



# Employee Handbook

May 11, 2022

# Table of Contents

INTRODUCTION .....	5
DISCLAIMER .....	6
CONFIDENTIALITY / NON-DISCLOSURE .....	6
Section 1 - Governing Principles of Employment .....	7
1-1 Equity, Diversity, and Inclusion .....	7
1-2 Employment At-Will .....	7
1-3 Immigration Law Compliance .....	8
1-4 Introductory (Probationary) Period .....	8
1-5 Conflict of Interest and Business Ethics .....	8
1-6 Outside Employment .....	9
1-7 Disability Accommodation / ADA .....	9
1-8 Borrowing of Equipment .....	10
1-9 Voluntary Termination of Employment .....	10
1-10 References .....	10
1-11 Drug-Free and Alcohol-Free Workplace .....	11
Section 2 - Records and Status .....	13
2-1 Employment Categories .....	13
2-2 Employment Records .....	14
2-3 Record Retention .....	14
2-4 Employment Applications / Background Check .....	14
2-5 Job Descriptions .....	15
2-6 Performance Reviews .....	15
Section 3 - Benefits .....	16
3-1 Benefits Overview .....	16
3-2 Paid Holidays .....	17
3-3 Personal Time Off (PTO) .....	17
3-4 Workers' Compensation Insurance .....	18
3-5 Jury Duty .....	18
3-6 Funeral/Bereavement Leave .....	18
3-7 Election Day .....	19
3-8 Employee Assistance Program .....	19
3-9 Pregnancy Accommodations .....	19
3-10 Education / Training (Attending Seminars/Training Sessions) .....	20
3-11 Working Remotely .....	20
3-12 On the Job Injury .....	24

3-13	Benefits Continuation (COBRA) .....	24
3-14	Unemployment Compensation.....	24
3-15	Short-term Disability.....	24
3-16	Family and Medical Leave Policy .....	25
3-17	Military Leave / Reserve Duty.....	25
3-18	Personal Leaves of Absence.....	26
Section 4 - Timekeeping and Payroll .....		27
4-1	Timekeeping Procedures .....	27
4-2	Travel Time for Non-Exempt Employees Overnight, Out-of-Town Trips.....	27
4-3	Safe Harbor Policy.....	27
4-4	Paychecks.....	28
4-5	Pay Cycle and Distribution .....	28
4-6	Pay Deductions and Setoffs .....	29
4-7	Administrative Pay Corrections .....	29
4-8	Basis for Determining Pay.....	29
4-9	Calculation of Pay.....	29
4-10	Time Off .....	30
4-11	Record of Absence .....	30
4-12	Pay for Emergency Closings .....	31
4-13	Working Hours and Schedule.....	31
4-14	Rest and Meal Periods – Non-exempt Employees.....	32
4-15	Overtime – Non-exempt Employees.....	32
4-16	Health and Safety.....	32
4-17	Business Expense Reimbursement .....	33
4-18	Mileage Reimbursement Policy .....	33
Section 5 - Employee Conduct and Disciplinary Action.....		34
5-1	Workplace Conduct.....	34
5-2	Harassment: Workplace Bullying .....	35
5-3	Workplace Violence .....	36
5-4	Sexual Harassment.....	37
5-5	Child Protection Policy .....	38
5-6	Protection Policy for Adults who are Impaired.....	41
5-7	Use of Communications and Computer Systems.....	43
5-8	Use of Social Media.....	44
5-9	Camera Phones/Recording Devices .....	45
5-10	Mobile Phone Use.....	45
5-11	Inspections.....	46

5-12	Visitors and Children in the Workplace .....	46
5-13	Smoking.....	47
5-14	Acceptance of Gifts .....	47
5-15	Publicity/Statements to the Media.....	47
5-16	Solicitation, Distribution and Use of Bulletin Boards.....	47
5-17	Confidential Company Information .....	48
5-18	Use of Facilities, Equipment and Property.....	48
5-19	Hiring Relatives/Employee Relationships .....	49
5-20	Employee Dress and Personal Appearance .....	49
5-21	Operation of Vehicles.....	49
5-22	Grievance Policy.....	49
5-23	Whistleblower Policy .....	51
5-24	Document Retention and Destruction.....	52
5-25	Video Surveillance.....	53
5-26	Punctuality and Attendance .....	53
5-27	Corrective Action .....	53
	GENERAL HANDBOOK ACKNOWLEDGEMENT – EMPLOYEE COPY .....	55
	GENERAL HANDBOOK ACKNOWLEDGEMENT – JFS COPY.....	56

## INTRODUCTION

Welcome to JFS Delaware!

On behalf of the leadership and staff at Jewish Family Services of Delaware (JFS), I want to welcome you and wish you an enjoyable and rewarding experience with us.

The mission of JFS is to strengthen individuals, families and the community by providing counseling, case management and support services based on Jewish values. We serve clients with compassion, kindness and dignity – in all three counties and at all stages of life.

At JFS, we believe that every employee contributes directly to our growth and success, and that we only excel as an organization when each staff member takes pride in being a part of our team. We appreciate both our most seasoned employees and those who have more recently joined us – each brings a unique set of strengths, knowledge and experiences that make us better as a whole.

This handbook outlines the policies, procedures and expectations that apply to all employees and the benefits available to eligible employees. You will also find answers to many of the questions you may have about employment with JFS. Please take time to review and familiarize yourself with the contents of this handbook.

Whether you are a clinician, case manager or part of the administrative team, you've joined an agency that is committed to assisting and caring for other human beings. Rest assured, we're in this together.

Again, welcome!

Warmly,

A handwritten signature in black ink, appearing to read 'Regina', with a stylized flourish extending to the right.

Regina Alonzo  
Interim Chief Executive Officer  
JFS Delaware

## DISCLAIMER

JFS Delaware prepared this handbook to help employees find the answers to questions they may have regarding their employment with JFS. Please take the necessary time to read it. This handbook is not expected to answer all questions. Supervisors and Human Resources staff also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a supervisor is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. JFS adheres to the policy of employment at-will, which permits JFS or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No representative other than the CEO and/or President of the Board may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be signed and in writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate documents. These documents always supersede any statement made in this handbook or by any member of management.

