

NORTHSTAR LEARNING CENTERS

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Employee Handbook

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Chapter 1

Introduction to this Handbook

1-1 Our Organization

History

Established in 1974, NorthStar Learning Centers grew out of local community action inspired by the civil rights movement with the explicit mission to provide services to underserved communities of color. We are a state-certified *minority nonprofit organization*—a requirement being that we maintain a board of directors on which 51% or more of its members are African American, Cape Verdean, Latino/a, or other people from communities of color. The diversity of our employees and the children, youth, and families we serve enrich our workplace, our programs, and the life of our organization.

Programs and services

We have grown from one preschool center intended to serve one neighborhood to a constellation of individualized, strength-based, family-focused programs that together serve children, youth, and families of all ages living in communities across Southeastern Massachusetts:

- Our early childhood education programs provide active learning opportunities for young children to gain skills, knowledge, and confidence they need to succeed in school.
- Our afterschool programs provide safe, engaging environments that persuade students that learning can be fun and improve their school achievement.
- Our positive youth development programs support participants in navigating social-emotional, academic, and other challenges to becoming healthy, educated, and responsible adults.
- Our family support services help stabilize and strengthen biological, foster, and adoptive families and thereby improve their children's outcomes.
- Our mental health services provide culturally sensitive care to help people from diverse backgrounds live productive and satisfying lives.

Work to influence public policy

While our everyday focus is on providing needed services, no less integral to our mission is our public policy advocacy work for increased investment in programs and services for children, youth, and families, especially those experiencing poverty and discrimination. Our long-term goal is to remove historic barriers and open pathways to personal, educational, and economic success.

Our name

Our name, NorthStar Learning Centers, refers to a powerful symbol of freedom in our local and national heritage. Always pointing due north, the North Star was used by escaped slaves to guide them on their perilous journey northward. They saw it as a beacon of freedom. Frederick Douglass, the famous ex-slave and abolitionist who lived his first years as a free man in New Bedford, launched a newspaper called *North Star*. In its first edition, Douglass established the ending of slavery as its main purpose, but also invited discussion of peace and education.

Learning is the pathway to opportunity and possibility, a route out of poverty. "Learning" in our name encompasses not only to in-school learning, but also to lifelong learning in all aspects of one's life—personally, aesthetically, professionally, socially, and spiritually.

Locating us in the broad sweep of history, our name serves as a reminder that, even in the most difficult times, we must maintain a sense of direction, purpose, and proportion—to affirm individual, family, and community strengths as the bridge from our current reality to our full potential.

Our approach to working with children, youth, and families

Following are general principles that guide our programming and practice:

- We work from a child- and youth-centered, strength-based approach and believe, through support, individuals can reach their potential.
- We work hard to engage all children, youth, and families in a manner that is culturally sensitive, non-judgmental and respectful.
- Our approach is based on a systemic perspective – taking into account individual, family, peer, school, neighborhood and community factors.
- We understand some individuals and families need multiple services within the community and, therefore, we partner with other service providers, including those in the areas of child welfare, children’s mental health, education and justice to provide well-coordinated services for our community.
- We are committed to protecting the privacy of all individuals who participate in our programs by ensuring the confidentiality and security of program participants’ information.
- Our services are provided free of charge to residents of our service community, except when government requires us to charge a fee.

Protecting and promoting the rights of people in our programs

Our emphasis on the protection and promotion of the rights of people in our programs owes to the circumstances in which our organization emerged. NorthStar was established to provide underserved communities of color—marginalized by discrimination and poverty—with access to needed services. NorthStar’s Bill of Program Participant Rights and Program Responsibilities are:

- Included in the *School-Age Child and Youth Programs Family Handbook*;
- Posted wherever children, youth and families receive NorthStar services.

Why we use the term “participant.” Referring to the children, youth, and families we serve as “participants” (or “program participants”) aligns with our approach of engaging people as partners in the helping process. (“Participant” is already widely used in youth-serving and other kinds of programming.) Consistent with best practices in early childhood education, afterschool, and youth development programming, we strive to meaningfully involve children and youth, according to their age and developmental level, in activity planning and program design.

Moreover, the term “participant” is inclusive of the wide range of people—including, children, youth, their parents, and other family members—and the disparate service-recipient relationships they have with our multiple programs. It is as applicable to children as to adults. It can cover the spectrum of compulsory / non-compulsory involvement in a program.

We also have adopted the term “participant” because it offers an open-ended conception of the relationship between those who provide services and those who use them. We hope and expect employees to fully participate in the programs they provide—to approach their work with intentionality, responsibility, and openness that can bring about “transformative learning”—where employees learn with and from the children, youth, and families in our programs.

Does it matter what terms we use? Yes! Different terms represent different ways of characterizing relationships between those who provide services and those who participate in them.

1-2 Overview of the Employee Handbook

Use and purpose

The purpose of this Employee Handbook is to bring together, in a convenient form, many of our employment policies, practices, and benefits. Please understand that this handbook can only highlight and summarize our policies and practices. For more detailed information, you may talk to your supervisor.

This Employee Handbook is made available to employees for informational purposes only. The contents of this handbook are not intended to create a contract or agreement between the organization and you or a promise of continued employment.

Union contract

Certain NorthStar policies and practices are also addressed in the collective bargaining agreement (or union contract) for non-management employees in our Department of Early Education and Care (EEC)-licensed early childhood education and afterschool programs. Where the union contract conflicts with the policies of the Employee Handbook, the terms of the union contract apply to employees covered by it. In the absence of specific contract language to the contrary, the benefits and policies in the Employee Handbook apply to employees covered by the contract. If you are covered by the union contract, you should familiarize yourself with both the Employee Handbook and the union contract.

Additional job procedures and professional standards

Your program or department has additional specific procedures not covered in the Employee Handbook that you are expected to learn and follow. You are also expected to adhere to the professional standards of your job.

Changes in the Employee Handbook

To carry out our mission, NorthStar must be able to flexibly respond to changing laws and regulations, funder requirements, best practice recommendations, technological developments, economic conditions, and other circumstances that may impact on how we operate. Therefore, we have to modify, change, discontinue, or add to these employment policies at any time. No changes in any benefit, policy or rule will be made without due consideration of the mutual advantages, disadvantages, benefits and responsibilities such changes will have on employees and on NorthStar.

This Employee Handbook supports our commitment to provide a cooperative, productive, and rewarding work environment. If you have suggestions for ways to improve this handbook in particular or employee relations in general, please feel free to bring them to the attention of your supervisor, program director, or any other administrator.

1-3 Employment Relationship

We hope that your employment with NorthStar will be a positive and rewarding experience. We cannot, however, make any guarantees about your continued employment by NorthStar. For those employees in positions covered by a collective bargaining agreement, you should refer to the agreement, which governs the terms and conditions of your employment. All other employees are what the law terms *at will* employees. This means that your employment is a matter of continuing agreement between you and the organization. At any time, either you or the organization may decide to end your employment for any reason not prohibited by law—with or without notice, with or without cause. Nothing in this handbook changes either your at-will employment or the collective bargaining arrangement.

No NorthStar employee or representative, other than the executive director and the board of directors, has the authority to change the at-will employment relationship or to contract with any employee for different terms of employment. Furthermore, the executive director and the board of directors may change the at-will employment relationship only in a written contract, signed by the executive director or an authorized representative of the board of directors and the employee.

If you are covered by the union contract, you should refer to its specific terms of employment and conditions under which you may be discharged.

Chapter 2

Equal Opportunity

From its very conception, NorthStar Learning Centers has been committed to acting as a positive force for equity and the elimination of oppression. In all aspects of our operations and at all levels of our organization, NorthStar works to ensure that there is no discrimination on the basis of, but not limited to, race, color, creed, ethnicity, religion, national origin, marital status, sex, sexual orientation, gender identity or expression, disability, military status, or any other characteristic protected by applicable federal or state law.

We will continue to make every effort to see that our structure, policies, and systems reflect all aspects of the total community and to promote equal access to all. We encourage individuals to participate fully and to have complete access to our services, employment, governance structures (board of directors, board committees, and any board working groups that may be convened), student intern and volunteer opportunities.

At NorthStar, we recognize that the increasing diversity among residents in the areas we serve has added cultural, social and economic benefits to our communities. We are also sensitive to the fact that oppressed groups experience marginalization and encounter barriers to full access and participation in the community. NorthStar seeks to increase access and participation, especially for those who are marginalized by poverty and discrimination.

2-1 Nondiscrimination in Services Policy

NorthStar is dedicated to providing services to children, youth, and families in a manner that respects, protects, and promotes their rights, interests, and well-being. To this end, we strive to ensure that:

- Individuals who engage with NorthStar for service are valued participants who have opportunities to shape and evaluate our programs.
- Community programs and services are developed and delivered to give priority to individuals marginalized by poverty and discrimination and are sensitive to the needs of diverse groups.
- Programs are delivered in ways that eliminate systemic barriers to full participation and access and promote positive relations and attitudinal change toward oppressed groups.
- Services are provided with sensitivity to the influence of power and privilege in all relationships, including service relationships, and are delivered in keeping with anti-oppression principles.
- Communication materials present a positive and balanced portrayal of people's diverse experiences.

Any person who believes that they or another person has been subjected to discrimination or other oppressive behavior is strongly encouraged to file a complaint. NorthStar will not retaliate or allow retaliation against any person who in good faith reports discrimination, files a complaint, or cooperates in an investigation of discrimination.

2-2 Discrimination and Harassment Prevention Policy

Equal opportunity

It always has been and continues to be NorthStar's policy that employees should be able to enjoy a work environment free from all forms of unlawful employment discrimination. All decisions regarding recruiting, hiring, promotion, assignment, training, termination, and other terms and conditions of employment will be made without unlawful discrimination on the basis of race, color, national origin, gender, sexual orientation, gender identity or expression, religion, age, pregnancy, disability, covered veteran status, marital status, or any other factor that the law protects from employment discrimination. Individuals will be selected for promotion based on skill and ability.

Diversity among employees is acknowledged and valued for the range of perspectives that they contribute to our workplace and the life of the organization. In turn, our multicultural composition and multilingual capacity send a powerful message to children, youth, and families that they can succeed in our programs.

Additionally, NorthStar prohibits unlawful harassment of its employees, applicants, or independent contractors in any form. Complaints of unlawful employment discrimination or harassment should be reported as discussed in section 10-2 How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment. In cases where investigation confirms the allegations, appropriate corrective action will be taken, regardless of whether the inappropriate conduct rises to the level of any violation of law. No employee will suffer retaliation for reporting, in good faith, any violation of NorthStar policy or unlawful discrimination, harassment, or retaliation.

This policy applies to conduct in on- and off-site work-related settings and during or outside of normal business hours—for example, conduct at conferences, other training sessions, and work-related social events. All forms of harassing and discriminatory conduct, including such conduct on social media and in other electronic communications, are prohibited. An employee can be found to be harassing coworkers via the Internet, even if the employee's personal blog or Facebook page was used to post the harassing comments.

Nondiscrimination defined

Massachusetts law makes it illegal for an employer to discriminate against current and prospective employees based on race, color, religious creed, national origin, ancestry, sex, sexual orientation, gender identity, age, disability (physical or mental), genetic information, military status, and the existence of a criminal record. The discrimination laws prohibit an employer from making employment related decisions, such as hiring, firing, promotions, pay increases, or conditioning other terms and conditions of employment on a person's protected status.

Regarding languages spoken in the workplace. Part of our commitment to protect employees from national origin discrimination is supporting employees' rights to have conversations in their native languages with coworkers, friends, and visitors. Conversely, taking issue with coworkers speaking other languages at work would constitute discriminatory or harassing behavior. Being fluent in more than one language is in fact an asset to our organization. Conversing in a language other than English is typically not meant to exclude or make others feel uncomfortable. These individuals are able to speak English, but at times choose to speak to others in another common language as a natural way of sharing a part of their heritage.

Harassment

Both federal and Massachusetts laws prohibit harassment in the workplace against any of the classes of employees protected under federal and state discrimination law. Harassment includes, but is not limited to, offensive language, jokes, physical, verbal, and nonverbal conduct relating to the employee's sex, race, religion, national origin, age, disability, or other factors protected by law that

would make a person experiencing such behavior feel uncomfortable or would interfere with the person's work performance. A person's behavior may be considered harassment, regardless of their intentions. Types of workplace harassment include:

1. Sexual harassment is a particular type of harassment that consists of unwelcome behavior of a sexual nature or harassment because of sex. Moreover, under the law, sexual harassment is a form of sex discrimination. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors and all other verbal or physical conduct of a sexual nature when:

- Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or
- Such advances, requests, or conduct have the purpose or effect of interfering with a person's work performance by creating an intimidating, hostile, or humiliating work environment.

Examples of sexual harassment. Sexual harassment can be verbal, nonverbal, or physical. Severe acts such as unwelcome sexual grabbing may be judged harassing based on a single act while less offensive actions may constitute harassment if repeated and/or pervasive. Listed below are examples of behavior that could constitute sexual harassment:

Verbal

- Sexually explicit questions, jokes, or anecdotes
- Graphic comments about a person's clothing, body or sexual activities
- Sending love letters, sexually explicit notes, or propositions
- Repeatedly asking out a person who is not interested
- Turning work discussions to sexual topics
- Telling lies or spreading rumors about a person's sexual life

Nonverbal

- Making suggestive looks, leers, gawking, or "undressing" with one's eyes
- Making sexual gestures with hands or through body movements.
- Displaying sexually suggestive posters, graphics, or objects

Physical

- Touching a person's clothing, hair, or body
- Impeding or blocking movement
- Invading a person's body space, standing closer than appropriate or necessary for the work or activity being done
- Attempted or actual kissing, hugging, patting, or stroking

Any person connected to the employee's work environment—including certain non-employees such as people in our programs, vendors, and independent contractors—can be a perpetrator of sexual harassment.

Indirect harassment. Sexual harassment can be direct, affecting a victim specifically, or can be indirect, affecting an onlooker. Indirect sexual harassment incidents usually involve a secondary victim who has been offended by visual or auditory conduct. A victim of indirect sexual harassment can be someone that overhears a lewd joke at work, even though it was not directed toward them. Additionally, indirect sexual harassment can involve someone who is a witness to the harassment of another individual. They may take offense or become fearful for their own safety.

2. Harassment based on race, disability, age, or any other protected characteristic. While sexual harassment is perhaps most often thought of, harassment on the basis of race, disability, age, or any other protected class or characteristic is also prohibited. Examples of the types of behavior that will be considered harassment based on these characteristics include:

- Jokes or negative comments
- Displays of reading materials or pictures containing negative material (including electronic material)
- Vandalism or "pranks" based on these characteristics
- Name-calling

Though we want our employees to enjoy their jobs and to work together with a level of collegial informality, you should ensure your conduct doesn't subject another person to any form of harassment. Seemingly harmless jokes all too often have sexist, racist, or other discriminatory undertones, regardless of the joker's intention. To the person who is the butt of the joke or prank, the action may feel like ridicule, contempt, or intimidation and give cause for complaints of discrimination, harassment, or assault.

Special note about religion. It is not a violation of this policy for employees to discuss religion, or to read or view religious materials, at work during non-working time. On the other hand, excessive "preaching" that is unwelcome to others, or adverse treatment of others because of their beliefs, different beliefs, or lack of belief may be considered harassment within the meaning of this policy.

Reasonable conduct is not harassment.

- This policy is not intended to limit or constrain the reasonable actions by managers or supervisors that are part of their normal work function to manage, guide or direct employees. Appropriate employee performance reviews or other feedback, coaching, counselling or corrective action by a supervisor or manager are not harassment.
- Generally speaking, differences of opinion or minor disagreements between coworkers would also not be considered workplace harassment.

Supervisors'/managers' reporting responsibilities

If you are a supervisor or manager and you become aware of discrimination or harassment, you must do everything in your power to immediately stop it, whether or not a complaint has been made, and then document it and report it to any member of the senior leadership team. If a supervisor or manager receives a complaint of discrimination or harassment, they should immediately report it.

Failure to take appropriate steps to prevent and stop and report discrimination or harassment in their areas of responsibility or to assist an individual seeking to file a complaint about discrimination or harassment may cause serious consequences for the organization and may be considered a breach of supervisory responsibility. They also leave themselves open to personal liability under law.

Employee responsibilities

Every NorthStar employee has responsibility to ensure that the workplace and program environment is free from discrimination, harassment, and related retaliation. We expect employees to:

- 1) Avoid any behavior that could reasonably be interpreted as discriminatory or harassing;
- 2) Report to anyone in leadership if you believe that you have been or are being harassed or discriminated against or you believe that someone else has been or is being harassed or discriminated against;

- 3) Cooperate in an investigation of alleged discrimination or harassment by providing any information you have concerning the matter being investigated;
- 4) Assist program participants who complain of harassment or discrimination in our programs to make their problem known to the equal opportunity manager or any other administrator.

Reporting harassment, discrimination or retaliation

Any employee who suffers, witnesses, or hears about discrimination, harassment, or retaliation should report it, regardless of the offender's identity or position. We will conduct a prompt and thorough investigation any time an employee alleges harassment or discrimination by the organization or by another employee. If a complaint against an employee is substantiated, we will take proportionate corrective action, up to and including termination of employment.

► See NorthStar's complaint procedure in section 10-2 How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment

2-3 Anti-Bullying Policy

NorthStar promotes a healthy workplace culture where all employees are able to work in an environment free of bullying behavior. In sharp contrast, bullying behavior creates feelings of defenselessness in the victim and undermines their right to dignity at work. This said, workplace bullying is unacceptable and will not be tolerated under any circumstances.

This policy applies to all employees and independent contractors. The policy covers the behavior of staff outside working hours that may impact upon work or working relationships. Any employee found in violation of this policy will be disciplined, up to and including termination of employment. Independent contractors found to be in violation of this policy may be subject to contract cancellation.

Workplace bullying defined

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed toward an employee (or a group of employees) that is intended to intimidate, degrade, offend, or humiliate them, often in front of others. Bullying is unlikely to be a single or isolated instance; it is usually, but not always, repeated and persistent behavior. The following types of behavior are examples—but not an exhaustive list—of bullying:

- Staring, glaring or other nonverbal demonstrations of hostility;
- Exclusion or social isolation;
- Excessive monitoring or micromanaging;
- Work-related harassment (work overload, unrealistic deadlines);
- Being held to a different standard than the rest of an employee's work group;
- Consistent ignoring or interrupting of an employee in front of coworkers;
- Encouragement of others to turn against the targeted employee;
- Unwarranted or invalid criticism;
- Blame without factual justification;
- Repeated infliction of verbal abuse such as being shouted at, sworn at, or called names;
- Being made the butt of practical jokes;
- Stalking;
- Unwelcome touching or unconsented-to touching;
- Invasion of another's person's personal space,
- Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests

As is the case with harassment, it is the impact of the bullying behavior rather than the intent of the perpetrator that is the determinant as to whether bullying has occurred.

Reasonable conduct is not bullying. Workplace bullying is not, however, reasonable action taken by an administrator or supervisor relating to the management and direction of workers such as assigning work, enforcing dress codes, providing evidence-based critical performance reviews or other feedback, coaching, taking reasonable corrective actions.

How bullying affects people

Victims of bullying experience significant physical and mental health problems:

- High stress, trauma;
- Financial problems due to absence;
- Reduced self-esteem;
- Musculoskeletal problems;
- Phobias;
- Sleep disturbances;
- Increased depression, self-blame;
- Digestive problems.

The health problems experienced by victims of bullying can lead to a sense of helplessness and negative emotional states in employees. Low self-esteem and a negative organizational climate suppress creativity and undercut employees' abilities to effectively respond to difficult situations or tackle challenging goals. In short, the breakdown of civility and trust in a bullying environment not only hurts targeted employees, but also undercuts our organizational and program effectiveness.

Why bullying is treated differently from harassment

Often employers lump bullying and harassment together as the same sort of problematic workplace behavior. The legal protections for each are different, however. Bullying is illegal when it violates federal or state laws prohibiting discrimination and harassment in the workplace. If a workplace bully is targeting an employee based on a protected characteristic—such as their race, national origin, religion, age, disability, gender, or sexual orientation—that could qualify as illegal harassment. Harassment on the basis of any of these protected categories is also a form of discrimination and is prohibited.

Federal and Massachusetts state law still fail, however, to prohibit workplace bullying outright. Left largely without legal recourse are workers who are bullied in the workplace where the bullying behavior is not based on a protected characteristic or status. (Yet to be passed, the Massachusetts Healthy Workplace Bill would create a legal claim for bullying victims who can prove they were subjected to malicious, health-harming behavior.)

Even if a workplace bully isn't breaking the law, we will put a stop to workplace bullying as soon as we are made aware of it. Even when the bullying is not based on a protected class, it is at odds with NorthStar's core values of inclusion and diversity. Workplace bullying can drag down morale and ruin a healthy workplace culture built over decades. Without a state anti-bullying law in place, we treat bullying as a health and safety issue; that is, the basis of NorthStar's obligation to prevent bullying relates to our duty as an employer to provide a safe and healthy workplace for our employees.

Reporting bullying behavior

Committed to supporting a "no fear" environment, NorthStar encourages all employees to report any instance of bullying behavior. Any reports of bullying will be treated seriously and investigated promptly and impartially, with the goal of ending the bullying behavior.

► See NorthStar's complaint procedure in section 10-2 How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment.

2-4 Affirmative Action Plan

NorthStar is committed to providing culturally and linguistically appropriate programs to make them more responsive to the individual needs of participants. To this end, we maintain an ongoing affirmative action program plan to recruit, retain, and promote at all organizational levels diverse staff and leadership that are representative of the demographic characteristics of the area we serve.

Recruitment/outreach

To promote employment opportunity and advancement, NorthStar sets job requirements that are reasonable, objective, and, wherever possible, outcome-based rather than linked simply in educational credentials. Each position vacancy notice identifies the organization as an “Affirmative Action/Equal Opportunity Employer.” When appropriate, media advertising is utilized, including advertising in publications targeting communities of color, women, and people with disabilities. Word-of-mouth recruitment is perhaps our best means to ensure inclusion of people of color, women, and people with disabilities in any applicant pool. Typically, recruitment includes contacting people of color, women, and/or people with disabilities working in our area network of services and with community organizations concerned with issues that affect members of these groups.

Employee retention

Where research indicates that consistent, culturally competent, well-trained and well-compensated staff are the most important contributing factor to high-quality child and youth development services, we provide pay, benefits, and working conditions that promote employee retention. For example:

- High utilization of our employer-supported health plan reflects our ongoing efforts to keep it affordable.
- Liberal paid leave as well as options for unmandated unpaid leave responds reduce family-work conflict. The majority of our employees—who are mostly female and disproportionately of color— bear primary caretaking responsibilities for children, parents, and relatives with disabilities. So, paid sick leave, useable by employees with little or no advance notice, to recuperate from illness, seek medical care, or care for family members is particularly important.
- Our investment in training and provision of support increase employees’ know-how to respond proportionately, creatively, and proactively to children’s and youth’s emotional and behavioral difficulties and thereby contribute to job satisfaction and ability to remain in professionally, physically, and emotionally demanding jobs without experiencing burnout.

Professional development

Where discrimination and poverty have posed barriers to educational advancement, we encourage employees to take advantage of state professional development initiatives and other available training. We also provide in-service training and generous education benefits, including tuition reimbursement, in-house academic support, time-limited flexible scheduling arrangements, and paid release time to attend specialized training (see Professional Development).

Workforce utilization analysis/goal setting

From time to time, we undertake a workforce utilization analysis of staff in each job classification by ethnicity, gender, and disability, comparing the percentages of people of color, women, and people with disabilities in our employment to their proportions of the area labor pool. We also analyze employee demographics to ascertain if the cultural characteristics of employees generally reflects those of the area served. As needed, we implement a plan that a. establishes goals for recruitment, employment, and promotion. As a state and federal contractor, we comply with all state and federal reporting requirements.

2-5 Disabilities and Reasonable Accommodation

In compliance with state and federal law, we are prepared to engage in an interactive process and make a good faith effort in all employment actions to provide accommodations based on disability, religion, and pregnancy if doing so would not create an undue hardship on the organization.

Ability to perform essential functions

An applicant or employee who has a disability must be qualified for the job. This means that they must:

- 1) Satisfy the job requirements for educational background, employment experience, skills, licenses, and any other job-related qualifications; and
- 2) Be able to perform those tasks that are essential to the job, with or without reasonable accommodation.

A person who, even with reasonable accommodation, can't satisfactorily perform the essential functions of a job would not be considered qualified for that position. Under the ADA, the organization is not obligated to lower its basic job expectations.

Requesting an accommodation

If you have a disability and identify yourself as disabled, we invite you to suggest ways in which our work environment can accommodate your disability. Examples of reasonable accommodations are: changing work schedules; allowing part-time work; making changes in job assignments such as delegating certain non-essential job functions to another employee; purchasing special equipment; and reassigning an employee to a vacant position for which they are qualified.

Confidentiality

Your submission of information about your disability will be kept confidential except where necessary for job performance purposes such as working out appropriate accommodations, restrictions in activities, or issues of safety.

Reduction of bias in the selection process

We are engaged in an ongoing process of creating barrier-free job descriptions by:

- Reviewing with greater scrutiny what are essential job functions and qualifications;
- Specifying the need rather than how it's achieved;
- Using plain language rather than sector-specific jargon;
- Asking for ability wherever possible—thereby enabling candidates with transferable skills to compete;
- Asking for transferable work experience instead of specific work experience and a certain number of years of experience;
- Focusing on the qualities or knowledge needed to perform the work effectively—avoiding whenever possible a specific credential (e.g., a degree, diploma, certificate or license) unless required by law, regulation, or funding source.

► See NorthStar's complaint procedure in section 10-2 How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment

Chapter 3 Employment

3-1 Employment Classifications

It is important that you understand which employment classification you fall under, because it determines whether you are eligible for benefits and leave. If you have any questions about your employment classification, talk with your supervisor.

Exempt and non-exempt employees

Your entitlement to earn overtime pay depends on whether you are classified as an exempt or a non-exempt employee.

Exempt employees do not earn overtime because they are exempt from the overtime provisions of the federal Fair Labor Standards Act and applicable state laws. Exempt employees are considered "salaried" and are expected to fulfill the duties of their positions regardless of hours worked.

Non-exempt employees meet the criteria for being covered by the overtime provisions of the federal Fair Labor Standards Act and applicable state laws. They are paid 1½ times their hourly rate ("time and a half") for hours worked in excess of 40 within a workweek.

Different measures are used for exempt and nonexempt positions to establish whether you are a *full-time*, a *part-time*, or *limited part-time* employee. For non-exempt positions, we use number of hours in a regular workweek. For exempt positions, we use FTE "status"; *full-time equivalency* (FTE) is a unit that indicates the regular workload of a position.

Category	Definitions		Benefits eligibility
	Nonexempt	Exempt	
Full-time	Regularly scheduled to work at least 30 hours per week	Regularly scheduled to work 75 % or greater of the normal and expected working time and effort for a full-time equivalent position	Eligible for paid time off, employer-supported health insurance, and other benefits
Part-time	Regularly scheduled to work less than 30 but not less than 20 hours per week	Regularly scheduled to work 50 % FTE but less than 75 % FTE	Receive paid time off and certain other benefits on a pro-rated basis; not eligible to participate in the organization's health insurance plans
Limited part-time	Regularly scheduled to work fewer than 20 hours per week	Regularly scheduled to work less than 50 % FTE	Not eligible for any benefits other than holiday pay

It is important to remember that 100% FTE does not equate to any set number of hours—e.g., 40 or 50 hours per week; it equates to the totality of organization-compensated effort. Although the payroll system uses standard hours of 40 to indicate 100% FTE, 30 hours to indicate 75% FTE, etc., this does not mean that exempt employees who are 100% FTE work only 40 hours per week. Likewise, 75% FTE does not equate to any set number of hours—e.g., 30 hours per week.

Regular employment

You are classified as a *regular employee* if you have been hired to fill a position that is expected to continue for at least a year and have satisfactorily completed your new employee orientation period of 90 work days, or any extension thereof.

Temporary employment

To accommodate seasonal fluctuations in staffing needs, for special projects, or because of a heavy workload, it may be necessary for us to hire *temporary employees* to perform a job or to work on a project that has a limited duration. Temporary employees may work a full-time or part-time schedule. They are not eligible to earn or accrue vacation, personal, or sick leave or to receive any other employer-provided benefits. We will provide to temporary employees any and all benefits mandated by law.

Temporary employees cannot change from temporary status to regular employment status by such informal means as remaining in our employ for a long period of time or through oral promises made to them by coworkers, supervisors, or administrators. Should the temporary position be retained as a regular position, the normal recruitment and hiring process will be followed to fill the position. The only way a temporary employee's status can change is through written notification signed by the executive director.

Like other employees who work for this organization, temporary employees work on an at-will basis. This means that both they and this organization are free to terminate their employment at any time for any reason that is not illegal—even if they have not completed the season or temporary project for which they have been hired.

The union contract in effect may establish different employment classifications that apply to employees covered by the contract.

3-2 Job Descriptions

Job descriptions are an essential part of hiring, orienting, and measuring the job performance of employees. Providing a clear, concise depiction of a job's duties and requirements, a job description communicates to the new (or recently promoted) employee what we expect and what it takes to excel in the job. A job description does not, however, list all the duties of a particular job or restrict management's right to assign or reassign duties and responsibilities to the job at any time.

Job requirements

In addition to summarizing the responsibilities of job positions, job descriptions identify special skills, minimum levels of education and related experience, and licenses/credentials that the position requires. If you are employed in a position that requires licenses and certifications, you must maintain those credentials. We retain the right to check at any time the status of any employee's qualifications related to specific job requirements.

We include specific physical and mental demands in a job description. A job offer may be contingent on the results of the applicant's physical examination. In addition, the organization retains the right to require an updated physical examination at any time during employment to determine the employee's continuing fitness to perform the essential functions of their job.

All employees are required to fulfill health and medical requirements according to position specifications and time frames established by licensing standards, funding sources, and/or the organization. Examples include medical examinations and tuberculosis testing. Such requirements are subject to change.

Changes

In the rapidly changing world of education and human service delivery, a job description is like a snapshot that captures the job position at the time it was written. We review and update job descriptions in response to changes in program needs, licensing standards, funders' expectations, and what is considered best practice. We welcome your input to keep your job description current.

The union contract spells out procedures for changing job descriptions for positions that it covers.

3-3 Background Checks

NorthStar is committed to the protection of all persons who are associated with our organization and programs, including program participants, their families, staff, volunteers, and visitors. Accordingly, NorthStar conducts background checks of all employees and volunteers and interns aged 15 or older who have direct contact with children and youth participating in our programs. We carry out these procedures in a fair, consistent and non-discriminatory manner, complying with applicable state and federal laws and guidelines. Specifically, we are fully committed to amending our criminal history background check practices to reflect the ongoing changes being made in the state's Criminal Offender Record Information ("CORI") regulations.

Background checks may include verification of any information on the applicant's resume or application form. Employment and intern/volunteer placement decisions are conditional upon the results of the background checks.

We also reserve the right to conduct a background check for current employees to determine eligibility for promotion or reassignment.

