

ARKANSAS PAROLE BOARD



EMPLOYEE MANUAL

Revised June 15, 2018

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GENERAL PURPOSE STATEMENT

The purpose of this manual is to establish a system, which will govern all employees during their tenure with the Arkansas Parole Board (APB) or (“the Board”). It is designed to provide you with information regarding the working conditions, benefits, and policies affecting your employment.

The information contained in this manual applies to all employees of the Board. The policies contained herein are considered conditions of continued employment. However, the contents of this manual shall not constitute nor be construed as a promise of or as a contract between the Board and any of its employees nor is it intended to abrogate the at-will employment status. This manual is a summary of the APB’s policies, which are presented here only as a matter of information.

You are responsible for reading, understanding, and complying with the provisions of this manual. The APB’s objective is to provide you with a work environment that is conducive to both personal and professional growth.

APPLICABILITY

This manual supersedes all previous employee manuals and memoranda that may have been issued prior to the effective date of this manual. However, since the APB’s business and organization is subject to change, the Chairman reserves the right to interpret, change, suspend, cancel, or dispute at any time, with or without prior notice, all or any part of the Board’s policies and procedures. All employees will be notified of these changes. Changes will be effective on the dates determined by the Chairman, and after those dates, all superseded policies will be null and void.

This manual applies to all staff and members of the Board. Failure to comply with the rules, regulations, and conditions set forth in this manual may result in disciplinary action against a staff member, up to and including termination. Behavioral and/or performance issues on the part of a Commissioner shall be handled in accordance with State laws and the applicable sections of the Arkansas Parole Board Manual.

AUTHORITIES AND RESPONSIBILITIES

The Chairman may change any portion of this Manual if necessary to promote the interests of the agency. The Chairman, or his/her designees, is authorized and directed to interpret, develop, and implement necessary procedures and regulations to ensure the effective and efficient administration of these policies.

Each supervisor is responsible for enforcing the rules, regulations, and conditions set forth in this manual. APB employees are responsible for complying with the policies herein set out and for conforming to any directions provided in the fulfillment of these policies.

No employee has the authority to change policies without permission of the Chairman or his/her designee. If you are uncertain about any policy or procedure, speak with your direct supervisor.

DISSEMINATION

All Board employees shall receive a copy of this Manual during orientation, and the current version of this Manual shall be accessible on the Board's website.

REVISIONS

This Manual shall be reviewed annually and updated as needed. Any requests for additions or changes to this manual must be submitted to the Board's HR/Fiscal Section in writing. Any revision shall not be considered final until approved by the Chairman.

ADOPTION

This manual shall become effective June 15, 2018.

MISSION STATEMENT

"To effectively and efficiently serve the citizens of Arkansas through the conditional release of offenders via structured and evidenced-based decision-making; thereby ensuring the public's safety, the empowerment of victims, and that offenders will be provided opportunities for positive behavioral change and held accountable for their actions upon release."

OUR VISION

The Arkansas Parole Board will strive to become a national model for releasing authorities by:

- Making data-driven parole decisions through: (1) the consistent application of nationally recognized evidenced-based approaches, (2) the consideration of all available case information, and (3) the application of appropriate decision criteria.
- Stipulating programs, conditions, and services in a manner that enhances the reentry of offenders into the community.
- Responding to parole violations appropriately and effectively by utilizing evidence-based approaches and taking into account the severity of the violation and the risks posed by the offender.
- Providing victims of crime with opportunities to give input and with timely information regarding the decision-making process.
- Collaborating with stakeholders on policies, programs, and processes.
- Streamlining the decision-making process through innovative policies, programs, and technologies.

OUR VALUES

The Arkansas Parole Board will value fairness, integrity, and innovation.

OUR MOTTO

Public service with fairness and integrity.

HISTORY OF THE PAROLE BOARD

- 1943** ——— The State Penitentiary Board is created.
- 1968** ——— The State Penitentiary Board becomes the Board of Correction, and the Department of Correction and the State Board of Pardons and Paroles are created.
- 1989** ——— Board of Pardons and Paroles is abolished, and the State Board of Parole and Community Rehabilitation is created.
- 1993** ——— Board of Parole and Community Rehabilitation is renamed the Arkansas Post-Prison Transfer Board.
- 2005** ——— Post-Prison Transfer Board is renamed the Arkansas Parole Board, and the Board becomes accredited by the American Correctional Association.
- 2007** ——— All seven members of the Arkansas Parole Board become full-time employees of the State.
- 2008** ——— The Board is reaccredited with the American Correctional Association.
- 2011** ——— Act 570 requires the Board to adopt several evidence-based practices into its decision-making process, including the development and implementation of a validated risk assessment tool and a structured evidence-based training curriculum for the Board. The Board is reaccredited with the American Correctional Association.
- 2013** ——— Acts 136 and 485 give the Board discretion over all sex offenses and additional violent and serious felonies.
- 2014** ——— The Board is reaccredited with the American Correctional Association.
- 2015** ——— Act 895 expands the Board's discretion relating to certain offenses and places the day-to-day operations of the Board under the Chairman. Additional legislation expands the Board's role in inmate reentry programming and strengthens the protections afforded to victim impact statements provided to the Board.
- 2017** ——— Act 539 further extends the discretion of the Board specifically relating to certain individuals who were minors at the time of crime commission. However, Act 423 somewhat limits the Board's ability to revoke parolees who are considered technical violators. The Board is reaccredited with the American Correctional Association.

SECTION 1—DEFINITIONS OF EMPLOYEE STATUS

1.1 EMPLOYEE

An “employee” of the APB is any person who regularly works, or is assigned to, the (APB) on a wage or salary basis.