This handbook states only general guidelines. JFS may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at-will, which may only be modified by an express written agreement signed by the employee (or bargaining unit) and the CEO and/or President of the Board.

This handbook dated January 2022 and supersedes all prior handbooks.

## CONFIDENTIALITY / NON-DISCLOSURE

JFS clients entrust us with important information. The nature of this relationship requires that our staff, board members and contractors maintain strict client confidentiality. It is vital to the interests and success of JFS that confidential business information and trade secrets are also protected. Confidential information includes, but is not limited to, the following examples:

- Client information
- Computer programs and codes
- Client lists
- Client preferences
- Financial information
- Pending projects and proposals

Because JFS considers security breaches very serious, if any individual (including a board member, employee, casual, temporary or contractor) improperly uses or discloses trade secrets, confidential business or personal information, they will be subject to disciplinary action, up to and including termination of employment or dismissal as well as legal action, even if there is no benefit from the disclosed information.

## Section 1 - Governing Principles of Employment

### 1-1 Equity, Diversity, and Inclusion

JFS values a diverse, inclusive, and equitable workplace that embraces employees and volunteers for who they are and what they bring to table. We believe that the broader our backgrounds and the more walks of life from which we come, the more authentically we can represent the many voices within our community. We are committed to making decisions that draw from our collective experiences and, at the same time, we value individuality, independence, and self-awareness.

As an Agency, we do not discriminate on the basis of:

- Race
- Ethnicity
- National Origin, Alienage, Or Ancestry
- Gender (including pregnancy, childbirth, and related medical conditions)
- Gender Identity
- Age
- Sexual Orientation
- Education
- Ability/Disability
- Socioeconomic Status
- Religion/Creed
- Citizenship Status
- Marital Status

In addition, JFS prohibits discrimination against victims of domestic violence, sexual offenses, or stalking, or against any other protected class under applicable federal, state or local laws.

JFS provides equal opportunity for employment and career advancement in all areas of our business – including recruitment, hiring, job placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment. We are committed to embodying a culture of inclusivity, diversity, and equity in our relationships with each other, our clients, vendors, board members, partners, and other stakeholders. Our policies prohibit any form of retaliation against individuals who raise issues of equal employment opportunity.

If an employee feels subjected to conduct which violates this policy, including any improper retaliatory conduct for raising issues of equal employment opportunity, the employee should immediately report the matter to a supervisor. If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any such incident, the employee should advise the CEO and/or Human Resources (HR). To ensure our workplace is free of artificial barriers, violation of this policy will lead to discipline, up to and including termination of employment.

As an organization, maintaining this culture means it is aligned with our mission to strengthen individuals, families, and the community by providing counseling and support services. We have dedicated time and resources to assuring that our services are available to all, and that we are doing what it takes to change systems and policies that divide us, that push some down while lifting others up, and that do not reflect the spirit of equality.

### 1-2 Employment At-Will

All employment with JFS is voluntary and "at-will," which means that employment can be terminated with or without cause, and with or without notice, at any time, at the option of either JFS or the employee, except as otherwise provided by law.

Nothing in this policy shall be interpreted to conflict with, eliminate, or modify in any way the employment-at-will status of JFS employees.

This policy of employment-at-will may not be modified by any officer or employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement approved at the discretion of the CEO.

### **1-3 Immigration Law Compliance**

For JFS to comply with the Immigration Reform and Control Act of 1986, all new employees, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and provide documentation that establishes their identity and eligibility for employment. Former employees who are subsequently rehired must also complete an I-9 and provide appropriate documentation if 1) they have not completed an I-9 with JFS within the past three years, or 2) their previous I-9 is no longer valid or was not retained.

For more information on immigration law issues, employees are encouraged to contact HR. At JFS, employees can raise questions or complaints about immigration law compliance without fear of reprisal.

### **1-4 Introductory (Probationary) Period**

The first 90 days of employment are considered an introductory, or probationary, period. During this time, new employees will get to know coworkers, supervisors, and job responsibilities as well as become familiar with JFS. Supervisors will work closely with employees to help them understand the needs and processes of their jobs.

The introductory period also gives JFS a chance to evaluate the employee's suitability for employment, and the employee a chance to evaluate JFS as an employer. At any time during this period, an employee may resign without any detriment to their record. If, during this period, the employee's work habits, attitude, attendance or performance does not meet the requirements of the position, JFS may release the employee.

### **1-5 Conflict of Interest and Business Ethics**

It is JFS's policy that employees avoid any conflict between their personal interests and those of JFS. The purpose of this policy is to ensure that JFS's honesty, integrity and reputation are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of JFS.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

- holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do business with JFS, by any employee who is able to directly or indirectly influence either JFS's decision to do business, or the terms upon which business would be done with such organization
- holding any interest in an organization that competes with JFS
- being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do business with JFS or which competes with JFS
- profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with JFS

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above. It is the employee's responsibility to report any actual or potential conflict that may exist between the employee and/or the employee's immediate family and JFS.



This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

## **1-6 Outside Employment**

If an employee is given the opportunity to take on a second job, that employee is responsible for notifying a supervisor immediately. The supervisor will discuss this opportunity with the employee to make sure that it will not interfere with the employee's primary job at JFS. JFS employees may hold outside jobs provided they can satisfactorily perform their JFS job and there is no interference with scheduling demands.

Employees will be held to the same standards of performance and scheduling expectations, regardless of any outside job. If it is determined that outside work is impacting an employee's performance or the ability to meet the requirements of the job, which may change over time, the employee will be asked to terminate the outside job to stay employed at JFS.

JFS prohibits outside employment that constitutes a conflict of interest. Further, employees may not receive any income or material gain from individuals outside JFS for materials produced or services rendered while performing their job at JFS.