Background check requirements

All NorthStar employees must undergo the following:

- 1) Criminal Offender Record Information ("CORI") check;
- 2) Department of Children and Families ("DCF") background check regarding whether an applicant have been identified by DCF in a 51B investigation decision as the person responsible for the abuse or neglect of a child;
- 3) Sex Offender Registry Information ("SORI") check; and
- 4) Fingerprint-based check of the national and state criminal history databases.

An applicant may be conditionally hired and have unsupervised contact with children only after all three initial checks—CORI, DCF, and SORI—have been approved. Since different standards may apply in other locations, background checks conducted for other organizations or school districts are not sufficient.

To schedule your fingerprinting appointment, please contact our Business Office. NorthStar will pay the fingerprinting fee.

We will conduct CORI and DCF background records checks of every employee and long-term volunteer every 2 years. NorthStar reserves the right to conduct a CORI or DCF background records check at any time for safety and compliance reasons, provided, however, that we must first provide the employee or volunteer with written notice of any check.

Required approval of background record check reviewer (for EEC-licensed programs). NorthStar will notify EEC when an approved background record check reviewer is no longer in our employment. The executive director will designate a new reviewer as soon as possible. The designee will complete the EEC Background Record Check Reviewer Request Form and submit all the required documentation to the EEC licensor assigned to our EEC-licensed programs. The designee will not be permitted to perform any background record check duties until we have received official word from EEC that the designee has been approved.

Working in school settings

If as a NorthStar employee you work in a public school district setting, you will most likely need to undergo a background check, including being fingerprinted, for that district before working, providing assistance or services in its schools—even if you have been recently undergone a background check conducted by NorthStar. We will make sure that you do not have to absorb the cost for being re-fingerprinted for that school district.

Driving history

Many jobs at NorthStar entail driving on a regular basis. Applicants for jobs that require driving must provide a state-issued Registry of Motor Vehicles (RMV) report as proof that they have an acceptable driving history. We may also request a record of an individual's driving history in any or all states in which they have been licensed. For positions requiring work-related driving, an offer of employment or continuation of employment is dependent on a satisfactory driving history.

Confidentiality

Background check findings are reviewed in a fair, impartial and confidential manner. They are kept confidential and are only viewed by individuals involved in the hiring or placement process or whose administrative duties require them to receive, handle, process, review, and maintain background records check information.

It is not uncommon for CORI and other criminal history reports to contain erroneous information. The employee is the person best able to alert the employer to such errors, before an unwise or unfair decision is made.

Any employee who breaks confidentiality regarding background record check findings will be subject to corrective action, up to and including termination. Disclosure of CORI or DCF background record information to persons not authorized to receive such information may also result in a substantial fine and/or imprisonment.

Retention, storage and destruction of CORI information

State regulations require that hard copies of CORI background record information must be stored in a separate locked and secure location such as a file cabinet. Employers must limit access to the locked location to employees who have been approved by the employer to access CORI information, which, per the statute, are only those with a need to know for the purposes for which the CORI information was obtained. Employers must destroy hard copies of CORI by shredding them.

Employing people with criminal records or adverse DCF findings

Job applicants are expected to answer application and interview questions completely, directly, and honestly. Though protecting the people we serve must be our foremost consideration, we are committed to fairly treating people with criminal records or adverse DCF results in our hiring procedures. Due to the possible discriminatory effects attached to the interpretation of a CORI report (such as the documented disproportion of the criminal justice system's impact on communities of color), significant responsibility rests with organizations to recognize and understand the broader meaning of a CORI report. Unless state regulations require disqualification, we will make our own determination regarding a person's suitability for our employment.

For positions that require substantial direct contact with children or other vulnerable populations, personal safety concerns are paramount. Therefore, the focal points of criminal history record checks for these positions are crimes against persons. In determining a person's eligibility for employment or service based on the CORI and DCF record, we will not automatically reject any candidate with a criminal record (unless required to do so by law or regulation), but will instead consistently consider factors such as both the nature and relevance of any offenses or abusive/neglectful acts and when

they took place as well as evidence of rehabilitation, including education, volunteer experience, employment, references, and any other relevant information, including information provided by the person or requested by us. The executive director's decision is final and may not be appealed.

If information obtained in a background check would lead NorthStar to deny employment, the applicant will be provided with a copy of the report, advised of the parts of the record that make them unsuitable for the position, and given the opportunity to dispute the report's accuracy and relevance before we would make an adverse employment decision on the basis of such criminal history.

We as an organization support public policy initiatives to promote the employment and reintegration of people with criminal records and to modify or eliminate laws and regulations that categorically bar or inadvertently deter people with criminal records from employment.

Current employees' reporting obligations

Current employees must promptly inform their supervisor and the executive director upon being:

- 1) Arrested on charges of on- or off-duty criminal activity that would show up in a CORI records check—you must submit a police report or other documentation concerning the arrest and charges; or
- 2) Named as a person responsible for abuse or neglect of a child in a DCF investigation.

Failure to make such a disclosure will be grounds for termination. Misrepresentation of the circumstances of the arrest or involvement in a case of child abuse/neglect can serve as grounds for dismissal.

In response to a charge or conviction and/or any subsequent imprisonment, the organization will take any action it deems appropriate to the specific situation, up to and including termination. Inability to report to work as scheduled as a result of an arrest may be viewed as violation of the work attendance policy or job abandonment. Acquittal does not preclude corrective action since the prosecution of court cases and supervisory action are separate matters. The executive director's decision is final and may not be appealed. In all cases, action taken by the organization will be consistent with state law.

3-4 Hours of Work

Work schedule

Before you start work, your supervisor or program director will inform you of your work schedule. Your work schedule may subsequently be changed on a temporary or ongoing basis to meet the work demands of your program or department. If your work schedule must be changed, you will be notified as far in advance as the conditions necessitating the change allow.

If you would like to change your work schedule because of family needs or outside commitments, you may submit a request to your supervisor. A change in an employee's work schedule must be authorized by your program director. Because of the staffing needs of our programs, we cannot guarantee that the organization will grant your request.

Alternative work schedules

While the nature of work in most of our programs precludes alternative work schedules, you may be permitted to work a flexible work schedule, compressed workweek, or reduced workweek if we determine that your job duties and your program's staffing needs allow for it. An alternative work schedule is a privilege subject to the approval of the employee's supervisor, the program director, and the executive director. Such approval will be based on the requirements of the job, continued ability to meet program objectives, the employee's needs and circumstances, their length of service, and their performance history. Employees working an alternative schedule may be required to be present during certain hours of every workday or workweek, as determined by their supervisor, the program director, and/or the executive director. At any time, we may require the employee to resume a regular work schedule because of program or departmental needs.

Lactation/Breastfeeding

Any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. She will be provided with a suitable private setting and access to a refrigerator to store her breast milk. Any breast milk stored in the refrigerator must be labeled with the employee's name and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering.

Exempt employees

The workweek for most full-time exempt employees is considered to be 40 hours and, for other full-time and for part-time employees, the proportion of 40 hours equivalent to the appointment percentage. For exempt employees, greater emphasis is placed, however, on meeting their assigned work responsibilities than on the number of hours they work. Though their responsibilities may require additional hours or work outside normal hours, including evenings and weekends, exempt employees do not receive overtime compensation, compensatory time, or additional compensation beyond their established salary.

Non-exempt employees

During the hiring process, applicants for non-exempt positions are informed of the number of hours in the normal workweek and anticipated variations caused by workloads. We may alter the length of employees' workweeks for business reasons.

1. Lunch breaks. Employees are allowed a lunch break of at least 30 minutes if their workday lasts 6 hours or longer. Your supervisor will determine the length and timing of your lunch break based on the staffing requirements of your program or department. Lunch breaks are generally unpaid. State law stipulates that, during their meal break, employees must be relieved of all

responsibilities. If then you are required to work or remain at your work station during the lunch break, you will be paid for that time. Lunch breaks shouldn't be avoided for the purpose of obtaining additional time off or shortening the normal workday; in other words, they normally can't be used at the beginning or end of the day to allow for a late start or early departure from work.

2. Travel time. According to wage and hour laws, some travel time is counted as time worked, while other kinds of travel time are not.
 - a. Travel time between home and work is not considered time worked unless you have assigned work at home.
 - b. Travel time to conduct organization business (e.g., making a bank deposit or picking up supplies) is counted as time worked. Time spent driving from one work site to another during the workday is considered time worked.
 - c. Travel time to out-of-town work activities such meetings and training sessions is normally counted as time worked. Travel between home and the bus station is not considered time worked, however, since it is regarded to be the same as travel between home and work.
 - d. Emergency callback. If, after completing a normal workday and returning home for the evening, you are called back to work because of an emergency, your time spent traveling between home and work to perform the emergency work is considered to be working time.
3. On-call time. An employee is considered to be in on-call status only when specifically assigned by the organization. On-call time at home is not considered hours worked when employees are free to engage in activities for their own purposes, but are required to inform the organization how they can be reached and remain near a phone or to carry a phone to receive messages from work. Employees will not be compensated for this type of on-call time.
4. Work done at home must be specifically assigned and pre-approved by the employee's supervisor. Work done at home counts as hours worked. Failure to maintain a specifically assigned and pre-approved work schedule is grounds for corrective action.
5. Required training attendance. When non-exempt employees are required to attend training, the time spent in training is counted as time worked. Salaried employees are not paid for training time that occurs when they do not normally work.
6. When a non-exempt employee has to be on duty for 24 hours or more (e.g., on a camping trip), the organization and the employee may agree to exclude bona fide meal periods and a bona fide regularly scheduled sleeping period of not more than 8 hours from hours worked, provided adequate sleeping facilities are provided and the employee can usually enjoy an uninterrupted night's sleep. Prior to being on duty for 24 hours or more, the employee will be asked to sign a written agreement that the 8 hours of uninterrupted sleeping time and lunch periods will not be counted as hours worked.
 - a. If the sleeping period is of more than 8 hours, only 8 hours will be excluded in calculating hours worked.
 - b. If the sleeping period is interrupted by a call to duty, the interruption must be counted as hours worked. If the employee is not relieved of all duties for at least 5 hours during the scheduled sleeping period, the entire period must be counted as time worked.

Reporting time worked

We are required to maintain records of employees' work hours. All employees must complete weekly time sheets and submit them to their supervisor for approval. Please make sure that your actual time

worked and leave time taken are recorded accurately. No one may make entries on another employee's time record without proper authorization. Falsification of a time record is breach of organization policy and grounds for corrective action, up to and including termination.

1. Non-exempt employees. Because non-exempt staff employment is covered by the recordkeeping regulations and overtime pay protections of the Fair Labor Standards Act, the number of hours that a non-exempt employee works is closely tracked. Non-exempt employees are responsible for accurately recording actual hours worked and hours of approved leave time taken on weekly time sheets.
2. Exempt employees. Although their number of hours worked is typically not closely tracked, exempt employees must complete a time report on a weekly basis. For auditing purposes, an exempt employee may have to indicate hours worked by funding source or functional category. The organization may for other reasons require an exempt employee to account for time worked.

For exempt employees, infrequent absences of less than a half-day are generally not tracked or covered through the use of leave accruals. Absences of a half-day or more should be covered through the use of appropriate leave accruals and must be indicated on an employee's time report by type and number of hours of leave used. Exempt employees may not independently establish or change their regular schedule or core hours of work; supervisory authorization is required.

Time sheets and time reports are records of leave time and not requests. Requests for leave must be in writing and made separately.

3-5 Pay

Pay levels

To attract and retain qualified employees, we seek to pay employees in an equitable manner and as competitively as each program budget allows. We attempt to maintain integrated pay guidelines across all programs, in spite of the fact that the programs have different funding sources and must meet different staff qualifications with regard to education, certifications or licenses, and experience. To establish starting pay rates and increases across programs, we, where possible, take into consideration levels of job responsibilities, education and training requirements, and other job prerequisites.

NorthStar is active in public policy advocacy to increase funding for our programs. If additional funding becomes available, we, whenever possible, apply some or all of the funding to increase starting rates of pay, to increase pay for current employees, to make pay adjustments in response to substantially changed job responsibilities, and to eliminate any pay discrepancies among employees with similar qualifications, responsibilities, and seniority. One-time bonuses may be given from time to time, with or without consideration for current pay level, performance, and longevity. Pay rates for employees covered by the union contract are arrived at through the collective bargaining process.

Release of pay information

If you would like us to give out information on your salary or rate of pay to lending institutions, for example, you must provide us with a written release. A release form is not required for release of such information to regulatory or welfare support organizations using identifiable forms of communication. All outside inquiries regarding an employee's salary or rate of pay should be directed to the Business Office for response.

Pay schedule

Employees are paid weekly. You will receive your paycheck on the Friday following the payroll period. If payday falls on a holiday, you will receive your paycheck on the last workday immediately before payday.

Advance pay policy

NorthStar does not allow employees to receive pay advances, with the exception of vacation pay. An employee who will be on vacation on payday may submit a request for an early paycheck to the Business Office. Although we can't guarantee that every request will be granted, we will do our best to accommodate your request.

Paycheck distribution

Paychecks are normally distributed at employees' work sites. If an employee is not scheduled to work on payday, they may pick up their paycheck at the Business Office. Employees who wish to have their paycheck picked up by someone else must submit a signed authorization in advance.

Direct deposit

Direct deposit is a service available to employees. Employees are encouraged to arrange for the direct deposit of their paycheck to the bank, savings institution, or credit union of their choice. Pay can be automatically directed to more than one account; for example, a portion of the paycheck can be deposited to a savings account, with the balance deposited to a checking account. Enrollment forms can be obtained from the Business Office.

The advantage of direct deposit is that you do not have to cash or deposit a paycheck, which takes time and can cause some delay in funds availability if the check is not cashed or deposited the same day it is received. Through direct deposit, your earnings are deposited electronically each payday. On

payday, instead of a check, you receive a pay advice statement that serves as your notice of deposit and your record of payment.

Payroll deductions

Your paycheck reflects your total earnings for the pay period as well as mandatory and voluntary deductions from your paycheck. We are required to deduct Social Security contributions (FICA) and federal and state income taxes from each of your paychecks. Voluntary deductions are deductions that you have authorized. Such deductions may include voluntary increased tax withholdings, your share of health insurance, union dues, and United Way contributions.

United Way

As a United Way agency, we receive annual financial support from United Way of Greater New Bedford. NorthStar also benefits from United Way's public relations efforts and volunteer initiatives.

Each year United Way conducts a campaign to raise money to help meet the needs of area children, youth, and families. Employees will receive a notice regarding the campaign and will be asked to consider making a contribution. Donations may be made in a lump sum or as a regular payroll deduction throughout the year. You may designate your donation to NorthStar, another United Way agency, or other organization not affiliated with United Way. Contributions to United Way are tax-deductible. Whether or not you contribute to United Way is a personal decision and will have no bearing on your status within this organization.

United Way donations through payroll deduction may begin at any time. Forms are available from the Business Office.

Wage garnishments

A wage garnishment is an order from a court or a government agency directing us to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages may be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or money owed as a result of a judgment in a civil lawsuit.

If we are instructed by a court or agency to garnish your wages, we will immediately notify you about the garnishment. Please note that we are legally required to comply with these orders. If you dispute the amount of a garnishment or want to consider alternate methods of payment, you must contact the court or agency that issued the order.

Reviewing your paycheck

Each employee is responsible for reviewing each of their paychecks carefully and promptly reporting any discrepancies, whether overpaid or underpaid, to the Business Office so that any errors may be corrected. If you have any questions about your deductions or wish to change your federal withholding form (Form W-4), contact the Business Office.

3-6 Overtime

On occasion, you may be required to work more hours than your normal schedule. Whenever possible, we will give employees advance notice when overtime work is necessary.

Non-exempt employees

Non-exempt employees are entitled to overtime pay, according to the following guidelines:

1. "Voluntary" additional work time is not allowed. Normally, all additional work time must be approved in advance. Unanticipated or emergency situations may arise that may require an employee to work additional hours without prior authorization. For example, an employee may have to remain at an early childhood education center past the normal closing time with a child whose parent/guardian is late in picking them up. When an unanticipated or emergency situation requires an employee to work beyond their regular scheduled hours, the employee must record the additional hours worked on their time sheet and let their supervisor know by the next workday.
2. For the purposes of calculating how many hours an employee has worked in a week, our workweek runs from Saturday at 12:01 a.m. and ends at midnight on Friday. Our workday begins at 12:01 a.m. and ends at midnight each day.
3. In computing the number of hours to be paid at the overtime rate for the week, only time actually spent working counts as hours worked. Paid vacation, sick leave, holidays, bereavement leave, or any other type of paid time during which the employee does not actually work will not count as time worked.
4. Non-exempt employees are paid at the straight-time rate for additional hours worked for up to 40 hours of actual work in a workweek. They are paid 1½ times their regular hourly rate of pay ("time and a half") for all hours worked in excess of a 40-hour week.

The Fair Labor Standards Act does not permit private organizations to give compensatory time off instead of overtime pay.

Exempt employees

Exempt employees are expected to fulfill their job responsibilities and their performance is evaluated on the basis of task completion and overall results. Time worked beyond their normal workday or workweek does not affect the amount of their salary.

Compensatory time is not appropriate for exempt employees because it implies the tracking of hours worked. Flexible scheduling may be available to help exempt employees balance personal and work responsibilities. The executive director or program director may grant a short-term paid leave to an exempt employee who has worked an extraordinary amount of hours over and above what is usually expected.

3-7 Personnel Records

We treat personnel files as private records; we lock them up and allow access to them only on a need-to-know basis or if a law requires the release of the information.

What is kept in a personnel file

Massachusetts law defines the term “personnel record” broadly, to include a record kept by an employer that is used or has been used with regard to an employee’s qualifications for employment, and any information or documentation that may affect an employee’s promotion, transfer, additional compensation, or disciplinary action. The following is included in your general employee file:

- Name, address, date of birth;
- Job title and description (present and past positions);
- Starting date of employment;
- Employment application;
- Resumes or other forms of employment inquiry submitted to the employer in response to its advertisement;
- Work eligibility record (I-9 Form);
- New hire orientation checklist;
- Records relating to promotion, demotion, transfer, layoff, rates of pay and other compensation;
- All performance evaluations, including counseling forms and written warnings of substandard performance;
- Emergency contact information;
- Change in personal data form;
- Signed acknowledgments of the Employee Handbook and the Health and Safety Manual;
- Policy acknowledgments and agreements, including Sexual and Other Unlawful Harassment, Confidentiality, and Email and Internet policies;
- Documentation of attendance or completion of education and training, including certification in basic first aid and CPR;
- Letters of recognition, awards, citations for excellent performance;
- Documentation of professional certification and/or license, if applicable;
- Copy of driver’s license and proof of insurance coverage carried on employee’s vehicle, if work-related driving is required for the position;
- IRS form W-4 (the employee's withholding allowance certificate);
- Agency issuance of cell phones and other equipment agreement;
- Forms relating to employee benefits (e.g., employee statement of participation/non-participation in flexible benefits plan);
- Work attendance records; accrued vacation, sick, and personal leave;
- Requests to review personnel file;
- Documents relating to the worker's departure from the organization, documents relating to continuing benefits (such as COBRA), unemployment documents.

We periodically review each employee's personnel file—typically when we conduct the employee's annual evaluation—to make sure the documents in the file are accurate, up to date, and complete.

Departmental files

Like many other employers, we have two sets of personnel files for employees, an employment file and a department file, also called a supervisor's file. Program managers or department heads maintain department files for their employees, which contain specific information about performance and attendance. All original documents are placed in the personnel file and managers/department heads keep only copies. These files are maintained in a confidential manner—in a locked drawer to which only the program director has access.

Please notify us if your information changes

Because we use the information in your personnel records to take actions that are important to you, it is critical that the information in those files be complete and up to date. Please notify the Business Office whenever any of the following changes:

- Your name
- Your mailing address
- Your phone number
- Your dependents
- The number of dependents you are designating for income tax withholding
- Your marital status
- The name and phone number of the person whom we should notify in an emergency
- Restrictions on your driver's license

Notification requirement

Nothing should be filed in the employee's file that has not been discussed with the employee. Massachusetts law requires employers to notify employees within 10 days of adding any information to their personnel record that could “negatively affect the employee’s qualification for employment, promotion, transfer, additional compensation or the possibility that the employee will be subject to disciplinary action.” This notification requirement should be satisfied through the procedure of providing a copy of performance reviews and counseling forms to the employee, with the notation included on the forms that a copy has been forwarded to the employee’s personnel file and a copy is being retained by the employee’s supervisor or department head.

Who can look at employee files?

Employee files are maintained by the Business Office and are considered confidential. Employee files are kept in a locked file cabinet and are only available to the people who have a legitimate reason to view information in an employee file. Personnel files are to be reviewed in the Business Office; they may not be taken outside of the Business Office.

An employee’s right to view their own file. An employee is entitled, within 5 business days of submitting a written request, to see their own personnel records. Our policy is that a supervisor must be present to make sure nothing is taken, added, or changed. An employee may also obtain a copy of your personnel records within 5 days of submitting a request.

You may challenge, in writing, the accuracy, relevance, or completeness of information contained in your personnel record and request that the information be removed or corrected. We may agree with you to remove the disputed information. If an agreement is not reached, you may submit to us a written statement explaining your position about the disputed information, and your statement becomes part of your personnel record. As long as the disputed material is retained as part of the record, your statement must be included when the disputed material is transmitted to a third party.

Other access to personnel files. There are employees who have a legitimate need to view the information in a personnel file. For example, a supervisor may need to review performance evaluations to decide whether to promote an employee.

Retention requirements

We are required to retain the complete personnel record of an employee without deletions or expungement of information (except by mutual agreement of the employer and the employee) for 5 years after their leaving our employment. A former employee can also request and receive their personnel records under the law. Further, if an employee brings a legal action against the employer in court or before an administrative agency (for example, the Massachusetts Commission Against Discrimination), the employer must retain the personnel record until final disposition of the proceeding—even if that exceeds 5 years.

Keeping medical records separate

An employee's medical file is the repository for everything that has to do with their health, health benefits, employee health-related leave, and benefits selections and coverage for the employee. Because medical files contain sensitive and confidential information, they must be kept in a separate, locked cabinet, apart from the location of personnel files. Access to employee medical files is restricted to administrators with a need to know owing to their HR responsibilities. For example, supervisors usually do not have a need to know unless there is an accommodation requirement, in which case only the information they require to assess accommodation needs should be released to them.

Contents of the employee medical file. These are the types of items that should be stored in the employee's medical file.

- Applications for any employee benefit that might require medical information
- Disability accommodation requests
- Requests for paid or unpaid medical leaves of absence
- Family Medical and Leave Act (FMLA) reports and related paperwork
- Physician's examinations, notes, correspondence, and recommendations
- Medically-related excuses for absenteeism or tardiness
- Medical job restrictions
- Accident and injury reports, including OSHA-required documents
- Workers' compensation reports of injury or illness
- Any other form or document that contains private medical information about an employee.

Investigative files

When a workplace investigation is conducted, the normal course of action is to create a separate file folder for investigative materials—e.g., witness statements, copies of legal research, notes about witness credibility and employment actions recommended by the investigator or legal counsel. Although the workplace investigation may involve one or more employees, we never keep investigative materials in the personnel files of the employees involved in the investigation.

If an employee was the subject of a sexual harassment investigation, for example, investigative materials, including statements from other employees, may exist. Information contained in these documents may have formed the basis of corrective action against the employee accused of harassment. In these situations, disclosure of the investigative materials involving the accused employee potentially may have a chilling effect on the reporting and investigation of sexual harassment claims. According to the Massachusetts Attorney General's office, these investigative materials are exempt from disclosure.

3-8 Open Jobs

Recruitment

Most job openings are posted internally. Depending on our needs, we may seek both internal and external candidates. Consistent with our obligations as a state and federal contractor, we may undertake special recruiting efforts to identify candidates who are members of “protected groups” (e.g., people of color, women, people with disabilities, and Vietnam era veterans). The organization retains sole discretion to decide whether to fill a position by a transfer, a promotion, or a new hire.

Selection criteria

We try to fill each position with the best-qualified individual. Factors taken into account when selecting a candidate include education, experience, knowledge, skills, fluency and literacy in English and other languages spoken in the community, ability, level and quality of performance in their current and previous jobs, overall contribution to their current and previous places of employment, cultural competency, and dependability. Selection criteria also include current and future skills needs of the organization, its overall development plan for employees, and the organization’s commitment to maintaining a diverse workforce.

When interviewing job applicants, employees on the interview committee are instructed to restrict their questions to topics that clearly relate to job requirements and expected job performance and to use the same set of objective questions for all candidates. When recommending candidates for employment, interviewers are expected to apply the same criteria to all candidates.

We will comply with state workers’ compensation law giving preference for rehire to injured employees when they recover from their job-related injuries.

Required documentation

Prior to making an offer of employment, we will normally complete employment references and verification of credentials and background. If because of staffing needs or other reason an offer is made prior to the employment process being completed, employment will be contingent on satisfactory completion of the hiring process.

Movement of employees: promotions and transfers

When an employee moves to another position within the organization, the move is classified as either a promotion or a transfer. A promotion occurs when the employee moves to a job with a higher salary range. A transfer is when an employee moves to a position that is at the same or lower salary range.

Employees may discuss with any supervisor or administrator the possibilities for advancement within their program or the organization. We encourage you to apply for promotions that would advance your professional career and broaden the scope of your work experience. If you feel that a position in another program would make better use of your interests and skills, you can discuss your job preferences and career goals with your supervisor or other administrator. Your application for a promotion or transfer won’t in any way jeopardize your present position. Those who are responsible for filling a vacant position are expected to regard all internal applications as confidential as is possible prior to final consideration—except that the applicant’s current and past supervisors may be contacted to obtain a reference.

The union contract spells out procedures for filling positions that it covers.

3-9 Layoff/Recall

If workforce reduction becomes necessary due to funding problems or a shift in the organization's direction, we will, whenever practical, eliminate open positions that result from staff turnover. Generally, temporary and newly hired employees will be laid off before employees who have completed their new employee orientation period.

Specific decisions about which jobs or employees will be affected by a workforce reduction will be made by the executive director with full consideration of the needs of the organization and of the community, the nature of the program(s) affected, and, where appropriate, the level and quality of contribution of employees, skills and abilities applicable to program/departamental needs, and length of service. Longer length of service will be the deciding factor only when all other measures of employee qualifications, capability, contribution, and appropriateness are equal.

Notice to affected employees

An employee who is being laid off will be informed of the decision and effective date of the layoff as far in advance as is possible.

When employees are scheduled for layoff, the organization will make every effort to accommodate their requests for paid and unpaid time off to go to job interviews. We ask that you schedule, when possible, job interviews to minimally impact your program's operations.

Return to work from layoff status

Employees scheduled for layoff or on layoff status will be given priority consideration for vacancies for which they qualify for a period of 1 year.

When an employee returns to work from layoff status, they will be credited with whatever seniority they had accumulated up to the date of layoff for the purpose of, among other things, calculating their vacation leave accrual.

Maintenance of health insurance coverage

In compliance with a federal workplace law commonly called *COBRA*, NorthStar offers employees on layoff status the option of continuing their participation in the organization's group health care plans for up to a minimum of 18 months from the date of layoff; the employee must pay the full cost of coverage. (See section 8-3 Maintaining Health Insurance under COBRA.)

Employees covered by the union contract should refer to the contract in effect.

3-10 Ending Employment

Giving notice

Employees may leave employment with the organization at any time for any reason. If you decide to leave your job, however, please give written notice as far in advance as possible to allow your program or department to secure and train a replacement. You are asked to give notice at least 2 weeks prior to the last day on which you will be actually performing your job duties.

During your last 2 weeks of employment with the organization:

1. You can't use accrued vacation time; your final paycheck will include pay for all unused vacation time.
2. You must provide medical documentation if you need to take sick leave; otherwise, the sick leave will be unapproved and without pay.
3. Use of personal time for non-emergency reasons will be subject to supervisory approval.

These provisions will not apply in the case of a leave protected by regulation.

Voluntary resignation without notice

Barring extraordinary circumstances, not reporting to work 2 or more days in a row without approved leave will be considered voluntary resignation without notice. If you are separated due to voluntary resignation without notice, there is no right to appeal.

Return of NorthStar property

When an employee leaves employment with NorthStar, they are responsible for satisfactorily completing all assignments and turning in all agency property, including all program participant records, office keys, manuals and handbooks, and electronic equipment prior to the date their final paycheck is issued.

Final paychecks

When their employment ends, employees will receive pay at their current rate for all time worked and all unused vacation time they have earned. No employee has a right to receive pay for unused sick or personal time, however. When an employee leaves the organization, they are expected to make arrangements for clearing up any debts owed to the organization. Any amounts owed the organization for advance pay, advance sick leave, or other reason will be deducted from the employee's last pay. If the employee's last paycheck is insufficient to cover the debt, they will be billed accordingly with all remaining amounts due and payable.

Typically, employees who resign receive their final paycheck on the next regular payday. Employees who are terminated involuntarily will receive their final paycheck on the day of termination.

Severance pay is discretionary

Generally, we do not pay severance to employees leaving the organization, whether they quit, are laid off, or are terminated for any reason. We reserve the right, however, to pay severance to a terminated employee on a case-by-case basis. Decisions about severance pay are wholly within management discretion and are not appealable. No employee has a right to severance pay and you should not expect to receive it.

Continuing your health insurance coverage

The organization offers full-time employees group health insurance coverage as a benefit of employment. If you are no longer eligible for insurance coverage because of a reduction in hours,

because you quit, or because you are fired for reasons other than serious misconduct, you have the right to continue your health insurance coverage for up to a minimum of 18 months. You will have to pay the cost of this coverage. (See section 8-3 Maintaining Health Insurance under COBRA for more details.)

Exit interview

Just before they leave, we ask every departing employee to participate in an exit interview, either in person or by phone, on or near their last day of work. The primary purpose of the exit interview is to learn reasons for the person's departure and what they hope to achieve in their next job, on the basis that criticism can help inform program and organizational improvements. Exit interviews also invite their assessment of the working environment, culture, processes and systems. The role of the interviewer is to gain information and insight, not explain or defend the organization. An exit interview is also another opportunity for the departing employee to leave on a positive note, with good relations and mutual respect. We tell the departing employee who does not want to participate in an in-person interview that they may submit feedback (with or without their name) by mail or any other mode of communication they prefer—or elect not to give feedback at all.

The exit interview also gives us a chance to handle some practical matters relating to the end of your employment. You will have an opportunity to ask any questions you have about insurance continuation, final paychecks, references, or any other matter relating to your employment.

References

When contemplating giving or requesting references, employees should understand the difference between organization-authorized *employment references* and unapproved *personal references*:

1. Employment references. Employers must rely on mutual cooperation to make informed hiring decisions. The organization provides employment references to former or current employees' prospective employers. Employees authorized to give employment references include program directors and administrators. Every effort will be made to reflect a fair and factual accounting of job responsibilities and performance, attendance, and dates of employment.
2. Personal references. If contacted by a prospective employer to give an employment reference, a coworker should refer the request to the supervisor or program director of the employee for whom a reference is being sought. A coworker may provide a personal reference for a past or current employee provided that they clearly explain the non-supervisory nature of the employment relationship and provided that they clearly state that they are not representing the organization.

Contact information

To be able to send necessary information, including W-2 forms, we request anyone leaving employment with NorthStar to keep us informed of any changes of name or address.