1.2 EXEMPT

Employees who, as a result of meeting specific criteria established by the Fair Labor Standards Act (FLSA), are exempt from federal overtime pay requirements.

1.3 NON-EXEMPT

Employees whose positions do not meet FLSA criteria and who are paid one and one-half their regular rate of pay for hours worked in excess of 40 hours per week.

1.4 REGULAR FULL-TIME

Employees who have completed the mandatory probationary period (90 days if transferring from another State agency from the date of hire or 120 days from the date of hire if a first-time employee of the State) and who are regularly scheduled to work 35 or more hours per week.

SECTION 2—GENERAL EMPLOYMENT INFORMATION

2.1 EMPLOYMENT APPLICATIONS

We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, immediate termination of employment.

2.2 EMPLOYMENT RELATIONSHIP

All employees voluntarily enter into employment and therefore are free to resign at any time for any reason or no reason. Similarly, in keeping with Board policies and applicable State and Federal laws, including but not limited to the at-will employment doctrine, the Board is free to conclude its relationship with any employee at any time for any reason. Following the probationary period, employees are required to follow the Employment Termination Policy, or be designated as “not eligible for rehire.”

2.3 PUBLIC RELATIONSHIP

Every employee of the Board is a representative of the agency and a public servant for the State of Arkansas. All representatives of the Board will maintain the highest standard of honesty, integrity, and impartiality when conducting agency business and during off-duty hours.

2.4 CODE OF ETHICS

In furtherance of the Board's mission, each employee is expected to conduct his/her official and private life in such a manner as to foster public confidence in the Board. The Board subscribes to a policy of professionalism, equality, and fairness in the division of services and the discharge of authorized duties. Employees should adhere to the following rules related to ethical conduct:

1. Employees shall respect and protect the civil rights and legal rights of all persons.
2. Employees shall cooperate with public officials and agencies in the discharge of authorized duties.
3. Employees shall not solicit, demand, accept, or agree to accept any gifts, favors, or gratuity that creates the appearance of, or could be reasonably interpreted as, influencing the employee's judgment in the discharge of their duties.
4. Employees are encouraged to participate in any legal election process on their own time. Employees shall not endorse candidates in their official capacity as a State employee or engage in political activity during the time they are performing work for the State of Arkansas. Political banners, posters, literature, or other political material shall not be displayed on State-owned or leased property.
5. Employees shall not attempt to realize personal gain or secure privileges or exemptions through the discharge of their duties for themselves or others. Employees should not engage in activities that would result in conflicts of interest between the Board, the State, funding sources, staff, contractors, and/or volunteers. However, nothing in this policy should be construed as limiting communication between Board employees and any elected official.

SECTION 3—EMPLOYMENT POLICIES

3.1 NON-DISCRIMINATION

In order to provide equal employment and advancement opportunities to all individuals, employment decisions APB will be based on merit, qualifications, and abilities. The APB does not discriminate in employment opportunities or practices for any reason.

The APB will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship on the agency. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, benefits, communication, and training. The APB will adhere to all laws and State personnel policies pursuant to equal employment hiring practices.

Employees with questions or concerns about discrimination in the workplace are encouraged to bring the issues to the attention of their immediate supervisor or the Business Operations Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in unlawful discrimination will be subject to disciplinary action, including termination of employment.

3.2 NON-DISCLOSURE/CONFIDENTIALITY

The protection of confidential business information is vital to the interests and success of the Board. Such confidential information includes, but is not limited to, the following examples: compensation data, financial information, pending projects and proposals, personnel/payroll records, conversations between any persons associated with the Board, and offender-related information.

All employees are required to sign a non-disclosure agreement as a condition of employment.

Employees who improperly use or disclose confidential business information will be subject to disciplinary action, including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

3.3 NEW EMPLOYEE ORIENTATION

Orientation is a formal welcoming process designed to make the new employee feel comfortable and informed about the Board, and prepared for his/her position. New employee orientation is one week long (40 hours) and coordinated by the HR/Fiscal Section. The Business Operations Manager and the immediate supervisor of your assigned section will issue all documents pertaining to your job duties.

3.4 PROBATIONARY PERIOD FOR NEW EMPLOYEES

The probationary period for a full-time employee who is transferring from another State Agency is 90 days. The probation period for full-time and part-time employees who have never been an employee of the State of Arkansas is 120 days from the date of hire. However, the probationary period may be extended up to one year at the discretion of the immediate supervisor. During this time, employees have the opportunity to evaluate the APB as a place to work, and management has its first opportunity to evaluate the employee. If a current employee promotes to a new position within the agency, a six-month probationary period will be imposed.

Upon satisfactory completion of the initial probationary period, a performance review will be completed. Notwithstanding any of the foregoing, all employees of the Board, whether on probationary status or not, are covered by the “at-will” employment doctrine and may be terminated at any time for any reason. All employees, regardless of classification or length of service, are expected to meet and maintain the standards of APB for job performance and behavior. (SEE SECTION 4 – STANDARDS OF CONDUCT)

3.5 OFFICE HOURS

The APB office is open for business from 8:00 a.m. to 4:30 p.m. Monday through Friday, except for Holidays. The standard work week is Monday - Friday, 8:00 a.m. - 4:30 p.m. for all members and staff of the Board with occasional after-hours and/or weekend duty for certain Exempt employees.

3.6 WORK SCHEDULES, LUNCH PERIODS, AND BREAK PERIODS

Work hours, lunch periods, and breaks are scheduled by your immediate supervisor to provide adequate coverage. It is required that you report to your assigned areas and are ready to work when the work schedule begins. A break each morning and afternoon is a privilege and may be given or withheld by the immediate supervisor depending on the work requirements each day. If given, such breaks are no longer than 15 minutes, beginning when you leave your work area and end when you return. Breaks are paid time away from your job and are not to be abused. Breaks may not be used to add to lunch periods or change the workday starting and ending times. The lunch periods are unpaid, non-working time and begin when you leave your work area and end when you return.

