

**HOUSING AUTHORITY
OF THE CITY
OF CLARKSVILLE, ARKANSAS**

PERSONNEL POLICY

**Approved by the
Board of Commissioners
2/20/07**

Resolution No. 805

- 9.0 Administration
- 10.0 Amendment

Employee Acknowledgment Sheet

Exhibit "A"

CLASSIFICATION PLAN/ORGANIZATIONAL CHART

Position/Title	Rate of Compensation
Executive Director	\$58,661
Administrative Assistant	30,000
RIC Coordinator/Clerk	20,800
Project Manager/RIC – (Part-Time)	7,924
Computer Lab Coordinator (Part-Time)	10,400
MOD Coordinator/Inspector	30,000
Maintenance Supervisor	39,743
Maintenance Mechanic A: 3 Positions (1 Part-time)	Salary range from 13,042, 25,000, 30,000

TABLE OF CONTENTS

- 1.0 Purpose
- 2.0 Employment Policies
 - 2.1 Equal Employment Opportunity
 - 2.2 Nepotism
 - 2.3 Political Affiliation: Hatch Act Compliance
 - 2.4 Organization
 - 2.5 Position Classification and Compensation
 - 2.6 Immigration Law Compliance
 - 2.7 Nondiscrimination Against and Accommodation of Individuals with Disabilities
- 3.0 Recruitment
 - 3.1 Applications
 - 3.2 Examination and Selection
- 4.0 Employee Status
 - 4.1 Full and Part Time Regular Employees
 - 4.2 Temporary Employees
 - 4.3 Changes of Employment Status
 - 4.4 Performance Evaluations
 - 4.5 Personnel Files
- 5.0 Compensation and Pay Plan/ Leave Policies/Employee Benefits
 - 5.1 Employee Compensation
 - 5.2 Regular Pay; Hours of Work
 - 5.3 Overtime Pay/Compensatory Leave Policies
 - 5.4 Holidays
 - 5.5 Annual (Vacation) Leave
 - 5.6 Sick Leave
 - 5.7 Humanitarian Leave
 - 5.8 Leave Without Pay
 - 5.9 Military Leave
 - 5.10 Court Duty Leave
 - 5.11 Absence Without Authorization
 - 5.12 Employee Benefits
 - 5.13 Travel
 - 5.14 Housing Authority Vehicles
 - 5.15 Employee Training Program
- 6.0 Employee Conduct
 - 6.1 Ethics of Employment
 - 6.2 Use of Authority Property
 - 6.3 Drug and Alcohol Abuse
 - 6.4 Sexual Harassment
 - 6.5 Workplace Violence
- 7.0 Complaint Resolution
 - 7.1 Basis for Formal Disciplinary Action
 - 7.2 Formal Disciplinary Procedures
 - 7.3 Formal Appeal Procedure
- 8.0 Family and Medical Leave

1.0 PURPOSE

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

1. To provide employees with a professional environment in which they can further their personal careers while meeting the goals of the Authority.
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.
3. That this personnel policy is consistent with pertinent local public practice and is hereby adopted in its entirety to govern the operation and management of the said Housing Authority of the City of Clarksville.

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 Nepotism

(The provisions of this section do not apply to employees on the roll as of August 17, 2001. The provisions will apply to anyone employed after August 27, 2001.)

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.

2.3 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:

- a) 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) 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 or 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.

(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
- d) Addressing or taking an active part in preparing, organizing or conducting a political meeting or rally
- e) Engaging in political conferences or canvassing a district soliciting political support for a party, faction, or candidate
- f) Taking an active part in primary or regular elections, such as soliciting votes or helping to get out the voters on Election Day
- g) Acting as an election officer in a capacity which may involve partnership or partisan political management
- h) Publishing or being connected editorially or managerially with any newspaper generally known as partisan from a political standpoint
- i) Writing for publication or publishing any letter or article, signed or unsigned, in favor of or against any political party or candidate
- j) 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
- k) Distributing campaign literature or material
- l) Initiating or circulating political petitions
- m) Becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate for election to public office.

2.4 Organization

The Executive Director shall be appointed by the Board of Commissioners and shall be governed by the policies and directives of the Board of Commissioners. Subject to the By-Laws of the Agency and such directives and policies as may be adopted from time to time, the Executive Director shall be responsible for the general supervision and direction of the daily operation and activities of the Agency.