Chapter 4

Staff Development

4-1 Orientation

New employee orientation

With an eye toward goals of helping create a welcoming atmosphere and providing the guidance necessary for new employees to be successful on the job, your supervisor or manager will meet with you on your start date to provide you with:

- 1) An overview of NorthStar's history, mission, values, structure, programs and services;
- 2) Information on our policies and procedures—you will be given copies of our Employee Handbook and Health and Safety Manual and time to review them and ask any questions;
- 3) Program-specific policies that apply to you;
- 4) A tour of your worksite and an opportunity to meet your coworkers.

The Business Office will explain payroll procedures and employee benefit programs. You will be asked to complete paperwork relating to your employment, including tax withholding, emergency contact, and benefits forms.

We have provided supervisors and managers with checklists to help them navigate this process. If you were to work in our EEC-licensed early education and afterschool programs, your orientation meeting will cover the areas included on the EEC-developed Staff Orientation Checklist. At the end of your orientation, you sign the staff orientation checklist to indicate you have received information in all the identified areas. The person providing the orientation will document the dates and duration of your new employee orientation. The completed form is placed in your personnel file. Ask your supervisor any additional questions that may come up after the meeting.

New employee orientation period

The first 90 work days are considered an orientation period for all new employees assigned to regular positions. During this time, your supervisor will work with you to help you learn how to do your job successfully and what the organization expects of you. This period also provides both you and the organization with an opportunity to decide whether you are suited for the position you were hired for. Your orientation period may be extended the number of days you are absent due to an approved leave or layoff period and/or if your supervisor decides that more time may be necessary for assessment. Successful completion of your orientation period does not guarantee you a job for any period of time or in any way change the at-will employment relationship.

Promotion or transfer

If you are promoted or transferred to another job classification, you will likely undergo a 90-day orientation period to determine if you can successfully perform the responsibilities of your new job. If you can't meet the performance expectations for your new job, we will try to place you to a more suitable position.

If you have been hired to fill a position covered by the union contract, you should also meet with a shop steward to review the contract.

4-2 Supervision

Supervision is intended to guide and support employees at all levels to provide the best possible services for children, youth, and families. We try to carefully select supervisors who have the aptitude and skills necessary for effective supervision. We have developed written policies to help supervisors in their supervisory practice.

To be most effective, the supervisory process should be an informed, cooperative effort in which the supervisor and the person being supervised should:

- 1) Be familiar with the organization's employee policies and procedures;
- 2) Refer to the relevant policy or procedure when they need clarification so as to avoid missteps in decision-making;
- 3) Know the health and safety policies and regulations that apply to their program and help promote and maintain health and safety standards;
- 4) Immediately report any injuries or unsafe conditions;
- 5) Keep legally sound, detailed, accurate, up-to-date written records.

In their initial meeting with a person they are going to supervise, the supervisor should explain the supervisor's role is to assist the employee in doing their work well, including:

- 1) Instill an understanding of their duties and responsibilities;
- 2) Ask what supports would be most helpful to them in carrying out their work;
- 3) Explain changes in policies and practices, as they occur;
- 4) Cultivate a positive, cooperative work environment that promotes recruitment and retention of qualified staff, continuing professional development, and identification of child and youth development work as professions;
- 5) Evaluate employee performance and make recommendations for personnel actions;
- 6) Advise on coping with challenging children, youth, and family members;
- 7) Encourage highly motivated employees to prepare for more responsible positions;

For EEC-licensed programs. Supervision in EEC-licensed programs must also include:

- 1) Collaborating with employees in developing, reviewing, revising, and updating their individual professional development plan;
- 2) Observing employees at least every 2 months while working with children and providing timely feedback on the observation to promote growth in their practice;
- 3) Consulting with employees regarding children's individual needs and communicating with families; and
- 4) Documenting all observations and consultations.

Staff meetings

Convened at least 2 hours per month, regular program-level staff meetings take up program planning, policies and procedures, legislation, regulatory changes, meeting individualized needs of children and families, and other program issues. Organization-wide meetings consider important issues affecting all of our programs. In all staff meetings, employees are encouraged to express their views on issues and policies and to ask any questions they have.

4-3 Performance Feedback and Evaluations

Because every NorthStar employee contributes to our provision of services to children, youth, and families, we expect everyone to perform to their highest level possible. Poor job performance can lead to corrective action, up to and including termination.

We seek to create work environments where employees and their supervisors engage in ongoing, two-way discussion about work, including job requirements, job expectations, job satisfaction, assessment of progress, ways to improve job skills as well as career goals and opportunities for career growth. Employees are expected to become proficient in their work within a reasonable amount of time and consistently perform their duties in a safe, competent, and timely manner. Early educators and youth-serving employees will be given feedback at least monthly on how well they facilitate age-appropriate learning activities for program participants. At any time, you may ask where you stand with regard to program expectations and how and where to seek guidance on job skill and career development.

Performance reviews

At least yearly, your supervisor will complete a written evaluation of your job performance and meet with you to discuss it. We include employee self-assessments as part of our performance review process. Rather than simply being the "recipient" of feedback from their supervisor, the employee is an active contributor who can inform or shape their supervisor's performance. This active participation helps them to be more engaged with both their performance and the review process overall. This active participation helps employees take responsibility for their own performance and professional development.

Having the employee complete a self-assessment allows their supervisor to view performance through their eyes and get the employee's "side of the story". An employee self-appraisal can help identify differences in perception that might not surface otherwise, allowing the supervisor to prepare appropriately for the review meeting and ensure a productive discussion and fair performance ratings. In some cases, the information revealed in the self-appraisal might even guide or redirect the supervisor's assessment.

These performance reviews identify what employees have done well and areas in which they can improve your performance. You can also discuss your personal career goals and ways to achieve your goals. Details from performance reviews are kept confidential. To ensure that they are accessed only on a need-to-know basis, we keep your written evaluations and other records of work performance documentation separate from your personnel file.

New employees will typically receive at least one performance review within their orientation period. Thereafter, performance reviews will generally take place annually unless special circumstances—such as a promotion or transfer—require adjustments to this cycle. An employee's job performance may be evaluated at any time.

Your right to add a rebuttal

If you disagree with part of your written evaluation and can't find agreement with your supervisor to remove or amend it, you may submit a written rebuttal to be attached to it.

Your right to access work performance documentation

If you want to inspect or obtain a copy of your evaluations and/or other performance-related documentation, please submit a written request to your supervisor. They will arrange for you to view it and/or receive a copy within 5 business days of your submitting your request.

Employee recognition

We recognize employees for special contributions and achievements in other contexts besides annual performance reviews—e.g., all-agency staff meetings; letters of praise, with a copy placed in the employee's personnel file; use of employee names in board or other status reports; announcement of suggestions used and their positive impact; lunch or dinner for a program team after a job well done; special assignments to people who show initiative. We welcome your suggestions on ways we as an organization can show appreciation for the accomplishments and contributions of individuals and teams. It is, after all, the ability, commitment, and passion of employees that enable us to effectively engage children, youth, and families “where they are at” and help them achieve success in school and other facets of their lives.

Employee covered by the union contract should refer to its provision on job evaluations.

4-4 Professional Development

Goals and objectives

Professional development is a key pathway to realizing NorthStar's overarching goal to provide programs and opportunities for promote the achievement of better outcomes for the children, youth, and families that we serve. To this end, we are committed to continually increasing employee performance through an ongoing organization-wide process of professional development, with the following objectives:

1. Ensure that employees' professional development experiences are research-informed, evidence-based, and aligned with specific outcomes that define what the employee should know and be able to do for children, youth, and families;
2. Provide opportunities for employees to meet credentialing, certification, and/or licensing requirements (e.g., certification in basic first aid and CPR within 6 months of employment, attendance of required hours of training);
3. Continue to update employees' knowledge and skills through a planned, integrated set of learning experiences that advance their proficiency along a professionally-recognized continuum of core competencies germane to their field of work (e.g., early childhood education, positive youth development);
4. Actively engage each employee in creating an individual professional development plan that harnesses their strengths and responds to their background, experiences, current role, and job aspirations;
5. Increase employees' professional identification, job satisfaction, and retention;
6. Encourage employees to apply for open positions with increased responsibilities.

Organization-wide staff development

For meaningful professional development to take place, the entire organization must support a culture of "lifelong learning" that encompasses personal as well as professional growth. Effective, continuous staff development across roles encourages mutual learning and a common framework of working together, while helping us to reflect and create competent, relevant, dynamic approaches to facilitating learning and growth in the people we serve.

Regular in-service training for all employees reasserts our fundamental principles, values, and approaches and reinforces a shared sense of long-range direction in the face of rapidly changing conditions. We periodically provide training for all levels of employees so we are all able to:

- 1) Impart the philosophy, mission, general approach, and services we provide;
- 2) Contribute to creating welcome and inclusive organizational/program environments;
- 3) Connect with children, youth, and families we serve in positive, personal, supportive ways.

Individual professional development plans

We work with each employee to create an individual professional development plans to support their professional growth. The individual professional development plan is based on both the individual's needs and strengths as identified through self-reflection, performance review, and program evaluation and improvement processes. Individual professional development plans may respond to higher educational and knowledge requirements that funder, licensing, and accrediting agencies establish for the individual's job position.

In crafting the plan, the employee and their supervisor consider available professional development opportunities (e.g., community college and university courses, training sessions) that support the plan's goals, with due consideration of affordability. The individual professional development plan is regularly revisited to gauge progress being made toward the goals in the plan and to make

adjustments in the stated goals. At least annually, the employee and their supervisor will review the entire individual professional development plan to assess whether the employee has completed their goals, to update their status, and to establish new goals.

Whether in their employee or supervisory role, employees can at any time offer feedback on the professional development planning and assessment process to the executive director or any other administrator. While you don't have to identify yourself in your written feedback, anonymity would limit our ability to remedy specific situations.

Program-specific training requirements

NorthStar ensures that its employees receive the appropriate training and are qualified to perform their jobs. Supervisors and managers are responsible for ensuring that their supervisees complete the annual minimum training hours required for their program.

For all EEC-licensed programs. Employees working in EEC-licensed programs will fulfill the annual number of professional development hours required by regulation. Individual professional development plans will support EEC-identified goals of professional development:

- Increase the knowledge, skills, and abilities of educators;
- Improve the quality of early education and care and out of school time programs;
- Improve outcomes for children.

Each goal is formulated with an achievable action plan and timeline.

Organizational supports for professional development

Depending on availability of funding and program needs and priorities, we may support your request to enroll in a course, attend a conference, or participate in other training by full or part payment of fees and expenses, the provision of release time with pay, and/or flexible or alternate work scheduling. If you wish to take a course, you may request reimbursement for tuition, books, and supplies. The course or other training must clearly support your professional development in your current position or be related to a career path that will prepare you for another position within the organization.

Employees seeking release time and/or payment or reimbursement for professional development purposes should submit a written request to their supervisor at least 30 days in advance of the course/training start date. Where the number of employee requests to participate in an education/training activity exceeds available funds, the program director may consider job performance, seniority, job-relatedness of the activity, and prior use of professional development funding in the selection process.

Attendance/satisfactory completion requirement

When NorthStar prepays your training/course enrollment fee, you must sign an agreement to reimburse the organization for that fee within a specified time if you don't attend the training. To qualify for our payment of course-related expenses, you must receive a grade of C or better. The agreement will specifically authorize NorthStar to deduct the amount from your pay if you resign, are terminated, or fail to repay the organization. In extraordinary circumstances, the program director or the executive director may waive this reimbursement requirement. No such waiver will constitute a promise of waiver for any other employee, regardless of any similarity in circumstances.

Documentation

You must document your participation in approved training activities on our form and submit completed forms to your supervisor. They are kept in your personnel file.

Employees covered by the union contract should refer to its staff training provisions.

4-5 Students and Volunteers

Student learning opportunities

In the course of providing programs and services for children, youth, and families, NorthStar provides internships, practicums, work-study, and observation opportunities for students from area high schools, colleges, universities, and other training programs. We view our provision of these internship, practicum, work-study, and observation opportunities as a principal way to expose students to the fields of early education, afterschool, youth development, and family support and, therefore, part of our professional and community/social responsibility.

Volunteer opportunities

Many people give time and energy to NorthStar on a volunteer basis. Members of the board of directors serve in a volunteer capacity. Other volunteers from the community are involved in providing direct services. Some come through sponsoring programs such as the Foster Grandparent Program, while others volunteer on their own. We welcome employee assistance in recruiting additional volunteers.

Status

Interns, students completing practicums, work-study students, and volunteers should understand that they are not entitled to a job at the conclusion of their training or volunteer service. They are not covered by the Fair Labor Standards Act and are not considered employees for any purpose. Therefore, they are not eligible for any NorthStar benefits, including workers' compensation, as a result of this training or volunteer association with the organization.

Supervision

Supervision of interns, practicum and work-study students, students conducting observations, and volunteers is considered an essential function of most jobs at NorthStar. As part of your performance evaluation, you may be assessed on their ability to provide effective supervision, development, support, and recognition to interns, practicum and work-study students, and volunteers. Specifically, employees who work directly with students and volunteers are expected to:

1. Review relevant program policies and procedures.
2. Ensure that students and volunteers always work under the direct supervision of an appropriately qualified employee and do not have unsupervised contact with children, youth, and families.
3. Model appropriate ways of interacting with program participants, staff, and the public.
4. Meaningfully involve interns, practicum and work-study students, and volunteers in program planning and implementation.
5. Offer positive direction and support to students and volunteers, while maintaining a basic standard of appropriateness consistent with our policies, licensing standards, and recognized professional principles.
6. Provide interns, practicum and work-study students, and volunteers with feedback on their performance. Identify areas of possible improvement within the framework of expectations of the program that placed them.
7. Relate serious issues and concerns that you have about the performance or conduct of a student or volunteer to your supervisor or any other supervisor or administrator.

For liability reasons, students and interns should not be allowed to drive on NorthStar's behalf.

Chapter 5

Workplace Expectations

Guiding principles

At NorthStar, we have tried to establish and support a culture of trust, openness, and integrity consistent with our mission. Intended to provide direction and clarity in all aspects of our operations, this ethical culture promotes honest, truthful, and responsible decision-making regarding staffing, service provision, funding, and community relations. Our reputation for high ethical standards and integrity as well as our strict adherence to legal, regulatory, and accreditation standards has helped us earn and sustain public trust in our work with children, youth, and families. Observing, sustaining, and strengthening this ethical culture necessarily entails leadership commitment; it is also every employee's responsibility.

Embracing this ethical culture demands more than compliance with established policies and procedures. It involves acknowledgement of areas in which we need improvement and commitment at all organizational levels to continuous improvement in all phases of our operations. Every NorthStar employee is responsible for leading by example to show others the right way to act, or in the words of Mahatma Gandhi, *"We need not wait to see what others do."*

Employee code of ethical conduct

This ethical culture provides a framework of expectations for employee conduct. In addition to this chapter, other sections in this handbook also provide guidance on what is expected of employees in terms of performance and behavior. While it is not possible to describe what constitutes appropriate or ethical conduct in every potential situation, you will, in the course of your work, be required to combine the guidance of this code of conduct with personal integrity and sound professional judgment. When you are not certain about what course of action to take in a specific situation, you should seek clarification and guidance from your supervisor or, if you are not comfortable consulting with your supervisor, any administrator.

While this handbook focuses on workplace performance and conduct, the organization reserves the right to take corrective action, up to and including termination, when an employee's actions at work or private off-duty actions create a sense of impropriety, embarrass the organization in the eyes of its employees, people participating in our programs, and funders, or otherwise harm the organization's reputation in the community.

Professional codes of ethical conduct

All employees are expected to adhere to the standards in the National Association for the Education of Young Children's *Code of Ethical Conduct*. Employees working in youth-serving programs are also expected to follow the National Association of Social Workers' *Code of Ethics*. Copies of these documents will be given to new employees and be available for review by all employees.

5-1 Relationships with Families and the Public

Meeting the communication needs of people in our programs

Effective service planning and delivery depends on people in our programs being able to understand and participate to the best of their ability in the decision-making and service process. To this end, we are prepared to provide any communication assistance through the most practical and economically feasible methods available. If someone referred to one of our programs requires communication assistance that we are not equipped to handle, we will call on other service providers for access to communication specialists and assistive technology devices and services.

Relationships with families

Maintaining appropriate professional relationships with families is essential in view of both the vulnerability of families in our programs to the abuse of power and the vulnerability of employees to allegations concerning their conduct. At all times, you must respect the power differential inherent in any professional helping relationship.

- ***Preventative measures.*** The relationship between an employee and a family must consistently focus upon the best interests and welfare of the family; shifting the focus away from the family and toward your own needs is an unacceptable abuse of power. For example:
 - Don't allow your own personal problems, emotional distress, legal problems, substance use, or mental or physical health challenges to interfere with your professional judgment and/or job performance.
 - Politely avoid long personal discussions that are outside the domain of services being provided.
 - Don't discuss the shortcomings or idiosyncrasies of others—either from NorthStar or from other agencies—involved in providing services to the family.
 - Refrain from discussing the organization's internal affairs, including your complaints about working conditions and compensation, with people in our programs.
 - Don't accept gifts from families other than those of a token nature.

Because of their circumstances, people to whom you provide services are vulnerable to undue influence, manipulation, or coercion. Don't take advantage of them and their vulnerabilities—specifically:

- Don't lend or borrow money.
 - Don't buy or sell articles/goods.
 - Don't ask for charitable donations or any other contributions.
 - Engaging in any type of sexually-oriented activity with someone you are providing services to is an extreme abuse of power and not allowed on any account. Also wholly unacceptable is engaging in sexual activities with a family member or other individual with whom the person you are providing services to has a close personal relationship. Be aware that "family" can be nonblood relationships such as godparents or neighbors.
- ***Physical contact.*** Supportive physical gestures can be essential to providing help and reassurance to the people in our programs—e.g., a brief hug when services end or putting your arm around a grieving program participant who has just received news of a death in the family. While brief, limited physical contact may be comforting to most program participants, you must carefully consider the value and appropriateness of physical touch in different cultural communities

as well as the individual trauma history of the person you are working with. Employees are responsible for setting clear, appropriate, and culturally sensitive boundaries that govern physical touch and for discerning where it could cause psychological harm.

- ***Managing overlapping personal and professional relationships.*** At some point, a NorthStar employee may be faced with the prospect of entering into a professional relationship with someone they know personally—a situation that can raise complex boundary issues. When faced with the possibility of taking on a professional relationship with someone you personally know, you should disclose the potential conflict of interest to your supervisor and together make a judgment call on how to proceed to best serve the person. When going forward in a professional relationship with someone you personally know, you are expected to assume the full burden of setting and maintaining clear, appropriate, and culturally sensitive boundaries.

Responding to complaints

Complaints from families and the public present us with an opportunity to identify, address, and learn from specific problems within our programs and organization. Since complainants are much more likely to complain informally to frontline workers rather than to management, all employees must be appropriately empowered, trained, and supported in fielding and responding to complaints. In handling complaints:

- Thank the person for bringing the problem to your attention.
- Say that you are sorry that the problem has happened. This is not an admission of guilt on your part, but rather good manners.
- Get all the facts. Asking the complainant to give you all of the information helps you fully understand the situation and, if they are emotional, gives them time to calm down.
- Fix the problem if that is within your power.
- Assist the complainant in making their problem known to a member of the senior leadership team. That is where critical incident reporting comes in. Critical incident reports are an effective mechanism for obtaining information about informal complaints, analyzing that information, and informing service improvements.

5-2 Allegation of Abuse against Employees

Introduction

Any allegation of child abuse or neglect made against an employee, or intern, volunteer, or other person while the child was at the program is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation. All employees, interns, and volunteers should understand what to do if they receive an allegation against another employee, intern, or volunteer or they themselves have concerns about the behavior of another employee, intern, or volunteer. The procedures in the Child Abuse and Reporting Policy in our *Health and Safety Manual* will be followed alongside this policy. It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation.

Scope

This policy will be used in all cases in which it is alleged that an employee, intern, or volunteer has:

- 1) Behaved in a way that may have abused or neglected a child;
- 2) Possibly committed a criminal offence against or related to a child; or,
- 3) Verbally abused or otherwise behaved toward a child or children in a way that indicates they are unsuitable to work with children.

If a report is filed alleging that a child was abused or neglected by an employee, intern, or volunteer, NorthStar will fulfill all reporting requirements, take immediate steps to protect all children attending the program, promptly conduct an internal investigation, and fully cooperate with any external investigation.

An employee, intern, or volunteer accused of abuse or neglect of a child will not work directly with children until DCF renders a finding that does not support the allegation.

Even if an allegation of child abuse/neglect against an employee isn't substantiated, they may be subject to corrective action, based on findings of the internal and/or external investigation.

Supporting those involved

Parents of children involved will be told about the allegation as soon as possible if they do not already know of it. They will also be kept informed about the progress of the investigation. While the deliberations involved in DCF investigations or NorthStar-initiated corrective action and the information taken into account in arriving at a decision cannot normally be disclosed, parents of children involved will be told the outcome, including the outcome of any internal disciplinary process.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, NorthStar will consult with DCF or the police as appropriate to consider how best to support the child or children involved.

We will also keep the person who is the subject of the allegations informed of the progress of the case and consider what support is appropriate for the individual. Wherever possible, the subject of the allegation will be given a full opportunity to answer the allegation.

Employee responsibility for child abuse and/or neglect

Any employee is identified as responsible for an incident of child abuse and/or neglect if:

- 1) They admit to causing the abuse or neglect;

- 2) They are convicted of the abuse or neglect in a criminal proceeding; or
- 3) EEC determines, based upon its own investigation or a DCF "51B" investigation decision, that there is reasonable cause to believe that the employee caused the abuse or neglect while children were at the program.

Any employee who is found responsible for an act of child abuse and/or neglect will be discharged.

In all cases of allegations, we will make every effort to reach a conclusion about whether the allegation can be substantiated. The fact that the person who is accused of child abuse or neglect refuses to cooperate with the investigative process, tenders their resignation, or ceases to come to work will not stop us from following up on the allegation.

Recordkeeping

Clear and comprehensive documentation of allegations made, how the allegation was followed up and resolved, and action taken and decisions reached will be kept in the accused employee's confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on.

5-3 Conflicts of Interest

Some NorthStar employees are involved in a variety of civic and business pursuits outside of their employment at NorthStar. NorthStar as a whole arguably benefits from the different perspectives brought to the staff by those working, volunteering, or otherwise making commitments in diverse fields. We do not allow employees to engage, however, in any activities or relationship that create either an actual conflict of interest or the potential for a conflict of interest with NorthStar. As a NorthStar employee, you are expected to act in NorthStar's best interests at all times.

Although we cannot list every activity or relationship that would create an actual or potential conflict of interest, examples of activities that violate this policy include:

- 1) Working for a competitor or vendor as an employee, consultant, or in any other capacity;
- 2) Owning an interest in a competitor, vendor, or anyone else who seeks to do business with NorthStar;
- 3) Using NorthStar resources for personal gain or to benefit a relative;
- 4) Using your position at NorthStar to promote your personal interests or those of a relative.

This policy is not intended to unreasonably limit your outside activities and commitments. The requirement that employees always act in NorthStar's best interests doesn't prohibit, for example, employee participation in a union or other actions aimed at improving the workplace and terms of employment—activities protected by the National Labor Relations Act.¹ If you are in doubt if a conflict exists, you should raise the matter with the executive director.

For purposes of this policy, the term "relative" means any spouse, live-in partner, parents, siblings, children, in-laws, cousins, aunts, uncles, any other relative who lives in the same household and any other familial relationship that could create the appearance of a conflict. If a relationship with a distant relative or friend could influence your objectivity, then you should avoid the situation.

The "headline test"

A simple way to think about conflict of interest issues is to apply the "headline test." In other words, consider how a person would feel about the conduct if it were accurately described on the front page of the newspaper. If the story would result in embarrassment, the conduct should be reconsidered.

NorthStar is keenly aware that its base of operations in a small city with tight-knit ethnic communities, extended families, and interconnected populations makes the organization and its employees particularly vulnerable to perceived, actual, and potential conflicts of interest. In this environment, it is all the more important that employees be vigilant in the course of work about avoiding any appearance of giving any special consideration, advantage, favor, or service to anyone.

Disclosure and management of conflicts of interest

Each employee must complete an annual conflict of interest disclosure form to inform NorthStar of any interest that might be construed as being in real, potential or apparent conflict with NorthStar duties or with the business and affairs of the NorthStar. When deciding which relationships should be disclosed, consider the situation from the perspective of an outsider and whether the relationship is of a nature that it could raise an allegation of an apparent or actual conflict of interest and then err on

¹ The National Labor Relations Act protects an employee's right to self-organize, form, join or assist unions, collectively bargain, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

the side of transparency. If an appearance of impropriety or actual conflict of interest exists, resolution may include removing the employee from a position of decision-making authority to the conflict situation or other more serious actions. Whenever possible, please seek advice from the executive director prior to entering into a transaction that might be interpreted as a conflict of interest. All inquiries and reports will be held in strict confidence, within the limits of the law.

Using NorthStar's name and resources

Employees may not use NorthStar's name, tax-exempt status, facilities, equipment or other property, confidential information, or good will for personal gain or for the gain of others. Employees and others associated with NorthStar must not allow their job title or the organization's name to be used in ways that state or imply organizational endorsement or promotion of their own projects. While factual reference in other organizations' materials to the employee's job title or position is permitted, use of NorthStar letterhead or other identification that might associate their viewpoint with the organization should be avoided. To use the organization's name in connection with the activities of an independent organization or person, you should get prior approval from the executive director.

Other employment

Employees must not set up or engage in private business or undertake other employment in direct or indirect competition with NorthStar. Employees must disclose any other employment that might cause a conflict of interest with NorthStar to the executive director. Where other employment does not represent a conflict of interest, it must be performed outside the employee's work assignments and schedules and off NorthStar's premises.

Business relationships and dealings

We expect all employees to exercise objectivity and good judgment in dealing with vendors, suppliers, contractors, and other agencies with which we are doing business. Employees involved in awarding or administering contracts using government funds are prohibited by law from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or potential contractors. Employees who have, directly or through family or business connections, an interest in suppliers of goods or services, or in contractors or potential contractors with NorthStar must remove themselves from a position of decision-making authority in selecting, awarding, negotiating, approving or administering a contract involving that interest.

Gifts and gratuities

You should tactfully decline gifts from actual and potential vendors, suppliers, contractors, other agencies, or consultants to avoid a perception that NorthStar business decisions could be influenced by such gifts. In cases where it would be considered ungracious to do so, you should make clear that the gift is being accepted on behalf of, and will be given to, NorthStar. This policy does not apply to token gifts that have no cash value such as pens, pencils, calendars, coffee mugs, and other advertising novelties.

Favoritism

Favoritism is exactly what it sounds like: favoring someone not because they are doing a great job or are the most qualified for an open position, but for reasons outside of their job performance or qualifications. Favoritism is legally distinct from discrimination and can be more difficult to identify when it is occurring in the absence of obvious cues on which the preference is made. In any case, like discrimination, favoritism is contrary to the core values of NorthStar, and like discrimination, NorthStar prohibits favoritism in the workplace.

Nepotism and the employment of relatives. Nepotism is the practice of favoring family members in employment decisions regardless of their qualifications. Nepotism is inconsistent with NorthStar's

longstanding policy of making employment decisions and other business decisions based solely on our organizational needs and individual qualifications, skills, ability and performance.

Usually, NorthStar will not refuse to hire someone simply because they are related to one of our current employees. If you have a relative who you think is qualified and would be appropriate to fill an open position in our organization, please don't hesitate to refer this person to us.

There are times, however, when employing relatives is inappropriate and has the potential to negatively affect the morale of other employees and to create conflicts of interests for the relatives involved. Therefore, we will not hire relatives of current employees where one relative will have to supervise the other.

If two employees become related while working for NorthStar, and if one of them is in a supervisory position over the other, only one of the employees will be allowed to keep their current position. The other will either have to transfer to another position or leave the organization.

To avoid favoritism, the appearance of favoritism, and conflicts of interest often associated with nepotism, no NorthStar employee may make, participate in, or attempt to influence employment or evaluative decisions involving a relative or closely related person.

Individuals in the NorthStar community are expected to disclose relationships that fall within this policy. Disclosure should be made by persons involved in such relationships but may be made by others who are aware of such a relationship.

Violations of this policy may result in corrective action, up to and including termination of employment. Violations may include, but are not limited to, failing to disclose and/or actively concealing a relationship that falls within this policy, failing or refusing to cooperate with a plan to manage the conflict of interest, or retaliating against an employee who has disclosed the relationship.

Preferential treatment in service access. NorthStar cannot give preferential treatment to employees applying for and receiving our services.

Political activities

By law, nonprofits classified as 501(c) (3) organizations cannot engage in any activity in support of or opposition to a candidate for a local, state, or federal office. On that account alone, any activity on behalf of political candidates during work time or use of NorthStar equipment or facilities to support a political candidacy is not permitted.

NorthStar employees are free to engage in these types of political activities on a personal basis provided the activities do not conflict with their ability to carry out their NorthStar responsibilities or create confusion between positions or actions that are taken by them personally versus as a NorthStar representative. Individual political activities should only occur during off-duty hours, at the employee's own expense, and without use of NorthStar's name, resources, facilities, or equipment. If an employee is asked to sign political advertisements or endorsements that include employment, a generic description should be used such as "human services administrator" foundation program officer" or "early childhood educator" rather than including NorthStar's name.

A 501(c) (3) organization is permitted, however, to conduct voter registration, education, and participation activities if done in a neutral manner. Organizations with 501(c) (3) status can also support or oppose ballot measures within certain limits. Only the executive director or board president can authorize NorthStar's taking any position on legislation, referenda, or other political initiative.

5-4 Purchasing Policy and Expense Reimbursement

For work-related purchases, we expect you to use the purchase order system whenever possible. We maintain a list of preferred vendors for various work-related items and services. You are urged to use these vendors, whenever possible. When buying from vendors with whom we have a credit card, you must use the credit card, which is kept in the Business Office.

We will reimburse you for reasonable and necessary out-of-pocket expenses that you incur in connection with work. You must follow these procedures to get reimbursed:

1. Get approval from your supervisor before incurring an expense. Your supervisor can assist you in deciding whether an expense is appropriate.
2. Make an effort to save money and use approved vendors if possible.
3. Substantiate every expense with original receipts.
4. Submit your request for reimbursement, along with original receipts, to your supervisor for approval within 30 days of incurring an expense.

Travel expenses

If you are required to travel for work, NorthStar will reimburse you for reasonable travel expenses, including:

- 1) Mileage reimbursement, including travel to and from the airport or train station;
- 2) Airline, train, or bus tickets—must be coach class, whenever possible;
- 3) Economy class rental car, if necessary;
- 4) Lodging—employees should select moderately priced lodging, whenever possible; and
- 5) Meals and other incidental expenses, up to an organization-set per diem per day.

Mileage reimbursement

Employees who use their own vehicle for NorthStar business will be reimbursed at the rate set by the organization. Employees are not entitled to separate reimbursement for gas, maintenance, insurance, or other vehicle-related expenses; the reimbursement rate is intended to encompass all of these expenses. Employees will be reimbursed for parking fees and tolls; original receipts must be attached to reimbursement requests.