3.7 PERSONNEL FILES

The Business Operations Manager will maintain all official personnel files, and you may make an appointment to review your personnel file at any time. The Business Operations Manager will also keep separate files for training courses, performance evaluations, and disciplinary actions.

You will be responsible for notifying the Business Operations Manager of changes such as your name, telephone number, home address, marital status, number of dependents, and individuals to notify in case of emergency in order to keep your personnel file up-to-date.

3.8 INCLEMENT WEATHER/EMERGENCY CLOSINGS

The general policy regarding inclement weather is that the State government does not normally close its offices because of hazardous driving conditions. However, the obligation to provide services to the citizens of the State must be balanced with the risk of danger to State employees. It is therefore appropriate that the agency establishes guidelines which reflect the needs of our citizens and employee safety.

- 1) In the event of early morning severe inclement weather conditions, the Governor's Office will determine if the inclement weather policy is to be placed into effect and if so, will announce its implementation as soon as possible. The announcement will include the affected counties. On days declared to be covered by the inclement weather policy all employees should be at their workstations by 10:00 a.m. Employees arriving by 10:00 a.m. will be given credit for a full day's attendance. Employees arriving after 10:00 a.m. will be charged the full amount of time involved in the tardiness. Employees not coming to work at all will be charged a full day's absence.

- 2) When severe inclement weather occurs during office hours the Executive Administrator or the Chairman or designee will have the discretion to allow employees to leave work early for safety reasons. Decisions to allow employees to leave work early, however, should recognize the requirement to maintain designated critical personnel and assure service delivery to the citizens for the full workday. Employees who were on the job and who were allowed to leave early will not be charged leave for that time.
- 3) The Chairman will designate critical personnel who will be required to reach their workstations by the time of regular office opening regardless of weather-related conditions to assure that offices are open and available to the public. Prior designation will allow critical personnel to prepare for weather conditions and, if need be, obtain alternative methods of getting to work.

3.9 EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors will conduct performance reviews and planning sessions with all employees after their probationary periods end and employees will receive annual reviews thereafter. Supervisors may conduct informal performance reviews and planning sessions more often if they choose.

Performance reviews and planning sessions are designed for the supervisor and the employee to discuss his/her current job tasks, encourage and recognize attributes, and discuss positive, purposeful approaches for meeting work-related goals. Together, the employee and supervisor discuss ways in which the employee can accomplish goals or learn new skills. The planning sessions are designed for the employee and his/her supervisor to make and agree on new goals, skills, and areas for improvement.

3.10 OUTSIDE EMPLOYMENT

A member of the Board's support staff may hold an outside job in non-related businesses or professions as long as the employee meets the performance standards of his/her job description with the Board. Unless the Chairman or Executive Administrator (depending on an employee's chain of command) has approved an alternative work schedule, employees will be subject to the Board's scheduling demands, regardless of any existing outside work assignments.

A staff member must receive written authorization from the Chairman and the Chief Fiscal Officer of the State before beginning concurrent state employment. The Board's office space, equipment, and/or materials shall not to be used for any outside employment activity.

A Board Member may not hold any outside employment for the duration of his or her appointment to the Board. A member of the board may engage in employment that has a limited time commitment and has been approved in writing by the Chair. The determination of a "limited time commitment" shall be at the discretion of the Chair and subject to revocation at any time.

3.11 NEPOTISM

In accordance with Act 2262 of 2005, “Hiring Relatives,” you may not work in the same line of supervision of a relative whereby one supervises the other or has authority to hire, transfer, suspend, lay-off, recall, promote, discharge, or assign the other. “Relative” under this law means husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece. For further details, please consult the DF&A Form, “Employee Disclosure/Certification and Employment of Family Members”.

3.12 SAFETY

The Parole Board will provide information to employees about workplace safety and health issues through various forms of communication.

All employees must follow safety rules and exercise caution and common sense in all work activities. Employees must immediately report any unsafe conditions to their immediate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report such situations may be subject to disciplinary action, including but not limited to termination of employment.

3.13 HEALTH-RELATED ISSUES

Employees who become aware of any health-related issues that may prohibit them from performing their essential duties must notify their immediate supervisor and the HR/Fiscal Section. This policy has been instituted strictly to protect the employee.

A written “permission to work” from the employee’s doctor may be required at the time or shortly after notice has been given. The doctor’s note should specify whether the employee is able to perform essential duties as outlined in his/her job description.

A leave of absence may be granted on a case-by-case basis. If the need arises for a leave of absence, employees must notify their immediate supervisor and the HR/Fiscal Section.

3.14 EMPLOYEE REQUIRING MEDICAL ATTENTION

In the event an employee requires medical attention (i.e., becoming injured or ill while at work) and/or requires transportation to the doctor or the hospital, 911 will be called to transport the employee to the appropriate facility. If an employee is injured on the job the injury must be reported to the employee’s immediate supervisor. Board employees will not be responsible for transportation of another employee due to liabilities that may occur.

A physician’s “return to work” notice may be required. Current emergency contact information must be on file with the employee’s supervisor, the HR/Fiscal section, and the Board Investigator.

3.15 BUILDING SECURITY

All employees who are issued swipe cards and keys to the office are responsible for their safekeeping. These employees will sign an Office Equipment Authorization form upon receiving the keys. The form will be kept on file with the HR/Fiscal section. All exempt employees are allowed on State property after regular work hours. Non-exempt employees are not allowed on State property during non-working hours without prior authorization from the Board Chairman or Executive Administrator (depending on employee's chain of command). Employees are not allowed to give their entrance card to any other person.