Organization Plan- All positions shall be established in accordance with an operating budget which shall clearly set forth areas of responsibility, lines of authority and a general description of each position.

Authority to effect personnel actions ---Authority to, promote, transfer, demote and separate personnel shall be vested in the Executive Director and shall be reviewed by the Board of Commissioners.

Delegation of Authority - Every employee shall be given the authority necessary to perform his assigned duties. The Executive Director shall be vested with the authority to delegate and withdraw responsibility and authority as he sees fit.

2.5 Position Classification and Compensation

1. 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.

a) CLASSIFICATION PLAN—A Classification Plan, consisting of an Organization Chart showing each position, its title, and rate of compensation shall be stated in Exhibit "A "of the Policy. Additional positions shall be established by resolution at such time as they are needed and shall be supported by a statement of comparability with positions similar in responsibility and required competence.

b) TYPES OF APPOINTMENTS – Permanent appointments shall be made only to regularly established positions, subject to a probationary period not to exceed six months.

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 with the Agency shall file written applications setting forth their qualifications and such other information as may be required.

3.2 Examination and Selection

- A) When a position becomes vacant or a new position has been created, appropriate job description is prepared or modified.
- B) Each applicant's resume and/or application will be reviewed by the Executive Director. The Executive Director shall submit his choice to fill the position to the Board of Commissioners and the applicant shall be interviewed and confirmed by the Board of Commissioners at a properly called meeting. (NOTE: In the case of applications for the position of Executive Director, the provisions of this paragraph will apply to the Board of Commissioners.)
- C. The qualifications of applicants shall be appraised by means of an examination consisting of one or more parts of the following: (1) a rating of experience and training, (2) a written, performance, or demonstrative test, or (3) an oral test or interview.
- D) A new employee's supervisor will conduct a performance review at the conclusion of three months' employment.

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 employees are not eligible for benefits as outline in this policy.

4.2 Temporary Employees

Temporary appointments may be made by the Executive Director and shall be reviewed by the Board of Commissioners. 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 employee hired through employment agencies for specific assignments shall remain employees of the respective agencies, NOT the Authority.

4.3 Changes of Employment Status

PROMOTIONS: All promotions shall be reviewed by the Board of Commissioners upon recommendation of the Executive Director.

Vacated and newly established positions shall be filled to the fullest extent consistent with efficient operations, by promotions of qualified employees of the Authority.

DEMOTIONS: An employee shall be subject to demotion under the following conditions:

If he has been found unsuited for his present position but may be expected to give satisfactory service in a lower paying position.

If his position has been either abolished or reallocated to a lower paying class and he cannot be transferred to a position of equal pay. It shall be clearly reflected in the service record of any employee being demoted in this manner that such demotions in no way reflect on the employee's performance in the previous class.

All demotions shall be reviewed by the Board of Commissioners.

TRANSFERS: Employees may be considered for transfer within the organization as far as practicable to positions where their highest skills will be utilized.

When transfers of personnel are necessitated by organizational changes, every effort shall be made to avoid reduction in the pay of affected employees.

In making transfers within the organization, due consideration shall be given to desires of employees involved.

All transfers shall be reviewed by the Board of Commissioners.

SUSPENSIONS: An employee may be suspended from duty without pay for a period determined by the Executive Director not to exceed twenty (20) work days:

1. For disciplinary reasons, or
2. Pending the investigation of charges which, if substantiated, would result in dismissal, provided that, if such investigation does not bear out the charges and the employee is retained, he shall be paid for the period of suspension.

SEPARATIONS:

Resignations: An employee desiring to terminate his employment shall submit a written, signed resignation at least two weeks in advance, setting forth his reasons for resigning.

Failure to submit such notice of resignation will deprive the employee of all separation benefits to which he might otherwise be entitled. Further, the service record of such employee will reflect the failure to submit notice of resignation and this information made available to those making inquiry.

Dismissals: An employee who gives unsatisfactory service or who is temperamentally unsuited to employment with this Agency or who is guilty of any substantial violation or regulation shall be subject to dismissal by the Executive Director, except that any employee so dismissed may file a written appeal with the Board of Commissioners. The Board of Commissioners may then decide to hear the case further or refuse to consider it and thereby deny the appeal.

In the case of the Executive Director who is temperamentally unsuited to employment with this Agency or who is guilty of any substantial violation or regulation shall be subject to dismissal by the Board of Commissioners.