## **1-7 Disability Accommodation / ADA**

JFS is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). It is JFS's policy to not discriminate against any qualified employee or applicant regarding any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, JFS will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made JFS aware of the disability, provided that such accommodation does not constitute an undue hardship on JFS.

Any employee with a disability who believes a reasonable accommodation is needed to perform the essential functions of the employee's job should contact HR. JFS encourages individuals with disabilities to come forward and request reasonable accommodation.

### **Procedure for Requesting an Accommodation**

- On receipt of an accommodation request, the employee, employee's supervisor and CEO will meet to discuss and identify the precise limitations resulting from the disability and the potential accommodation that JFS might make to help overcome those limitations.
- JFS will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, JFS's overall financial resources and organization as well as the accommodation's impact on JFS's operation, including its impact on the ability of other employees to perform their duties and on JFS's ability as an agency to conduct business.
- JFS will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of the right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The ADA does not require JFS to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.).

Employees or job applicants who have questions regarding this policy or believe that they have been discriminated against based on a disability should notify HR and/or the CEO. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

### 1-8 Borrowing of Equipment

JFS provides employees with equipment – such as mobile phones, laptops, and smart devices – free of charge with the purpose of conducting JFS business. The borrow period for any assigned equipment begins with the date the equipment is signed out and ends the date it is returned or the last day of employment (whether voluntary or dismissal), whichever is sooner. Employees are responsible for picking up and returning equipment to the same location at the end of the borrow period, unless otherwise agreed by both parties. Employees are to return equipment in the same condition it was in on the day it was borrowed, except for normal wear and tear.

If equipment is lost, destroyed, or damaged beyond repair during the borrow period, an employee will be charged the replacement cost through a payroll deduction when allowed by law, or further legal action may be necessary.

**A note about mobile phones:** All mobile phones are required to have a passcode. This is important since the phone is used for client-related communications. JFS-issued cell phone numbers are the only numbers that employees are permitted to provide to their clients. An employee's personal phone should not be used for business purposes and/or provided to clients.

### 1-9 Voluntary Termination of Employment

When an employee voluntarily decides to end their employment with JFS (i.e. through resignation or retirement), the employee is asked to provide the supervisor with at least two (2) weeks advance notice of departure. The length of notice should correspond to the employee's role and responsibilities.

Therapists will ideally give four (4) weeks' notice, unless the Director of Outpatient Behavioral Health Services deems a shorter timeframe is acceptable. This enables JFS to ensure a seamless transfer and transition of clients to another therapist along with completion of all case records, including the final quality assurance review. It is expected that the departing employee will not solicit JFS clients.

All reports, assignments, clinical notes, and critical assignments pertinent to the employee's job must be completed before the employee's last day. JFS reserves the right to withhold pay for accrued PTO if assignments are not completed. During the notice period, employees may not use accrued PTO.

Any JFS property that the employee has borrowed must be returned at separation. This includes, but is not limited to: keys, security cards, parking passes, laptop computer, mobile phone, webcam, etc.

Employees must also return JFS' confidential information prior to their last day of work. To the extent permitted by law, employees will be required to repay JFS (through payroll deduction, if lawful) for any lost or damaged JFS property. As noted previously, all staff are employed at-will and nothing in this handbook changes that status.

Employees who resign will be requested to participate in an exit interview with Human Resources.

### 1-10 References

JFS will provide general information concerning the employee/previous employee, including date of hire, date of discharge, and positions held, to the Hiring Manager or Human Resources Officer at another agency provided the employee signed a release of information. Requests for reference information must be sent to HR in writing and responses will be in writing by HR only.

## 1-11 Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy, and productive work environment for JFS employees and others, to protect JFS property, and to ensure efficient operations, JFS has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for JFS.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on JFS premises, while conducting JFS business (whether on JFS premises or not), or while representing JFS, is strictly prohibited. Employees and other individuals who work for JFS are also prohibited from reporting to work or working while using or under the influence of alcohol or any controlled substance that may impact the employee's ability to perform job duties or otherwise pose safety concerns.

The only exception to this policy is when the use of a controlled substance is prescribed and monitored by a licensed medical practitioner who authorized the employee or individual to report to work. However, this does not extend any right to report to or be at work under the influence of medical marijuana or to possess medical marijuana at work. Violation of this policy will result in disciplinary action, up to and including termination.

JFS maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance use disorders and alcohol dependencies, and those who have a medical history which reflects treatment for these conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. JFS encourages employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs or jeopardizes the health or safety of any JFS employee, including their own.

### Work Rules - The following rules apply to all employees:

Whenever employees are working, operating any company vehicle, present on company premises or conducting 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 an illegal drug as defined in this policy.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.

- JFS will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs, drug paraphernalia or weapons will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### Required Drug & Alcohol Testing

JFS retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession, or impairment. The CEO must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a company vehicle, machinery, equipment, or property and/or result in an injury to themselves, another employee or client requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours or as soon as medically capable following the accident, if not sooner.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including termination of employment. JFS reserves the right to offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include attending a substance abuse treatment program follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate termination of employment.
- **Consequences** - Applicants who refuse to cooperate in a drug test or who test positive will not be hired. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy will be terminated. The first time an employee is found to be under the influence and tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including termination of employment.
- Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include the employee's direct supervisor, the CEO and HR. Should the results prove to be negative; the employee will receive back pay for the times/days of suspension.
- **Confidentiality** - Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.
- **Inspections** - JFS reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contractors, volunteers, interns, and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in inspections are subject to appropriate discipline up to and including termination of employment.
- **Crimes Involving Drugs** - JFS prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

## Section 2 - Records and Status

### 2-1 Employment Categories

Understanding the definitions of the employment classifications at JFS is important because employee classifications are one of the factors that determine employment status and benefit eligibility. However, these classifications do not guarantee employment for any specified period of time.

Depending on their position, employees are designated as either non-exempt or exempt status as determined from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. Exempt or non-exempt classification may be changed only with written notification by HR and approved by the CEO.

