

**ADMINISTRATIVE POLICIES FOR IMPLEMENTATION
OF STARPOINT
BOARD APPROVED PERSONEL POLICIES
March 1, 2015**

Preface – The following are Administrative Policies to implement sections of the Personnel Policies approved by the Starpoint Board of Directors. Unlike the board approved policies, sections of the Administrative Policies may be waived by the Chief Executive Officer in individual situations and circumstances.

1) Authority to hire and terminate –

Directors have been delegated by the Chief Executive Officer the responsibility to hire and terminate employees under their general supervision or as otherwise authorized. Directors will be responsible for the hiring of any authorized position and may also terminate an individual if the board established personnel policies are followed. Only the Chief Executive Officer or his delegates have the authority to establish new positions. Any new positions requested must be requested in writing and approved before they can be advertised or filled.

2) Establishing starting salary –

The Chief Executive Officer or delegee are authorized to offer and determine starting salaries for employees. Others involved with hiring may inform the applicant of the appropriate salary range but may not offer a specific salary.

3) Orientation –

It shall be the responsibility of the Human Resources Department and Department Directors to coordinate an orientation for all new employees. The orientation shall include, at a minimum, the following areas: Agency personnel policies, job description, work schedule, mission statement, safety material and policies and procedures relevant to their duties. In addition, all necessary forms will be completed and placed in the personnel file. Orientating a new employee to the agency and their job is critical to that employee and their job satisfaction with Starpoint. An orientation should be conducted during a time free from interruptions where staff can sit down with the new employee and review all pertinent policies, etc. This should include briefly reviewing the policies and asking if they have any questions. Under no circumstances should a new employee just be given a policy manual and told to read it and see if they have any questions. After completing an orientation the employee should sign an acknowledgement of the material reviewed, which should be included in their personnel file.

4) Evaluating employees under the introductory period –

It shall be the immediate supervisor's responsibility to assess a new employee's job performance and give feedback to them on a regular basis. A performance review will be completed at the end of the employee's first 90 days of employment to determine continuation of employment, termination or extension of the introductory status. In the case of extending the introductory status, the Chief Executive Officer, Chief Administrative Officer or delegee shall have final authority.

5) Corrective and Disciplinary Actions –

By their very nature, such actions are threatening to an employee. Since these actions are meant to be positive feedback to employees to help them improve their performance, the supervisor should make the review of these actions as positive as possible. Unless the problem involves matters affecting the health or safety of consumers or employees or willful misconduct, the supervisor should first use verbal counseling with no written forms. The supervisor should, however, make notes of dates and content of all verbal counseling should it be needed later. If the problem continues or there are a series of unrelated problems, written documentation is necessary. If written actions are necessary, be sure they are signed and put in the employee's file.

Before deciding to terminate an employee, a Director or supervisor should meet with the employee to discuss any allegations or problems and should record their response. When terminating an employee, it should be done face-to-face with a written and verbal explanation of the reasons given to the employee and a copy put in their personnel file. If the employee is being terminated under the at-will part of our personnel policies, then no reason is given. Be clear and concise in the reasons for termination and do not stray from what is contained in the written reason. Record any statements made by the employee at the time of termination. Many people we terminate will remain in the community and therefore can affect our public relations. For this reason, terminations must be handled in a calm and professional manner. Supervisors should seek assistance from the Human Resources Department before terminating any employee.

6) Personnel Action Form –

Employees' immediate supervisors are responsible for generating personnel action forms for hiring, terminations or any individual changes. The employee, supervisor, Human Resources Department representative and Chief Executive Officer or delegee must sign the personnel action before it is final.

7) Annual Personnel Performance Review –

It shall be each immediate supervisor's responsibility to conduct a performance review of all employees they supervise and review it with them annually. To do this review, the supervisor should follow the policy on how to conduct these evaluations. In addition, the supervisor should review the employee's personnel file as a tool to be current on their performance. Also, any

disciplinary or counseling actions that are over a year old can be recommended for removal at that time.

8) Exit Conference –

Whenever any employee terminates, either voluntarily or involuntarily, it shall be the immediate supervisor's responsibility to conduct an exit interview with the employee. Completed interview forms are to be turned into the Human Resources Department. After reviewing, the Human Resources Department will give them to the Chief Executive Officer, Chief Administrative Officer or delegee who shall see that they are put in the employee's personnel file. If an employee refuses to complete an exit conference form or is not available, this should be noted on the form and also turned in to the Human Resources Department.