3.16 INSURANCE ON PERSONAL EFFECTS

The Parole Board assumes no risk for any loss or damage to personal property.

3.17 SUPPLIES, EXPENDITURES, AND OBLIGATING THE BOARD

Only authorized persons may purchase supplies for the Board. No employee whose regular duties do not include purchasing shall incur any expense on behalf of the Board or bind the Board by any promise or representation without written approval for the Chairman or designee.

3.18 EXPENSE REIMBURSEMENT

Expenses incurred by an employee must have prior approval by the Board Chairman or Executive Administrator (depending on the employee's chain of command). All completed and signed reimbursement request forms, along with proof of payment, should promptly be turned in to the HR/Fiscal Supervisor.

3.19 PARKING

The APB provides parking for its employees. You will be assigned a parking space. **DO NOT** park in any other space unless authorized to do so because your car will be either towed or booted. Should someone park in your space, park temporarily on the street and inform your supervisor.

3.20 VISITORS IN THE WORKPLACE

To provide for the safety and security of employees, visitors, and the facilities at the Board, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps to ensure security, decrease insurance liability, protect confidential information, safeguard employee welfare, and avoid potential distractions and disturbances. Visitors should be directed to utilize the courtesy telephone in the foyer upon arrival.

All visitors must enter through the main reception area and must be accompanied by an employee at all times. Employees shall ensure that authorized visitors do not gain access to any confidential information.

3.21 IMMIGRATION LAW COMPLIANCE

The Parole Board employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986, as amended.

As a condition of employment each new employee must complete the Employment Eligibility Verification Form and present two (2) forms of documentation establishing identity and employment eligibility. Former employees who are re-hired must also complete the form if they have not completed one with the Board within the past three years or if their previous form is no longer retained or valid.

3.22 SUPERVISION RATIOS

Designated staff is available to maintain supervision of the APB's employees not to exceed ratio of six (6) employees to every supervisor. Employees will be made aware of their chain of command during employee orientation and immediately made aware of any subsequent changes that should occur in their chain of command.

SECTION 4—STANDARDS OF CONDUCT

The work rules and standards of conduct for the Board are important and the agency takes them seriously. All employees must become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards in performing their jobs and conducting the agency's business. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including termination of employment.

The following list, while not exhaustive, contains examples of unacceptable behavior that may result in disciplinary action, up to and including terminations of employment:

- Theft or inappropriate removal or possession of state or another employee's property;
- Falsification of timekeeping records;
- Working under the influence of alcohol or non-prescribed mood altering substances;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace;
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct causing damage to Board-owned or leased property;
- Insubordination, which is defined as when an employee disobeys or disregards a superior's legitimate directive. Abusive language by employees towards supervisors and others may also be considered insubordination;
- Willful violation of safety or health rules;
- Smoking in the workplace;
- Sexual or other unwarranted or unlawful harassment;
- Abuse of accrued leave;

- Unauthorized use of agency equipment;
- Unauthorized disclosure of confidential information;
- Violation of policies; and
- An unsatisfactory performance rating on an employee's performance evaluation

4.1 HARASSMENT

The Parole Board is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected class will not be tolerated.

If an employee believes he/she has been the victim of harassment, or has knowledge of another employee who has been the victim of harassment, the employee should report the harassment immediately to his/her immediate supervisor. In the event his/her immediate supervisor is the one involved, the employee should report the harassment immediately to the Chairman or Executive Administrator, depending on the employee's chain of command. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor who becomes aware of possible harassment should promptly advise the Board Chairman or Executive Administrator who will handle the matter in a timely and confidential manner. Harassment will not be tolerated. If an investigation substantiates the complaining employee's claim of harassment the offending employee will be disciplined accordingly (up to and including termination). However, a false complaint made by an employee will subject the employee to disciplinary action.

4.2 DRESS CODE

A professional appearance is important anytime employees encounter the public or others who may do business with the Board. Employees should be well groomed and dressed appropriately for State business.

The following items are considered inappropriate working attire for State business:

- Any torn or tattered clothing
- Head coverings not worn for a religious or medical purpose
- Flip-flop shoes (not to include dress sandals)
- Spaghetti-strapped shirts (without a sweater or cover)
- Revealing shirts, or sleeveless tops
- Short mini skirts
- Clothing which shows undergarments, breasts, genitals, or buttocks
- Any clothing with inappropriate or offensive gestures or words
- Any clothing containing political statements or words
- Halter tops
- Leggings when worn alone
- Windbreakers or other athletic wear unless with an APB logo

When meeting with the public (especially on Board Day and Victim Input Day), the dress code is business attire. Employees needing clarification of business attire should contact their immediate supervisor.

The Chairman has designated Friday as a "casual day." A "casual day" may be suspended for special events. Supervisors will notify employees when casual day will not be observed. The following guidelines are designed to advise employee on acceptable dress decorum for "casual day." Casual dress wear must not violate the dress code and must not include any of the items previously defined as "inappropriate working attire."

If an employee is inappropriately dressed, he/she will be sent home to change. Time lost will be charged to annual, holiday, compensatory, or leave without pay.

The Chairman or Executive Administrator may make accommodations to this policy for inclement weather conditions or other extenuating circumstances. Consult your immediate supervisor if you have additional questions about appropriate business attire.