1. **Non-Exempt Employee:** Because of the type of job duties performed, the usual level of decision-making authority, and the method of compensation, non-exempt employees are subject to all Fair Labor Standards Act (FLSA) provisions including the payment of overtime. Non-exempt employees are required to account for hours and fractional hours worked. Non-exempt employees must be compensated for all hours worked overtime at the premium (time-and-one-half) rate of pay. This means that non-exempt employees will be paid at their hourly rate up to 40 hours. Overtime pay is at time and one-half their hourly rate for all hours worked over 40 in a workweek. All states have this requirement for overtime hours as a result of the FLSA and its Fair Pay revisions of August 2004 which take precedence over state laws. These employees are referred to as "non-exempt" in this manual.
2. **Exempt Employee:** Exempt employees are employees who, because of their positional duties, responsibilities and level of decision-making authority, are paid on a salary basis and exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of their position. Exempt employees should notify their supervisor of any changes to their normal work schedule.

In addition to the Exempt and Non-exempt categories, the following are guidelines for JFS's employment categories:

1. **Regular Full-Time Employees:** An employee who is not in a temporary status and who is regularly scheduled to work a fixed schedule each week (30-40 hours). Generally, regular full-time employees are eligible for all JFS benefit programs, subject to the terms, conditions, and limitations of each benefit program.
2. **Regular Part-Time Employees:** An employee who is not in a temporary status and who is regularly scheduled to work at least 29 hours per week. Part-time employees receive all legally mandated benefits, such as Social Security and workers' compensation insurance.
3. **Hourly Part-Time Employees:** An employee who is not in a temporary status and who is regularly scheduled to work a fixed hourly schedule set by a supervisor. Hourly part-time employees receive all legally mandated benefits, such as Social Security and workers' compensation insurance.
4. **Casual Employees:** JFS may hire employees with less than Part-Time status for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a casual employee. The job assignment, work schedule and duration of the position will be determined on an individual basis. Typically, casual employees remain on JFS's payroll so they may be called upon to work on specific projects. Casual employees average less than 25 hours per work week and will retain that status until they are notified of a change. While casual employees receive all

legally mandated benefits (such as Social Security, Delaware Unemployment Insurance and Workers' Compensation Insurance), they are not eligible for JFS's benefit programs. Casual employees who work a regular schedule of 4-5 days a week will be paid for a Holiday if that Holiday falls on one of the employee's regularly scheduled workdays. They must follow the guidelines and policies set-forth as they are on premise and supporting the efforts of JFS.

5. Temporary Worker/ Contractor: An individual who is retained as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project is considered a Temporary Worker or Contractor. Assignments in this category are limited in duration. Assignments given beyond the initially stated period does not in any way imply a change in status. Individuals retain Temporary Worker/Contractor status unless and until they are a notified of a change. While these individuals receive all legally mandated benefits (such as Social Security and Workers' Compensation Insurance), they are not eligible for JFS's benefit programs . They must follow JFS's guidelines and policies set-forth as they are on premise and supporting the efforts of JFS.

All staff members are hired under at-will employment status as described in the Governing Principles of Employment section.

## **2-2 Employment Records**

During the job hiring process, JFS collects personal information, such as your address and phone number. This information is contained in an employee's personnel file.

Each employee is required to keep his or her personnel file up-to-date. Inform your supervisor of any changes to your address, marital status, visa status, etc. that could affect withholding tax and/or benefit coverage. The employee should also inform a supervisor of any newly acquired training or skills, professional certification or licensing. Be sure that both your contact information and that of your emergency contact is current, as out-of-date information could cause a severe health or safety risk, an inability to reach you in a crisis, or other significant problem.

## **2-3 Record Retention**

JFS acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against JFS and its employees and possible disciplinary action against responsible individuals (up to and including termination). Each employee has an obligation to contact HR and/or the CEO to inform these parties of potential or actual litigation, external audits, investigation or similar proceedings involving JFS that may have an impact on record retention protocols.

## **2-4 Employment Applications / Background Check**

JFS relies on the accuracy of the information provided on the employment application, as well as the accuracy of other data presented during the hiring process and employment. If there are any misrepresentations, falsifications, or material omissions in any of this information, JFS may exclude that applicant from further consideration. If the person has already been hired, this could result in termination of employment.

To ensure that individuals who join JFS are well-qualified and have a strong potential to be productive and successful, it is the policy of JFS to conduct employment reference checks, review the child and adult abuse registries, obtain a criminal background check (fingerprinting) and require drug testing of all applicants.

JFS also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

## 2-5 Job Descriptions

JFS maintains a job description for each position. If an employee wishes to see the description of the employee's position, the employee should contact his or her supervisor.

## 2-6 Performance Reviews

Performance reviews will be conducted upon successful completion of an employee's Introductory (Probationary) Period of employment (typically 90 days) as well as annually. During formal performance reviews, the employee's supervisor will consider the following at a minimum:

- Quality and quantity of work
- Effectiveness in dealing with others
- Job knowledge and organizational ability
- Dependability, initiative, judgment and adaptability
- Commitment to customer service
- Risk management and compliance

The primary reason for performance reviews is to identify an employee's strengths and weaknesses in order to reinforce good habits and develop ways to improve in weaker areas. This review also serves to make employees aware of and to document how their job performance compares to the goals and description of their job.

However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to performance evaluations, JFS encourages department supervisors to discuss job performance on a frequent and ongoing basis.

## Section 3 - Benefits

### 3-1 Benefits Overview

Eligible employees at JFS are provided a wide range of benefits. A number of programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. HR will identify the programs for which employees are eligible. Details of many of these programs can be found elsewhere in the employee handbook and on the employee portal.

In addition to good working conditions and competitive pay, it is JFS's policy to provide a combination of supplemental benefits to all eligible employees and their families. In keeping with this goal, each benefit program has been carefully determined. JFS is committed to continually studying, evaluating and refining benefit programs and policies to better meet employees' present and future needs.