9) Employment of Relatives –

The hiring of a person related to another person at Starpoint can cause personnel problems later on. If one of the people becomes dissatisfied or angry with the agency, most often the other person does also. In addition, if one person quits or is terminated, often the other person follows suit. It is in the best interest of the agency to minimize the potential for these kinds of situations and to completely avoid situations where there is an apparent conflict of interest such as direct supervision of a relative.

With that in mind, any supervisor who interviews a person who is a relative of another person who works at Starpoint, and the supervisor would like to hire that person, must receive written approval from either the Chief Executive Officer, Chief Administrative Officer or delegee to hire that person. The supervisor must be able to substantiate that the applicant is the best qualified for the position, will not be working under the supervision of their relative and will not be working in the same location at the same time as their relative.

10) Reference checks and letters of recommendation –

Providing information to prospective employers about present or former employees imposes a potential liability on the person giving the information and Starpoint. For that reason, the following guidelines are to be followed by all staff:

- A) No information regarding present or former employees is to be given out over the phone or in person.
- B) Forms sent by loan companies, banks or prospective employers, will only have sections on job title, length of employment and salary completed and only if the employee has signed the form stating they give permission for that information to be released.

C) Letters of recommendations will only be given to employees who have above average work records at Starpoint. Any letter of recommendation going out by any staff member must be approved by the Chief Executive Officer, Chief Administrative Officer or delegee. The letter of recommendation will only be approved if it contains very positive statements about the employee. Any reference, in writing that is sent to a third party must also be sent to the employee at the employee's last known address.

11) Absences/leaves –

A) Any employee who is sick must call their immediate supervisor and notify them they are sick. If it is not during the supervisor's regular working hours, then the employee should call the on-call person, if appropriate, who will then notify the supervisor when available. Failure to do this may result in the absence being unpaid leave and could be considered job abandonment.

B) Employees who have used all personal leave and are absent from work are considered to be on unauthorized leave unless they have formally requested and have had approved a written request for unpaid leave per the personnel policies. Employees who are absent without such approval are subject to corrective or disciplinary action or termination. Employees who do not have any leave time are allowed one absence per month which shall be unpaid. Any additional time beyond this will be considered excessive absenteeism and can result in corrective or disciplinary action or termination.

C) It is the policy of Starpoint to provide family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) and state law. When an employee's absence qualifies under both state and federal laws, the employee will use his or her entitlement under each law at the same time, to the extent permitted by law. When one law's provisions provide a greater benefit, the employee will receive the greater benefit.

If an employee is not eligible for FMLA leave, uses up his or her FMLA leave, or wishes to take leave for a purpose that does not qualify for FMLA, the employee should consult the company's other leave policies to determine if other leave might be available.

The company uses a rolling 12-month period measured backward from the date FMLA was used to determine the 12-month period during which the FMLA leave is available for reasons that qualify for up to 12 workweeks of leave.

Eligibility

To be eligible for FMLA leave, an employee must have worked at least 12 months for the company, been employed for at least 1,250 hours during the 12 months preceding

the commencement of leave, and must be employed at a worksite where at least 50 company employees are employed within 75 miles of the worksite.

Types of absences covered

Under the FMLA, eligible employees may take up to 12 weeks of unpaid leave in the designated 12-month period for any of the following:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- For a serious health condition that makes the employee unable to perform his or her job; or
- For a qualifying exigency, as described below.

Qualifying exigency leave

Eligible employees with a spouse, son, daughter, or parent on covered active duty (or who has been notified of an impending call or order to active duty) in the Armed Forces, including the National Guard and Reserves, may use their 12-week leave entitlement to address certain qualifying exigencies. Covered active duty involves deployment to a foreign country. Qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, addressing parental care, and attending post-deployment reintegration briefings.