4.3 SUBSTANCE ABUSE (Refer to AD 10-02)

4.4 TOBACCO PRODUCTS

It is the policy of the APB to provide a tobacco-free environment for the health and safety of all staff. The use of tobacco products by APB employees is not permitted anywhere on State premises (those leased or owned) except in authorized and designated locations. Smoking is prohibited within twenty-five (25) feet of all entrances to State buildings and in State vehicles. Employees must follow all rules posted in designated smoking areas and adhere to all policies associated with this policy.

4.5 COMPUTER USE (Refer to AD 18-02)

4.6 CORRECTIVE ACTION AND DISPLINARY PROCUDURES

The Board holds each of its employees to certain work rules and standards of conduct. When an employee deviates from these rules and standards, the Board expects the employee's supervisor to take corrective action. Corrective action at the Board may be progressive. That is, the action taken in response to a rule infraction or violation of standards typically follows a pattern increasing in seriousness until such time as the infraction or violation is corrected.

The usual sequence of corrective actions includes an oral warning, a written warning, a probationary period, suspension, and finally termination of employment. Immediate supervisors may suspend an employee without pay for up to five (5) working days or place an employee on probation. Within five (5) working days of a suspension or probationary decision, the Board Chairman or Executive Administrator (depending on employee's chain of command) will make a determination to affirm, amend, or overturn the suspension or placement on probation. Terminations or demotions are at the discretion of the Chairman. In deciding which initial corrective action would be appropriate, a supervisor will consider the seriousness of the infraction, the circumstances surrounding the matter, and the employee's previous record.

The APB considers certain rules, infractions, and violations of standards as grounds for immediate termination of employment. These include, but are not limited to, theft in any form, insubordinate behavior, vandalism or destruction of State property, unauthorized presence on agency property during non-business hours, the use of agency equipment and/or agency vehicles without prior authorization, untruthfulness about personal work history, skills, or training, and/or unauthorized disclosure of confidential or privileged information.

4.7 EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization and many of the reasons for termination are routine. Below are a few examples of some of the most common circumstances under which employment is terminated:

- **Resignation** – voluntary employment termination initiated by an employee.
- **Termination** – involuntary employment termination initiated by the Board.
- **Reduction In Force (RIF)** – involuntary employment termination initiated by the Board for non-disciplinary reasons.

The employee and the Board have the right to terminate employment at will at any time. Upon separation from employment with the Board, employees shall return all files, records, keys, equipment, and any other materials that are property of the Board. No final settlement of an employee's pay will be made until all items are returned in appropriate condition. The cost of replacing non-returned items will be deducted from the employee's final paycheck. Furthermore, any outstanding financial obligations owed to the Board will also be deducted from the employee's final check. Based on the nature of the termination of employment, the Board may designate an individual as "not eligible for rehire".

All accrued vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee elects to do so. The employee will be notified by the HR/Fiscal Section of the benefits that may be continued and of the terms, conditions, and limitations of such continuation of benefits.

SECTION 5—WAGE AND SALARY POLICIES

5.1 WAGE/SALARY INCREASES

Wage/Salary increases may occur when (1) there is a cost of living increase based upon executive legislative approval; or (2) an employee's performance evaluation is "Solid Performer" or above. The Employee Performance Evaluation System operates within legal parameters, revenue availability, and guidelines published by the Department of Finance and Administration Performance, Goals, and Compensation. Employees should contact their immediate supervisor with any questions about evaluation criteria.

The Performance, Goals, and Compensation Pay Plan is a performance-based pay system which incorporates pay and performance evaluation standards and establishes criteria for salary adjustments for employees who meet requisite performance-categories. Merit payments may be awarded to employees who satisfy performance-based criteria.

To be eligible for a merit pay increase, an employee must meet all criteria established by applicable state laws and guidelines established by the Department of Finance and Administration. The current criteria will be available from the Fiscal/HR section.

Increase levels will be dictated by applicable state laws and guidelines established by the Department of Finance and Administration. Your immediate supervisor will discuss all other salary related issues with you. Employees who transfer laterally or are promoted or demoted either voluntarily or involuntarily within an agency or to another agency or institution will be eligible to receive an annual merit increase on their merit increase date if they meet the criteria dictated by applicable state laws and guidelines established by the Department of Finance and Administration.

Eligibility Requirements. During the performance evaluation-rating period, you must:

- Have completed at least six (6) months in a regular classified or unclassified position and have not been laterally transferred (from outside the Board), promoted, involuntarily/voluntarily demoted, or rehired within the last six (6) months, or must have been on extended leave (such as military leave, catastrophic leave, or leave without pay).
- Must not have been disciplined for a violation of agency policy (excluding verbal warnings) and must have earned "satisfactory" or above on each performance category.
- If you are a supervisor, you additionally must have submitted all required performance evaluations in a timely manner to the HR/Fiscal Section.

5.2 TIMEKEEPING

The Arkansas Administrative Statewide Information System (AASIS) is a statewide system used for payroll processing. Accurately recording time worked or accrued leave taken (in AASIS/EASE) is the responsibility of each employee. Time worked is the time actually spent on a job performing assigned duties. It is state and federal law that accurate work records are kept for every hour the employee works and the earned leave time taken.

Altering, falsifying, tampering with time records, or recording time on another employee's time record will result in disciplinary action, including but not limited to termination of employment.

Authorized personnel will review time records each week. Any changes to an employee's time record must be approved by his/her immediate supervisor or the HR/Fiscal Supervisor. Questions regarding time and/or leave balances should be directed to the HR/Fiscal Section.

5.3 OVERTIME

The Parole Board is open for business from 8:00 a.m. – 4:30 p.m. on Monday - Friday. Overtime compensation is paid to non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime is payable in the form of compensatory time off for all hours worked over forty (40) per week at a rate of one and one-half times the non-exempt employee's regular hourly rate. Time off on personal time, holidays, or any leave of absence will not be considered hours worked when calculating overtime. In addition, vacation time does not constitute hours worked.