The following benefit programs are available to eligible employees:

- Paid holidays
- Earned paid time off (PTO)
- Medical Insurance
- Dental Insurance
- Life Insurance
- 401(k)
- Long- and Short-Term Disability
- Employee Assistance Program (EAP)

The next few pages contain a brief outline of the benefits programs JFS provides. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available in HR. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, JFS (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement. While JFS intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.



### 3-2 Paid Holidays

Employees are eligible to receive holiday pay. Eligible employees will be granted paid holiday time immediately upon assignment to an eligible employment category.

The following twelve (14) holidays are recognized by JFS:

New Year’s Day	Labor Day Rosh Hashanah (2 days)
Martin Luther King Day	Yom Kippur
Passover	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Eve and Christmas Day
Independence Day	

When holidays fall on or are celebrated on a regular workday, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate, and an additional payment of straight-time for the actual time they work that day.

If a recognized holiday falls within an eligible employee's approved vacation period, that day will be paid as a holiday (at the regular straight-time rate) and the employee will not use a vacation day for that day. If a recognized holiday falls within jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate), in addition to the leave day.

For the purposes of calculating overtime, holiday hours do not count towards hours worked.

### 3-3 Personal Time Off (PTO)

Accrued paid time off (PTO), now referred to as PTO, is available to eligible employees to provide an opportunity for rest, relaxation, and personal pursuits. PTO replaces prior references to sick, personal and vacation days, and instead, allows employees to use the time according to their own needs.

Employees in the following employment classification(s) are eligible to earn and use PTO as described herein:

- Regular full-time employees (working 40 hours per week and/or salary).
- Regular part-time employees (working more than 30 hours per week).

Employees earn PTO from the date of hire; however, time may not be taken until after the completion of the probationary period (first 90 days of work). PTO is paid at an employee’s base hourly rate. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

The amount of accrued PTO employees receive each year increases with their length of active employment:

#### 40 hours or more (salaried):

Status	Service	Accrual Rate	Maximum Annual Accrual	Maximum Carryover
Full Time	0-11 months (less than 1 year)	6.77 hrs. per pay period = 22 days per year	176 hours	40 hours
Full Time	12-35 months (2-3 years)	8.31 hrs. per pay period = 27 days per year	216 hours	40 hours
Full Time	36+ months (3+ years)	9.85 hrs. per pp 32 day/yr.	256 hours	40 hours

### 30-39 hours:

Status	Service	Accrual Rate	Maximum Annual Accrual	Maximum Carryover
Part Time	0-11 months (less than 1 year)	.085 hours per hour paid	176 hours	40 hours
Part Time	12-35 months (2-3 years)	.104 hours per hour paid	216 hours	40 hours
Part Time	36+ months (3+ years)	.124 hours per hour paid	256 hours	40 hours

To take PTO, employees must request advance approval from their supervisors. Requests will be reviewed based on several factors, including business needs and staffing requirements.

As stated above, employees are encouraged to use available accrued PTO for rest, relaxation, and personal pursuits. In the event that available accrued PTO is not used by the end of the calendar year, employees may carry a maximum of up to five (5) days or 40 hours of unused time forward to the next calendar year which is to be used by June 30<sup>th</sup> of the subsequent year.

### Termination/Resignation

Should an employee voluntarily resign, the maximum PTO payout is 40 hours. In the case of separation from employment for any reason, any PTO used in excess of accrued time will be deducted from employee's final paycheck. By acknowledging receipt of the handbook, employees are specifically authorizing this deduction from their final paycheck and acknowledging that advancing PTO is a benefit to which they are not otherwise entitled.

### 3-4 Workers' Compensation Insurance

On-the-job injuries are covered by our Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they must report the incident immediately to their supervisor. Failure to follow JFS procedures may affect the ability of the employee to receive Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### 3-5 Jury Duty

JFS realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected to provide JFS with proper notice of their request to perform jury duty and with verification of service. Employees are expected to keep management informed of the expected length of their jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty. Employees on jury duty leave will be paid for their jury duty service in accordance with state law; however, exempt employees will be paid their full salary for any week in which they perform any work for JFS.

### 3-6 Funeral/Bereavement Leave


We know the death of a family member is a time when employees wish to be with the rest of their family. Employees that lose a close relative, will be allowed paid time off of up to five (5) days to assist in attending to

obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic partner, child, parent, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, JFS may require verification of arrangement.

### **3-7 Election Day**

In the event an employee does not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. When possible, staff must notify their supervisor at least two (2) days prior to election day.

### **3-8 Employee Assistance Program**

JFS provides an employee assistance program for employees. This program offers qualified counselors to help employees cope with personal problems they may be facing. Further details can be obtained by contacting an EAP counselor at (855) 268-1006 . All calls are personal and confidential.

### **3-9 Pregnancy Accommodations**

In compliance with Delaware law, JFS will not discriminate against an applicant or employee because of pregnancy, childbirth or related conditions. JFS will treat applicants and employees, whom the employer knows or should know are pregnant, as well as other applicants and employees who are similar in their ability or inability to work but who are not pregnant, without regard to the source of any condition affecting the other applicants' or employees' ability or inability to work.

JFS will endeavor to provide a reasonable accommodation for requested pregnancy-related limitations of applicants and employees unless the accommodation would impose an undue hardship on the operation of the business.

JFS will not deny employment opportunities or take adverse action against a pregnant employee with respect to the terms, conditions or privileges of employment, or for requesting or accepting a reasonable accommodation.

### **Lactation Breaks**

JFS will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, subject to applicable law.

JFS will make reasonable efforts to provide employees with the use of a private room or location other than a bathroom or toilet stall for the employee to express milk in private. This location may be the employee's private office, if applicable. JFS may not be able to provide additional break time if doing so would seriously disrupt the operations, subject to applicable law. Consult with HR if any additional clarifications are required to this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

### **3-10 Education / Training (Attending Seminars/Training Sessions)**

From time to time, JFS may arrange to have both formal and informal training. All or a portion of the expenses for off-premises training may be paid for by JFS, depending on the nature of the course.