We do not reimburse you for your commute to and from your usual work site. When you travel from home to an approved off-site activity, you may request travel reimbursement for mileage exceeding the distance between your normal work site and your home.

When more than one employee is traveling to the same out-of-town location, you should try to travel in one vehicle. If you travel in separate vehicles, you must get your supervisor's prior approval for individual reimbursement of travel expenses.

To claim mileage reimbursement, you must follow these procedures:

1. Keep a written record of your work-related travel, including the total mileage of each trip, the date of travel, the location to which you traveled and the purpose of your trip.
2. If you anticipate having to travel an unusually long distance, get your supervisor's approval before making the trip.
3. Submit your record to the Business Office on or shortly after the last day of the month.

5-5 Use and Protection of NorthStar Assets

Every employee is responsible for protecting NorthStar property, intellectual assets and proprietary information from misuse, abuse, damage, loss, theft, and fraud. Specific examples of intellectual assets or proprietary information include forms, templates, documentation tools such as assessments and treatment plans, as well as internal policies and operating procedures. Such information should not be shared with other organizations or individuals not affiliated with this organization without prior administrative approval. Further, we expect you to report any known or suspected violation of this policy.

► See section 10-3 Whistleblower Protection Policy.

Prohibition on personal use of NorthStar-owned and -leased vehicles

NorthStar-owned or -leased vehicles may only be used for organizational business. Resulting in unnecessary liability exposure and added operating costs, use of NorthStar vehicles for activities not related to work constitutes grounds for corrective action, up to and including termination.

Subject to supervisory approval, employees may park NorthStar-owned or -leased vehicles they operate at their homes before and after work hours. At the beginning of the workday, the employee must drive the vehicle from their home directly to the first pick-up point; at the end of the workday, they must drive the vehicle directly from the last drop-off point to their home.

NorthStar issuance of cell phones and other equipment for off-site use

With authorization from the executive director or director of operations, NorthStar may purchase cell phones, personal computers and related software, printers, and Internet service for those employees whose jobs entail the following responsibilities:

Responsibility	Description
Travel	Employees who frequently travel or are out of the office and need to be in contact with staff and persons from other organizations and agencies.
Work Location	Employees who frequently work in the field.
Emergency Response	Employees who need to be contacted and/or to respond in the event of an emergency or are required to be available during non-business hours.
Other	Employees who are required by their department to be accessible at all times by electronic means.

Employees are responsible for the safekeeping, care and custody of the equipment assigned to them. In the event of a loss, theft, or fraudulent use of the assigned phone, the employee must immediately notify the Business Office.

Upon issuance, you must sign an agreement to pay the organization the cost of the equipment if they damage (beyond deterioration from ordinary use) or lose it. The agreement will specifically authorize the organization to deduct the amount from your pay if you resign, are terminated, or fail to pay the organization. In extraordinary circumstances (for example, theft in spite of normal precautions taken by the employee), the executive director or chief financial officer may waive this payment requirement. No such waiver will constitute any guarantee of waiver for any other employee, regardless of any similarity in circumstances.

Personal use. This policy allows personal use of NorthStar-owned cell phones and other electronic communications devices or service provided that such use does not interfere with the user's employment or other obligations to NorthStar or burden NorthStar with noticeable incremental costs.

Compliance with laws. NorthStar requires employees to comply with all applicable laws while driving. Use of the phone or other mobile device in any manner contrary to local, state or federal laws may result in the immediate termination of the use of NorthStar-owned equipment.

Keys

For security purposes, you are responsible for safeguarding keys issued to you. The duplication of keys without appropriate authorization is strictly prohibited. If you transfer to another program or leave NorthStar, you are expected to return the keys entrusted to you. If you lose NorthStar-issued keys, you may be required to reimburse the organization for their replacement.

Right to conduct workplace searches

NorthStar reserves the right to workplace conduct workplace searches at any time, with or without advance notice, for business or legal reasons such as in response to theft, workplace drug and alcohol problems, harassment, safety concerns, or a judicial order. We may also search an employee's desk, file cabinet, and other NorthStar property for non-investigatory, informational purposes—e.g., to obtain a needed computer document when the employee is on vacation or otherwise not available. We may search any and all NorthStar property, including, but is not limited to, computers and computer files, voice mail, email, offices, workspaces, desks, file cabinets, bookcases, storage areas, and agency vehicles. Accordingly, employees should not have expectation of privacy in their workspaces or in any other property provided to them for work use. NorthStar keeps extra keys to all locked desks, file cabinets, and so forth. We do not permit private employee locks to be used on our premises.

Requirement to return NorthStar property

On or before the final day of your employment with us, we expect you to return all organizational property clean and in good condition. This includes all manuals and guides, documents, phones, computers, equipment, keys, and tools. We reserve the right to take any lawful action to recover or protect our property.

Employee personal property

NorthStar does not assume liability for missing or damaged personal items. You are encouraged to leave valuable personal property at home. Personal property that employees bring to work, such as wallets and purses, should be stored out of reach and sight of children, vendors, visitors, and other persons.

5-6 Phone and Fax Use

We depend upon our phone systems as the main mode of communication between our multiple sites and with other service providers, municipal departments, funders, and families served by NorthStar. Employees should answer the telephones promptly and greet callers in a friendly, informative, and professional manner. Voice mail messages should be responded to in a timely manner—preferably within 24 hours. If you are going to be absent from work for more than one day, you should alert callers of your absence by changing your voice mail message, refer them to another employee, or arrange for another employee to check and respond to your voice mail messages.

Protection of program participant information

When using phones and faxes, you should adhere to confidentiality guidelines to protect information about persons served by our programs.

Personal use of NorthStar phones

NorthStar's phone systems, cell phones, and fax machines are for business use only. Employees are expected to keep personal calls to a minimum. If you must make or receive a personal call, please keep your conversation brief. Whenever possible, you should make or receive personal phone calls during breaks or lunchtime. Please ask your family and friends not to call you at work, except for emergencies. Unless authorized by your supervisor, use of our phone system (including use of organization-provided long-distance authorization codes) for long-distance personal calls is prohibited. Extensive personal use of our phones is grounds for corrective action, up to and including termination.

Our phone and fax systems should not be used for personal business purposes. Also prohibited is use of these systems in a manner that is derogatory, disruptive, or otherwise offensive to others such as relating sexually offensive material, making racist remarks, or any other form of harassment of others, including any based on their gender, ethnicity, age, national origin, religion, sexual orientation, or disability. Employees should be aware that such use of organization-provided phone and fax systems could result in legal liability for the employee and the organization. Employees may be subject to corrective action, up to and including termination, for using such systems in a manner that violates federal or state law or any of the organization's policies and procedures.

Employees should not expect any right to privacy when using NorthStar-provided telephones, voice mail, and faxes. To ensure that this equipment is being used in accordance with this and other NorthStar policies, we maintain the right to monitor these systems, with or without notice, including, but not limited to, reviewing phone billing information and call recipient or message recipient information.

Personal communications equipment

During work time, turn off personal cell phones and other electronic devices and put them away. Don't keep your cell phone within view when it is silenced. Make sure your job and the people in our programs have your full attention.

5-7 Computer and Internet Use

We may provide you with computer equipment and capabilities, including Internet access, to help you perform your job. NorthStar's computers, software, email, and Internet access are for the purpose of conducting agency business. These systems and all messages composed, transmitted, accessed, received, or stored in these systems are the property of the agency. No computers, computer-related equipment, or agency data may be removed from our facilities without supervisory approval.

All of our policies and rules of conduct—including those concerning sexual and other workplace harassment, privacy, misuse of NorthStar resources, and confidentiality—apply to employees' use of the organization's computer equipment. This means that you can't use the organization's computer equipment to access, save, send, or download material from any source, including the Internet, that could be construed as harassment—such as sexually offensive jokes or images, unwelcome propositions or love letters, racist slurs, threatening or coercive messages, or other communication that may offend someone on the basis of their age, gender, sexual orientation, religious beliefs, national origin, or disability. Also prohibited is use of NorthStar's electronic communications equipment to solicit others to purchase items for purposes unrelated to organizational business.

Employees who violate this policy will face corrective action, up to and including termination. If you receive any electronic messages that are upsetting or offensive to you, you should immediately inform their supervisor.

Email rules

Employees have an obligation to use email in a responsible and informed manner.

1. Don't give your access code or password to anyone else without your supervisor's approval.
2. Don't attempt to use another employee's email or password, access other employees' files, or retrieve any stored communication unless you are authorized to do so.
3. To protect against computer viruses, exercise caution when reading or forwarding email with attachments.
4. Follow our confidentiality guidelines when communicating program participant information via the organization's computer systems.

Guidelines for email writing

When you send email using NorthStar's communications equipment or your own communications equipment for organizational business, you are representing the organization. You should properly identify yourself and your NorthStar affiliation. Make sure that your messages are professional and appropriate in tone and content.

1. Always spell check or proofread. Email is official NorthStar correspondence. Spelling errors in email are all too common—and they look sloppy and unprofessional. Always take the time to check for spelling errors before you send email.
2. Use lowercase and capital letters in the same way that you would in a letter. Using all capital letters is the email equivalent of shouting at someone—and it can be hard on the eyes. Failing to use capital letters at all (to begin a sentence or a formal noun) can confuse your reader and seem overly cute. Unless you are writing poetry, use standard capitalization.
3. Remember your audience. Although email encourages informal communication, that might not be the most appropriate style to use if you are addressing the head of another agency. Remember too that your email can be forwarded to unintended recipients—some of whom may not appreciate joking comments or informalities.

4. Don't use email for confidential matters. Again, remember the unintended recipient—your email might be forwarded to someone you didn't anticipate or might be sitting on a printer for all to see. If you need to have a confidential discussion, do it in person or over the phone.
5. Send messages sparingly. There is rarely a need to copy everyone in the Company on an email. Carefully consider who really needs to see the message and address it accordingly.
6. Always think before you send. Resist the urge to respond in anger or to get emotional. Always consider how you present yourself, given that your representations could expose you and the organization to legal liability.

Internet rules

All of our policies and rules of conduct apply to employee Internet access. Employees may not, at any time, access the Internet using NorthStar equipment or links to:

- 1) Visit websites that feature pornography, gambling or violent images, or are otherwise inappropriate in the workplace;
- 2) Operate an outside business, solicit money for personal purposes or to otherwise act for personal financial gain;
- 3) Download any software program without appropriate supervisory approval.

Software use

Our policy is to use licensed software only in accordance with the terms of its license agreement. Unapproved or unlicensed software should not be installed on our computer systems. We may audit our computers at any time to ensure compliance with this policy.

Email and Internet use are not private

You shouldn't expect that your use of NorthStar's computers, including email transmission and Internet access, will be private. Though you have individual passwords to access the computer systems, the systems and any information created, sent, or received from them belong to the organization and should be treated like other shared filing systems. All system passwords and encryption keys must be available to NorthStar management; you can't use passwords that are unknown to your supervisor or install encryption programs without written permission.

We reserve the right to access and monitor, with or without prior notice, employees' use of the organization's computers (including the files stored on them) and Internet access at any time to ensure that these systems are being used in compliance with the organization's policies, applicable laws, contracts, or licenses. We retain the right to access, monitor, read, and/or copy email messages sent or received using NorthStar equipment—including messages you consider as personal—at any time, with or without prior notice, and for any reason. Similarly, you should not expect that your use of the Internet—including, but not limited to, the sites you visit, the amount of time you use the Internet, and the files that you have viewed, accessed, or downloaded—will be private. You should be aware that files, email messages, and Internet-accessed material that you delete might be retrievable and even subpoenaed for court cases.

Personal use of the NorthStar's computer systems

Any personal use of the agency's computer systems should occur outside of the user's work hours and requires supervisory approval. Personal use must not interfere with the user's productivity or work performance, any other employee's productivity or work, or the systems' abilities to serve their intended business purposes. Personal use must not violate any provision of this policy, any other organizational policy, applicable laws, rules, contracts, or licenses.

5-8 Dress

Inasmuch as each employee represents our organization, your dress and appearance should convey the professional nature of your work and the serious mission of this organization. We will make reasonable accommodations for an employee's special dress or grooming needs associated with their religion, ethnicity, or disability. While we allow latitude for individual and cultural expression in employee dress and appearance, consider safety, comfort (ease with which you can perform your job), and appropriateness in a community of diverse cultures, values, and sensitivities. Employee's clothing must not display logos, graphics, or text that may be interpreted as violent, discriminatory, abusive, sexually harassing, obscene, offensive, demeaning, or otherwise unprofessional.

If you have any questions about proper attire for your position, consult with your supervisor. An employee whose attire doesn't conform to the organization's dress guidelines may be instructed to leave work and return appropriately dressed.

Business casual dress code

All NorthStar employees are expected to wear what is widely referred to as "business casual" attire. Following is what we consider acceptable business casual dress:

1. Pants and slacks. Casual cotton, wool, or synthetic material pants or slacks are acceptable. Inappropriate slacks or pants include jeans, sweatpants, exercise pants, short shorts, shorts, bib overalls, leggings, and any spandex or other form-fitting pants.
2. Dresses and skirts. Casual dresses and skirts are acceptable. Mini-skirts are inappropriate.
3. Shirts, blouses, and other tops. Casual button-down shirts, dress shirts, sweaters, blouses, and turtlenecks are acceptable. Inappropriate attire includes: tank tops, midriff tops, sweatshirts, and t-shirts unless worn under another blouse, shirt, jacket, or dress.
4. Footwear. Conservative walking shoes, loafers, clogs, boots, flats, dress heels, and leather deck-type shoes are acceptable.
5. Jewelry, makeup, perfume, and cologne should be in good taste, with limited visible body piercing. Because others may be allergic to chemicals contained in perfumes and cologne, use sparingly.
6. Hats and head covering are generally not appropriate. Head covers required for religious purposes or to observe cultural tradition are allowed.

Dress-down Fridays

While casual business attire is appropriate for all work days, you may wear clean, holeless, unstained jeans and sneakers on Fridays when your work day doesn't call for more formal dress (e.g., for a court appearance or interagency meeting).

Guidelines for early education, afterschool, and youth-serving staff

Employees who work directly with children and youth should dress for safety and comfort as well as presentability to the families we serve and the general public.

1. Wear comfortable wear-resistant clothing that allows for mobility and physical activity.
2. Dress for safety. Wear comfortable shoes that protect your feet and toes; open-toe sandals, flip-flops, or heels are not appropriate for work in a children's program due to the risk of injury. Wear jewelry that can't be readily grasped by a child.
3. On field trips to the beach, don't wear bikinis or other body-revealing bathing suits. Clothing for field trips to the beach is typically not appropriate for on-site dress.

5-9 Corrective Action

Committed to helping children, youth, and adults achieve their full potential, we as an organization set high standards for employee performance and conduct. When an employee's performance or behavior doesn't meet the organization's expectations, we typically impose a corrective action plan that gives opportunity to improve.

This corrective action policy doesn't alter the fact that your employment is at the mutual consent of you and this organization. This means that the organization can terminate your employment at any time, for any reason not prohibited by law, including reasons not listed above. You also have the right to end your employment at any time.

Types of corrective action

Our general policy is to take progressive corrective steps in the following order:

1. **Informal remedial measures.** For most performance and conduct problems, we take corrective action steps after informal remedial measures such as performance feedback, coaching, and training haven't proved successful.
2. **Verbal warning.** When there is a problem regarding an employee's job performance or conduct, the first formal corrective action typically will be a verbal warning. "Verbal" warnings are documented; the supervisor will make notes about their meeting with the employee and keep them for future reference. The supervisor may give the employee written recommendations.

If no further incidents of the performance problem or misconduct occur within 6 months, the supervisor won't retain documentation of the verbal warning. The supervisor will retain their documentation of the verbal warning and may attach it to a subsequent corrective action or performance evaluation for retention in the employee's performance file if (a) the problem is not resolved within the time period indicated in the verbal warning or (b) the problem reemerges within 6 months of the date on which the verbal warning was issued.
3. **Written warning.** If performance or conduct problems persist, or if the nature or severity of the offense warrants, the supervisor will meet with the employee and give a formal written warning to document the discussion. A copy of this written warning will be placed in the employee's performance file. If there is no substantial change or improvement in performance or behavior, further corrective action may include a second written warning, a suspension, a final warning, or termination of employment, depending on the situation.
4. **Unpaid suspension.** Suspensions without pay may be invoked when performance or conduct problems persist after the issuance of verbal and written warnings. In the case of serious misconduct or violations of procedures, practices, or laws, an employee may be suspended on the first offense.

At each corrective action step short of termination of employment, the meeting between the supervisor and the employee will cover:

- 1) A description of the incident or incidents for which the corrective action is being taken;
- 2) Job performance and/or conduct expectations that the employee failed to meet;
- 3) Any actions that the employee must take to correct the problem and any assistance that will be offered or arranged by the supervisor;
- 4) The possible consequences of failing to correct the problem; and

- 5) A specific time frame in which the employee will be expected to change their behavior or work performance.

This corrective action policy should not be interpreted as a contract. It is intended for general informational purposes only and does not entitle employees to progressive corrective action or any particular sequence or type of corrective action in any particular case. The seriousness of an employee's performance problem or misconduct may warrant skipping informal measures. The organization reserves the right to repeat, omit, or skip any step, to take any step out of sequence, or to create additional steps. Each case is considered on an individual basis.

In the case of serious misconduct, an employee may receive a written warning, be suspended, or terminated on the first offense. For example:

- 1) Unlawful harassment or discrimination;
- 2) Found responsible for an act of child abuse and/or neglect;
- 3) Physically or verbally assaulting someone at work;
- 4) Misuse of NorthStar or program participant funds;
- 5) Theft, mistreatment, or misuse of assets belonging to the organization (e.g., use of phone, fax, and computer systems in a manner that violates federal or state law or any of the organization's policies and procedures);
- 6) Failure to report equipment problems or unsafe conditions;
- 7) Removing, copying, or disclosing confidential information without authorization;
- 8) Making false statements on a job application;
- 9) Using or possessing alcohol or illegal drugs at work or working under the influence of alcohol or illegal drugs;
- 10) Bringing weapons (not limited to firearms) to work;
- 11) Conduct that may be potentially damaging to NorthStar's reputation or operations;
- 12) For employees whose jobs involve driving: failure to meet our insurance carrier's or our own driver acceptability requirements (e.g., loss of license, poor driving record).

Some other reasons for terminating employment are:

- 1) Inadequate skills or abilities;
- 2) Inability to maintain medical fitness or licensure/certification standards;
- 3) Inability to meet the changing or increasing job demands;
- 4) Insubordination (e.g., failure to carry out reasonable job assignments);
- 5) Excessive absenteeism and/or tardiness.

<i>Employees covered by the union contract should refer to the contract in effect.</i>
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5-10 Employee Assistance Statement

We recognize the importance of employees' health and well-being and that employees may, from time to time, experience personal difficulties that may impair their personal functioning and/or job performance. We encourage any employee who may be experiencing such personal difficulties to discuss the situation with their supervisor or other administrator. We will keep all conversations regarding employee personal problems as confidential as possible, except as required by law and disclosed on a need-to-know basis to ensure your and others' immediate safety or security. We can help you to locate counseling or treatment programs or other assistance to resolve your personal difficulties. If appropriate and practicable, the organization may approve an extended unpaid leave of absence to enable an employee to address and remedy their personal problem. (For more detail, see section 7-15 Extended Unpaid Leave of Absence.) Some of the cost of treatment may be covered by the employee's health insurance.

Where the health, safety, and security of persons in our programs require that employees perform their job duties when scheduled, every employee has a duty to report to work regularly and on time, physically and psychologically prepared to perform their assigned duties and to remain so throughout the work day. Please note that even as you might be seeking assistance for your personal problem, we would still expect you to meet the same standards of performance, productivity, and conduct that we expect of all employees. If an employee's personal difficulty impairs their job performance and can't be corrected to the organization's satisfaction within a reasonable period of time, their employment may be terminated.

Chapter 6

Information Handling Practices

6-1 Documentation and Fraud Prevention

“If it’s not in writing, it didn’t happen.” The failure to document an event, a service provided, or a face-to-face or phone conversation can have a negative impact on service delivery, billing, or even legal liability for an employee and the organization.

Documentation of service provision

Keeping accurate, complete records is an essential professional and legal requirement of being a NorthStar employee. Good records promote continuity of care through clear communication; demonstrate the quality of care delivered; and provide the evidence necessary for any legal proceedings. Complete recordkeeping requirements as soon as practically possible after an encounter, visit, incident, or circumstance to ensure completeness and accuracy and—heeding the old adage “If it’s not in writing, it didn’t happen”—to minimize exposure of employees and the organization to legal liability. No matter how busy you are, lack of time is not a defense against litigation.

Presentation. When writing in program participants’ notes, bear in mind the possibility that the notes may later be used in court. Make sure your notes are accurate, factual, grammatical and without spelling errors and have a neat, professional appearance. Like employee dress, the quality of presentation of your records and reports reflects on you and our organization. Use a dictionary to guide spelling, hyphenation of words, and correct word usage. Ask for help when you are unsure about grammar or formatting.

Service record review. Within each program, program participant records are reviewed by supervisory personnel on a regular basis—at intervals required by funders and preferably aligned with relevant accreditation standards. Records are reviewed for both legal and regulatory compliance as well as quality and appropriateness of service delivery. Findings should inform continuous program improvement plans. Any record found to have significant areas of non-compliance should be reported immediately to NorthStar leadership.

Financial records

NorthStar strives to earn and sustain public trust through honest, truthful, and responsible use of public and philanthropic funding. Financial records accurately represent business operations and comply with generally accepted accounting principles and practices at all times. NorthStar hires an independent external auditor to review financial records on an annual basis. The auditor ensures that the organization’s financial records follow generally accepted accounting principles and auditing standards.

Reporting Fraudulent Activity

Employees have the right to use internal complaint procedures and to simultaneously file a complaint with the states Attorney General’s office or local chapter if they suspect fraudulent activity.

- ▶ Massachusetts Office of the Attorney General, One Ashburton Place, Boston, MA 02114
Phone: 617-727-2200
- ▶ City of New Bedford, 105 William Street, First Floor, New Bedford, MA 02740
Phone: 617-727-2200

6-2 Protecting Personal and Other Confidential Information

The privacy of personal information, and of health information in particular, continues to be a largely unsettled issue in the minds of many, if not most people in the U.S. As more personal information is being computerized, there is growing concern about the potential for unauthorized access where, for example, employers, banks, or insurers could use it in discriminatory ways against them. For the undocumented, with their preoccupation with their immigration status and fears of deportation, the issue of confidentiality is even more loaded relative to sharing personal information with health and human service providers.

Purpose and scope

NorthStar has developed a comprehensive set of administrative, technical and physical safeguards to protect against threats or hazards to the security and confidentiality of personal information of people in our programs and of our staff—in particular, protecting against unauthorized access to or use of such information in a manner that creates a substantial risk of identity theft or fraud.

As a multiservice organization, we have to comply with multiple state and federal confidentiality regulations that govern the operation of children's, youth, family support, and mental health services. In addition to state (e.g., Department of Early Education and Care, Department of Children and Families) and federal regulatory agencies that oversee program and service delivery, we are subject to Massachusetts General Laws 201 CMR 17 "Standards for the Protection of Personal Information of Residents of the Commonwealth" as well as a host of other state and federal laws protecting against threats or hazards to the security or integrity of personal information.

What is personal information?

"Personal information" is information that is not lawfully available to the public, including information most commonly used to commit identity theft and similar crimes such as a person's first name and last name or first initial and last name in combination with their:

- Social Security number;
- Driver's license number or state-issued identification card number; or
- Financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password, that would permit access to financial accounts or non-public records.

Confidentiality applies to not only program participant records, but also information employees gather from or observe while working with participants.

Other confidential information that must be protected

Besides personal information, confidential information and records include, but are not limited to:

- Certain program and financial information, including information related to donors, and pending project and proposals;
- Litigation pending or in progress;
- Computer system passwords and security codes;
- Business plans and projects.

Information not considered confidential includes general organizational and program descriptions, policy statements, statistical material not identified with any individual or family, and other information that has become known to the public. Much of this information is available on NorthStar's website (<http://www.northstarlc.org/index.html>). NorthStar's financial statements are posted on the state Attorney General's Public Charities Annual Filing website (<http://www.charities.ago.state.ma.us/>).

Data security coordinator

NorthStar has designated its director of operations to be the data security coordinator—i.e., to be in charge of maintaining, updating and implementing our information security program.

Limits on collecting and storing personal information at NorthStar

NorthStar is in possession of personal information as an employer and as a nonprofit organization:

- As an employer, NorthStar possesses personal information for its employees. The personal information that is collected and stored for each employee is limited to information that is necessary for employment such as tax forms; information that is voluntarily provided to obtain certain employee benefits such as health and disability insurances; and information that is necessary for the organization to comply with state or federal laws and regulations.
- As part of its organizational purposes, NorthStar possesses personal information of individuals obtained during the course of the organization's activities. The personal information that is collected and stored is limited to: information that is reasonably necessary to accomplish NorthStar's legitimate organizational purpose; and information that is necessary for the organization to comply with state or federal laws and regulations.

Program participant notice of rights/confidentiality

Our policy and practice is always to tell program participants and their parents at the beginning of their contact with us that whatever they tell us is confidential other than in exceptional circumstances. The School-Age Child & Youth Support Programs Family Handbook lays out what participating child/youth and their parents can expect, including the limits of confidentiality. That includes explaining to minors as well as adults that we have to abide by the mandatory reporting laws. The program participant, their parent, and worker sign and date the Notice of Rights to Confidentiality. Notices of program participant rights, including privacy of their personal information, are posted conspicuously in each of NorthStar's facilities.

Protections against internal data security breach

To guard against internal risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information, and evaluating and improving, where necessary, the effectiveness of the current safeguards for limiting such risks, we have adopted the following measures:

- Information and access
 - Collect only personal information that is needed. We are committed to collecting only the minimum amount of personal information of program participants or employees that is necessary to accomplish our legitimate business transactions or to comply with federal, state or local regulations.
 - Keep medical records separate. An employee medical file is the repository for everything that has to do with their health, including documentation of meeting job-related health requirements. Because medical files contain sensitive and confidential information, they must be kept in a separate, locked cabinet, apart from the location of personnel files.
 - Limit who can access personal information. Access to records containing personal information are limited to those employees whose duties, relevant to their job description, have a legitimate need to access said records, and only for this legitimate job-related purpose.
 - Prevent resigned or terminated employees from accessing information. Resigned or terminated employees must return all records containing personal data, in any form, in their possession at the time of termination. This includes all data stored on any portable device

and any device owned directly by the resigned or terminated employee. Any resigned or terminated employees' computer access passwords should be immediately disabled. Physical access to any documents or resources containing personal information should also be immediately discontinued.

- Restrict physical access. NorthStar's offices and computer network offices are kept locked; third parties are not allowed access to records containing personal information. In addition, electronic records are kept in databases on servers that are behind multiple layers of electronic safeguards. Any paper record containing personal information about any employee, program participant, insured or third party individual must be kept behind lock and key when not in use. Any computer containing personal information about any employee, program participant, insured or third party individual must be kept password protected.
- Securely destroy records. Written and electronic records (including records stored on hard drives or other electronic media) containing personal information must be securely destroyed or deleted at the earliest opportunity consistent with business needs or legal retention requirements:
 - Paper documents containing personal information must be shredded so that personal information cannot practicably be read or reconstructed. (When disposing of large quantities of paper records containing personal information, our secure mobile-based shredding service comes to our facility, where it thoroughly shredding paper documents to an unrecoverable state.)
 - Electronic media or other non-paper media containing personal information must be destroyed or erased so that personal information cannot practicably be read or reconstructed.
- Employee compliance. It is critical that all employees are aware of the importance of protecting personal information, including outside of work, what they should do to handle information securely, and the risks of mishandling information. Conversely, employees' understanding of the organizational and personal consequences of mishandling personal information is crucial. Any employee who discloses personal information or fails to comply with these policies will face immediate corrective action, including the possibility of termination of employment.
 - Staff orientation. The issues of privacy and confidentiality are covered in orientation for all new employees. All new employees are required to sign a confidentiality policy aligned with the federal Health Insurance Portability and Accountability (HIPAA) law at the start of employment, acknowledging they understand and will adhere to this policy.
 - Annual review. As a refresher to maintain security awareness throughout the organization, we annually review with all NorthStar employees the laws and regulations regarding the handling of personal information. All persons in attendance are required to certify their attendance at the annual review and their familiarity with their job responsibility to protect program participants' and employees' personal information.
 - Reporting responsibilities. Employees should inform the data security coordinator of any suspicious or unauthorized use of personal information. If the data security coordinator is implicated in this suspicious or unauthorized use of personal information, employees should notify any other administrator.
- Board members' compliance. As a condition of board membership, members are required to sign a Board of Directors Confidentiality Agreement to keep confidential:
 - All information that would identify a person as receiving NorthStar services;
 - All personal board member, staff or volunteer personal information;

- Staff performance evaluations, compensation, and grievances;
- Donor names or information; financial information; contracts;
- Litigation pending or in progress;
- Business plans and projects;
- Computer programs, passwords and codes;
- Other information and data identified as confidential.

Protections against external data security breach

To combat external risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information, and evaluating and improving, where necessary, the effectiveness of the current safeguards for limiting such risks, NorthStar has implemented the following policies and procedures:

NorthStar's business office

- NorthStar's business office is intended to be a secure facility, due to the personal information contained in its files. All paper records containing personal information must be kept in locked storage when the office is unoccupied.
- Visitors are not to be permitted to visit unescorted any area within the business office that contains personal information.
- The business offices must be locked at all times when unoccupied.

Third-party organizations. In the course of providing services and being a responsible employer, we have to share personal information with government agencies, business associates, and third-party organizations. Access to personal information by these third-party organizations will be kept to the minimum required to provide services and conduct business. Each year we require those organizations with whom we do business to confirm in writing that they have instituted personal information security measures that fully comply with all governmental laws and regulations. The data security coordinator maintains all third-party organization acknowledgements. All government agencies and data collection bureaus we assume follow information security policies that are legally compliant and over which we have no control.

NorthStar's computers and electronic information systems

- The wireless network at NorthStar must always be encrypted.
- All laptops used by NorthStar personnel must be password protected.
- Firewall protection, operating system security patches, and all software products are reasonably up-to-date and installed on any computer that stores or processes personal information.
- All system security software including, anti-virus, anti-malware, and internet security are reasonably up-to-date and installed on any computer that stores or processes personal information.

Personal information removed from NorthStar business premises. Personal information must not be removed from the business premises in electronic or written form absent legitimate business need and use of reasonable security measures. When there is a business need for a NorthStar employee to take records containing personal information off site, only the minimum information necessary must be brought; electronic records must be password protected and encrypted, paper records must be kept under lock and key and returned to NorthStar's business office as soon as possible. Under no

circumstances are documents, electronic devices or digital media to be left unattended in an employee's car or in any other potentially insecure location.

Review and modification of the information security plan

The data security coordinator is responsible for reviewing and modifying NorthStar's information security plan; they are required to fully consult and apprise management of all reviews, including any recommendations for improved security arising from the review. They must at least annually monitor and assess all of our information safeguards to determine if upgrades may be necessary. Should our business practices change in a way that impacts the collection, storage, and/or transportation of records containing personal information, the NorthStar's information security plan must be reviewed to ensure that our policies protecting personal information are adequate to meet all applicable federal and state regulations.

