alcohol testing laboratory, the specimens shall then be placed in the transportation container. The container shall be sealed in the employee’s presence and the employee shall be asked to initial or sign the container. The container shall be sent to the designated testing laboratory on that day or the earliest business day by the best available methods.
3. A chain of possession form shall be completed by the hospital, laboratory and/or clinic personnel during the specimen collection and attached to and mailed with the specimens.

**E. ALCOHOL BREATH TESTING:**

Alcohol breath testing (EBT) will be conducted either at Housing Authority facilities, a law enforcement agency, or at a private clinic or laboratory. If the Housing Authority chooses to conduct alcohol breath testing (EBT) on its own premises, such testing shall be conducted in the presence of certified operators, other than the employee’s supervisor.

**F. DISCIPLINARY ACTION:**

The Housing Authority will immediately terminate any employee with tests

results as follows:

(1) If the test as reviewed and confirmed by the medical review officer (MRO) results show a forensically acceptable positive quantum of proof (in conformance with the levels established by the D.H.H.S. for initial tests and confirmatory tests) of cocaine, heroin, PCP, LSD, barbiturates, amphetamines, or any other controlled substance except marijuana, the employee shall be immediately discharged.

(2) With regard to marijuana, if the test results as reviewed and confirmed by the medical review officer (MRO) of a urine specimen by gas chromatograph/mass spectrometry (GC/MS) confirm the initial immunochemical quantitation of fifty (50) or more nanograms crossreactive cannabinoids/mi, the employee shall be immediately discharged.

(3) If the test results as reviewed by the certified operator and medical review officer (MRO) show an EBT/alcohol concentration equal to or above .04, the employee shall be immediately discharged. If the test results show an EBT/alcohol concentration equal to or above .02, but less than .04, the employee shall be removed from duty for 24 hours without pay, but with no other disciplinary action.

**G. LABORATORY REQUIREMENTS:**

(1) SPECIMEN RETENTION

All specimens deemed “positive” by the laboratory, according to the prescribed guidelines, must be retained, for identification purposes, at the laboratory for a period of at least one (1) year.

(2) APPROVED TESTING LABORATORIES

The laboratories used must be able to perform all the required testing procedures. The parties also agree to retain the right to audit and inspect the individual laboratories to determine conformity with the laboratory requirements as established herein.

(3) PRESCRIPTION AND NON PRESCRIPTION MEDICATIONS

The employee shall note on a form furnished by the Housing Authority use of any prescription and non‑prescription medication before any test is given. Through the use of the above described laboratory procedures, the laboratory will report significant presence of all prescription and nonprescription medications. If an employee is taking a prescription or nonprescription medication in the appropriate described manner and has noted such use, as provided above, and has been cleared to return to duty, he or she will not be disciplined.

**H. CONFIDENTIALITY:**

Every effort will be made to ensure that all employees’ substance abuse problems will be discussed in private and actions taken will not be made known to anyone other than those directly involved in taking the action or who are required to be involved in the disciplinary procedure.

Only one person in the employee’s department will be designated to receive testing results. He or she will notify other Housing Authority managers strictly on a “need-to-know basis.”

No laboratory or medical reports or test results shall appear in an employee’s personnel folder. Information of this nature will be included in the medical file. The inside cover of the personnel folder will contain a marker to show that this information is contained elsewhere.

All necessary measures shall be taken to keep the fact and the results of the test confidential.

**I. USE OF RESULTS:**

1. A medical review officer (MRO) shall interview the employee concerning the test results within 5 days. The employee will be given an opportunity to explain and substantiate his or her use of legal drugs (prescription or over the counter) or other substances which may have resulted in a positive test result.
2. The MRO shall inform the employee of his or her right to have a second confirmatory test at a second D.H.H.S. approved laboratory. This second confirmatory test shall be at the employee’s expense. The employee shall have 72 hours within which to request the confirmatory test. If the results of the two tests differ, the employee will benefit from the results of the test most favorable to the employee.

(3) The manager or supervisor shall take appropriate actions based upon the evaluation.

**This policy shall take effect April 1, 1997**

**UNDERSTANDING BY EMPLOYEE**

I understand the information in the personnel manual published by the Housing Authority of the City of \*\*\*\*\*\*\*\*\*\* represents guidelines only and that the Authority reserves its right to modify this manual or amend or terminate any policies, procedures, or employee benefit programs whether or not described in this handbook at any time, or to require and/or increase contributions towards these benefit programs.

I understand that this personnel manual is not a contract of employment, express or implied, between me and the Housing Authority of the City of \*\*\*\*\*\*\*\*\*\* and that I should not view it as such, or as a guarantee of employment for a specific duration.

I further understand that no person has any authority to enter into any agreement guaranteeing employment for any specified period of time.

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Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

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Management Witness