If an employee becomes aware of a specific conference that they believe is appropriate for enhancing work skills (and/or those of other employees), the employee should bring it to the attention of their supervisor. Since these seminars are usually offered only at specified times in a geographical area, it is important to notify their supervisor as far in advance as possible.

The employee's supervisor must provide approval in writing to the employee prior to enrolling in the training. The time while attending an approved training may or may not be paid time for the employee since as there must be relevance of the training to their current position.

### **3-11 Working Remotely**

Teleworking, or telecommuting, is the concept of working from home (or another location) on a full- or part-time basis. In general, most positions at JFS can be performed remotely. Teleworking arrangements give JFS an alternative way to get agency needs met while also providing employees with flexible work opportunities.

Consider testing out a remote work arrangement before an urgent situation or emergency arises. This allows both employee and supervisor to identify and address any glitches, challenges, questions, etc. so that they can be resolved prior to rather than during an urgent situation.

#### **Eligibility**

The employee's supervisor will determine if an employee's position and performance are compatible with teleworking. Factors that will be considered include:

- Appropriateness of job for remote work
- Employee's likelihood of being a successful teleworker
- Employee's technical capacity – including access to and knowledge of – email, internet and job-specific software
- Supervisor's ability to manage remote worker

In addition, the employee should be meeting basic performance expectations and be able to commit to working productively from a remote location for the duration required.

JFS maintains the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time. Conversely, employees are not required to telework and have the right to refuse to remote work if the option is made available.

#### **Schedule & Workload**

Have a realistic conversation with your Supervisor about how much work you can reasonably conduct remotely. Factors may include the nature of your work or limitations you may face within your home environment (e.g. children need to be cared for between the end of the school day and the time a sitter arrives). Consider what hours make the most sense for your work and whether you need to propose non-traditional hours such as early mornings, evenings, and/or weekends to work.

## Short-Term Remote Work Assignments

If an employee has a role that is not ideal for remote work, there may be creative ways to integrate it on a short-term basis. For instance, online training can usually be completed remotely. An employee who would like to be considered for a short-term, remote work assignment is encouraged to think about what type of work can be performed at home and propose it to a supervisor.

## Compensation and Work Hours

An employee's compensation, benefits, work status and job responsibilities do not change when working remotely. Employees are expected to work the same number of hours per day and/or pay period as if they were working in the office. Non-exempt, hourly employees must adhere to the same accurate Workday time reporting requirements (including breaks) and processes already in place with the Supervisor and department. Non-exempt employees must receive advanced approval from the Supervisor before incurring overtime.

*A Note about Childcare:* Teleworking is not a substitute for childcare. Teleworkers must make other child/dependent care arrangements during work hours in order to remain available for their regular work schedule and responsibilities.

## Equipment, Software & Supplies

### *JFS-Owned*

To assist employees who have been approved to work remotely, JFS may provide them with the specific equipment, software and supplies needed to perform their jobs. This may include computer hardware, software, desktop/mobile phone, connectivity to host applications, and office supplies such as printer paper and ink as deemed necessary. Out-of-pocket expenses for other supplies will only be reimbursed when prior approval from the employee's manager has been obtained.

Employees are strongly urged to use a JFS-owned computer, laptop, or other device when working remotely. This use of equipment, software, supplies and furniture – when provided by JFS for use at the remote work location – is limited to authorized persons only and for purposes relating to company business. Additionally, each employee should follow the technology guidelines issued by their department.

JFS will provide for repairs to company equipment if damage is incurred or functionality is compromised during normal business activities.

A loaner, JFS-owned laptop may be provided when available. Loaner computers will vary in performance and configuration. Loaned equipment must be returned upon request.

### *Personally-Owned*

If the only option for teleworking is to use a personally owned device, the employee is still responsible for following all policies to maintain device security. Personal devices are not insured by JFS. The employee is responsible for maintenance and repair of their personal equipment.

While JFS will pay for work-related voice and data communication charges, employees are required to have their own internet and phone access. JFS does not provide, or cover the cost of, personal internet or cellular services. Please discuss your usage/data plan with your provider to ensure you will not experience increased fees.

## Disability Accommodations for Teleworkers

Whenever it is feasible, safe, and permission has been granted, an individual may transport small, lightweight accommodations home for the duration of a remote work arrangement (e.g. ergonomic keyboard, footstool,

etc.). Please note: the possibility exists that a short-term remote work arrangement may arise unexpectedly, preventing JFS from extending certain accommodations to the remote workspace.

### **Communication Expectations**

It is helpful for supervisors and their employees to discuss the type, frequency, and methods of communication required during telework arrangements. For example:

- How often should the employee communicate with the supervisor - e.g., daily, weekly?
- How frequently should the employee check email?
- Does the employee need to be available via a messenger program - e.g., Skype for Business, Microsoft Teams?
- Does the employee need access to a webcam for virtual meetings - e.g., Zoom, Skype?
- Will the employee use a personal or business mobile phone? Is text messaging an appropriate way to communicate?

In general, employees need to be available by phone and email during regular work hours. They should also be available for staff, departmental and other mandatory meetings.

### **Best Practices for Remote Meetings**

Collaboration tools such as use Zoom, Skype and Teams make it easier than ever to hold remote meetings with multiple parties in different locations. Whether arranging, facilitating or participating in a remote meeting, the best practices below will help assure a successful forum.

- Proactively add a Zoom option to all meetings
- Add a secondary host who can start the meeting in the event the host is running late or becomes unavailable
- Log in early and test the audio/video settings
- To increase interpersonal communication, turn on the webcam; this also supports those who rely on lip reading
- If distractions are expected, limit the use of video
- To reduce background noise, participants should mute themselves when they aren't speaking. The host(s) can also mute individual or all participants.
- For meetings where participation is essential, consider using the "raise hand" feature to help determine who will speak when. It can be difficult even with video to tell when someone is about to finish speaking or is waiting to speak
- Be thoughtful about what others can see and hear in the background to minimize distractions, such as pets, household members, children, the television, etc.