Data breach response

Should any employee know of or suspect a security breach at any of our facilities, or that any unencrypted personal information has been lost or stolen or accessed without authorization, or that encrypted personal information along with the access code or security key has been acquired by an unauthorized person or for an unauthorized purpose, these steps should be followed:

1. They are to immediately notify the data security coordinator or department head.
2. The data security coordinator should mobilize a breach response team right away to prevent additional data loss. ·
3. The data security coordinator should draft a security breach notification to submit to the Massachusetts Office of Consumer Affairs and Business Regulation and the Massachusetts Attorney General's office. Prior to submission, the notification should be reviewed by the executive director or, if they were involved in the data breach, the board president. The security breach notification shall include the following:
 - a) A detailed description of the nature and circumstances of the security breach or unauthorized acquisition or use of personal information;
 - b) The number of state residents affected at the time the notification is submitted;
 - c) The steps already taken relative to the incident;
 - d) Any steps intended to be taken relative to the incident subsequent to the filing of the notification; and
 - e) Information regarding whether law enforcement officials are involved in investigating the incident.
4. The data security coordinator will then convene a mandatory post-incident review of events and actions taken, if any, in order to determine how to improve security practices to better safeguard personal information.

HIPAA privacy standards

Much more formal than most other confidentiality requirements, the privacy rules of the Health Insurance Portability and Accountability Act—known by its acronym *HIPAA*—warrant further consideration. The HIPAA privacy rules limit the use and release of “individually identifiable health information”—i.e., any part of a person's medical record or payment history that could be used to identify them. Individually identifiable health information includes personal facts such as names, addresses, phone numbers, zip codes, email addresses, fax numbers, birthdays, social security numbers, family names and their addresses and phone numbers. The HIPAA privacy rules call this information “protected health information.”

Safeguarding health information. Sometime in the course of their work, virtually every employee learns protected health information such as children's allergy information, medication lists, immunization records, or physical exam statements. To meet HIPAA rules, NorthStar has developed privacy protection procedures and designated a person to manage them:

1. When sharing documents that contain health information or giving verbal instructions related to a child's special care plan, alert the receiver that the data is confidential and private. When sending mail or other correspondence containing protected health information, confidential, personal or other sensitive information to any person, indicate "Personal and Confidential" on the envelope to ensure that only the addressee opens it.
2. Close your office door to guard against passersby overhearing confidential conversations.
3. Keep paper files in a locked file cabinet in an office that can be locked. Limit access to the keys of the locks for these cabinets and office doors.
4. Limit user access to computerized records. Allow only authorized users to access computer terminals. Don't share user passwords with coworkers or anyone else.
5. Make sure mail, computer screens, faxes, and files containing protected health information can't be seen by unauthorized staff or other persons. Turn computer screens away from public view. Lock or log off computer monitors when they are not being used. Keep records containing health information face down on your desk.
6. When photocopying health records, sending or expecting a fax containing health information, pick it up immediately.
7. Shred documents prior to disposal or recycling.

Sharing health information. Health information can be shared with such people as:

- An EEC licenser during a licensing visit;
- A Child and Adult Care Food Program monitor during the course of an inspection;
- A member of a law enforcement agency;
- An emergency medical response team if a child is in danger if information isn't shared;
- A teacher/group leader responsible for the care of a child with a food allergy.

When in doubt about sharing health information, consult with your supervisor.

Managing legal requests for program participant files

From time to time, NorthStar receives subpoenas requiring the timely production of records or information pertaining to specific individuals involved in potential or ongoing litigation.

Notice to the individual. We contact the individual who is the subject of the requested information by phone or letter to explain that we have received a subpoena requiring disclosure of their information and that we are required to respond unless the individual (1) successfully quashes the subpoena or has the subpoena withdrawn and (2) notifies us before the deadline for responding to the subpoena. If we don't know their current address of the patient, we will send the letter and a copy of the subpoena to the individual's last known address and document the same. Once we send such notice, the burden is on the individual who is the subject of the requested information to take appropriate steps to protect their own information if they want it protected.

Scope and timing of disclosure. In all cases where disclosure is required, the organization must ensure that it complies with the strict terms of the subpoena, including the scope of the information disclosed and the timing of disclosure. If the subpoena, order or warrant only request written items, the organization should not disclose the information orally. We should not produce more personal

information than is ordered, nor should we disclose personal information outside the proceeding at which the disclosure is ordered. If the subpoena requires disclosure at a specific time, the organization should not deliver the requested material before the deadline without the consent of the individual who is the subject of the requested information because doing so may deprive them of the opportunity to quash the subpoena.

Internal review process. We undertake a three-step review in producing the requested information:

1. The case manager assigned to the individual who is the subject of the requested information assembles the requested information. All files must be reviewed to ensure that personal information relating to persons not named in the subpoena is either excluded or redacted.
2. The case manager's supervisor reviews and verifies the assembled information for completeness and appropriateness.
3. The executive director examines the information to ensure that we strictly comply and disclose the information expressly authorized by the order, warrant, subpoena, or demand and to verify the due date.

Documents requested by subpoena should be delivered to the requesting party on or before the date designated in the subpoena. The organization must keep a copy of the subpoena, order, or warrant and any records produced.

If you are served with a subpoena that only requires your presence (i.e., it does not request records) you should contact the executive director immediately.

6-3 Media Relations

Who can speak for the organization

NorthStar strives to anticipate and manage crisis situations to reduce disruption to our employees and maintain our reputation as a provider of high-quality services. To best serve these objectives, NorthStar will respond to the news media in a timely and professional manner *only* through the designated spokespersons. Typically, the executive director is the official spokesperson for the organization. Please answer all media/reporter questions like this: “I’m not authorized to comment for NorthStar. Let me have our executive director contact you”—or refer them to the executive director. NorthStar will generally provide a response to media inquiries within 24 hours.

We appreciate employees’ interest and initiative in organizing public relations events—such as visits by public officials—that bring attention to our organization and the important work we do. Before firming up such events, get your program director’s approval and involvement in the planning process.

In your off-duty professional and community activities, clarify when you are authorized to speak for NorthStar and when you are expressing a personal opinion.

Employee interaction with third parties

Nothing in this policy or any other section of this Employee Handbook should be interpreted as discouraging employees from exercising their rights, as protected by the National Labor Relations Act (NLRA), to publicly discuss wages and working conditions. Employees have the right to communicate with news media, government agencies, and other third parties on their own or other employees’ behalf about wages, benefits, and other terms and conditions of employment. While NorthStar controls who can speak on the organization’s behalf, employees are entitled to speak for themselves when approached by the media and third parties about NLRA-protected matters.

6-4 Employee Use of Social Media

What employees do on their own time is generally their own business. Social media—including sites such as Facebook, LinkedIn, Twitter, blogs, and other online discussion forums—has, however, blurred the lines between our work and personal lives. Certain uses of social media by employees may impact the reputation and well-being of NorthStar and therefore become a legitimate organizational concern that can outweigh an employee's expectation of privacy. Therefore, we have established the following guidelines for the appropriate use of social media.

Key principles

With specific regard to social media, you as a NorthStar employee must:

- 1) Understand that you are accountable for your postings and other electronic communications that are job-related, particularly online activities conducted with a NorthStar email address, or while using NorthStar property, networks, or resources.
- 2) Recognize that “personal” social media use can spill over into the workplace and impact the working environment;
- 3) Be mindful that:
 - What you publish will be public for a long time and may be visible to current, past, and prospective program participants, parents, colleagues, and community members;
 - Social media sites are increasingly interconnected—i.e., linked to one another—in ways that may be largely outside the direct control of the users of any given site;
 - Serving as a role model is a critical aspect of virtually every employee's work at NorthStar; and
 - Accordingly, you must act with appropriate discretion when using social media (even for personal communications) when these communications can impact your effectiveness at NorthStar.

Please be aware that NorthStar considers discretion in social media use to be a serious matter in protecting NorthStar, our employees, and the people in our programs. Violation of this policy may lead to corrective action, up to and including termination of employment.

Guidelines

1. **Communication with program participants and parents.** In youth work and family support, we must recognize that many youth and some parents prefer to communicate through social media. As new social media tools and features are being continually introduced, we expect that employees will use age-appropriate tools.
 - Keep in mind the unequal power dynamics in relationships with program participants—in which employees have authority over program participants that continues to shape those relationships even after people are no longer in our programs. Employees must act in a manner that always respects and never exploits the unequal power in these relationships.
 - Do not initiate or accept social media “friend” requests from program participants (of any age). Don't friend parents of program participants due to the inherent conflicts of interest that may arise. Use professional discretion when “friending” former program participants 18 years of age or older.
2. **Use of social media for public relations purposes.** NorthStar has established a social media presence (e.g., Facebook page) for development, public relations, and other organization-

related purposes. All postings to this site must be initiated under the direction of the executive director. All postings must adhere to NorthStar's professional standards e.g., following language conventions, being accurate), values, policies, and applicable laws at all times.

3. **"Friending" coworkers.** Supervisors and other employees should understand the risks that can arise from being "friends" with another employee on a social networking site. Employees in supervisor/supervisee relationships should exercise caution, due to the potential for both parties to feel pressured to accept the request, potentially compromising the work relationship as well as raising conflict-of-interest, unequal treatment, discrimination, or similar concerns.
4. **Employees' rights under the National Labor Relations Act.** The National Labor Relations Act protects employees' use of social media to complain about terms and conditions of their job as well as another worker's performance.
5. **Posted content.** Use care with personal profile data and posted content to ensure that this information does not reflect poorly on your ability to serve as a role model. We ask you to balance your right of individual expression with the valid interests of the organization in promoting and presenting its mission, culture, and values to the community at large and in maintaining a favorable public image.
6. **Privacy settings.** On most sites, privacy settings can be changed at any time to limit searchability and access to profiles. Employees should use discretion in allowing access to their online content, consistent with other requirements of this policy.
7. **Non-organization-related friends.** Remind all other members of your social networks of your position as a NorthStar employee whose profile may be accessed by program participants, parents, colleagues, and other community members. Ask them to monitor their posts to your network accordingly. This includes, but is not limited to, being "tagged" in photos on the social networking sites of friends or others, especially where the photos show you engaged in recreational activities such as drinking alcohol that, while lawful and conducted off work premises during nonworking hours, may not be appropriate for viewing by program participants and others.
8. **Groups in your social network.** All employees are asked to use good judgment in visibly and publicly associating only with social media groups consistent with the mission of the organization. At the same time, this provision is not intended to limit valid intellectual or protected discourse on a wide variety of subjects or viewpoints.
9. **Response to notice of alleged online harassment or discrimination.** NorthStar has a legal as well as an ethical obligation to address complaints of harassment or discrimination related to the workplace; our responsibility extends to alleged harassment and discrimination that occurs via off-duty social media use. Employees should be aware that they can expose the organization to risk by posting inappropriate material on blogs and private social networking sites during non-work hours using their own equipment. If we become aware of allegedly harassing or discriminatory social media conduct made by or to an employee, we will take prompt action to investigate the complaint. Inappropriate postings such as discriminatory, harassing, or threatening remarks, violent or obscene content, or similar inappropriate or unlawful conduct (e.g., illegal drug use) that violate our policies will result in corrective action up to and including termination.
10. **Time on social sites.** Employees should refrain from using social media or blogging sites for personal use during work hours except for incidental usage (e.g., spending a moment or two

checking a site in between work activities). In no case may the use of social media resources interfere or impede your completion of your job duties and responsibilities to the organization and the people in our programs or impose any costs on NorthStar.

- 11. Online identity and posting of blogs.** As a vibrant community organization that incorporates systemic change into our mission, we encourage active involvement in a variety of activities, causes, and the like—including social, political, religious, and civic groups, blogs, etc. When posting messages to blogs (i.e., meant to broadly include a variety of online discussion forums), however, you must be clear that you are presenting your opinions to the online world and not state or imply your connection to the organization in any way. If you choose to post a personal message to a blog, you can sign the post with just your name and not identify your connection with NorthStar. If you identify yourself anywhere on a website, blog, or text as an employee of NorthStar, we require that you put the following notice in a reasonably prominent place on your site: *“The views expressed on this web site/blog are mine alone and do not necessarily reflect the views of my employer, NorthStar Learning Centers.”* When making personal, non-work-related posts to blogs, don’t use your organizational email address in the message or for reply purposes, to avoid implying NorthStar’s approval of the message’s content.
- 12. Protecting confidential information.** No social media or blog posts should communicate any confidential NorthStar information, including any personal identifiable information about any individual who has received services from NorthStar.
- 13. Use of social media sites in background checking.** NorthStar maintains a specific background-checking procedure to limit legal liability with regard to discrimination and meet other requirements. Because background checking creates a host of risks and liabilities for NorthStar if not handled properly, no employee is permitted to engage in “freelance” checks of job candidates’ social media profiles.
- 14. Monitoring employees’ internet and technology use.** Employees are prohibited from engaging in illegal activities or accessing website with illegal or otherwise prohibited content when using NorthStar networks or equipment at or outside our facilities, during or after work time, or while directly or indirectly representing NorthStar in any way. To protect our organization, people on our programs, employees, and other community members from potential harm, liability, or other risk, NorthStar reserves the right to monitor employee electronic communications and activities that are transmitted through our networks and/or using NorthStar-provided equipment. In other words, employees should not expect privacy when using NorthStar-owned computers, communication systems, or other electronic equipment. (See section 5-9 Computer and Internet Use.)

Chapter 7

Workplace Safety

NorthStar is committed to conducting all operations in a manner that protects the health, safety, and well-being of our employees, program participants and their families, neighbors, and the environment. To this end, we make every effort to comply with all applicable federal, state, and local health and safety laws and regulations.

Workplace defined. *Workplace* is broadly defined; it includes all NorthStar-owned and –leased facilities and any other locations where NorthStar workers perform any work-related duty. *Workplace* includes off-site work-related functions (e.g., meetings, conferences), work-related social events, program participants' homes, private vehicles used for business, or away from work but resulting from work (e.g., a threatening telephone call to your home from a parent of a program youth).

At NorthStar, we recognize that to maintain a safe, healthy and secure workplace we must have open, two-way communication between all employees, including managers and supervisors, on all workplace safety, health and security issues. Our communication system and organizational culture are designed to encourage a continuous flow of safety, health and security information between management and our workers without fear of reprisal and in a form that is readily understandable.

All employees are expected to take appropriate precautions to protect their own health and safety as well as the health and safety of coworkers, children, and families. In addition to becoming familiar with the policies and procedures outlined in this chapter, employees should refer to NorthStar's *Health and Safety Manual*.

7-1 Safe Work Practices

Injury prevention

Many workplace injuries are avoidable. To prevent injuries, you should:

1. Report to work in a fit condition to perform your duties;
2. Follow established procedures and safe work practices, including using at all times proper procedures for lifting, carrying, and setting down children and objects—both on and off the job—to prevent back injuries;
3. Wear appropriate attire for the work being performed.

Maintenance of program and work environment

Keeping the workplace clean, orderly, and attractive is essential because:

1. The appearance of our work sites shapes how people view our organization and programs.
2. The orderliness of the work environment affects employee safety and efficiency.
3. The cleanliness of facilities helps prevent infestation by insects and rodents. Pests damage food, supplies, and facilities and can spread food-borne illnesses and other diseases.

All employees are expected to contribute independently and as assigned to maintaining high standards of housekeeping for all work areas and locations, including cleaning up after each task. You should immediately report unsafe conditions of indoor and outdoor facilities and equipment and take appropriate steps to prevent children and youth from using areas or equipment that may be dangerous.

Injury reporting requirements

If you are injured or become ill while on the job, you must take the following steps:

1. If you need medical attention, seek it immediately. What may initially be a minor injury may only increase in seriousness if you fail to go to the doctor for treatment. You may seek initial immediate medical attention at the St. Luke's Hospital emergency room, at a local medical clinic, or by your own physician. The doctor must be informed that the injury is work-related so that it is appropriately billed. Medical officials should be asked to contact the Business Office with any questions concerning workers' compensation insurance coverage. The physician should clearly document in writing when you may be able to return to work, if known, and should document any recommended limitations. Our workers compensation insurance carrier may direct or suggest follow-up care or diagnostic services.
2. If you sustain a repetitive stress injury that develops over time, it may be harder for you to pinpoint what your "date of injury" is. In those situations, you are required to report your injury as soon as possible after you discover that it is related to your employment.
3. The employee's coworkers or supervisor must immediately report to the executive director any serious incident such as a traffic accident, ambulance transportation, broken limbs, or loss of consciousness.
4. You must notify your supervisor as soon as possible regarding any workplace injury or illness. We encourage employees to report all injuries or illnesses, even if they don't think they are serious. You will face no negative repercussions for reporting an injury.
5. Initially, this may be an initial verbal report, followed up by a completed injury reporting form or workers compensation claim report. All injuries must be reported, including minor bumps,

bruising, and scrapes that do not appear to require treatment at all. Failure to report an injury on a timely basis that then leads to subsequent care and treatment costs can result in a loss or delay of insurance coverage.

6. When you receive a bill for medical treatment for a job-related injury or illness, you should contact the Business Office. When you purchase prescription drugs, you should submit the receipt to the Business Office to obtain reimbursement.
7. You must take proper care and caution to follow recommended treatment and to promptly notify your supervisor of medical clearance to return to either light duty (modified work tasks, work environment, or work schedule) or to full duty in your regular position.

We are committed to returning employees to work as soon as practically possible, given that they are physically able to resume work and that their condition does not pose a risk or hardship to others. In all cases, we will make every effort to accommodate an employee who may need a light-duty accommodation. Such accommodation might include temporary reassignment to a different position, a modified work schedule, or modified duties. This may not be possible in every case, however, given the nature of the employee's limitations and the work needs and requirements.

Fire alarms and emergency evacuation

Employees should be familiar with emergency procedures and practices, including assigned emergency responsibilities. At any time when a fire alarm is sounded, you should never assume that it is a drill. You should know the locations of pull alarms and fire extinguishers in your work sites, how to operate them, and how to report a fire. You should also be familiar with the evacuation plans for our facilities. All NorthStar facilities are on the 911 emergency system.

Precautions to reduce the spread of contagious diseases

If you contract a contagious disease that is transmitted by normal day-to-day contact, you should remain away from work as long as the disease is considered to be contagious. When requested, you must provide a physician's statement certifying that it is safe for you to return to work. You should take proper precautions when providing services to children, youth, and family members who have a contagious disease such as measles or mumps.

7-2 Vehicle and Safe Driving Policy

NorthStar's legal obligation to provide a safe program and working environment extends to transporting people we serve and all other work-related driving. Employees whose jobs involve driving must maintain a safe driving record during work and outside of work.

Driver requirements

Any employee driving on NorthStar business needs to be "authorized to drive," with an approved driver's authorization form on file in the Business Office. A list of authorized drivers is sent to our agency's automobile insurer on an ongoing basis. Our insurer reserves the right to monitor or refuse to insure an individual driver if that driver fails to meet its driver acceptability requirements:

- 1) No more than 2 moving violations or "at-fault" accidents within the past 3 years;
- 2) No more than 2 suspension/reinstatements within the past 3 years;
- 3) No convictions for driving while under the influence of alcohol or drugs or reckless driving or careless driving within the past 5 years;
- 4) No felony convictions involving the use of motor vehicles;
- 5) Possession of a valid, current driver's license. You must provide the Business Office with a photocopy of your driver's license and every license renewal.

Drivers are evaluated on an ongoing basis to assure they maintain a safe driving record. If our automobile insurer declines coverage of any driver, they will not be authorized to drive for NorthStar purposes. Any requests for an exception should be submitted to the executive director. In approving and disapproving drivers, NorthStar reserves the right to use guidelines that are stricter than our insurer's.

If removed from the organization's authorized driver list, an employee whose job involves driving may have to accept whatever alternative assignment the organization may give them. A reduction in pay, change in hours, change in duties, and/or change in work location may result from such reassignment. NorthStar does not and cannot guarantee that any particular reassignment will be available in the event of a problem with an employee's driver's license, driving record, or insurability as a driver and that, if no reassignment is possible, termination of employment may occur.

Safe driving practices

Any employee driving a NorthStar vehicle or driving on NorthStar business must observe all safety, traffic, and criminal laws and regulations. All authorized drivers are expected to operate vehicles safely and with great care for the safety and well-being of those aboard and others on the road. Safe driving practices include:

1. **Obey all safety and, traffic laws, ordinances, and regulations.** Any fines resulting from traffic or parking violations are the responsibility of the driver and will not be reimbursed by the organization.
2. **Be conscientious and courteous.** While driving for NorthStar purposes, you should conduct yourself in a professional manner as a representative of our organization.
3. **Use seat belts.** Transport only the number of persons for which there are seatbelts in the vehicle. Use of seat belts or other appropriate safety restraints is required for all persons riding in the vehicle. The driver is responsible for ensuring that all persons are properly secured before putting the vehicle in motion.

4. ***Pay attention to weather conditions and road hazards.*** Drivers should take appropriate precautions in adverse weather and traffic conditions, including reducing speed below the posted limit while traveling on wet or slippery roads or in dense fog or other conditions that limit visibility. When weather conditions and road hazards require special attention, ask your passengers to help you by being quiet and observant. If a driver is found to have committed any unsafe acts while driving, corrective action may be initiated.
5. ***Don't use a handheld cell phone anytime while driving.*** If you need to make a phone call, pull over out of traffic in a safe place and stop driving. Then make your phone call. Similarly, pull your vehicle over to a safe place on the side of the road before answering phone calls. (Preferably, turn off your phone while driving so you won't answer it if it rings.) Remain parked until the communication is ended. This policy prohibiting inappropriate use of handheld devices protects not only our employees and other members of the public from the hazards associated with such use, but also the organization from potential liability on the basis of inappropriate use by its employees.
6. ***Don't text while driving.*** While making a phone call while driving, texting while driving is illegal. The state's Safe Driving Law prohibits all drivers from using a mobile phone, or other handheld device capable of accessing the internet, from composing, sending or reading electronic messages, or surfing the internet, while operating a motor vehicle. The prohibitions apply even while a vehicle is stopped at a red light or stop sign. The prohibitions do not apply if the vehicle is stationary and not located in a roadway.
7. ***Concentrate on driving.*** Many of the risks related to cell phone use also apply to anything a driver is doing that could be a distraction from operating the vehicle. Besides not using cell phones, drivers should get detailed directions before leaving, not eat or drink while driving, and avoid reaching for objects if you have to take your eyes off the road. If a passenger engages in disruptive or unsafe behavior, pull over out of traffic and stop before addressing the problem behavior.
8. ***Don't use alcohol or drugs or drive under their influence.*** No driver may consume alcohol or illegal drugs while driving a NorthStar vehicle, while on NorthStar business, while in a NorthStar vehicle, or prior to the employee's work hours if such consumption would result in a detectable amount of alcohol or illegal drugs being present in the employee's system while on duty. In addition, no driver may consume or use any substance, regardless of legality or prescription status, if by so doing, the driver's ability to safely operate a motor vehicle and carry out other work-related duties would be impaired or diminished.
9. ***Don't smoke.*** Smoking or use of other tobacco products is not permitted while driving on work-related business.

If you experience, or are witness to, any occasion of non-compliance with these safety rules or other transportation safety problem, promptly notify your supervisor or any other administrator.

Use of NorthStar vehicles

Employees who drive NorthStar-owned or -leased vehicles are responsible for their proper use, including:

1. Use for NorthStar business only.
2. Do not permit any unauthorized person to drive a NorthStar vehicle. Unauthorized drivers may be personally liable for any accident or loss.
3. Ensure that tires, headlights, turn signals, taillights and windshield wipers are in good working order before driving.

4. Properly distribute and secure equipment and material before transporting.
5. Always turn off the ignition, remove the keys, and lock when leaving it unattended.
6. When parking, try to leave the vehicle in a well-lighted, secure area.
7. Don't leave NorthStar property or personal items in the vehicle.
8. Don't use to jump-start, push, or tow other vehicles.
9. Don't pick up or transport non-employees while in a NorthStar vehicle or on NorthStar business, unless there is a work-related need to do so.
10. Keep vehicles clean and in the best condition possible. No eating, drinking, or smoking in our vehicles. Remove any trash when you are finished using the vehicle.
11. Report any damage or mechanical or other problems to the Business Office so that we can have the vehicles repaired or serviced as soon as possible.

We maintain extensive business automobile insurance coverage for NorthStar-owned vehicles. This coverage includes liability, physical damage and uninsured motorist. All authorized drivers are covered.

Using privately-owned vehicles for NorthStar business

Most authorized drivers drive their own vehicles on NorthStar business and receive mileage reimbursement. By law, the owner of a vehicle is responsible for insuring it. Any employee who uses their own or other private vehicle for work purposes must certify that the vehicle used will always be:

- 1) Covered by liability insurance in at least the amounts required by the organization;
- 2) Adequate for the work to be performed;
- 3) Equipped with safety belts in operating condition;
- 4) In safe operating condition as required by law.

You must provide proof of insurance coverage annually to the Business Office. In many cases, auto insurance policies contain "business use" exclusion clauses and do not provide coverage if you are driving your personal vehicle on work-related business. It is the responsibility of each employee to contact their insurance agent to determine if "business use" coverage is necessary before driving their own vehicles for work-related purposes. You must immediately inform the Business Office of any change of insurance company or amounts of insurance coverage, termination of insurance, or change in vehicle.

An employee involved in an accident while driving a private vehicle on NorthStar business must first look to the insurance protection carried on that car. The employee is responsible for the deductible portion of their personal collision coverage and is responsible for any increased personal automobile insurance premiums as the result of an accident in which they are cited. In certain circumstances, if a personal injury or property damage claim made against the employee's automobile insurance exceeds the limits of that coverage, the organization's insurance policy may then take effect.

Driver reporting requirements

Authorized drivers must inform the Business Office and provide documentation of any changes in your status as a driver, including:

1. **Change in license status.** License suspension, revocation, cancellation or other change by the end of the business day that the licensing action is taken;

2. **Motor vehicle accident.** Any kind of car accident in which you are involved as a driver—regardless of fault or whether it occurred on or off the job—at the earliest possible opportunity and any penalty, fine, fee, or other adverse action imposed by a court in connection with the car accident as soon as you become aware of it;
3. **Traffic citation.** Citation for any traffic violation by the end of the business day on which the citation is received. While parking tickets won't affect a driver's insurability, any parking ticket issued on a NorthStar-owned or -leased vehicle should be promptly reported.

This information will be given to our insurance company to assess insurability and handle claims.

Accident procedures

If you are involved in an accident:

1. Stop immediately. Turn off the ignition. Remain calm and be courteous; don't argue with other persons involved in the accident.
2. Turn on your emergency flashers.
3. Contact the proper police jurisdiction as soon as possible. If you don't have a cell phone, have someone else call the police—and request medical help, if necessary. The police will usually respond even if the accident involves only property damage. While the police may not make a determination of responsibility, they will at least document the obvious facts, which will be of help. To collect on some insurance coverage, a police report may be necessary.
4. The police will ask for evidence of liability insurance. This information can be found on the insurance identification card that should be located in the glove box of NorthStar vehicles. Employers who drive their own vehicles should always carry proof of insurance coverage.
5. Give reasonable help to injured. Do not move injured persons unless absolutely necessary. If you or the occupants of your vehicle sustain injury, however minor, please have an examination by a personal physician or at the emergency room of a nearby hospital.
6. Notify your supervisor and the Business Office at the earliest possible opportunity.
7. Even if you feel responsible for the accident, never make any statements concerning fault or guilt. Do not make a statement of any kind about the accident to anyone other than the police, NorthStar staff, your insurance company, or our insurer.
8. Record as much information as you can on the vehicles involved (description, license numbers, insurers), all other parties to the accident (other drivers' and witnesses' names, addresses, and phone numbers), and how accident happened, including any actions you took to avoid it. Submit the information to the Business Office within 24 hours of the accident.

7-3 Drugs and Alcohol

Drug-free workplace policy

NorthStar is committed to providing a safe, quality-oriented and productive work environment that supports and complies with the goals and requirements of the Drug-Free Workplace Act of 1988. Alcohol and drug abuse in the workplace pose a threat to the health and safety of NorthStar employees, the people we serve, and the security of our equipment and facilities. Employees who violate this policy may face corrective action, up to and including termination.

Use of prescription drugs

This policy does not prohibit employees from lawful use and possession of prescribed medications. You must, however, consult with your doctor about the medications' effect on your ability to safely and effectively carry out your job responsibilities and, before starting work, disclose any doctor-advised work restrictions to your supervisor. If your ability to safely perform your job duties is open to question, we may require a statement from a health care professional familiar with your medical history and job requirements before you are allowed to work. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.

Work rules

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. More specifically:

1. Whenever employees are working, including operating any NorthStar vehicle and conducting agency-related work off site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);
 - Being under the influence of alcohol or illegal drugs;
 - Possessing or consuming alcohol.
2. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system (as confirmed by a drug test), while at work, is prohibited.

Illegal drug use includes not just outlawed drugs, but also the misuse of otherwise legal prescription and over-the-counter drugs.

An employee will not be allowed to start or remain at work if they are believed to be under the influence of or impaired by alcohol or drugs, based on based on observations of the employee's behavior, speech, appearance, or body odors associated with alcohol or drug use. Employees whose jobs involve transporting persons in our programs are prohibited from consuming alcohol within 4 hours of reporting for duty.

Exceptions to no-alcohol policy

We do not prohibit employees from consuming alcohol at NorthStar-sponsored social, fundraising or business functions where alcohol is served. Even at these functions, however, employees must be of legal drinking age and may not consume alcohol to the point of intoxication or where they endanger themselves or others.

At work-related functions where alcohol is available (e.g., NorthStar fundraising or funders' annual dinners), it is typically served at a cash bar by restaurant or club employees. Under this arrangement, NorthStar has no control over alcohol consumption; it is up to the restaurant or club employees to

exercise their bartending responsibilities as well as you to take personal responsibility for your alcohol consumption.

Crimes involving drugs or alcohol

While not desiring to intrude into the private lives of its employees, NorthStar recognizes that their off-the-job involvement with drugs and alcohol may adversely impact the workplace or our organization's reputation. Therefore, we reserve the right to take appropriate corrective action based on employees' off-duty drug use, sale, or distribution or alcohol-related crimes (e.g., driving while intoxicated, violation of open container or public intoxication laws). All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug or alcohol are required to report the conviction, plea, or sentence to the executive director or their designee within 5 days. Failure to comply will result in automatic discharge. Complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with NorthStar.

Inspections

NorthStar reserves the right to inspect all parts of its premises and vehicles owned, leased or managed by NorthStar for drugs, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections will be subject to appropriate corrective action, up to and including discharge.

Reasonable suspicion testing procedure

General requirements for making reasonable suspicion referrals. We may ask an employee to be tested for drugs or alcohol use when there is reasonable suspicion they are using them. Although sending any employee for drug or alcohol testing doesn't require certainty, mere "hunches" are not sufficient to warrant a test. A reasonable suspicion is a reasoned conclusion drawn from objective observations of the individual. Reports from other sources cannot be used as the sole basis for ordering a reasonable suspicion test. Based on firsthand observations, the employee's supervisor or an administrator must be able to document specific behavioral or physical signs associated with drug or alcohol use. Criteria for *reasonable suspicion* include:

- 1) Direct observation of drug use or its physical symptoms, including slurred speech, agitated or lethargic demeanor, uncoordinated movement, and inappropriate response to questions;
- 2) Unexplained, abnormal conduct or radical changes in behavior while at work such as violent outbursts, hyperactivity, extreme suspiciousness, frequent and/or extreme fluctuations of mood swings;
- 3) Smell of alcoholic beverage or marijuana on the employee when they are on the job.