Military caregiver leave

An eligible employee may take up to 26 weeks of unpaid leave during any single 12-month period (a separate and distinct leave year from the period designated above) to care for the employee's spouse, son, daughter, parent, or next of kin who is a covered military service member and incurred a serious injury or illness in the line of military duty, or who experienced the aggravation of an existing or pre-existing condition in the line of active duty. The 12-month period is measured forward from the date leave begins. A covered service member is a current or former member of the Armed Forces, including a member of the National Guard or Reserves. A serious injury or illness for current members is one that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

A serious injury or illness for a covered veteran is one that was incurred in the line of duty or existed before active duty and was aggravated, and manifested itself before or after becoming a veteran and is:

- A continuation of such an injury or illness, or a condition for which the veteran received a U.S. Department of Veterans Affairs Service-Related Disability Rating of 50 percent or greater based on the condition requiring leave,
- A condition that substantially impairs the veteran's ability to keep or obtain gainful employment, or
- An injury on the basis of which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

For military caregiver leave for veterans, the veteran must have been discharged or released under conditions other than dishonorable during the five-year period before the first date an employee takes FMLA leave.

Duration of leave

An employee does not need to use his or her leave entitlement in one block. Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.

Benefits and protections

During FMLA leave, the employer must maintain the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Upon return from FMLA leave, employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Procedures

Employees must be informed whether they are eligible under FMLA. If they are, the employer must specify any information required and explain the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Employees must be informed if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the leave is not FMLA-protected, the employee must be notified of that fact.

When to request leave

Where leave is foreseeable, the employee should make a request for leave at least 30 days in advance. Foreseeable leave should be scheduled so that it does not unduly disrupt the employer's operations.

Where 30 days advance notice of the need for leave is not possible, the employee must provide notice as soon as practicable and generally must comply with normal call-in procedures.

If the circumstances change such that the amount of leave needed changes, the employee should provide notice of the change within two business days.

Notifications and certifications

When requesting leave, employees must provide sufficient information to permit a determination of whether the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees also must indicate if the requested leave is for a reason for which FMLA leave was previously taken or certified.

An employee who requests leave will be given a "Notice of Eligibility" and a "Rights and Responsibilities" notice within five business days after indicating the need for leave. These notices explain his or her eligibility and expectations. Any required certification form may be provided with this notice.

The employee must return the requested certification within 15 calendar days. The Human Resources Department will review the certification and determine whether sufficient information has been provided, or if deficiencies need to be corrected. The employee must be given seven calendar days to correct any deficiencies.

When a complete and sufficient certification has been returned (or when the employee has otherwise provided sufficient information to designate the absence as FMLA) the employer will provide the employee with a "Designation Notice" within five business days of determining whether the leave qualifies for FMLA. If so, the notice will describe the conditions of the leave and the requirements for returning to work.

The company reserves the right to require a second or even third medical opinion, at the company's expense. Employees also may be required to provide periodic recertification supporting the need for leave as allowed by law, and may be required to report periodically on their status and intent to return to work. The company may waive the certification requirement at its discretion.

Pay during leave

Generally, family and medical leave absences are unpaid, but employees may substitute paid leave (vacation, sick leave, PTO, etc.). The company reserves the right to require substitution of paid leave during FMLA leave. In order to use paid leave, employees must comply with normal paid leave policies.

Employees may also be eligible for income replacement under a benefit program or other entitlement. This may include short-term disability, workers' compensation, and so on. If an employee is receiving such benefits during FMLA leave, the employee cannot be required to substitute company paid leave (vacation, PTO, etc.). However, where state law permits, the company and the employee may agree to have paid leave supplement the disability plan benefits (i.e., where those benefits are less than the employee's regular wages or salary).

Returning to work

An employee will be reinstated to the same job or an equivalent position upon completion of FMLA leave, except where denial of restoration is permitted by the FMLA. If the employee has exhausted all available leave and is still unable to return to work, the employee no longer has any job restoration rights under FMLA. Each situation will be reviewed on a case-by-case basis to determine whether the employee may be eligible for rights and protections under other laws or company policies.

Fitness for duty

When leave is for the employee's own serious health condition, the employee is expected to return to work when released by a health care provider. The employee will need to provide a Fitness for Duty certification before returning to work if this requirement was indicated in the Designation Notice. The Fitness for Duty certification must be signed by a health care provider.

If an employee is released for light duty work and is offered a light duty job but refuses, any short-term disability benefits the employee may be receiving could cease, depending on the terms of the plan. However, the employee is still permitted to use his or her FMLA entitlement.

Additional Information

Termination of employment may occur if an employee fails to return from leave at the time agreed upon (barring circumstances which required an extension of available leave) or if an employee is found to have taken leave on a fraudulent basis.