### **Remote Workspace Set-up**

JFS teleworkers are responsible for setting up their own home offices or other remote workspaces. While the agency strives to assist with equipment, supplies and services, remote work may not be possible if these essentials are not available.

Any company materials taken home should be kept in the designated work area and not be made accessible to others. Finally, the remote workspace must be maintained in a safe condition, free from hazards and other dangers to the employee and equipment.

Remote employees are encouraged to factor their well-being into their home office set-up. For example:

- Employees who are accustomed to physical work should build physical movement into their day
- Seek opportunities to connect virtually with colleagues and others to minimize loneliness
- Choose a location in the home that has limited distractions and ample natural lighting
- Maintain good posture while sitting
- Take regular breaks (5 min of every hour) to look away from the screen and improve circulation
- Maintain consistent eating, sleeping, and exercise routines
- Build structure into each day, including social time with colleagues and others
- Connect peripheral devices, such as an external keyboard, mouse, headphones, and/or monitor to increase comfort
- Maintain boundaries to prevent overworking – unplug at the end of the workday!

### **Liability**

The employee's home workspace will be considered an extension of the company's workspace. Therefore, during work hours and while performing job-related functions in the designated remote workspace, telecommuters are covered by worker's compensation.

The company will be liable for injuries or illnesses that occur during the employee's agreed-upon work hours. The employee's at-home work hours will conform to a schedule agreed upon by the employee and his or her supervisor. If such a schedule has not been agreed upon, the employee's work hours will be assumed to be the same as before the employee began teleworking.

- The company assumes no liability for injuries occurring in the employee's home workspace outside the agreed-upon work hours.
- The company is not liable for loss, destruction, or injury that may occur in or to the employee's home. This includes family members, visitors, or others that may become injured within or around the employee's home.

### **Service Interruptions**

Remote workers should discuss a plan of action should any service (e.g. internet, phone, utilities) be interrupted due to weather or system demand.

### **Taxes**

It will be the employee's responsibility to determine any income tax implications of maintaining a home office area. The company will not provide tax guidance, nor will the company assume any additional tax liabilities. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.

## Evaluation

The employee shall agree to participate in all studies, inquiries, reports, and analyses relating to this program.

The employee remains obligated to comply with all company rules, practices, and instructions

### 3-12 On the Job Injury

Federal law ("OSHA") requires that JFS keep records of all illnesses and accidents, which occur during the workday. The Delaware State Workers' Compensation Act also requires that employees report any illness or injury on the job, no matter how slight. If an employee hurt themselves or become ill, they must contact their supervisor for assistance. If an employee fails to report an injury in a timely manner, they may jeopardize their right to collect Workers' Compensation payments as well as health benefits.

### 3-13 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue medical insurance coverage under JFS's medical plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

JFS provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under JFS's insurance plans. The notice contains important information about the employee's rights and obligations.

### 3-14 Unemployment Compensation

If an employee becomes unemployed, they may be eligible for unemployment compensation, under certain conditions, for a limited period. Unemployment compensation provides temporary income for workers who have lost their jobs. Employees should apply for benefits through their Local State Unemployment Office as soon as possible.

### 3-15 Short-term Disability

The short-term disability benefit provided by JFS is an employer-funded plan providing income replacement for employees unable to work due to illness, pregnancy, or injury.

#### Eligibility

A regular, full-time employee who has completed six (6) months of continuous employment and who is unable to work due to illness, pregnancy or injury is eligible. The employee must have exhausted all paid leave, including vacation and PTO. An employee receiving workers' compensation or disability pay under any state or federal plan is ineligible for this benefit. To be eligible for continued disability benefits, the employee must not engage in outside employment and is expected to avoid activities that may delay recovery and return to work.

#### Medical Certification

The employee must provide medical certification of the disability that includes the start and expected end date of the disability. This certification must be submitted to HR, who will review the certification and make a determination on benefit qualification.



## **Benefit Payment**

The short-term disability benefit payment is 67 percent of the employee's base weekly wages or salary calculated on average earnings in the previous six months, to a maximum benefit of \$1,000 per week. The benefit may be paid for a maximum of 12 weeks per calendar year. Payments are made on regularly scheduled paydays. The benefit is taxable income.

## **Return to Work**

The employee must return to work as soon as permitted by his or her health care provider. The employee must submit a fitness-for-duty clearance to HR. An employee whose absence has been designated as Family and Medical Leave Act (FMLA) leave is eligible for reinstatement as provided by the FMLA. Employees with additional questions regarding this policy should contact HR.

### **3-16 Family and Medical Leave Policy**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves.

#### **Federal Family and Medical Leave Policy**

As an employee of JFS, you may be eligible to take unpaid family and medical leave under the federal law, the Family and Medical Leave Act or certain leave under the National Defense Authorization Act, which amends FMLA (collectively, "FMLA"). JFS's policy is to follow FMLA, its regulations and the Department of Labor's (DOL's) notices.

JFS reserves all rights under FMLA and other leave laws and counts available FMLA leave using the rolling calendar basis, measured backward from the date an employee uses any FMLA leave. JFS counts FMLA leave concurrently with paid leave, meaning that used FMLA leave, which is unpaid, will be paid to the extent there is available PTO, which will reduce PTO. It is the employee's responsibility to notify their supervisor or HR of absences that may be covered by FMLA. The need to take non-emergency leave should generally be requested from HR at least 30 days, or as soon as practical, in advance of the date the leave is expected to begin.

In cases of emergency, notice should be given as soon as possible (or by a representative if incapacitated), and the application form should be completed as soon as practical. Failure to provide adequate notice or documentation may result in a delay or denial of the leave. Employees must provide sufficient information regarding the reason for an absence for JFS to know that protection may exist under this policy. Failure to provide this information will result in delay or forfeiture of rights under this policy. This means the absence may then be counted against the employee's record for purposes of discipline for attendance or similar matters. All call-out procedures must be followed unless otherwise preapproved.