All overtime work performed by an hourly employee must receive the Chairman or Executive Administrator's (depending on employees chain of command) prior authorization. Overtime worked without prior authorization from the Chairman or Executive Administrator (depending on employee's chain of command) may result in disciplinary action. The Chairman or Executive Administrator's signature on a timesheet authorizes compensatory time for overtime hours worked.

5.4 PAYDAYS

All paydays are based on the pay schedule set by the Department of Finance and Administration.

SECTION 6—ATTENDANCE AND LEAVE

6.1 ATTENDANCE /PUNCTUALITY

The APB expects every employee to be punctual in attendance. This means being in the office and ready to work at 8:00 a.m. Absenteeism and tardiness places a burden on other employees and on the Agency. The Chairman or Executive Administrator (depending on employee's chain of command) may authorize adjustments to an employee's work hours.

An employee must notify his/her immediate supervisor one (1) hour prior to normal reporting time if he/she cannot attend work as scheduled. If the immediate supervisor cannot be reached, the employee should notify the Chairman or Executive Administrator (depending on employee's chain of command). An employee's immediate supervisor may designate a preferred method of contact.

If an employee is calling in to report that they will not be able to come to work, the employee must indicate the type of leave being used for that day. If an employee does not know when he/she will return to work, the employee must notify the immediate supervisor each day of his/her absence one (1) hour prior to normal report time.

If an employee is on Sick Leave for five (5) or more consecutive days, the employee must furnish a certificate of illness from attending physician or a recognized Christian Science practitioner. The note must verify illness during the specific time away, indicate when the employee may return to work, whether there are work restrictions, and when the restrictions will be removed.

Supervisors may ask for a doctor’s certificate at any time if it is suspected that an employee is abusing Sick Leave. If you do not report for work three (3) consecutive work days without contacting your immediate supervisor, you are subject to immediate termination of employment. If an employee becomes ill while at work or must leave the office for some other reason before the end of the workday, the employee must inform his/her supervisor of the situation.

6.2 LEGAL HOLIDAYS

The following chart reflects the regularly scheduled legal holidays for which State offices are usually closed:

New Year’s Day	January 1
Dr. Martin Luther King Jr.’s Birthday	Third Monday in January
Presidents Day & Daisy Gaston Bates Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day *	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
Employee’s Birthday	This is a day given to each employee to celebrate his/her birthday.

*The Governor may declare additional holidays

To be eligible for holiday time you must be in “pay status” the last workday before the holiday and at least fifteen (15) minutes on the first workday after the holiday. You are considered to be in “pay status” if you are not on Leave Without Pay (LWOP).

If while you are on annual or sick leave, and a holiday occurs, then that day will be charged as a holiday and will not be charged against annual or sick leave.

When a legal holiday occurs (except for Martin Luther King, Jr's birthday) during a General or Special Session of the Legislature, the Board will remain open unless there is a Resolution by the General Assembly. The Chairman will designate employees required to conduct business.

6.3 LEAVE

6.3.1 Annual Leave

Employees accrue leave at the rates shown in the timetable listed below. Employees who work less than full time but more than 1000 hours per year will accrue annual leave on a pro rata basis of the amount accrued by a full-time employee in the same years of employment class. For example, employees who work half time would receive half of the annual leave accrual shown on the timetable.

Years if Employment	Monthly	Annually	Qualifier
0 through 3 years	1 day	12 days	At time of hire and for 3 full years
4 through 5 years	1 day 2 hours	15 Days	Completed 3 full years and starting in the 4 th year
6 through 12 years	1 Day 4 hours	18 Days	Completed 5 full years and starting in the 6 th year
13 through 20 years	1 Day 6 hours	21 Days	Completed 12 full years and starting in the 13 th year
Over 20 years	1 Day 7 hours	22.5 Days	Completed 20 full years and starting in the 21 st year

Accrual rates will change on the first day of the month following eligibility for the next higher accrual rate. An employee will not earn annual leave while on leave without pay for 10 or more cumulative days within a calendar month.

During the calendar year, the employee year-to-date accrual may exceed 240 hours of Annual Leave; however, no more than 240 hours may be carried over into the next calendar year. Hours exceeding 240 will be forfeited if not used by December 31st of each year or donated to catastrophic leave bank at the employee's discretion.

Employees must request annual leave in advance for planned vacations, etc. If taking annual leave for two (2) or more consecutive workdays, you must turn in your request one (1) week prior to the start of leave. Annual leave must be taken in fifteen (15) minute increments. Supervisors may deny the use of Annual Leave if it is a business necessity.

Annual Leave accrued during a calendar month is not available until the first day of the following month. Leave must be earned and available before it can be used; therefore, it may not be used from anticipated future accruals. You may not use annual accrued leave by other employees unless it is provided under the provisions of the Shared or Catastrophic Leave programs.

6.3.2 Sick Leave

Employees may use sick leave only when they are unable to work because of sickness, injury, or have the need to seek medical, dental, or optical treatment. Other details include the following:

1. Normally, employees can earn eight hours of sick leave at closing time on the last day of the month. The leave is available the first day of the following month. Sick leave cannot be used until it is earned.
2. If an employee is ill and has no sick leave, the employee may request to use compensatory, annual leave, or leave without pay. These requests will be reviewed and the employee notified accordingly.
3. Sick leave must be used in fifteen (15) minute increments.
4. During the calendar year an employee's year-to-date accrual may be more than 960 hours of Sick Leave. However, no more than 960 hours may be carried over into the next calendar year.
5. An employee who uses forty (40) or more consecutive hours (five consecutive working days) of sick leave is required to furnish a physician or Christian Science Practitioner's certificate stating the employee was ill and unable to come to work. A supervisor may request a physician's statement at any time when abuse is suspected.
6. An employee on Workers' Compensation may apply to use their earned sick leave as a supplement to his/her Workers' Compensation benefits.