Once they document their observations on a Reasonable Suspicion Observation Checklist, the supervisor or administrator should immediately consult with the executive director or their designee and make a decision as soon as possible on whether or not to send the employee for reasonable suspicion testing.

In communicating the decision to require an employee to submit to a reasonable suspicion test, the supervisor should focus on specific observations of employee behavior and appearance; they should not accuse the employee of drug or alcohol use or offer a diagnosis of substance abuse, addiction, or alcoholism. The testing requirement should be presented as a method for "ruling out" possible drug or alcohol use as a cause or explanation for employee behavior or appearance that call the employee's fitness or well-being into question. In other words, the reasonable suspicion test is used as much to determine that alcohol or drugs are not the cause of the observed behavior or appearance, as it is to prove that alcohol or drugs is the causative agent.

A copy of the reasonable suspicion documentation must be provided to the employee upon request.

Supervisor training requirement. The observations must be made and documented by a supervisor who has participated in training on physical, behavioral, and performance indicators of probable drug use, signs and symptoms associated with alcohol misuse, requirements for reasonable suspicion testing.

Testing timeframe. Once a determination is made that a reasonable suspicion test is required, the test should be conducted as soon as possible. The breath alcohol test should be conducted within 2 hours of the decision to require a test; if not conducted within 8 hours, of the decision to test, testing must be discontinued. A test for controlled substances should be done within 12 hours of the decision to require a test.

Collection and testing procedures. With reason to believe an employee is impaired or under the influence of drugs or alcohol, an administrator or supervisor will transport the employee to NorthStar's contracted testing facility and make arrangements to transport the person home. Under no circumstances should the employee be allowed to drive themselves to the testing facility, return to work while awaiting the results of reasonable suspicion testing, or drive themselves home.

The employee to be tested must present a photo ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. The employee to be tested must sign a consent form provided by the testing facility.

Employees subject to alcohol testing will be directed to provide breath specimens. Breath specimens must be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. A blood alcohol concentration (BAC) of 0.04 or higher constitutes a policy violation.

Employees subject to drug testing will be directed to provide urine specimens in private. Collected specimens will be sent to a federally certified laboratory and tested for evidence of:

- 1) Marijuana
- 2) Cocaine
- 3) Opiates (heroin, morphine)
- 4) Amphetamines
- 5) Phencyclidine (PCP)

A medical review officer associated with the testing facility will confirm all positive screens and will offer persons with positive results a reasonable opportunity to rebut or explain the results. A positive test result won't be communicated to NorthStar until the medical review officer has confirmed the test to be positive.

Some prescribed medications can result in a positive result on a drug test, and some drugs that would otherwise be illegal (such as opiates) are legitimately prescribed for certain conditions. A positive test result caused by the appropriate use of legally prescribed medications that are taken in accordance with the prescription and don't cause unsafe or unacceptable job performance won't affect your employment.

Test refusal. An employee's refusal to submit to testing or to cooperate in the testing process in such a way that prevents completion of the test will be treated as a positive test and will result in corrective action up to and including termination.

Right to test result report. An employee has the right to request and receive a copy of the test result report on any drug or alcohol test.

Employee challenges and option to retest. After testing positive for alcohol or drugs, an employee may request a retest of the original sample. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the initial test.

Use of law enforcement post-accident testing. If an employee is involved in an on-duty traffic accident, NorthStar expects them to undergo alcohol and drug testing when requested by a law enforcement officer for probable cause. NorthStar will rely on the results of police tests to determine drug or alcohol use.

Consequences of a positive test results. Test results generated by medical providers or law enforcement will be considered by NorthStar to substantiate work rule violations. An employee who tests positive for alcohol or drugs may be required to enter a rehabilitation program. If the employee either does not successfully complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be terminated from employment.

Confidentiality

Information and records relating to reasonable suspicion alcohol or drug test determination, positive drug and alcohol test results, drug and alcohol dependencies, and legitimate medical explanations provided to appropriate NorthStar personnel must be kept confidential to the extent required by law and kept in a separate, secure medical file separate from normal personnel files. Such records and information may be disclosed among administrators and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee.

Tobacco-free policy

Because of the public health hazards of tobacco products, their use is prohibited on NorthStar premises, including lobbies, hallways, stairwells, restrooms, conference rooms, outdoor play areas, and NorthStar vehicles. The use of electronic cigarettes (e-cigarettes) as an alternative to traditional cigarettes has also raised employee health concerns. As a result, we have extended our no-smoking policy to prohibition of e-cigarettes.

Employees wishing to use tobacco products and e-cigarettes while on break must do so in designated areas away and out of view of persons in our programs. All employees should assist in ensuring strict observance of the tobacco-free policy by directing anyone wishing to use tobacco products to the designated smoking areas. No employee will suffer any form of retaliation for raising a complaint or asking a question about this policy.

Employee assistance

Any employee who believes that they have developed an addiction to, dependence upon, or problem with alcohol or any drug is encouraged to voluntarily come forth to seek assistance before their alcohol or drug problem comes to our attention. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment.

Chapter 8

Time Off

8-1 Work Attendance

The work of the organization and of each of its programs is organized based on all employees reliably coming to work as scheduled. Employees are expected to be ready for work in their work area at the time that they are scheduled to start work or resume work after breaks. You should not leave your work site during your work hours without your supervisor's knowledge and approval.

All employees should expect to work some evenings. Mandatory evening work activities include staff meetings, inservice training sessions, and functions for families we serve. Attendance of professional days is also a job requirement. If you are unable to attend any mandatory work activity, you must follow the standard procedures for absence notice and supervisory approval.

Planned absences

In all cases where you know that you will need to be absent from work, you are required to provide at least 2 weeks' notice in advance of the starting date of absence. To plan for appropriate staffing levels, we ask for advance notice of 30 days, whenever possible.

Unplanned absence or lateness

If you are unexpectedly absent or late to work, you must contact your supervisor or appropriate administrator as soon as practicably possible to inform them of your absence or lateness, the reason you will be absent or late, and your expected return date or arrival time at work. Failure to call in for any absence or tardiness may result in corrective action. An absence or lateness in arriving at work that occurred for reasons beyond your control and for reasons satisfactory to your supervisor may be excused without pay or you may be allowed to cover the absence with appropriate paid leave time.

During the winter months and periods of inclement weather, you should allow yourself extra commuting time to ensure that you arrive at work on time. When severe weather reasonably prevents you from coming to work or from arriving on time, the absence will be approved and charged to vacation or personal leave or leave without pay.

If you believe that you will be late returning from your lunch break, you should contact your supervisor to notify them of your expected lateness, expected time of return to work, and reason that you will be late.

Absenteeism

Unexcused absences and/or tardiness and excessive excused absences and/or tardiness will result in corrective action, up to and including termination.

8-2 Inclement Weather

Inclement weather can cause transportation problems or hazardous conditions that can vary widely in our region. Severe weather may result in closures to schools, even as NorthStar remains open for regular business. We will not close unless hazardous weather conditions exist or other emergency circumstance occurs.

1. The executive director or designee will determine whether one or more programs will be closed due to heavy snowfall or other emergency circumstance and will arrange for notice of closure to be included in local radio broadcasts of closings. You should assume that we are open unless the radio broadcast specifically indicates otherwise. We may decide to open our programs but not provide transportation for program participants because of hazardous road conditions. On days when we are open but one or more of its programs are closed, employees of closed programs will be assigned alternate duties whenever possible.
2. Employees will receive their regular pay for days on which they are scheduled to work but we are closed due to severe weather or other emergency circumstance. If we are closed due to severe weather or other emergency circumstance when an employee is scheduled to be absent from work, they will be paid or unpaid for that day in accordance with their original request for leave and approval of paid leave; in other words, a weather/emergency closing will have no impact on a planned absence.

Leave use and compensation

We recognize that personal safety is an important consideration when evaluating the ability to commute to work during severe weather.

1. On snow/storm days when we are open and an employee is unable to get to work, time off may be (a) charged to vacation or personal time, (b) taken as time off without pay if the employee's vacation and personal time are exhausted, or (c) with the supervisor's approval, made up within the pay period. Although no corrective action will be taken when an employee can't get to work due to hazardous travel conditions, they must still follow the proper call-in procedures that they will be absent from work that day.
2. Employees who leave work early or are late to work due to heavy snow or other severe weather conditions when we have not closed may charge their time off in a similar manner, with the approval of the program director, or time missed may be considered as time worked at the discretion of the program director, taking into account the specific circumstances. When employees have already reported to work and conditions make it impractical to operate the program, the program director may release employees early and provide regular pay for the full day.
3. Supervisors can approve requests for employees to temporarily work from home, if doing so allows completion of work assignments.

Site-specific emergency closings

In the event of a site-specific emergency in which a facility must temporarily close, affected program participants and employees will be, whenever possible, transferred to an alternate facility. If a facility is temporarily closed, affected employees may be assigned alternative duties at another facility.

8-3 Administration of Paid and Unpaid Leave

Paid leave is designed to cover most longer-term as well as one- or 2-day absences. For this reason, employees are advised to reserve a significant portion of their vacation, sick, and personal leave (within limits described in this handbook) so that they can continue to receive their salary during extended illness, family crises, or other longer-term reasons for being absent from work.

Absence approval

To take paid or unpaid leave, you must complete a leave request form and submit it to your supervisor for approval. Leave request forms are available at all work sites.

Employees are required to disclose the reasons for taking time off work so that we can fully and fairly consider approval of the requested leave period. If your request for paid or unpaid leave is denied, your supervisor will explain why it was denied.

Leave accrual

You accrue vacation, sick, and personal leave during weeks when you are in active pay status—that is, you are either working or using paid leave time. Employees on unpaid leave or layoff and those on leave while collecting workers' compensation or short-term disability do not accrue paid leave. Partial accrual is earned for partial weeks worked such as at the beginning or end of a layoff period or at the beginning or end of employment.

Return to work

Generally, an employee who is medically and otherwise fully qualified to return to work after an approved longer-term leave will resume their prior position, provided that the position hasn't been eliminated due to layoff or reorganization. If your prior position is no longer available, you may be restored to a similar position upon the next vacancy in your job classification. The executive director may approve reinstatement to a position in a related job classification if you are qualified.

8-4 Vacation

All regular full- and part-time employees become eligible for vacation leave after satisfactory completion of the new employee orientation period and any extensions thereof.

Use of vacation leave

Vacation must be taken in increments of a half-day or more.

Vacation accrual rates

New employees are not eligible to accrue or take vacation leave during their new employee orientation period or any extensions thereof. Upon successful completion of the new employee orientation period, the employee will be credited with the vacation leave that they would have otherwise earned.

When a regular employee becomes eligible to earn vacation, vacation accrual is prorated based on their classification as full-time or part-time and their length of service. Following is the vocational accrual schedule for employees in full-year positions:

Years of service completed	Maximum vacation leave earned per year	
	Regular full-time employees	Regular part-time employees
Less than 5	3 weeks	1 week
5 but less than 10	4 weeks	2 weeks
10 or more	5 weeks	3 weeks

Vacation leave is earned for each full month of active employment. In order to earn vacation time in a given month, you must be *in pay status* at least 11 days during the month. (*In pay status* includes time worked and time off work for which the employee is receiving pay such as vacation or sick leave.) You accrue vacation time while on paid leave. You do not accrue vacation time, however, during any portion of an unpaid leave or during layoff periods.

Scheduled holiday and unscheduled days off

If a scheduled NorthStar holiday falls within your vacation period, time for that day will be classified as a paid holiday, not vacation leave. If you are on vacation when the organization declares an unscheduled day off due to severe weather, for example, your time for that day will continue to be classified as vacation time.

Vacations limited to time earned

Employees cannot “borrow” against future vacation leave, except to maintain Fair Labor Standards Act compliance for exempt employees.

Vacation pay

Payment for vacation is at the employee’s current base pay. Vacation hours are not considered “hours worked” in the calculation of overtime.

Advance notice requirement

Employees must schedule their vacation time in advance and receive supervisory approval before they can take it. We will try to grant every employee’s vacation request for the days off of their choice. We must have, however, enough staff to assure that the work gets done as scheduled. We are not always able to grant every vacation request, especially during holiday periods. While there are no specific vacation periods, some programs may not approve vacations during certain busy or critical

times of the year. You cannot extend vacations beyond the time scheduled, except in extraordinary circumstances.

A minimum notice period of 2 weeks is required. You should submit requests for vacation leave as far in advance as possible to allow us to plan for your absence. If a conflict arises concerning vacation scheduling, the employee with the earliest notification is typically approved to take the disputed time.

Scheduling vacation

All employees must have their work completed before taking vacation. The employee and their supervisor are responsible for ensuring that this requirement is met.

Accrual cap

While an employee retains all earned vacation leave, we cap the amount of vacation time that you may accrue or earn to the amount of vacation time you earn in a year. After you have reached the maximum vacation you can accumulate, you will cease to earn any additional vacation leave until you reduce your total vacation time below your cap. As soon as you take some vacation and bring yourself back down below your limit, you will begin earning vacation time again.

Accrual of vacation leave beyond the cap permitted by this policy will be considered only if you are specifically requested to forgo taking vacation due to pressing business needs. Exceptions will be considered on a case-by-case basis and require the executive director's written approval.

Paying out unused vacation

Normally, an active employee may not receive pay instead of vacation. If an employee with paid vacation benefits transfers or converts to a position in which they are not eligible for vacation leave, we will pay out any unused vacation time or develop a mutually agreed schedule for use of the accrued vacation time.

Employees will be paid for any accrued and unused vacation time when they leave our employment. Payment will be computed by multiplying your hourly rate of pay at the time of separation by the number of hours of accumulated vacation leave to your credit.

Vacation leave may not be taken after the last day worked. An employee may not take vacation or personal leave during the last 2 weeks of their employment without the approval of the executive director. These provisions will not apply in the case of a leave protected by regulation.

Vacation accrual records

The Business Office keeps a record of each employee's vacation accrual and use. The Business Office will periodically provide you with a written statement of your vacation leave accrual and usage so that you are aware of your balance and know in advance if you are nearing or at the cap you can accrue.

Employees covered by the union contract should refer to its vacation leave provisions.

8-5 Earned Sick Time

Use of sick leave

Sick leave allows you time away from work with pay when:

- 1) You are too ill or injured to work or have a routine medical appointment;
- 2) You must care for an ill or injured family member (your child, spouse, parent, or parent-in-law) or go to their medical appointment;
- 3) For you or your dependent child to receive assistance related to domestic violence.

On a case-by-case basis, the executive director may approve sick leave for an employee to care for a sick or injured family member who isn't their child, spouse, parent, or parent-in-law.

Earned sick time can be used in the smallest increment that NorthStar's payroll system uses to account for absences or use of other time.

While we can't require an employee to work additional hours to make up for the missed time, it is permissible for an employee and their supervisor to mutually agree that an employee who has taken qualifying time off may, in lieu of using earned sick time, work to make up the time in the same or next pay period.

Sick leave can only be used for its intended purpose and not as extra vacation time. Even though you may have been ill or injured while on vacation leave, you can't substitute sick leave in place of vacation leave. Any employee who abuses sick leave will be subject to corrective action, up to and including termination. In the case of suspected sick leave abuse, we may review sick leave use with heightened scrutiny. Examples of suspected sick leave abuse include but are not limited to:

- Taking paid sick leave on days when an employee's request for vacation leave has been denied;
- A pattern of taking paid sick leave on Mondays or Fridays (to have longer weekends) or immediately following a holiday;
- Taking sick leave at the end of each fiscal year (to avoid losing accrued sick time);
- A pattern of calling in sick as rapidly as they earn sick leave, especially if used one day at a time.

In situations of a pattern or clear instance of sick leave abuse, we may require a doctor's note or other medical documentation to verify that an employee's use of paid sick leave was consistent with this policy. We won't, however, delay or deny sick leave or payment for earned sick time because we haven't received medical verification. When we require a doctor's note or other medical documentation for the use of paid sick leave is required, we will treat that information in a confidential manner consistent with federal and state medical privacy laws.

Workplace injury and use of sick leave

If you are injured on the job and have a workers' compensation claim either pending or in process, you may choose to use sick leave time in lieu of workers' compensation. You aren't required to use sick leave during an absence stemming from a workplace injury or illness.

Notification requirements

We ask that employees inform us as soon as they realize they will be unable to work—before the start of their work day. The earlier we receive notice that you will be absent from work, the more time we have to arrange staffing to cover your absence.

1. Sick leave for unexpected circumstances. If illness, injury, exposure to contagious diseases or an illness or injury of an immediate family member prevents you from coming to work, you must follow your program's established call-in procedures. Normally, you should make the call yourself and speak to your supervisor or the person authorized to take such messages. If your first-level supervisor isn't available, you should contact succeeding higher levels in the chain of supervision to ensure official notification of absence. Notifying coworkers or asking coworkers to tell a supervisor will not be considered as meeting this requirement. Unless otherwise instructed by your supervisor, you should phone each day that you will be out on sick leave to report your condition and anticipated return to work. Failure to follow these procedures may result in an unpaid unexcused absence.
2. Sick leave for circumstances known in advance. To use sick leave for routine medical appointments, you must inform your supervisor at the time the appointment is made. Your supervisor must approve your absence in advance of your scheduled appointment.

Sick leave accrual rates

Your rate of sick leave accrual depends on your full- or part-time employment status. Full-time employees earn up to 8 sick days per year. Other employees accumulate 1 hour of sick time for every 30 hours worked. Employees begin accruing sick time with their date of hire, but are not entitled to use accrued earned sick time until the 90th calendar day following their first day of employment. On and after this 90-day period, employees may use earned sick time as they earn it.

While sick and personal leave have different if overlapping uses and are subject to different restrictions, we have combined the accrual of these two leave pools to allow employees to more flexibly manage their personal time use (see "Personal Leave" section below). You will be credited with sick/personal leave at the beginning of the month in which you accrue it. You must, however, work or be on paid leave for more than half the month to accrue sick/personal leave for that month. You don't earn sick or personal leave during unpaid leave or layoff periods.

Paid sick leave isn't to be considered hours worked in calculating overtime pay. The Business Office can provide you with your sick/personal leave balance.

If sick leave is exhausted

If you have used all your sick leave and you can't attend work because of your own or a family member's illness or injury, we require you to use all but 1 week of accrued vacation and/or personal leave to cover your absence. The remainder of your sick leave will be unpaid.

Return to work

Before being allowed to return to work after an illness or injury, you may be required to provide a doctor's statement that you are fully recovered and able to satisfactorily perform your job duties.

Carryover of sick leave

We allow full-time employees to carry forward 8 unused earned sick days from one fiscal year into the next, while part-time employees can carry over up to 40 hours of unused earned sick time to the next fiscal year.

Transfer of sick leave

If you are transferred, promoted, or demoted from one position to another in which sick leave accrues, you will have your sick leave transferred. If you are transferred, promoted, or demoted from a benefits-eligible position to a position without benefits, you will lose any unused sick leave.

Sick leave pay on termination

Unlike accrued vacation leave, we don't pay out unused sick leave to departing employees. Sick leave can't be taken after the last day worked, except in the case of a leave protected by regulation.

Employees covered by the union contract should refer to its sick leave provisions.

8-6 Personal Leave

We provide paid personal time off from work for regular full- and part-time employees and new employees in regular full- and part-time positions who haven't yet completed their new employee orientation period.

Use of personal leave

We provide paid personal leave to allow you time off for personal reasons—particularly to attend to personal business that you normally can't tend to during scheduled work hours. Personal leave may also be used during any period of qualified Family and Medical Leave Act leave and during any Small Necessities Act leave in accordance with the provisions of these policies.

Paid personal leave time will not counted as hours worked in computing overtime pay.

Advance notice requirements

Notification requirements depend on whether or not your need for personal leave is foreseeable:

1. When using personal leave to respond to an emergency, you should notify your supervisor as quickly as possible.
2. When you intend to use personal leave for purposes other than an emergency, you must complete a leave request form and submit it to your supervisor at least 2 weeks in advance of the requested time off. We request that you give 30 days advance notice, whenever possible, to allow us plan for your absence and to increase the likelihood that your request will be granted. Approval of personal leave for non-emergency purposes is subject to our ability to meet staffing requirements.

Personal/sick leave accrual

Eligible full-time employees accrue 3 personal days per year, while part-time employees are entitled to 1 personal day per year. For the first fiscal year of employment, employees are credited with personal time on a prorated basis.

While sick and personal leave have different if overlapping uses and are subject to different restrictions, their accrual is combined. Merging the accrual of these 2 leave pools allows you earlier access to your personal leave in the year it is accrued than if personal leave accrual was calculated separately. We don't advance personal leave.

No carryover of personal leave

Employees may not carry over unused personal leave from one fiscal year into the next.

Transfer of personal leave

If you are transferred, promoted, or demoted from a benefits-eligible status to a status without benefits, you will lose any unused personal leave.

Personal leave pay on termination

When leaving our employment, you will not receive pay for any balance of unused personal leave. You can't take personal leave after you have worked your last day, except in the case of a leave protected by regulation.

Employees covered by the union contract should refer to its personal leave provisions.

8-7 Holidays

We close for 11 holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Patriot's Day
- Memorial Day
- Independence Day (Fourth of July)
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day

Posted in each work site, our yearly holiday schedule specifies when holidays falling on a weekend will be observed.

Eligibility for holiday pay

Employees in regular full- and part-time positions are eligible for holiday pay as soon as they start work. To receive holiday pay, you must work the scheduled day before and the scheduled day after the holiday except when we approve your absence as paid leave. An unexcused absence before or after a holiday will result in forfeiture of holiday pay. Terminating employees don't receive holiday pay unless they work the day after the holiday.

If the holiday falls within your scheduled vacation or sick leave, that day is considered as a holiday and not sick or vacation leave. You are not entitled to holiday pay while in an out-of-work status such as unpaid leave or layoff or while receiving short-term disability payments, except as may be necessary to maintain compliance with certain regulations.

Holiday pay

Normally, if you aren't required to work on a holiday, you will receive your regular pay for the day. If your work schedule is variable, your holiday pay will be equal to 1/5 the number of regularly scheduled hours in your workweek.

Paid holidays are not considered hours worked in computing overtime.

Observance of religious holidays

We will allow time off for any employee whose religion traditionally requires them to observe holy days that fall during their workweek.

To cover the observance of an approved absence due to a religious holiday, you must use available vacation or personal leave before an unpaid absence will be approved. We reserve the right to require you to make up the missed hours.

You should give notice at least 2 weeks in advance of the requested day off. We encourage you to give 30 days advance notice to allow for your program to plan for your absence.

8-8 Bereavement Leave

Employees in regular full- and part-time positions are eligible for paid bereavement leave as soon as they start work. In case of a death in your immediate family, the organization will pay you for up to 4 consecutive days away from work. For the purpose of this bereavement leave benefit, *immediate family* is defined as follows:

Spouse	Parent	Child	Brother/sister	Grand
Husband Wife Domestic partner	Biological Adoptive Step <i>Loco parentis</i> (a person who is in a position or place of a parent) In-law Foster	Biological Adoptive Foster Step Legal ward <i>Loco parentis</i>	Biological Adoptive Step Half	Parent Child

You are allowed 2 consecutive days' bereavement with pay in the event of death of an aunt or uncle.

You are allowed one day's bereavement leave with pay to attend the funeral of a relative not in the immediate family. "Relative not in the immediate family" here refers to those persons related by blood, marriage, or law who are nieces, nephews, first cousins, godparents, godchildren, or aunt or uncle of the employee's spouse or domestic partner. In all other cases, time may be taken and charged to vacation or personal time.

You may request approval for additional time off to be charged against accrued vacation time or personal time. If no accrued vacation or personal time is available for requested additional time off, you may request leave without pay.

Bereavement falling within a vacation

If a family member in one of the above categories dies while you are on vacation, you may substitute bereavement leave in place of vacation time.

Notice

You should, whenever possible, request bereavement leave from your supervisor prior to your absence. Additional time off must be approved in advance.

Payment

Bereavement leave does not count as time worked when computing overtime. We reserve the right to request verification of relationship and death before paying bereavement leave.

8-9 Family and Medical Leave

In compliance with the Family and Medical Leave Act (FMLA), NorthStar will grant up to 12 weeks of leave during any 12-month period to an eligible employee under the following conditions and procedures.

Eligibility

Employees who have worked for NorthStar an average of 25 hours per week for at least a full year are eligible for FMLA leave for one or a combination of the following reasons:

- 1) The birth of the employee's child or to care for the newborn child;
- 2) The placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- 3) To care for the employee's spouse, domestic partner, child or parent (but not in-law) with a serious health condition; and/or
- 4) The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of their job.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Domestic violence. FMLA leave may be a leave option available to an employee who is in an abusive relationship, since a person in an abusive relationship may suffer physical and emotional abuse that can result in serious conditions requiring medical attention. In a domestic violence situation, the victim's children or parents living in the household may also be victimized, either directly or by witnessing the violence.

The 12-month period

The 12-month period is measured forward from the date an employee's first FMLA leave begins. Subsequent 12-month periods begin the first time FMLA leave is taken after the completion of any previous 12-month period.

Advance notice requirements

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for your or a family member's serious health condition, you are required to give us at least 30 days advance notice, or such shorter notice as is practicable upon learning of the need for the leave. In emergencies and unexpected situations, you must give as much notice as is practicable under the circumstances.

Designation of FMLA qualifying leave

In the absence of a request from the employee, we may identify a period of leave as FMLA-qualifying leave and communicate the designation to the employee in accordance with FMLA employer responsibilities. The employee is responsible for providing us with sufficient facts and information to allow us to make an informed determination regarding their eligibility or ineligibility for leave under FMLA. In the case of insufficient information, we may notify the employee of an FMLA designation subject to the receipt of further information.

When disability periods cover the full 26 weeks allowable under the short-term disability program, the first 12 weeks of that period will count as employees' 12-week FMLA entitlement. That is, both short-term disability and FMLA will run concurrently. In cases where the disability period is some

fraction of 26 weeks, the combined period of disability and the FMLA entitlement must not exceed 26 weeks during the 12-month period.

Birth or placement of a child

FMLA leave for the birth or placement of a child must be taken and concluded within a year after the child's birth, adoption, or placement. In certain circumstances, a full-time female employee who is not eligible for FMLA leave may qualify for an 8-week maternity or adoption leave under the Massachusetts Maternity Leave law (MMLA). Our Maternity/Paternity Leave policy (see the following section) describes who is eligible for such leave. If the absence qualifies under both the MMLA and the FMLA for maternity reasons, such leave time will be charged against both the employee's 8-week MMLA entitlement and their 12-week FMLA entitlement to all extents possible.

If both parents are employed by NorthStar, they are together entitled to a maximum of 12 workweeks of leave during any 12-month period for the birth, adoption, or foster care placement of a child or to care for a sick parent. This limitation doesn't apply if the leave is for personal illness or to care for a sick spouse or child.

Required documentation

We may ask employees who take leave for their own serious health condition or to care for a spouse, parent or child with a serious health condition to provide a doctor's form certifying the need for leave. We are also entitled to seek a second opinion and periodic recertification.

During FMLA leave, NorthStar may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, you must provide us with periodic reports regarding your status and intent to return to work. If your anticipated return to work date changes and it becomes necessary for you to take more or less leave than originally anticipated, you must provide us with reasonable notice (i.e., within 2 business days) of your changed circumstances and new return to work date. If an employee gives us notice of their intent not to return to work, they will be considered to have voluntarily resigned.

Intermittent or reduced work schedule leave

Where medically necessary for your own serious health condition or your care of a family member with a serious health condition, you may take FMLA leave on an intermittent basis (2 or more separate leave periods) or a reduced work schedule where you continue to work, but for fewer hours per day or per week. We will consider requests for intermittent leave to care for a new child on a case-by-case basis.

The total number of hours or days of leave taken in this way is limited to the equivalent of 12 workweeks. If you take FMLA leave on an intermittent or reduced-hour basis, you must attempt to schedule your leave so as to create minimum disruption to your program or department. We may temporarily reassign you to a different position with equivalent pay and benefits that can accommodate the intermittent or reduced-hour schedule better than your regular job.

Use of paid and unpaid leave

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. During a period of FMLA leave, you must use any paid leave time, with the exception of up to 1 week of accrued sick/personal time or vacation time, prior to taking unpaid FMLA leave. The remainder of the 12 workweeks of FMLA leave, if any, will be unpaid. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. You do not accrue vacation or sick/personal leave during any portion of an unpaid absence.

Holidays for which you would normally be paid that occur during a period of FMLA leave will be paid if you are in pay status on the last scheduled workday preceding the holiday observance.

Maintenance of health benefits

During FMLA leave, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. During this time, we will continue to pay for our share of premiums. You will be responsible for paying any portion of the premium that you ordinarily pay while you are working. Payment must be submitted in advance to the Business Office on a weekly or monthly basis to avoid cancellation of insurance.

Acceptance of other employment

Acceptance of any employment inconsistent with this leave will result in termination of the leave and may result in corrective action, up to and including termination.

Medical certification of fitness to return to work

Before an employee returns to work from FMLA leave for their own health condition, we may require them to submit a fitness for duty certification from their health care provider, with reference to the condition for which the leave was taken, stating that the employee is able to resume work.

Reinstatement rights

Upon return from FMLA leave, you have the right to return to the same position you held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

If required certifications for your position have lapsed during your leave, you will be given a reasonable opportunity to fulfill the requirements after returning to work.

Limitations on reinstatement. An employee is entitled to reinstatement only if they would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

NorthStar reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid 10% of our workforce ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to NorthStar's operations. If you are classified as a key employee under this definition, you will be notified when you request leave.

Failure to return to work following FMLA leave

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. NorthStar may recover health insurance premiums that it paid on behalf of the employee during any unpaid FMLA leave except that NorthStar's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, NorthStar may require the employee to provide medical certification of the employee's or the family member's serious health condition.

Denial

Conditions under which FMLA leave and/or reinstatement may be denied include, but are not limited to:

- 1) Ineligibility of the employee;
- 2) Unqualified leave under FMLA;
- 3) Employee failure to give timely advance notice for foreseeable leave (resulting in temporary denial up to 30 days after employee provides notice of need);

- 4) Employee failure to provide in a timely manner requested medical certification (resulting in temporary denial up to time of submittal);
- 5) Employee failure to furnish requested medical verification that they are fully recovered and able to satisfactorily perform the work (up to time of submittal);
- 6) Employee could not otherwise have been employed if leave had not been taken;
- 7) Employee unequivocally advises us of their intent not to return to work;
- 8) Employee's key employee status;
- 9) Fraudulent acquisition of FMLA leave;
- 10) Other employment while on FMLA leave.

NorthStar's decisions will be final.

► If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor or file a private lawsuit in court.

Military family leave provisions of the FMLA

FMLA provides special rights to employees with family members in the military to take family leave. In particular, if an employee's family member is called to active military duty or is injured during military duty, federal law allows the employee to take time off from work to handle issues relating to the family member's service or to care for the injured service member.