Reduction of Personnel: If it is necessary to reduce personnel, temporary employees shall be separated before permanent; employees serving on probation before those who have completed their probation period. It shall be clearly indicated on the service record of any employee whose employment is so terminated that termination in no way reflects on the employee's performance. Further, any employee whose employment is so terminated shall be given at least two weeks notice prior to dismissal.

4.4 Performance Evaluations

Annual performance evaluations will be conducted on each employee by the Executive Director or the employee's immediate supervisor, and the Board of Commissioners will conduct a performance evaluation on the Executive Director.

4.5 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.

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 Compensation and Pay Plan/Leave Policies/Employee Benefits

5.1 Employee Compensation

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

A Personnel Salary Chart shall be maintained, showing the salary for each position in the Authority. The current salary chart is appended to this manual as Exhibit "A".

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

5.2 Regular Pay; Hours of Work

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

5.3 Overtime Pay/Compensatory Leave Policies

Overtime work shall be avoided as far as possible, but may be required by the Executive Director in the interest of efficient operation. For work in excess of 40 hours per week approved by the Executive Director, an employee shall be granted compensatory leave, within 30 days, equal to the amount of overtime worked.

Maintenance employees shall be paid one and one-half times their hourly rate for overtime worked approved by the Executive Director.

The Executive Director shall not be granted compensatory leave for overtime work.

The Agency shall not be obligated to pay any employee for any accrued compensatory leave time upon separation from employment of the Agency.

5.4 Holidays

The following holidays shall be observed, and where any holiday occurs on Saturday, the preceding Friday shall be observed. If the holiday occurs on Sunday, the following Monday shall be observed:

New Year's Day, January 1

Martin Luther King, Jr.'s Birthday, 3rd Monday/January

President's Day, 3rd Monday in February

Good Friday

Memorial Day, Last Monday in May

Independence Day, July 4

Labor Day, 1st Monday in September

Veteran's Day, November 11

Thanksgiving Day, 4th Thursday in November

Friday following Thanksgiving

Christmas Eve, December 24

Christmas Day, December 25

Leave

5.5 Annual (Vacation) Leave

All full-time employees (30 hours per week or more) will accrue annual leave at the rate of 6 and 2/3 hours per month or 10 days per year until they have attained 5 years of service. After 5 years, one extra day of vacation for each year of service is accumulated. **Maximum – 20 days.** (This policy is based on the policy for the City of Clarksville.)

An employee will not be eligible for annual leave until length of service exceeds six months.

All vacation should be taken within 12 months following the anniversary date of employee; however, 30 days vacation leave may be accumulated and carried over to the next year.

When an employee resigns or is dismissed from employment, except for misconduct, he shall be paid in a lump sum for annual leave not taken. An employee with 30 days

accumulated leave may also earn a maximum of 20 days in the following year, which, if not used, would be paid to an employee in good standing upon his separation from the agency.

A holiday occurring within a vacation period will not count against vacation time.

Annual leave is designed as a break from work duties. An employee may not take cash payment in lieu of time off for annual leave.

5.6 Sick Leave

Sick leave will accumulate beginning with the date of employment at the rate of 13.3 hours per month or 20 days per year. Unused sick leave may accumulate to a maximum of 480 hours or 60 days. If all sick leave is used and additional leave is needed because of illness, annual leave may be taken. If additional time is needed when all sick leave and annual leave have been taken, sick leave may be advanced to full-time employees not to exceed 12 working days. Also an additional leave of absence, without pay, may be granted for up to six months by the Executive Director. Sick leave accrues only when the employee is in a pay status and not when on leave without pay. Sick leave payments will be authorized by the Executive Director. A doctor's statement may be required at the request of the Executive Director for employees who miss more than three continuous days of work due to illness. Abuse of leave by an employee will be cause for disciplinary action by the Housing Authority, up to and including dismissal.

All employees, upon attaining the age of 62 or after 20 years of service, may be paid accumulated sick leave upon their retirement or death not to exceed 30 days or 240 hours.

5.7 Humanitarian Leave

Emergency leave with pay up to three (3) days may be granted for any bonafide urgent situation such as death in the immediate family – mother, father, siblings, spouse or children. Leave time may be granted on a case basis with the approval of the Executive Director.

5.8 Leave Without Pay

Leave without pay may be granted by the Executive Director if the circumstances warrant, not to exceed thirty days in any one calendar year.