13) Interviewing –

- A) Questions asked during an interview of a prospective employee can create a potential liability for Starpoint. It is critical that anyone conducting an interview be aware of what questions are not appropriate or not legal to ask. They include asking the person's age (except asking if they are over 18), their sex, marital status, questions about children, plans for children, race, religion, or any other questions that have no relation to the job applied for.
- B) Applicants should be asked if they can meet the physical requirements of the position they have applied for, specifically in relation to the job description for the position. For example, "Are you able to push/pull 100+ pounds, carry 50 pounds; lift heavy objects, stand 4+ hours per day; walk 4+ hours per day?"
- C) Individuals involved with interviewing should seek assistance from the Human Resources Department as needed.

14) Overtime/Taking work home –

- A) Overtime is required to be paid to non-exempt staff for any time worked in excess of 40 hours between midnight Saturday to midnight Saturday or in excess of 12 hours per day in some circumstances. This is for actual hours worked and does not include holidays or approved leave time.
- B) Sleeping Time: Under certain conditions, employees are considered to be working even though they are sleeping (29CFR785.20). Less than 24-hour duty. Employees who are required to be on duty for less than 24 hours are working even though they are permitted to sleep or engage in other personal activities when not busy. Duty of 24 hours or more. Employees who must work 24 or more hours straight may agree with their employer to exclude bona fide meal periods and bona fide regularly scheduled sleeping periods of eight hours or less from their hours worked if adequate sleeping facilities are furnished by the employer and the employees can usually enjoy an uninterrupted night's sleep. If the sleeping period is more than eight hours, only eight hours will be credited. If there is no express or implied agreement to the contrary, the eight hours of sleeping time and lunch period constitute hours worked.
- C) To monitor overtime usage, all requests for overtime must be approved in advance by the supervisor or on-call person. It is the supervisor's responsibility to determine if there are any alternative ways to get the job done without overtime.

D) Non-exempt employees of Starpoint are not permitted to take work home, outside of their regularly scheduled work hours, unless prior approval has been granted in writing by their supervisor.

15) Policy on donations –

Individual staff may from time-to-time be approached by a parent or service group that wishes to make a donation to Starpoint. If asked what is needed, it is not appropriate for a staff person to offer suggestions. The response should simply be that we have many needs and that someone will get back to them. Depending on the current funding and budget, it may be more advantageous that we ask for cash versus money that is restricted for a certain use or purchase.

Anyone approached with a potential donation should immediately contact the Foundation Director with details.

16) Employee Advocate –

The Personnel Policies have created within the Problem Solving Policy the option for an employee to use an employee advocate in lieu of the other avenues. To initiate the problem solving through the employee advocate, the staff person should simply call the employee advocate to discuss the problem. The employee advocate is currently the Human Resources Director.

17) Employee request for payroll advances -

Employees of Starpoint have a very special privilege offered by very few employers – receiving a payroll advance based on hours of work accrued up to the date of request for advance.

Requests for advances are to be submitted in writing to employee's immediate supervisor who initials, dates and lists on the request the number of hours worked by the employee up to that date.

The employee is responsible for seeing that written requests for advances are submitted to the Payroll Department no later than 3 p.m. prior to the day the advance is expected. (Any Director may authorize a payroll advance, after which the employee will submit the approved request for advance to the Payroll Department.) Payroll advance checks will be ready for employee to pick up the following day no earlier than 11 a.m. from the Payroll Department. (i.e., requests submitted by 3 p.m. on Wednesday will be ready at 11 a.m. on Thursday; requests submitted by 3 p.m. on Thursday will be ready by 11 a.m. on Monday.) Payroll advances for Salida and Denver employees will be mailed. Denver employees may have advances sent via overnight mail, with the cost of the mailing deducted from the amount of the advance.

Employees are provided the privilege of one (1) payroll advance per payroll year (January 1 through December 31.) Employee requests for advances against leave bank hours cannot be honored as such would constitute duplicate pay for hours worked. Employees may only request up to 75% of the available hours worked.

Employees who terminate their employment with Starpoint and who are re-hired in the same calendar are not eligible for an additional payroll advance if they previously used their advance.

18) Holiday pay

Employees eligible for holiday pay will be paid as follows:

Employees who work a regular schedule, i.e., 10 hours per day, will be paid for their regular hours of pay on appropriate holidays.

Employees who work an irregular schedule, i.e., 4 hours one day, 8 hours one day, 10 hours one day, etc., will be paid 8 hours of pay on President's Day, Memorial Day, Labor Day and Thanksgiving Day.