Employees may take up to 26 weeks of leave in a single 12-month period for military caregiver leave. However, this is a per-injury, per-service member entitlement. Unless the same family member is injured again, or another family member suffers an injury while on active duty, an employee may not take additional leave for this purpose.

Many regular FMLA rules also apply to leave for a family member's active service.

8-10 Maternity/Paternity Leave

Under the Massachusetts Maternity Leave Act (MMLA), a full-time regular employee who has successfully completed the new employee orientation period is eligible for up to 8 weeks of leave for childbirth or to care for a newly-adopted child under 18 years old (or under age 23 if they are disabled).² We make this same leave period available to parents of either gender. Maternity/paternity leave may begin up to 2 weeks before the anticipated date of birth or placement for adoption.

We provide 2 weeks of paid maternity/paternity leave for eligible employees. During the balance of a period of maternity or paternity leave, you must then use all accrued paid leave time, with the exception of 1 week of accrued vacation or sick time. The remainder of the period of maternity or paternity leave will be unpaid.

Advance notice requirement

If you wish to take maternity or paternity leave, you must give written notice at least 2 weeks in advance of the start of the requested maternity/paternity leave period and notice that you intend to return to your job. We request that you give, whenever possible, at least a 30-day notice to plan for appropriate staffing levels.

Return to work

At the time you request the leave, you must specify the date when you expect to return to work. You must give advance notice if you won't be able to return to work on the agreed-upon date.

When you complete your maternity/paternity leave, you will be reinstated in the same job with the same status, pay, and seniority as before you left. If your job has been filled, you will be assigned to a reasonably similar position with the same pay as your old job. If a layoff or job elimination occurs for economic reasons during your leave that would have included you had you been working, you would not have the right to immediate reinstatement.

We encourage you to take early advantage of counseling with our intake staff for area early education and care referrals. You should inform the Business Office to obtain medical insurance coverage of a new dependent. We also urge you to consider establishing a Flexible Spending Account for dependent care expenses, which will provide tax savings on child care expenses.

Relationship with FMLA

An employee's leave under the MMLA will generally, so long as the employee is eligible, qualify as leave under the FMLA as well. In such cases, the two types of leave will run concurrently. In other circumstances, however, the MMLA may entitle an employee to leave in addition to leave taken under FMLA. For example, if an employee has a complicated pregnancy and takes FMLA leave prior to the birth, she is entitled to 8 weeks after the birth for nurturing of the child, even if the combined total for both leaves is greater than 12 weeks. To give another example: if an employee takes all 12 weeks of FMLA leave due to a serious health condition and later becomes pregnant, she may still have the right to take 8 weeks of maternity leave under the MMLA.

² If an employee has twins, she has given birth 2 times and, as the MMLA has been interpreted, is entitled to 8 weeks of leave for each child; accordingly, she may take a total of 16 weeks of MMLA leave. Under the MMLA, multiple adoptions are treated the same as multiple births.

8-11 Leave Due to a Work-related Injury or Illness

If you sustain a work-related injury or illness, we will grant you an unpaid leave of absence for up to 18 months, based on medical necessity. An extension of time may be granted if a full-duty medical release to return to work is pending or in progress. During an absence due to a work-related injury or illness, we will remain in contact with you and will expect you to provide us with periodic status updates regarding your medical condition and treatment. If you will not be returning to work, you should notify us as soon as possible following that decision. Such a decision may have no impact on your rights to obtain or to continue to obtain workers' compensation benefits.

We report any illnesses or injuries to our workers' compensation insurance carrier as soon as we become aware of the situation. We may not always know on a timely basis that you have been absent due to a work-related illness or injury. Therefore, it is important that you or your supervisor notify the Business Office as soon as practical so that the insurer is aware of the lost time claim or potential claim. If you wait until the next day to report your injury to us, the insurer may contest your claim.

Workers' compensation benefits

If you sustain a work-related injury or contract a disease at work, the workers' compensation insurance carrier will pay for all medical and hospital services necessary to treat the injury or illness. If you are temporarily totally disabled by your work injury or illness, you are entitled to apply for workers' compensation "lost time" cash benefits.

Return to work

Employees receiving workers compensation "lost time" benefits must follow all prescribed courses of treatment and must notify us of their medical clearance to return to a light-duty or full-duty position. Once you recover from your injury or illness, you will be returned to your former position, if it is still open, or will be given preference for any available position for which you are qualified and are physically able to perform. You may be required to provide a doctor's statement as to your fitness to return to work. You may also be required to have a medical examination by a health care professional we choose, at our expense, to assess appropriate light-duty accommodations.

8-12 Domestic Violence Leave

Employers with at least 50 employees are required to provide Massachusetts employees with up to 15 days of leave from work in any 12-month period if the employee, or a family member of the employee, is a victim of domestic violence, criminal stalking, or sexual assault. Upon return from leave, the employee must be restored to the same or a substantially equivalent position.

Reasons for leave

To qualify for domestic violence leave, either the employee or a covered family member must be the victim of abusive behavior, which includes domestic violence, stalking, sexual assault, or kidnapping. Domestic violence is defined as abuse by a current or former spouse, a person with whom the victim shares a child, a person living with or has lived with the victim, a relative, or a person with whom the employee or family member has or had a dating relationship. Covered family members include the employee's spouse, parent, stepparent, child, stepchild, sibling, grandparent, and grandchild. The employee is not entitled to leave if they are the alleged perpetrator.

The leave must be used to address issues directly related to the abusive behavior—e.g., to seek medical attention, counseling, victim services, housing; to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel.

Employee notice and documentation requirements

Employees must provide advance notice of their need for leave whenever possible. This requirement does not apply, however, if the employee or a covered family member faces imminent danger to their health or safety. Instead, the employee must notify the employer within 3 workdays that protected leave was taken or is being taken.

1. In the case of a *scheduled* absence, the employee must provide documentation within a reasonable period verifying that they or a family member was the victim of abusive behavior and the leave was related to that behavior. These requirements may be satisfied by a protective order or other documentation issued by a court, a police report or witness statement provided to the police, documents showing the perpetrator was convicted or admitted to facts sufficient to establish guilt of abusive behavior, medical documentation, or a sworn statement from a counselor, social worker, health care worker, clergy member, shelter worker, legal advocate or other professional who had assisted the employee or the employee's family member in addressing the effects of the abusive behavior. An employee may submit their own sworn statement, signed under penalty of perjury, attesting that they or a family member was the victim of abusive behavior.
2. In the case of an *unscheduled* absence, the employee must provide one of the above forms of supporting documentation within 30 days of the unauthorized absence or within 30 days of the last day of a multiple-day period of absence.

Use of paid time off

The employee must exhaust all applicable accrued paid leave, except for 1 week of sick or vacation leave, before taking domestic violence leave. We reserve the right to waive this requirement according to the particular facts and circumstances.

Confidentiality

We are allowed to keep any employee-provided documentation supporting their need for leave only for as long as required for us to establish their eligibility for leave under this law. We are required to keep all information related to the employee's domestic violence leave confidential; we can only disclose the information if requested to or consented, in writing, by the employee or ordered to be released by a court or otherwise required by applicable state or federal law.

8-13 Leave for Family Obligations (Small Necessities Leave)

Under the Massachusetts Small Necessities Leave Act (SNLA), employees are eligible for up to 24 hours of leave during each fiscal year. This leave is in addition to the 12 weeks already allowed under FMLA.

Eligibility

Employees are eligible for the 24 hours of “small necessities” leave if they have been in our employment for at least a year and have worked at least 1,250 hours for us during the previous year.

Purposes for which the leave may be taken

You may use small necessities leave to:

- 1) Participate in school activities directly related to the educational advancement of your child such as parent-teacher conferences or interviewing for a new school;
- 2) Take your child to routine medical or dental appointments such as check-ups and vaccinations;
- 3) Accompany an elderly relative to routine medical or dental appointments or appointments for other professional services related to their care such as interviewing at nursing or group homes.

Definitions

The following definitions clarify the intent of small necessities leave:

- Son or daughter:** A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*. The son or daughter must either be under 18 years of age or older or incapable of self-care because of mental or physical disability.
- Elderly relative:** An individual of at least 60 years old who is related by blood or marriage to the employee.
- School:** A pre-kindergarten program, elementary, or secondary school.

Amount of leave

Small necessities leave is limited to not more than 24 hours of work time during each fiscal year. Depending on the employee's needs, leave may be taken all at once or for a few hours of time, provided that the total leave does not exceed 24 hours. We require that employees take the small necessities leave in minimum increments of not less than 1 hour.

Requirement to use paid leave

We require that the employee to use available paid leave time to cover the period of absence requested under small necessities leave. Small necessities leave will be charged to available personal leave, vacation leave, or sick leave (where applicable). If all paid leave time is exhausted, small necessities leave will be allowed as approved unpaid leave.

Designation of small necessities leave

In situations where your request for leave does not reference “small necessities” leave but provides adequate information to support the approval of small necessities leave, we may identify the period of leave as small necessities-qualifying leave and inform you that we have designated the leave as such.

Advance notice requirement

An eligible employee who wishes to take small necessities leave should complete a leave request form and submit it to their supervisor at least 7 days in advance of the start of the leave period. You should request the leave as soon as the particular reason for absence allows. You are encouraged to give 30 days notice to plan for staffing needs. You are expected to make a reasonable effort to schedule small necessities leave in a manner that will not unduly disrupt our operations.

If the need for small necessities leave is not foreseeable, you must notify us as soon as practicable. Verbal notice will be accepted in unusual circumstances, with the expectation that you submit written certification upon their return to work. You are responsible for providing sufficient information so that we can determine whether small necessities leave may be applicable to your leave request.

Certification

We may require a certification for the requested small necessities leave. Failure to provide requested information as to the reason for absence can jeopardize our compliance with state requirements and may result in corrective action.

8-13 Jury and Witness Duty

Jury leave

All employees, including new employees in regular positions and temporary employees, are granted time off for juror service.

Use. If you are called for jury duty, you are entitled to take time off to fulfill your jury obligations. On any day when your jury service ends before the end of your normal work day, you must check in with your supervisor to find out whether you need to return to work for that day.

Compensation for jury service. We will pay you your normal pay for normally scheduled work hours for the first 3 days of juror service. After your first 3 days on jury duty, we will pay you the difference between your regular compensation and any compensation you receive from the government for such service. You must provide pay documentation from the court to the Business Office. Time spent on jury duty does not count for the purposes of computing overtime. We don't reimburse employees for transportation costs associated with fulfilling their jury service obligations.

Advance notice requirement. We request that you immediately inform your supervisor when you receive a jury duty summons or a subpoena to appear in court during scheduled work hours. You should give a copy of the summons or subpoena to your supervisor for our files. If you are chosen to sit on a jury, you must inform your supervisor how long the trial is expected to last. You must also check in with your supervisor each day during your jury service so that we know when to expect you back at work.

If an employee is called to serve as a juror at a time that would cause extreme hardship for the organization, we may request that the court allow the employee to choose a more convenient time to serve. The employee must cooperate in making this request in accordance with the court's procedures.

Other appearances in court

If you are subpoenaed to make a court appearance for a NorthStar-related matter, you will be paid your regular pay upon submission of the summons or subpoena to the Business Office. If your court appearance ends before the end of your normal work day, you must contact your supervisor to find out whether you should return to work for the remainder of the day.

Witness leave. Massachusetts law allows time off work to respond to a subpoena to appear as a witness as long as the employee notifies their employer prior to the day of their attendance of the court proceeding. We require you to provide documentation supporting your required attendance as a witness. If you are subpoenaed to attend a criminal action unrelated to your employment with us, you must exhaust accrued paid leave before taking any unpaid leave; on a case-by-case basis, we may waive this requirement.

Crime victim leave. Also, employees who are victims of a crime must be given leave to attend court. For further information, see section 7-12 Domestic Violence Leave.

<i>Employees covered by the union contract should refer to its jury duty provisions.</i>
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8-14 Military Leave Rights

The Uniformed Services Employment and Reemployment Rights Act (USERRA) guarantees the rights of military service members to take a leave of absence from their civilian jobs for active military service and to return to their jobs with accrued seniority and other employment protections. USERRA doesn't distinguish between volunteers and those ordered to perform military service. The law protects any employee who "applies to perform" military service as well those who are ordered involuntarily to active duty.

Massachusetts laws on military leave

USERRA protects employees who serve in the United States military, including those who serve in the Army, Navy, Marine Corps, Air Force, Coast Guard, Reserves, Army or Air National Guard, and Commissioned Corps of the Public Health Service. If you work in Massachusetts and you need time off for service in one of these branches of the military, you are protected by USERRA.

Massachusetts law protects employees and applicants from discrimination based on their membership in, application to perform, or obligation to perform military service, including service in the National Guard.

In addition, Massachusetts employees who are members of an organized unit of the ready reserves of the armed forces may take up to 17 days of leave per year for training. This military training leave may not affect the employee's vacation, sick leave, bonus, or promotion rights. The employee must give the employer notice of the departure and anticipated return date, and must provide evidence of the satisfactory completion of training.

Employee obligations to employers under USERRA

To be entitled to these benefits, employees must do the following:

1. Give timely notice of their need to perform military service except as required by military necessity or unless impossible or unreasonable.
2. Apply for reemployment within a set time after release from military service. In the case of service of less than 31 days, the person must normally return to work on the first workday after release from military service. In the case of service lasting between 31 and 180 days, the individual must normally reapply within 14 days after completing active service. In the case of service lasting more than 180 days, the person must normally reapply within 90 days after the completion of service.
3. Be released from active military service under honorable conditions (with an honorable or general discharge).

Use of paid time off

If you are on military leave, you have the option to use applicable paid time off (vacation time or personal days) to continue your pay, but are not required to do so; that is, you don't have to substitute your accrued paid leave time for unpaid leave.

Continuation of health and other benefits

NorthStar will continue your health insurance benefits during your leave according to this schedule:

1. During a military leave of less than 31 days, you are entitled to continued group health plan coverage under the same conditions as when actively employed. NorthStar will continue to pay its share of the insurance premium, and you must continue to pay your usual share.

2. If your leave lasts longer than 30 days, you may elect to continue your health coverage for up to 24 months of uniformed service under terms similar to those of COBRA, where you pay the full premium for the continuation coverage.

While on leave, the employee is entitled to those rights and benefits not determined by seniority and generally provided to individuals of similar status on a leave of absence.

Reinstatement

At the conclusion of the military leave, upon the satisfaction of certain conditions, an employee who is still qualified generally has a right to return to their former position or a similar position with no loss of pay, status, or seniority. If you aren't able to do the job you left, we are required to offer you an appropriate substitute position. Employers do not have to reemploy a returning service member, however, if "the employer's circumstances have so changed as to make such reemployment impossible or unreasonable."

Employees hired for a brief, nonrecurring period without reasonable expectation that employment will continue indefinitely or for a significant time are not entitled to reinstatement rights.

Seniority accrual

Employees will continue to accrue seniority during a qualified military leave. Upon return from leave, the employee is entitled to all seniority and seniority-based rights and benefits as if they had remained continuously employed.

Veterans' rights to leave on Veterans Day and Memorial Day

Under Massachusetts law, employers must grant a leave of absence, with or without pay, to employees who are veterans and want to participate in a Veterans Day or Memorial Day exercise, parade, or service in their community. Veterans Day and Memorial Day are paid holidays for most NorthStar employees.

8-15 Extended Unpaid Leave of Absence

We provide regular full-time and regular part-time employees with generous paid leave, including, but not limited to, vacation, personal, and sick time. Employees are expected to manage their paid leave time responsibly to ensure that they have balances available for emergencies such as personal or family illness. We realize, however, that an employee may experience a catastrophic illness or injury to themselves or eligible family member and, through no fault of their own, have insufficient leave, even with the maximum leave available under FMLA, to cover the crisis period.

Due to medical necessity or family emergency, we may grant a request to extend an authorized leave beyond the maximum leave available under the FMLA. Such leave is considered involuntary.

Advance notice requirement

Any request for a leave of absence without pay must be submitted in writing to the executive director. At least 30 days advance notice is encouraged to allow us to plan for appropriate staffing levels. The employee should attach any available documentation (e.g., medical certification from a health care provider) to support their need for an involuntary leave of absence.

Duration

Leaves of absence will be considered only after all accrued paid leave time has been exhausted. If a leave of absence without pay is granted, the total leave time, including qualified FMLA leave, will be generally limited to up to 6 months.

Although most unpaid leave for family care urgent matters or emergencies must not exceed 6 months, such leave may be extended when unusual circumstances warrant it. An FMLA-qualifying event may occur near the end of a leave of absence that was granted for unrelated emergency reasons. In such circumstances, we will comply with applicable regulations governing protected leave periods and may allow the extended absence.

Approval

Extended unpaid leaves of absence are not an additional leave entitlement or benefit, but rather a means to be used on a case-by-case basis when a personal or family crisis situation results in the need to take extended time off work. The final decision to approve or disapprove requests for extended unpaid leaves of absence rests with the executive director and will be based on the circumstances, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the organization, and the expectation that the employee will return to work when the leave expires.

Continuing benefits

During the unpaid leave of absence without pay, the employee will not accrue vacation, sick, or personal time. Unused vacation and personal days must be used before an unpaid leave of absence without pay will be granted.

Unemployment insurance benefits cannot be collected while on a leave of absence without pay.

An employee may continue their health insurance coverage during the leave period by paying in advance both their share and NorthStar's share of premiums.

Employee reporting requirements

Employees on a leave of absence are expected to keep us informed about their status and intention to return to work and to respond promptly to our request for such information. An employee who

fails to return to work at the end of their approved leave will be considered to have terminated their employment with NorthStar as of the last day of the leave of absence.

Performance appraisal

The normal performance appraisal date of an employee on an unpaid leave of absence without pay will be extended by the length of the leave.

Seniority accrual

An employee who returns to work following an unpaid leave will be considered as having continuous service. During an unpaid leave of absence, however, they will not accrue seniority.

Acceptance of other employment

Acceptance of any employment inconsistent with this leave will result in immediate termination of the leave and may result in corrective action, up to and including termination.

Returning/not returning from a leave

Due to the nature of our business, NorthStar cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, NorthStar will attempt to reinstate the employee to their former position or to one with similar responsibilities.

If the position or a similar position is not available, NorthStar will search for a suitable position for 30 days from the date the unpaid leave was to officially end. The employee will not be paid for this time. If the employee has not been placed by the end of this period, they will be terminated.

If an employee does not return from an unpaid leave of absence, their termination date is the last day of the authorized leave period or the date the employee notifies us that they are not returning, whichever is sooner.

Employees covered by the union contract should refer to its leave provisions.

8-16 Administrative Leave of Absence

We may require, or an employee may request, an administrative leave of absence, pending the results of an internal and/or external investigation or in cases where the executive director or their designee determines that the employee's absence from work is in the best interest of the organization. In certain situations, it may be desirable or necessary to immediately remove the employee from the workplace prior to making a decision regarding continued employment. The administrative leave will be confirmed in writing, stating the reason, the expected duration of the leave, and conditions regarding their return to work. The executive director or their designee will determine if the leave will be paid or unpaid and may delay such a decision pending the outcome of any investigation.

Allegations of child abuse or neglect against an employee

An employee accused of abuse or neglect of a child will not work directly with children until DCF renders a finding that does not support the allegation.

Employees covered by the union contract should refer to the contract in effect.

Chapter 9

Insurance and Other Benefits

Disclaimer

NorthStar has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability and to help you plan for retirement. This chapter of the Employee Handbook contains a very general description of the benefits to which you may be entitled as a NorthStar employee. The full details of each plan are in the official plan documents. Those documents should be your primary source of information about your benefit plans. If you see any conflict between those documents and the information in this handbook, the official plan documents are what you should rely upon. If you don't understand information in the plan documents or if you have any questions about the benefits we offer, please consult with your supervisor or the Business Office.

Please note that nothing contained in the benefit plans described here can be held or construed to create a promise of employment or future benefits, or a binding contract between NorthStar and its employees, retirees or their dependents, for benefits or for any other purpose.

As in the past, NorthStar reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further, NorthStar reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

Employees covered by the union contract should refer to its insurance and other benefit provisions.

9-1 Employee Medical and Dental Benefits

We offer medical and dental benefits to full-time employees hired for regular employment. NorthStar and each covered employee share the cost of medical and dental benefits in percentages determined by the organization and announced to employees. Current costs are available from the Business Office. Those costs are subject to change if the medical or dental insurance provider raises its rates.

This section provides only a brief overview of our medical and dental benefits. Eligibility and coverage are subject to plan limits established by the health insurance providers. Medical and dental plan descriptions and information on how to contact the insurance providers may be obtained from the Business Office. It is each employee's responsibility to read the summary plan descriptions and understand eligibility and coverage limits.

All of the provisions of the health care benefits are subject to change, including plans offered, services covered, payment arrangements, and NorthStar contributions to premiums.

Eligibility

Beginning on the first of the month following a 30-day period after the first day of employment, all full-time employees hired for regular employment are eligible to participate in our group medical and dental benefits plans.

Coverage

Presently, for medical benefits, eligible employees may choose individual, double, or family coverage. Under the current dental benefit plan, you can choose individual or family membership. Coverage under these plans normally ends when you leave our employment or you are no longer eligible for participation in these plans.

Enrollment

If you are eligible for health insurance benefits, you may enroll when you begin employment with NorthStar. You may enroll or change your coverage during each plan's annual open enrollment period. Part-time employees who change to a full-time status may start coverage as of the first of the next month, following their status change. If you don't want to be covered by our medical and/or dental insurance programs, you must sign a statement to that effect.

New enrollments and changes in coverage are accepted when an employee or family member with medical and/or dental insurance involuntarily experiences a loss of coverage. Coverage under our group plans may begin as of the date of the loss of other coverage.

Premium payments

The employee's share of insurance premiums is normally deducted from each paycheck and may be made on a pre-tax basis. Upon termination of employment, premiums due will be deducted from the employee's final pay. If the final pay is insufficient, the employee will be billed accordingly with all amounts remaining fully due and payable to NorthStar.

There are copayments for services under both the medical and dental benefits. The copayment amounts will vary in accordance with current plan terms in effect.

Flexible Benefits Plan—Health insurance premiums

A Flexible Benefits Plan we have adopted allows employees participating in our medical and/or dental plans to use pre-tax dollars to pay for their share of medical and dental insurance premiums.

(For more information, see section 8-2 Flexible Spending Accounts—Medical and Dependent Care.)

Employees participating in our medical and/or dental plans will be required to sign either:

- 1) An authorization to reduce taxable compensation under Section 125 by an amount equal to the cost of their health insurance copayment; or
- 2) A statement indicating that they do not wish to use this option.

Leaves of absence

We will continue to pay its contributions toward an employee's health insurance coverage during an FMLA leave. In accordance with a payment plan set up with the Business Office, the employee must pay their share of premiums weekly or monthly, in advance, to avoid the risk of their coverage being cancelled. Continuation of insurance during an approved leave is subject to the employee's commitment to return to work at the conclusion of the approved leave or layoff period. An employee who does not return to work must reimburse NorthStar 100% of its costs to provide coverage during the approved leave period.

Health insurance must be maintained for the duration of a leave if the employee wishes to have immediate coverage upon return to work without waiting for the next open enrollment.

Claims procedures

The summary plan descriptions of our group insurance providers explain plan benefits and include written procedures for processing claims. You should submit a claim for benefits in accordance with the plan's rules for filing claims. If your claim is denied, you must be given notice of the denial in writing. The notice should state the reasons for the denial, any additional information needed to support the claim, and procedures for appealing the denial.

Contact the Business Office or the health plan for more information on filing a claim for benefits.

Employees covered by the union contract should refer to its health benefits provisions.

9-2 Maintaining Health Insurance under COBRA

As required by federal law (commonly known as *COBRA*), we give employees and their families the opportunity to temporarily continue their medical and/or dental coverage at group rates in certain circumstances where coverage under the plans would otherwise end. You and your family will have to pay the cost of this coverage. While COBRA rates may seem high, you will be paying group premium rates, which are generally lower than individual rates.

Eligibility

Under COBRA, you have the right to continue your medical and/or dental coverage if your coverage is lost because:

- 1) Your employment has been terminated for any reason (including poor performance, negligence, or inefficiency) unless you have been fired for serious misconduct;
- 2) Your hours of work have been reduced to a point that you are no longer eligible to participate in the group insurance plans.

You must have been included in our group plan at the time you were terminated or your hours were reduced. The law also applies to family members who were covered by our group health and/or dental plan the day before your discharge or reduction in working hours. Thus, for example, if you choose not to continue such coverage, your spouse and dependent children may choose continued coverage at their own expense. If you give birth to or adopt a child during a period of COBRA coverage, you can, with proper notification and according to the terms of the insurance plans, add them to your continued coverage.

The chart below identifies the circumstances (called *qualifying events*) under which NorthStar must offer continued medical and/or dental coverage. The type of qualifying event determines who has rights to continued coverage and how long they are entitled to continue coverage:

Qualifying event	People entitled to continue coverage	For how long?
The employee quits, is laid off, or is terminated for reasons other than serious misconduct.	Employee, spouse, dependent children	18 months
The employee's hours of work are reduced so that they lose health coverage.	Employee, spouse, dependent children	18 months
The employee dies.	Surviving spouse, dependent children	3 years
The employee divorces or becomes legally separated.	Former spouse, dependent children	3 years
The employee goes on Medicare.	Spouse, dependent children	3 years
A dependent child loses coverage through marriage or age.	Dependent child	3 years

Notice and election procedures

We will inform you of your rights under COBRA when you first become eligible to be insured under our group health plans. If your hours are reduced or you quit, are laid off, or terminated for reasons other than serious misconduct, you and covered family members will be notified of your rights to

continued coverage. In this second notice, we will tell you how to choose continuation coverage, how long the continued coverage will last, what your obligations will be, and how much the insurance will cost.

After receiving this notification, you and eligible family members have up to 60 days to choose to continue coverage. This 60-day election period is measured from the day that you lose eligibility for group health coverage or the date on which you receive notice of your right to continue coverage, whichever is later. As stated earlier, a family member covered by your insurance may independently choose to continue coverage.

If you waive continued coverage, you can revoke the waiver of coverage before the end of the 60-day election period and decide to continue on our group medical and/or dental plan. In this situation, you are only entitled to continuation coverage beginning on the date the waiver is revoked. If you do not choose to continue coverage, your medical and/or dental insurance coverage under our plans will end and you will lose all of your rights under COBRA.

To enjoy continued coverage, individuals must notify the Business Office of a change in address or when they become eligible for continued coverage due to divorce, legal separation, or a child's ceasing to be covered as a dependent under plan limits.

Duration of coverage

Continued coverage begins on the date that you would have otherwise lost your health coverage as a result of a qualifying event and will end at the end of the maximum period. It may end earlier if:

- 1) The premium for continuing coverage is not paid on time;
- 2) The organization no longer offers group health coverage to any of its employees;
- 3) You become an employee covered under another group health plan that does not limit or exclude coverage for your preexisting conditions;
- 4) You become eligible for Medicare;
- 5) You were divorced from a covered employee and subsequently remarry and are covered under your new spouse's group health care plan.

If you are determined to be disabled under the Social Security Act within the first 60 days of continued coverage, all family members entitled to continued coverage may be able to maintain coverage for up to 29 months. To be eligible for this 11-month extension, you must provide a copy of the Social Security ruling letter to the medical and/or dental plan within 60 days of receiving it and before the 18-month continuation period ends.

Coverage under COBRA

Those who choose continued coverage are entitled to the same coverage provided under the medical and/or dental plan to covered employees and their family members. A change in the benefits under a plan for covered employees and their families will also apply to those who choose continued coverage. Persons on continued coverage must be allowed to make the same choices offered by the plans to participating employees not on continuation coverage.

Paying for COBRA coverage

To continue on our medical and/or dental plan, you must pay the entire premium amount—that is, the portion of the premium that you paid as an employee covered by the medical and/or dental plan plus the amount of the contribution made by NorthStar. Premiums for continued coverage may be increased if the costs to the plan increase.

You have 45 days after choosing to continue your coverage to pay the initial premium. The initial premium payment generally must cover the period of coverage from the date you choose continued coverage retroactive to the date you would have, except for COBRA coverage, lost your coverage. To maintain continued coverage, you must pay monthly, in advance, 100% of the cost of the insurance premiums. You are responsible for timely payment for continued coverage even if you do not receive a monthly premium notice.

If your premiums are not paid on time, your coverage may be cancelled. If the payment amount is incorrect but is not significantly less than the amount due, the Business Office will notify you of the error and give you up to 30 days to pay the difference.

If you choose continued coverage, you are still subject to the rules and benefit limits of the group health plans and therefore are responsible for all costs related to copayments and deductibles.

Coordination with FMLA benefits

As required by the Family and Medical Leave Act (FMLA), we maintain coverage under any group health plan for an employee on FMLA leave under the same conditions coverage would have been provided if the employee had continued working. Coverage provided under the FMLA is not COBRA coverage, however, and FMLA leave is not a qualifying event for the purposes of COBRA. In the case where an employee, with or without notice to us, does not return to work at the end of FMLA leave, their last day of FMLA leave would be a COBRA-qualifying event.

Additional information

If you have any questions about COBRA continuation coverage, please contact the Business Office or the plan administrators of our group medical and dental plans. (Their phone numbers appear in the summary plan descriptions.)

- You may also call the U.S. Department of Labor's Employee Benefits Security Administration toll-free at (866) 444-3272. Or send a letter to:

U.S. Department of Labor
Employee Benefits Security Administration
Division of Technical Assistance and Inquiries
200 Constitution Ave. NW
Suite N-5619
Washington, D.C. 20210.

9-3 Flexible Spending Accounts—Medical and Dependent Care

Under Section 125 of the Federal Tax Code, we have adopted a Flexible Benefits Plan, which enables you to use pre-tax dollars to pay for certain dependent care and health care expenses. Before participating in one of these flexible benefits plans, you should carefully review the summary plan description for plan limits, employee rights, obligations, and risks under the plan, and other details. Further information about these benefits, including how to contact the plan administrator, is available from the Business Office.

Eligibility

All employees in regular positions may open a flexible spending account:

1. Flexible spending accounts for unreimbursed medical expenses. You may use a Medical Care Account to be reimbursed for medical and dental expenses incurred by you and your dependents for services not covered by your health insurance. Eligible expenses include all copayments, deductibles, and uninsured expenses such as contact lenses/solutions, cosmetic surgery, drugs and medical supplies, eye examination and eyeglasses, fees for healing services, hypnosis for medical treatment, insulin, nurses' services, orthopedic shoes, special diets, therapy treatments, transportation expense to and from health care providers, and MD-prescribed vitamins and weight loss programs.
2. Flexible spending accounts for dependent care expenses. You may use a Dependent Care Spending Account to pay for the cost of care for your children and/or a dependent adult so that you (and your spouse, if you are married) can work. Eligible expenses include the costs of adult day care, infant/toddler care, preschool, afterschool, and summer day camp. If you participate in the flexible benefits plan for dependent care expenses, you can't also take advantage of the Federal Dependent Care Tax Credit.

Enrollment

Employees may normally start, stop, or change their payroll withholding election for the medical flexible spending plan and the dependent flexible spending plan only during each annual election period prior to the beginning of the plan year. New employees may participate for the current year as of the 1st of the month following the first 30 calendar days of their employment. You may enroll anytime during the first 3 months of employment. Once you have signed the Section 125 election form, you can't make any changes until the next annual election period, unless the change you seek is a result of a change in employment or family status, as defined in the plan.