6.3.3 Payout of Accrued Sick Leave

Employees are not entitled to payment of accrued and unused sick leave when they terminate their employment with the exceptions of retirement or death. Any employee or beneficiary of an employee of any state agency, institution of higher education (classified employees), board, or commission will receive compensation for accumulated unused sick leave as follows:

1. If the employee has accumulated at least 50 days, but less than 60 days of sick leave, the employee shall receive an amount equal to 50% of the number of accrued sick leave days (rounded to the nearest day) times 50% of the employee daily salary.
2. If the employee has accumulated at least 60 days, but less than 70 days of sick leave, the employee shall receive an amount equal to 60% of the number of accrued sick leave days (rounded to the nearest day) times 60% of the employee's daily salary.
3. If the employee has accumulated at least 70 days, but less than 80 days of sick leave, the employee shall receive an amount equal to 70% of the number of accrued sick leave days (rounded to the nearest day) times 70% of the employee's daily salary.
4. If the employee has accumulated at least 80 days of sick leave or more, the employee shall receive an amount equal to 80% of the number of accrued sick leave days (rounded to the nearest day) times 80% of the employee's daily salary.

Pursuant to State law, an employee's daily salary (for purposes of the above calculations) will be determined by dividing their annual salary by 260. Under no circumstances can an employee or beneficiary receive compensation that exceeds \$7,500 for accrued unused sick leave due to retirement or death.

6.3.4 Child Educational Activity Leave (CEAL)

Full-time State employees are entitled to eight (8) hours of leave during any one calendar year for the purpose of attending or assisting with the educational activities of a child. Unused CEAL may not be carried over to the following year and cannot be paid to an employee when they leave the Board. "Child" means a person enrolled in pre-kindergarten through grade 12, including a home-schooled student (enrolled in an Arkansas home school) who is of the following relation to a state employee:

- A. Natural child;
- B. Adopted child;
- C. Stepchild;
- D. Foster child;
- E. Grandchild;
- F. Ward of the State employee by virtue of the State employee having been appointed the person's legal guardian or custodian; or
- G. Any other legal capacity where the employee is acting as a parent for the child.

Notes:

- (1) Child includes a person who meets the criteria above but is over eighteen (18) years of age and:
 - a. Has a developmental disability; or
 - b. Is declared legally incompetent.
- (2) Developmental Disability: A disability of a person that:
 - a. (1) Is attributable to mental retardation, cerebral palsy, spinal bifida, down-syndrome, epilepsy, or autism; (2) Is attributable to any other condition of a person found to closely related to mental retardation because the condition results in an impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation or requires treatment and services similar to that required for a person with mental retardation; or (3) Is attributable to dyslexia resulting from a disability described in (A) (1) or (A) (2).
 - b. Has continued or can be expected to continue indefinitely; and
 - c. Constitutes a substantial handicap to the person's ability to function without appropriate support services, including but not limited to planned recreational activities, medical services (such as physical therapy and speech therapy), and possibilities for sheltered employment or job training.
- (3) A home-schooled student shall not participate in interscholastic activities at a public school other than the student's resident school.

“Educational activity” means any school-sponsored activity, which includes without limitation:

- A. A parent-teacher conference;
- B. Participation in school-sponsored tutoring;
- C. Participation in a school-sponsored volunteer program;
- D. A field trip;
- E. A classroom program;
- F. A school-sponsored program or ceremony;
- G. A awards or scholarship presentation;
- H. A parents or grandparents breakfast;
- I. A school committee meeting;
- J. An academic competition;
- K. An athletic, music, or theater program; and
- L. Activities associated with a Pre-K Program

6.3.5 Leave Without Pay (LWOP)

Generally, LWOP is used for emergency time off when an employee does not have any appropriate leave available. In addition, the Chairman or Executive Administrator (depending on the employee’s chain of command) may impose LWOP as a disciplinary measure.

The exceptions to this rule are for employees who are using Military Leave, Worker’s Compensation, or Family Medical Leave. However, this rule does not prevent the employee from paying the premium cost of his/her group insurance.

If an employee uses ten (10) or more days of LWOP in any month, the employee will not earn annual and sick leave for that month. If an employee is on LWOP when a legal holiday is observed, the employee will not receive pay for the holiday. LWOP status may interrupt participation in the State’s group health insurance.

During LWOP, the total cost for departmental group insurance must be paid by the employee, which includes the employee premium and department cost. Employees should contact the Employee Benefits Division (EBD) in advance to continue insurance coverage while in a LWOP status.

6.3.6 Catastrophic Leave Bank Program

Employee may voluntarily donate earned Holiday, Annual, and Sick Leave to the Catastrophic Leave Bank for use by any eligible employees. This program can provide full-time employees with paid leave when they are faced with a catastrophic illness and would otherwise have to be placed on LWOP.

A “Catastrophic Illness” means any medical condition of an employee, spouse of an employee, parent of an employee, or child of an employee who may be claimed as a dependent under the Arkansas Income Tax Act of 1929. To be eligible, the condition must be certified by a physician

and requires an employee's absence from duty for a prolonged period of time and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave.