5.9 Military Leave

In the event an employee leaves his position to enter military service in time of war or national emergency or by reason of being drafted, he shall be carried on the roll of the Agency in a military leave status. Upon discharge from military service, the employee shall be entitled to his same position or another position acceptable to him provided he is qualified for a position.

5.10 Court Duty Leave

An employee summoned for jury duty is excused from work and will receive full pay for all periods of time during which he or she is required to serve. The employee must notify his or her supervisor as soon as the summons is received and provide the

supervisor with a copy of the summons. During the term of jury service, the employee will be excused by the Court at different times on different days. The employee is expected to report for work at once. The supervisor will determine if the employee should commence regular work or be excused for the remainder of the work day.

5.11 Absence without Authorization

The Agency has the authority to suspend or dismiss employees when absence from work is taken without proper authorization. When an employee is absent without proper authorization, he shall not be paid for the time off work.

5.12 Employee Benefits

a) Group Health Insurance

Offered to all employees. 100% paid on individual policies, 90% PHA contribution on Family Plans with employees paying 10% with insurance deductions being withheld one month in advance.

Section 125 (Cafeteria Plan) is in place.

b) Retirement Program

Mandatory participation after six months of service. PHA contributes 8.5% of salary and employees contribute 6% of salary.

c) FICA & Medicare

Contributions based on federal mandated percentages.

d) Workmen's Compensation

All Clarksville Housing Authority employees are covered under a plan adopted by the Board of Commissioners. Any on-the-job injuries should be reported immediately to the employee's supervisor and claims for reimbursement are to be filed with the office. Claims must be submitted within five days of the accident. An employee will not be allowed to draw Worker's Compensation insurance for disability and sick leave benefits at the same time. If Workmen's Compensation benefits are paid to the employee during sick leave, the amount paid must be reimbursed to the Clarksville Housing Authority.

An employee may at his discretion use available Leave time to make up the difference in pay received from Worker's Compensation and the employee's normal pay.

However, it is the Clarksville Housing Authority's policy to provide modified work whenever possible when an employee is released for light duty work by the attending physician. Light duty or limited duty work will be provided only as a result of a work related injury.

5.13 Travel

Employees shall be reimbursed for actual, reasonable expenses incurred in authorized travel and if their vehicle is used, mileage shall be paid at the current IRS rate.

The policy of the Housing Authority incorporates this and further clarifies travel as follows:

- a. Employees or Commissioners may perform official travel upon authorization of the Board or as authorized by the Chairman of the Commission or the Executive Director. Each trip to a destination outside the jurisdiction of the Local Agency not

authorized in the budget shall be authorized by specific resolution of the Board of Commissioners except that trips to the Area or Regional Office with jurisdiction and to nearby communities to carry out normal operating functions shall not require approval.

- b. Transportation costs for employees or commissioners authorized to travel on official business of the Agency shall be paid. Costs of taxi fares, telephone calls, telegrams, secretarial services and similar items necessarily incident to the performance of official business shall be considered reimbursable items.
- c. In addition to reimbursable costs as outlined above, an allowance for subsistence in lieu of actual expenses shall be paid at a rate not to exceed \$35.00 per day for employees and commissioners of the Agency when on Agency business and when travel exceeds a twenty-four (24) hour period. When travel is less than twenty-four hours, only reasonable actual expenses shall be paid.
- d. In computing the subsistence allowance, no subsistence allowance shall be paid for travel of less than 24 hours duration, but only reasonable actual expenses. For travel in excess of 24 hours, the subsistence allowance for the day of departure and the day of return shall be computed at the rate of one-fourth the established daily amount for each of the periods listed below, or fraction thereof:
 - 12:00 midnight6:00 a.m.
 - 6:00 a.m.12:00 noon
 - 12:00 noon..... 6:00 p.m.
 - 6:00 p.m.12:00 midnight

Reimbursement for use of privately owned automobile for authorized out-of-town travel shall be made at the rate currently established by the IRS. Air fare or railway expense shall be allowed if advantageous to the Agency. When travel is performed in an automobile owned by the Agency, necessary car expenses and subsistence allowance shall be paid. Whenever automobile travel is involved, signed records of car expenditures and mileage or mileage only in the case of a privately owned automobile, shall be submitted and approved before payment. If two or more persons travel in the same automobile, only one of these persons shall be reimbursed for mileage (if travel is by private car) or for car expenditures (if travel is by Agency-owned car). Reimbursement for local travel on Agency business shall be at the rate established by the IRS. Vouchers for reimbursement for local travel on a mileage basis shall be supported by a daily record of miles driven.