You contribute to your Medical Care and Dependent Care Accounts through payroll deductions. After carefully estimating expenses for the year, you complete and sign a Salary Reduction Authorization form to allow a certain amount of your earnings to be set aside in the flexible spending account each payday to cover the total amount elected. Only those expenses incurred after enrollment will be considered eligible. By IRS regulations, any amount contributed to a Flexible Spending Account but not used by the end of a plan year must be forfeited; in other words, you "use it or lose it." For example, if you have \$1,500 withheld under the medical flexible spending plan during a plan year, but incur only \$1,000 of eligible medical expenses during the year, the remaining \$500 will be forfeited.

After payment of medical care or dependent care expenses, you complete a claim form and submit it, with copies of receipts, to the plan administrator for reimbursement from your own medical care or dependent care spending account. In this way, you are effectively paying for your medical care and/or dependent care expenses with tax-free earnings.

9-4 Short-term Disability Benefits

An employee may have a pregnancy or suffer an illness or injury outside of work that prevents them from working and requires them to be under the regular care of a doctor. We offer short-term disability insurance for regular full-time employees that may provide you with a percentage of your salary while you are unable to work. Coverage is for the employee only, not family members. Currently, NorthStar pays the entire cost of short-term disability insurance. An employee's coverage ends with their last working day.

Eligibility

To be eligible for benefits under this plan, an employee must be regularly scheduled to work at least 30 hours per week. Temporary employees are not covered by this plan.

Duration

Under the current plan, the longest period for which disability benefits will be paid for any one period of continuous disability is 26 weeks, whether from one or more causes.

Any FMLA leave to which an employee may be entitled runs concurrently with time off granted under this policy. In other words, an employee cannot take their full short-term disability benefits, and then take 3 months off under the FMLA; any time spent on short-term disability counts as part of an employee's FMLA leave.

Cash benefits

Our short-term disability insurance plan provides a percentage of your pre-disability weekly pay. The only compensation available to an employee while on short-term disability is the percentage of weekly pay applicable under this benefit. No disability benefits will be paid for any period when an employee is receiving paid sick leave from NorthStar.

Waiting period for cash benefits

There is no benefit waiting period for disability caused by accidental injury. There is a 7-day waiting period for disability resulting from illness or pregnancy. The working days during the first 7 calendar days of illness or pregnancy may be taken as sick leave. When sick leave is exhausted, you may use personal and vacation leave. If you have insufficient sick, personal, and vacation leave to cover this period, you may take unpaid leave for the balance of the 7-day waiting period.

Return to work

NorthStar will attempt to return an employee who is returning from a short-term disability leave to the same or similar job, at the same pay that the employee had prior to the leave. Under some circumstances, however, replacement during a leave may be required, or in some instances, staffing requirements may change. Therefore, unless you are entitled to return to the same or an equivalent position under FMLA, a job cannot be guaranteed when you are ready to return to work from a short-term disability leave. In the event the employee is not entitled to return to the same or an equivalent position under FMLA and a position is not available or if the employee chooses not to return to work, upon the expiration of the disability leave, the employee will be terminated. If an employee does not return from a short-term disability leave, the termination date is the last day that the employee was authorized to return or the date the employee notifies us that they are not returning, whichever is sooner. An employee who returns to work following a short-term disability leave will be considered as having continuous service.

Employees covered by the union contract should refer to its benefits provisions.

9-5 Workers' Compensation Benefits

As required by state law, NorthStar carries workers' compensation insurance coverage for all employees who may be injured in the course of working for us or who may become ill for reasons directly related to their work for us. If you suffer from an illness or injury that is job-related, you may be eligible for workers' compensation benefits. Workers' compensation will pay for medical care and lost wages resulting from job-related illnesses or injuries.

Eligibility

All employees are eligible for workers' compensation benefits beginning on the first day of their employment.

An employee may be barred from receiving compensation benefits if they knowingly and willfully make a false representation about their physical condition or misrepresented information. All claims of work-related injury or illness will be thoroughly investigated.

Claims for benefits

If you are injured or become ill through work, please inform your supervisor immediately regardless of how minor the injury or illness might seem. Any and all injuries should be reported within 24 hours of the time of the injury on an Injury Report form; completed forms should be submitted to the Business Office. The Business Office will promptly notify the workers' compensation insurance company.

The insurance company records the incident and assigns a claim number and an adjuster. In some cases, the insurance company will also assign a medical case manager. The insurance company makes all claim determinations. For approved claims, workers' compensation insurance pays medical expenses and a portion of the employee's regular pay for lost time due to a work-related illness or injury.

Waiting period for cash benefits

If you are unable to work for 5 or fewer days, you are not eligible for cash benefits (although the insurer must pay for your medical treatment). During the first 5 days of absence due to a work illness or injury, you can use available sick, personal, or vacation leave.

Cash benefits

Weekly cash benefits normally begin on the 6th calendar day of your disability. The day of injury counts as a day of disability if you lose 4 or more hours of work. You may elect to use sick, personal, or vacation leave for full pay instead of workers' compensation. If you choose to use sick or other applicable paid leave, however, you must endorse over to NorthStar all checks for workers' compensation received for the same period of time. Otherwise, we will make appropriate adjustments to or deductions from your current or future pay.

If you are unable to work for 20 calendar days, workers' compensation insurance will then apply retroactively and you will be paid benefits for the first 5 days. If this should occur, you will owe NorthStar for any duplication of pay received during the first 5 days.

Medical expenses

Related medical bills should be submitted to the Business Office, where they will be forwarded to the insurance company.

9-6 Unemployment Insurance

As required by state law, we pay for unemployment insurance for our employees; no deductions are made from employees' paychecks. If your employment with NorthStar ends through no fault of your own, you may be eligible for unemployment benefits. These benefits provide you with a percentage of your wages while you are unemployed and looking for a job. You may file a claim for benefits through the state's Department of Unemployment Assistance (DUA). Based on information we and you provide, DUA determines whether or not you are eligible for unemployment benefits. Further information about filing an unemployment claim is available from DUA.

If you're eligible for unemployment benefits, you may be eligible for approved training benefits through the Training Opportunities Program.

9-7 Liability Insurance

NorthStar carries liability insurance protection for damage or loss to its property, contents, and vans. Persons participating in our programs are covered for loss or injury. Liability coverage also extends to the actions of administrators and directors as well as other employees who may make decisions that carry a degree of risk and responsibility for the organization. Such coverage will not minimize or excuse an employee from corrective action that may result if the employee has violated a NorthStar policy or standard procedure.

Employee private vehicles and employee private property are not covered by NorthStar's liability insurance. Such claims should be filed under the employee's own private insurance.

Employees who are injured on the job are covered by NorthStar's workers' compensation insurance coverage. (For further information, see section 9-5 Workers' Compensation Insurance.)

All claims are subject to insurance company terms and limitations as well as federal and state regulation.

9-8 Retirement Plan

NorthStar offers a 403(b) plan for all its employees. A 403(b) plan allows you to make pre-tax or after-tax Roth contributions by payroll deduction for long-term investment to provide additional income when you retire. The 403(b) is named after the section of the IRS code governing it.

The NorthStar 403(b) plan gives the employee two contribution options:

1. Pre-tax contributions. This option reduces your taxable income for the year of the contribution. Your contributions grow tax-deferred until the time of retirement, when withdrawals are taxed as ordinary income. Essentially, you are not taxed on those contributions until you start taking withdrawals.
2. After-tax Roth contributions. Unlike pre-tax contributions, Roth 403(b) contributions do not reduce your taxable income. The Roth 403(b) contribution option allows you to pay taxes now on the money you set aside instead of paying taxes at the time of withdrawal.

The NorthStar 403(b) plan allows you to elect a combination of both pre-tax elective deferrals and after-tax Roth 403(b) contributions.

Eligibility

This program is available to every employee, regardless of age or hours worked. You don't have to satisfy a waiting period; you may begin participating in the 403(b) plan at any time.

If you decide you don't want to save through the 403(b) plan, you can complete and sign a notice that you wish to decline enrollment. You can decide to enroll at any time later on.

How the plan works

NorthStar is identified as the 403(b) plan administrator or sponsor. Coastal Financial Services is the investment company. The plan is strictly voluntary. If you are interested in participating in our 403(b) plan, a representative of Coastal Financial Services can answer your questions about the plan, provide information on the various investment options, and help you to enroll. You choose the investments from among the options offered by the plan, and you assume the investment risk. The same investment options available for Roth 403(b) contributions as you do with pre-tax contributions. Payout at retirement will depend on the amount you contribute, how long you participate in the plan, and the performance of the investment choices you make.

Employer contributions

Under the terms of the plan, NorthStar has the option of making both matching contributions (that match your pre-tax contributions and Roth contributions) and discretionary contributions to the 403(b) plan. Both contributions are discretionary, meaning that NorthStar will decide each year whether or not to contribute, as recommended by the executive director and approved by the board of directors.

Regardless of whether your contributions are Roth or regular pre-tax, any matching contributions from NorthStar are made pre-tax and, consequently, are subject to taxes when withdrawn.

Chapter 10

How to Address Workplace Problems

In our diverse, multi-service organization, internal problems are certain to arise that, if not resolved, may undercut our effectiveness and our very ability to serve, support, and advocate for children, youth, and families. Inasmuch as our programs are all “pieces of the same puzzle,” we as NorthStar employees are interdependent. Because of our interconnectedness, a problem in one program or component of our operations can adversely affect the organization as a whole. This said, it is the responsibility of program directors/supervisors to keep the executive director, or those acting in a senior management role, informed of complaints and appeals.

This chapter describes mechanisms for addressing and resolving 3 different kinds of workplace problems that may occur:

- 1) How to Appeal a Policy Interpretation/Application
- 2) How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment
- 3) Whistleblower Protection Policy

We encourage you to come forward with any workplace complaint or concern, even if you’re not sure which procedure applies to your problem. We will also inform employees of external routes of appeal available to them.

In all instances, NorthStar will determine when circumstances warrant an internal investigation, the scope of the investigation, who will conduct it, and the process to be employed. Any internal investigation must be conducted in accordance with applicable laws and regulations.

“No wrong door”

To promote a positive, fair, safe work environment for all of our employees, NorthStar has adopted an “open-door” policy—or perhaps better characterized as a “no wrong door” approach. This means that should an employee wish to report a problem or voice a concern, they can request and generally be granted a meeting with their supervisor, program director, or any administrator, including the executive director.

This “no wrong door” approach is not meant to circumvent the chain of command or to preempt an appropriate agency response to, for example, allegations of discrimination, harassment, bullying, or violence. Its purpose is to promote early identification and resolution of problems, large and small.

10-1 How to Appeal a Policy Interpretation/Application

While this Employee Handbook provides a basis of common understanding and expectations in the workplace, problems in policy implementation are bound to occur. You may question your supervisor's interpretation or application of a given policy, or you may disagree with corrective action taken. In such cases, we encourage you to request a review of the decision. In appealing a decision, you should reference applicable policies and facts.

All employees may use this appeals procedure:

1. Generally, your supervisor is the best person to address an area of concern.
2. If you are not comfortable speaking with your supervisor or you're not satisfied with their response to your concern, you should bring your concern to the attention of your program director.
3. If your program director and you can't reach a satisfactory resolution, you may request a review by the executive director, whose decision is considered to be final.

Time spent in the review process is considered as time worked for pay purposes. Your job won't be jeopardized because you initiated a review of your concern.

An employee's appeal, along with documentation of the response and notification of resolution will be kept in the employee's personnel record.

The union contract contains a grievance procedure to resolve disputes about the interpretation or application of the contract's provisions. If you, individually or through bargaining unit representation, pursue a remedy or resolution through the union contract's grievance procedure, you can't use the organization's appeals procedure to address the matter that occasioned the grievance.

10-2 How to Report Discrimination, Harassment, Bullying, Violence or Other Conduct that Creates a Hostile Working Environment

All allegations of discrimination, harassment, bullying, violence, or other conduct that creates a hostile working environment will be taken seriously and investigated fully, fairly, and without delay.

How to make complaints

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of discrimination, harassment, and bullying. If you experience or witness what you believe to be workplace discrimination, harassment, bullying, violence, or other conduct that creates a hostile working environment, we strongly encourage you to report the behavior immediately. The sooner you let us know about the problem, the sooner we can take action to address it. Delays in reporting can greatly limit our ability to stop the misconduct before it becomes severe or pervasive.

In filing a complaint, you may bypass your supervisor or manager and take your complaint to any administrator you feel comfortable with. Your report may be done verbally or in writing.

We encourage you to come forward with your concerns about any type of behavior that makes you feel unsafe, uncomfortable, or upset even if you're not sure whether it amounts to prohibited workplace conduct. No action will be taken against any employee for complaining in good faith about what they believe to be discrimination, harassment, bullying, violence, or other conduct that creates a hostile working environment.

The availability of this complaint procedure does not preclude you from letting the offending party know that you find their conduct offensive and that it should immediately stop. In many cases, confronting the person directly will resolve the problem, as the offensive conduct will stop. If the issue isn't resolved at this stage, you have at least put the harasser on notice that you find their conduct offensive.

Supervisors' and administrators' reporting responsibilities

If a supervisor or administrator witnesses any discrimination, harassment, bullying, or other prohibited workplace conduct, they must take immediate action to interrupt it whether or not a complaint has been made and whether the perpetrator is an employee or non-employee. NorthStar requires any supervisor or administrator to immediately act on any complaint of discrimination, harassment, bullying, or other prohibited conduct by immediately:

- Submitting a critical incident report;
- Informing the executive director or their designee.

Failure to do so will be regarded as misconduct.

Supervisors and administrators can also take action to prevent a hostile work environment by intervening if they see employees engaging in inappropriate sexual conduct.

Investigation process

If someone complains about discrimination, harassment, bullying, or other conduct that creates a hostile working environment, we will act immediately to investigate the complaint. Responding quickly will reduce the possibility of further discrimination, harassment, bullying, or other prohibited conduct.

Our obligation to investigate. Once a complaint is made or we are made aware of a concern, we as an employer have an obligation to investigate, even if the reporting employee says that they do not want anything done or said about it at this time. As required when dealing with harassment complaints and strongly recommended when responding to discrimination complaints, we as an employer can't simply listen to concerns and not act. When an employee tells us of a problem, but refuses to cooperate during the investigation, we still have a responsibility to proceed as best we can, while noting the employee's refusal.

Planning the investigation. Once we establish a need to investigate, we will:

1. Decide what the investigation should establish—e.g., whether a particular person experienced harassment or whether a set of computer files has been deleted;
2. Select an appropriate investigator;
3. Identify potential witnesses and documents for review;
4. Develop a written plan for the investigation;
5. Organize a list of questions to be asked of witnesses;
6. Establish security for files and records; and
7. Be prepared to modify and even terminate the investigation based on new information that might come to light as the investigation progresses.

Goals of an investigation. The main goal of any investigation is to provide a sound, factual basis for decisions by management. An investigation should reveal whether any misconduct has occurred, identify (or exonerate) specific employees who are suspected or guilty of misconduct, and put a stop to further wrongful actions that create a hostile working environment.

Factors to consider in determining who should conduct an investigation. The executive director will select an investigator; if the executive director is the subject of the investigation, the board president will choose the investigator. The investigator must be a high-level administrator with sufficient clout to secure cooperation from potential witnesses such as other administrative staff, but also with ability to communicate well with the various types of employees who will be interviewed. The investigator must be credible, respected, regarded as fair and impartial, and familiar with organizational policies and employment law issues, along with having a fundamental knowledge base relating to the subject matter under investigation. They must have the appropriate temperament to be able to effectively conduct interviews, including a commitment to objectivity, a calm demeanor, a courteous approach (even in the face of tension or hostility), and a professional presentation. In addition, the investigator must be well-organized, be able to develop and follow a plan, and be considered trustworthy with the confidential information that will surface during the process. When technical issues are involved, such as the existence or deletion of computer files, employees or outside consultants with expertise in technical matters may be enlisted to take part.

If an allegation of extreme misconduct is made or if the complaint is leveled against the executive director or other senior administrator, we may use outside legal counsel to conduct or assist in the internal investigation.

Evidence gathering. In interviewing the complainant, we will ask for names and involvement of anyone witnessing alleged incidents and also for anyone who the employee believes has been subjected to the same or similar conduct. In response to allegations of discrimination and harassment, we will ask the complainant to identify others not in their protected classification who have been treated differently. To ascertain the effect of the conduct on the complaining employee, we will ask them exactly what they want the organization to do. In interviewing the accused, we will

first tell them the interview's purpose and that a named individual has made a report. Besides interviewing all witnesses identified by the complaining and accused employees, we will add to the witness list if other names come up during the investigation. If necessary, we will follow up with any employees already interviewed if new information is learned. Also critical in an investigation is identifying and securing the documents that will be needed (e.g., memos, policies, personnel files).

Employees' obligation to participate in investigations. We expect all employees to fully cooperate and assist in investigations. Refusal to do so may jeopardize employees' continued employment. Knowingly providing false answers in the course of an investigation is also cause for corrective action, up to and including termination of employment.

Standard of proof. We will use the "preponderance of the evidence" standard of proof in making findings on allegations of discrimination, harassment, bullying, violence, and other conduct that creates a hostile working environment. The preponderance of evidence standard requires less proof than other standards such as the much higher "beyond a reasonable doubt" standard used in criminal trials. A fact or allegation is proven by a preponderance of the evidence when it is more likely than not that the fact or allegation is true.

In investigating sexual harassment allegations, we will use the following standards in determining whether sexual harassment has occurred:

1. The "reasonable woman" standard. When evaluating whether comments or actions constitute sexual harassment, investigators will use the viewpoint of a "reasonable woman" as the standard. The claim that the accused employee didn't intend their behavior or comments to offend the alleged victim is not relevant. If a reasonable woman would take offense or view conduct or comments as constituting sexual harassment, then sexual harassment has occurred.
2. Welcome versus "unwelcome" conduct. An employee can establish that sexual conduct or comments were "unwelcome" by their failure to respond or encourage the advances. The conduct can be unwelcome even if the employee does not specifically demand that the conduct stop.

Documenting the investigation. At the conclusion of the investigation, the investigator will prepare a report summarizing the results of the investigation, presenting the conclusions reached, and recommending what action to take. The report should contain a description of the situation at issue, list the witnesses and documents used as evidence, summarize the information from each document and witness, make an assessment of the credibility of each piece of evidence and describe how it relates to the elements of the alleged problem, and make findings of fact on each element of the alleged offense or violation. Any recommendation should, of course, follow the findings of fact.

Investigation findings. If, after completion of a thorough investigation, a complaint of harassment, discrimination, bullying, violence, or other misconduct can neither be substantiated nor disproved in the view of the investigator, the complaint will be dismissed. If the investigation establishes a valid complaint of harassment, discrimination, bullying, violence, or other prohibited workplace conduct, remedial action will be taken. At the conclusion of the investigation, we will inform the person who initiated the complaint of the findings and, where appropriate, the action to be taken.

All documentation of corrective action is placed in the employee's personnel file.

Confidentiality

We cannot promise the complaining employee, the accused, or third-party witnesses that we will keep the complaint confidential. Once a complaint is made, we as an employer have an obligation to investigate, and we cannot realistically investigate a complaint if the complaint is kept confidential. We will tell employees that investigations will be conducted discreetly and with as much confidentiality as possible, but certain disclosures have to be made in order to investigate.

All individuals interviewed in connection with the investigation will be reminded not to discuss the investigative topics with anyone, both because of the privacy issues at stake and because of the potential impact such discussions could have on the ongoing investigation.

Interviews will be conducted in a private, quiet space. All investigation-related documents will be kept in an investigation file that is separate from the employee's personnel file in a secure location where only the investigator can access. Any resulting corrective action will be included in the employee's personnel file, however.

Interim measures

Upon receiving a complaint alleging discrimination, harassment, or other conduct that creates a hostile work environment, we will quickly take any necessary action to protect the employee from further harm. We will meet with the complainant to obtain details about the incident, assess their feelings about its seriousness and their fear level, and discuss what interim measures the organization might take to assure their safety and well-being. If the accused is an employee, interim action may include placing them on administrative leave with or without pay, reassignment, or other measure so long as it is not at the complaining employee's expense. These leave, reassignment, or other measures would likely remain in effect for the duration of the complaint investigation process.

Appeal process

If you are not satisfied with the way in which your report was handled, you should arrange to meet with the executive director to discuss your complaint. If the wrongful conduct implicates the executive director, please contact the president or other member of the board of directors.

The accused may also directly appeal the outcome to the executive director. No corrective or other action based upon the original complaint findings will be taken against the accused during the appeals process, although interim measures may remain in place. Once the executive director (or board president, if the complaint implicates the executive director) issues a final decision, the internal agency complaint process ends.

Corrective action

Just as critical as knowing how to report incidents is knowing that reports will be taken seriously and responded to. Upon the conclusion of an investigation, the executive director (or the board president, if the executive director is the accused) will promptly evaluate the evidence and recommendation proposed by the investigator and take timely corrective action proportional to the misconduct uncovered. Each incident will be reviewed on an individual basis with the level of corrective action depending upon the seriousness of the incident and other relevant factors, while having sufficient consequence to demonstrate our commitment to taking strong and effective measures to both remedy the problem at hand and prevent future problems. Corrective action may involve any of the following, singularly or in combination: a requirement not to repeat or continue the discriminatory, harassing, violent, or other prohibited conduct, a written or verbal apology by the offender, a requirement to attend remedial training, appropriate workplace restrictions, a verbal or written warning, reassignment, suspension, or termination of employment.

Regardless of the outcome of the investigation, we may consider implementing additional training and other ways how we can better promote employee accountability and worth in the workplace, with the goal of eliminating discrimination, harassment, bullying, and other prohibited workplace conduct altogether.

Reprisal and retaliation

Employees who feel they are victims of workplace discrimination, harassment, bullying, violence or other prohibited conduct have a right and a responsibility to report concerns to their supervisor or another administrator, without fear of reprisal or retaliation. Retaliation or reprisal is considered a serious breach of this policy. Any employee who retaliates in any way against a complainant, a respondent, or a person who has given evidence in an investigation, will be subject to corrective action up to and including dismissal. Anyone who feels that they have been retaliated against or has been threatened with retaliation should immediately complain to the equal opportunity manager or any other administrator.

Employees' external remedies

File administrative charges. Making a complaint of discrimination or harassment within NorthStar is not a prerequisite to filing a complaint with the Massachusetts Commission Against Discrimination (MCAD) or the U.S. Equal Employment Opportunity Commission ("EEOC"). You have the right to use our internal complaint procedure and to simultaneously file a complaint with either or both:

► Massachusetts Commission Against Discrimination (MCAD)

Location: The New Bedford office is at 800 Purchase Street, Room 501, New Bedford, MA 02740.

Phone: 508-990-2390

► U.S. Equal Employment Opportunity Commission (EEOC)—Boston Area Office

Location: John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203

Phone: 800-669-4000

The governmental agency will investigate your claim, and will attempt to resolve it by negotiating with your employer. If the agency cannot resolve your complaint, and it determines that your claim is a valid one, it will issue a "right to sue" letter. This letter means that you may bring your case to court.

File charges. If the appropriate governmental agency issues a "right to sue" letter, you may bring a civil lawsuit for any injuries you suffered due to the sexual harassment. You do not need to show physical injuries. The most common injuries in a sexual harassment case are the emotional injuries suffered by the victim.

If you have been assaulted, we will help you to file charges relating to the assault, including sending witnesses to testify if needed.

When is bullying illegal?

While bullying is illegal when it violates federal or state laws prohibiting discrimination and harassment in the workplace, all bullying isn't necessarily illegal. In extreme cases, however, workplace bullying may violate other laws. For example, if a workplace bully threatens to physically harm an employee, the employee might be able to sue for assault. Similarly, a workplace bully who menaces an employee on the way to and from work might be guilty of stalking. NorthStar encourages all employees to report any bullying behavior of a criminal nature to the local police.

10-3 Whistleblower Protection Policy

NorthStar is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, or employees. This policy outlines a procedure for employees to report actions that they reasonably believe violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter that is related to NorthStar's operations and does not relate to private acts of an individual not connected to the operation of NorthStar.

Reporting

In keeping with our "open door" policy, we encourage you to come forward with questions about the propriety of any practice, even if you aren't sure whether the activity that concerns you is improper. If you have a reasonable belief that an employee or NorthStar has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, you are expected to immediately report such information to the executive director. If you do not feel comfortable reporting the information to the executive director, you should report your concerns to another administrator.

Though you can make an oral report, we encourage you to detail your concerns in writing so that we can properly assess the nature, extent, and urgency of the problem. Please provide a description of the incident(s) with as much detail as possible—for example:

- 1) Date(s) of the misconduct or wrongdoing
- 2) Name(s) of the individual(s) involved
- 3) The wrongdoing, including anything the individual(s) may have done to avoid detection
- 4) Specific policies or regulations that relate to the incident
- 5) Specific contract or grant numbers, if applicable
- 6) The date or time period when the misconduct or wrongdoing occurred
- 7) Where the wrongdoing occurred (specific facility or off-site location)

As the reporting party, you aren't expected to get to the bottom of the matter. Those responsible for investigating it may ask you additional questions.

Investigation

All reports will be followed up promptly, and an investigation conducted. In conducting its investigation, NorthStar will protect the identity of the whistleblower to the fullest extent permitted by the law.

Normally, an employee will be informed when they become the focus of an investigation and will have opportunities for input during the investigation. Employees who are interviewed, asked to provide information, or otherwise participate in an investigation are expected to fully cooperate with investigators to the extent that their cooperation won't compromise self-incrimination protections under state and federal law. If you are being investigated, you have a right to consult with persons of your choice and to secure representation, including legal representation, at your own expense. If you are asked to participate in an investigation of improper or illegal activities or conditions, you should refrain from discussing or disclosing the investigation or your testimony with anyone not connected with the investigation.

When investigating an employee's concern, we will, except when there are overriding legal or public interest reasons, keep them updated on the status of the investigation and on corrective actions

taken to remedy the problems they identified. Employees who are being investigated also have a right to be informed of the investigation's outcome. If allegations aren't sustained, we will consult with the person(s) being investigated as to whether public disclosure of the investigation results would be in their best interest or that of the organization.

No retaliation (whistleblower protection)

NorthStar will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the executive director, the board of directors or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises their rights under any state or federal law or regulation to pursue a claim or take legal action to protect their rights.

NorthStar may take corrective action up to and including termination against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy.

In addition, NorthStar will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel or a court truthful information relating to the commission or possible commission by NorthStar or any of its employees of a violation of any applicable law or regulation.

A reporting employee's right to protection from retaliation does not extend immunity, however, for any complicity they might have had in the matters under investigation.

APPENDIX A: Summary Chart of Massachusetts Employee Leave Entitlement

Source of leave entitlement	Authorized reasons for leave	Criteria to be met by employee to qualify for leave	Amount of leave authorized	Paid leave required?
Family & Medical Leave Act (FMLA)	Birth, placement of child for adoption or foster care, employee's or family member's serious health condition, military exigency for service member in family, serious injury or illness of service member in family.	12 months employment; 1250 hours service during immediately preceding 12 month period.	Up to 12 work-weeks normally, but up to 26 workweeks for care of family service member's injury or illness.	No.
Massachusetts Earned Sick Time Law	Care for sickness or illness of employee or certain family members; attend routine medical appointments of employee or family member; address effects of domestic violence on employee or employee's child.	Primary place of work in Massachusetts. (Leave begins to accrue when work begins and can be taken 90 days later.)	Up to 40 hours per year in addition to leave required by other laws. (Leave accrues at rate of 1 hour of leave for every 30 hours of work.)	Yes, if employer has 11 or more employees; otherwise, no.
Massachusetts Parental Leave Act	Birth or adoption.	Full-time employment for at least 3 months or completion of initial probationary period set by terms of employment, not to exceed 3 months.	8 weeks per child.	No.
Massachusetts Domestic Violence and Abusive Situation Leave Act	Pursue medical attention, counseling, victim services, legal assistance, housing procurement, court or grand jury appearance, district attorney meeting, or other activity required as a result of domestic violence or abuse.	Be a paid employee personally victimized by abusive behavior, or be a paid employee with a family member victimized by abusive behavior, but not be perpetrator of the abusive behavior.	Up to 15 days in any 12 month period (in addition to all other forms of leave).	No.
Massachusetts Small Necessities Leave Act	Participate in child's school activities, accompany child to routine medical or dental appointments, accompany elderly relatives to routine medical, dental, or other professional services appointments.	12 months employment; 1250 hours service during immediately preceding 12 month period.	Up to 24 hours in any 12 month period (in addition to leave provided under the FMLA).	No.
Massachusetts Jury Service Law	Serve as juror or grand juror.	Be notified of jury or grand jury duty.	Unlimited.	Yes, for first 3 days only (unless court excuses payment).
Massachusetts Witness in Criminal Actions Law	Testify in criminal trial.	Be a victim of a crime or be subpoenaed to attend a criminal action as a witness.	Unlimited.	No.

Massachusetts Leave of Absence for Voting Statute	Vote in election.	Be entitled to vote and ask for leave.	2 hours after the opening of the polls.	No.
Uniformed Services Employment & Reemployment Rights Act	Voluntary or involuntary duty in "the uniformed services" (i.e., Armed Forces, National Guard, Air National Guard, commissioned corps of National Health Service, or any other category of persons designated in war or national emergency).	Duty in "the uniformed services." (Right to be reinstated in civilian position requires satisfying additional criteria.)	Up to 5 years or more.	No.
Massachusetts Leave for Military Training Law	Military training.	Be a non-temporary employee receiving military training as a member of the ready reserve of the armed forces.	Up to 17 days in any calendar year.	No.
Massachusetts Veterans or Memorial Day Leave Law	Participate in Veterans Day or Memorial Day exercise, parade or service.	Be a veteran who wants to participate in a Veterans Day or Memorial Day exercise, parade or service.	"Sufficient time to participate" in Veterans or Memorial Day activities.	No.
Massachusetts Witness in Criminal Actions Law	Testify in criminal trial.	Be a victim of a crime or be subpoenaed to attend a criminal action as a witness.	Unlimited.	No.
Massachusetts Leave of Absence for Voting Statute	Vote in election.	Be entitled to vote and ask for leave.	2 hours after the opening of the polls.	No.
Uniformed Services Employment & Reemployment Rights Act	Voluntary or involuntary duty in "the uniformed services" (i.e., the Armed Forces, National Guard, Air National Guard, commissioned corps of National Health Service, or any other category of persons designated in war or national emergency).	Duty in "the uniformed services." (Right to be reinstated in civilian position requires satisfying additional criteria.)	Up to 5 years or more.	No.
Massachusetts Leave for Military Training Law	Military training.	Be a non-temporary employee receiving military training as a member of the ready reserve of the armed forces.	Up to 17 days in any calendar year.	No.
Massachusetts Veterans or Memorial Day Leave Law	Participate in Veterans Day or Memorial Day exercise, parade or service.	Be a veteran who wants to participate in a Veterans Day or Memorial Day exercise, parade or service.	"Sufficient time to participate" in Veterans or Memorial Day activities.	No.