To request Catastrophic Leave, the employee must have been employed by the State for at least one (1) year, and at the onset of the Catastrophic Illness or Injury, have to their credit at least eighty (80) hours of combined sick and annual leave and have exhausted all leave, holidays, and compensatory time. Ark. Code Ann. §§ 21-4-203; 21-4-209; and 21-4-214. To be considered for Catastrophic Leave, the employee must complete an application and forward it to his/her timekeeper.

Employees may donate leave to the bank at any time as long as the donation will not reduce earned Annual and Sick Leave combined to less than eighty (80) hours. The exception to this rule would be death, retirement, or termination, etc. Earned leave donated must be donated in one-hour increments.

To donate leave time, the employee must complete a donation application and return it to the timekeeper.

6.3.7 Family Medical Leave Act (FMLA)

Eligible employees may take up to twelve (12) weeks (84 calendar days) of unpaid job-protected leave per calendar year for any of the following reasons:

- a) Birth and care of a newborn child.
- b) Adoption or foster care of a child.
- c) Care of employee's spouse, child, or parent with a serious health condition.
- d) Employee's own serious health condition

In order for an employee to be eligible for FMLA, the employee must meet the following criteria:

- Have worked for the state for a total of twelve (12) months.
- Have worked for the state at least 1,250 hours over the previous twelve (12) months.

Please contact the HR/Fiscal Supervisor with any questions regarding FMLA eligibility.

- 1) FMLA leave can be taken intermittently or on a full or part-time schedule. Under certain circumstances, leave may be taken on an intermittent or reduced leave (part-time) schedule so long as this does not result in a reduction in the total amount of leave to which the employee is entitled.
- 2) Leave will be counted against the employee's annual FMLA leave entitlement.
- 3) Employees are required to furnish medical certification of a serious health condition to their immediate supervisor and the HR/Fiscal section. Failure to do so may result in the FMLA request being denied.

- 4) If in a LWOP status, employees are required to make premium payments to maintain health benefits and must contact the Employee Benefits Division to arrange for making such payments. Failure to make such payments on a timely basis may result in insurance coverage being canceled.
- 5) Employees may be required to furnish a fitness-for-duty or “return to work” certificate to be restored to employment.
- 6) Employees are restored to the same or an equivalent position upon return from leave.
- 7) The Board may recover its share of health insurance premiums paid during the unpaid FMLA if the employee fails to return to work after taking FMLA Leave.

6.3.8 Jury Duty/Military Leave

Employees will be granted time off with pay to serve on a jury. In addition, employees will be granted court or jury leave for the following reasons:

1. The employee is summoned as juror to a civil or criminal proceeding.
2. The employee is served a subpoena to serve as a witness in a court proceeding.

A copy of the jury duty summons and all other associated paperwork are required for the personnel file. Employees called for duty may keep any fees paid for such services.

SECTION 7--EMPLOYEE TRAINING AND COMMUNICATIONS

7.1 TRAINING AND PROFESSIONAL DEVELOPMENT

The Parole Board recognizes the value of professional development and personal growth for its employees. This will not only improve their current skills, but will help prepare them for advancement or promotion. Employees will be encouraged and sometimes required to participate in training. Training is also considered when completing a Performance Evaluation Form for an employee. Specific guidelines for obtaining training can be found in Administrative Directive 17-05, “Employee Training.”

As a part of the Board’s accreditation process, all employees are required to meet the following minimum training requirements:

- Commissioners, non-clerical support staff, and all supervisors are to complete forty (40) hours of orientation training and forty (40) hours of annual training hours.
- Clerical support staff are to complete forty (40) hours of orientation training and sixteen (16) hours of annual training hours.

7.2 STAFF MEETINGS

Topics for discussion are always encouraged from the staff. Discussion items should be submitted to the immediate supervisor no later than two (2) working days prior to the meeting. This is a time when an employee's ideas or concerns should be heard no matter how unimportant they may appear. These informative meetings help to ensure open communication throughout the agency.

The Executive Administrator will meet with his or her supervisors on a bi-weekly basis for the purpose of reviewing issues related to the day-to-day operation of the agency. Section Supervisors will meet with their staff on a monthly basis. A written agenda and a sign-in sheet shall be provided at the beginning of each meeting. The Chairman and Executive Administrator shall meet at least monthly for the purpose of reviewing issues related to the operations of the agency.

7.3 SPECIAL MEETINGS

Certain employees shall be required to attend Board and Victim Input Meetings. In addition, an employee may be required to provide administrative support at a parole, revocation, or clemency hearing. If the employee's attendance is required at any meeting or hearing, the employee's immediate supervisor will notify the employee.

7.4 PROCEDURE FOR HANDLING COMPLAINTS

Employees who have a job-related problem, question, or complaint should first discuss it with their immediate supervisor.

7.5 GRIEVANCE PROCEDURES

Every staff member of the Parole Board is entitled to fair, reasonable, and non-discriminatory treatment in all aspects of employment. Any eligible employee who believes he/she is a victim of unfair or discriminatory treatment may seek relief through the agency's Grievance and Dispute Resolution Process. Employees who use that process may do so without restraint, interference, coercion, discrimination, or fear of future reprisal. However, employees must have reasonable evidence which can be substantiated to avoid false or malicious claims.

Employee Acknowledgement of Parole Board Employee Manual

Please acknowledge by signing that you have read and you understand that all employees and officials of the Arkansas Parole Board are responsible for complying with all pertinent policies contained in the Arkansas Parole Board Employee Manual.

This form shall be signed and returned to the Human Resources Section within five days of receipt of the above referenced policy. The Business Operations Manager will place a signed copy of this form in your personnel file.

Employee Acknowledgement:

PRINT NAME	SIGNATURE
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DATE

Supervisor Confirmation:

PRINT NAME	SIGNATURE
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DATE