Travel costs may be charged on an actual basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is consistent with those normally allowed in like circumstances in nonfederally sponsored activities.

Before reimbursement can be made the traveler will be required to submit a travel expense voucher on a form prescribed by the Agency. This does not prevent a commissioner or employee from requesting an advance of funds for a trip and executing a travel expense voucher upon his return.

5.14 Housing Authority Vehicles

1. Employees operating CHA owned vehicles must have a valid Arkansas Driver's License.
 2. No vehicle may be operated by an unauthorized person.
 3. Keys must always be removed from vehicles not in use.
 4. All CHA owned autos must have signs on each side designating them as CHA vehicles. Signs on all CHA vehicles shall be the same specifications as the signs on current vehicles.
 5. Operating of vehicles by an employee under the influence of alcohol, narcotics or other intoxicating substances is prohibited. Violation of this rule is grounds for appropriate disciplinary action.
 6. Because of the nature of the duties of the executive staff, occasional personal use of the CHA 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.
 7. Traffic violations are the responsibility of the employee. Repeated incidents resulting in citations will subject an employee to appropriate disciplinary actions.
 8. Our insurance carrier is concerned with individual driving records. They are within their rights to demand a surcharge to the basic premium for any individual whose driving record indicates recklessness or the probability of repeated wrecks or citations. It is the policy of CHA that any such surcharge will be paid by the individual employee.
 9. If at any time an employee's driving record is such that the insurance carrier may demand his/her exclusion from coverage, then the employee's continued employment with CHA will be reevaluated.
- Certainly there are employees whose ability to perform their job is contingent upon being able to drive a vehicle. Therefore, uninsurability can result in termination of employment. Good driving records and habits are strongly encouraged.

5.15 Employee Training Program

Employee Training Program

The Employee Training Program has been designed to provide financial assistance for those employees who desire to expand their knowledge base in subjects that would assist them in performing their jobs better while employed by the Clarksville Housing Authority.

1. Employees will only attend classes or participate in training as approved by the Executive Director, and the course must benefit the Clarksville Housing Authority.
2. The Executive Director will present "class by class" requests for approval to the Board of Commissioners. The Executive Director has the authority to approve an employee's registration in a class if the Board does not meet before the training session begins or in the case of an emergency.
3. Training sessions/courses **are not** to resemble normal college courses, i. e., a college course that would meet 3-5 days a week for a semester.
4. Any employee who completes training must remain in employment for one year or reimburse the amount spent on the training. Retirement would be the exception.
5. Expenses covered include tuition/registration, books, and travel expenses as approved by the Executive Director. Books will become the property of the Clarksville Housing Authority upon completion of the course/training session.

6.0 EMPLOYEE CONDUCT

6.1 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 exceeding \$25.00 or 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.

6.2 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.

6.3 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 Clarksville is a drug-free workplace.

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.

Upon hire and annually thereafter, the employee will sign a drug free workplace statement as a condition of employment.

6.4 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 effect 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 Chairman of the Board of Commissioners or both.

Likewise, any employee who has witnessed what he or she believes to be sexual harassment shall immediately report these observations to the Executive Director or to the Chairman of the Board of Commissioners 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 Chairman of the Board of Commissioners or both.

6.5 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.

7.0 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.

7.1 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
- Mifeasance
- 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.

7.2 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, require two weeks notice or two weeks termination pay, payable at the next pay period following said termination.

*Termination from employment based on a 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 Executive Director may be terminated only by formal resolution of the Board of Commissioners.

7.3 FORMAL APPEAL PROCEDURE

Employees shall have the right to formal hearing before the Executive Director 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 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 Arkansas Law following the guidelines of the Arkansas Freedom of Information Act.
2. 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.
3. 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 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 in writing by the Executive Director.

9.0 ADMINISTRATION

It shall be the duty of the Executive Director to enforce the provisions and purposes of this personnel policy.

10.0 AMENDMENT

Amendment of the personnel policies established hereby shall be by resolution of the Board of Commissioners of the Agency.

The above personnel policy shall be in full force and effect from the date of its passage. All other resolutions in conflict with this resolution are null and void.

Revised this _____ day of _____, 2_____.

Chairman of the Board

Secretary

I hereby acknowledge that I have read and understand the terms of the PERSONNEL POLICY of the Housing Authority of the City of Clarksville, Arkansas:

Employee's Signature

Date

Clarksville Housing Authority