If employees have any questions concerning FMLA leave, they should contact HR.

### **3-17 Military Leave / Reserve Duty**

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable. The leave will be unpaid. However, employees may use any available PTO for the absence. Vacation, PTO, and holiday benefits will continue to accrue during a military leave of absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible. Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time.

Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Contact HR for more information or questions about military leave.

### **3-18 Personal Leaves of Absence**

In very special circumstances, JFS may grant a leave for a personal reason. Employees should request an unpaid personal leave of absence from their supervisor. Approval for a personal leave must be granted by the CEO. A personal leave of absence may be granted for up to thirty (30) calendar days. Before beginning a personal leave of absence, the employee must first use any available accrued vacation and/or PTO benefits.

In order to continue medical and dental coverage, employees are responsible for payment of benefits. Benefit accruals, such as vacation, PTO, or holiday benefits, will be suspended while on a personal leave of absence and will resume when the employee returns to active employment.

Failure to return from a leave at the time agreed will result in termination of employment due to job abandonment.

## Section 4 - Timekeeping and Payroll

### 4-1 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline up to and including discharge. Clocking in and out for other employees is strictly prohibited. By submitting a timecard, employees are not only attesting that they worked all recorded hours, but also that they did not work any time that is not recorded. "Off the clock" work is strictly prohibited.

Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, using the time entry program as prescribed by management. Time should be updated daily. Non-exempt employees may not start work until their scheduled start time.

Exempt employees are required to record their daily work attendance and report absences from work for reasons such as paid time off (PTO), business, etc.

It is the employee's responsibility to complete their time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

### 4-2 Travel Time for Non-Exempt Employees Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled workdays (such as weekends). Non-exempt employees will also be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should obtain management authorization in advance.

#### Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: (i) time spent traveling between the employee's home and the local railroad, bus or plane terminal; and (ii) meal periods.

### 4-3 Safe Harbor Policy

It is JFS's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Employees classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours while at work for JFS. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons once earned paid time off is exhausted.
- full-day absences for sickness or disability once all available afforded leave is exhausted

- full-day disciplinary suspensions for infractions of written policies and procedures
- Family and Medical Leave absences (either full- or partial-day absences)
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay
- the first or last week of employment in the event the employee works less than a full week
- any full work week in which the employee does not perform any work

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness, or disability
- an absence because the employer has decided to close a facility on a scheduled workday
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above)
- any other deductions prohibited by state or federal law

However, unless Federal law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness, or disability.

If the employee believes he or she has been subject to any improper deductions, the employee should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), the employee should immediately contact their supervisor or any other supervisor in JFS with whom the employee feels comfortable.

#### **4-4 Paychecks**

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, JFS is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in an employee's pay, the employee should bring the matter to the attention of their supervisor immediately, so JFS can resolve the matter quickly and amicably. Paychecks will be given only to the employee, unless the employee requests it to be mailed, or authorize in writing another person to accept the check for them.

#### **4-5 Pay Cycle and Distribution**

JFS's payroll periods run biweekly. All employees are paid on the Friday after the close of the payroll period. Each paycheck includes earnings for all work performed through the end of the previous payroll period.

Employees are required to set-up direct deposit of funds to either a savings or checking account at their bank of

choice (providing the bank has direct deposit capability). To activate direct deposit, complete a Direct Deposit Authorization form which can be obtained from HR and returned once completed.

Employees will receive an itemized statement of wages on paydays instead of a paper paycheck.

#### **4-6 Pay Deductions and Setoffs**

JFS is legally required to make certain deductions from every employee's compensation. Among these deductions are federal, state, and local taxes as appropriate. JFS is also legally required to deduct Social Security taxes on earnings up to a maximum amount, which is called the Social Security "wage base." JFS contributes to each employee's Social Security by matching the amount of Social Security taxes deducted from their compensation.

JFS offers programs and benefits to eligible employees beyond those required by law. Employees may voluntarily authorize deductions from their paycheck to cover portions of the cost of these programs.

JFS may find it necessary to take "pay setoffs" from an employee's paycheck. Pay setoffs are pay deductions taken by JFS, usually to help pay off a debt or obligation to JFS or to others, i.e., court-ordered child support, wage garnishments, etc. The employee will be notified of the setoff deduction as soon as possible.

If an employee has any questions concerning why a deduction was made from their paycheck or how their paycheck is calculated, they should consult with their supervisor or HR immediately.

#### **4-7 Administrative Pay Corrections**

JFS takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that they are paid on the scheduled payday. In the unlikely event that there is an error in the amount of pay an employee receives, they should promptly advise their supervisor or HR who will work to ensure that the discrepancy can be corrected as quickly as possible. Should an error be discovered by JFS, the employee will be notified of the necessary correction to be made as soon as possible.

#### **4-8 Basis for Determining Pay**

It is JFS's desire to pay salaries that are as competitive as possible with other non-profit agencies in the area and in compliance with all applicable statutory requirements. An employee's pay is influenced by three factors:

- The nature and scope of the job,
- What other non-profit agencies pay their employees for comparable jobs, and
- Individual performance.

#### **4-9 Calculation of Pay**

Gross pay is the total amount of an employee's pay each pay period, including regular pay, overtime pay, and any other payments (reimbursements, for example). Gross pay is calculated first, and then it is reduced by withholding for federal and state income tax and deductions for FICA tax, other taxes, and other voluntary contributions and benefits.

To calculate gross pay for salaried (exempt) employees:

- Start with the employee's annual salary and divide by 26 (the number of pay periods in a year). That amount is the employee's gross pay for the pay period. Example: if an employee makes
- \$24,000 a year and JFS pays 26 times in a year, so the gross pay for each pay period is \$923.08.

- Add any other pay that the employee received, such as reimbursements. Bonuses may be added to the paycheck, but they are more commonly paid in a separate check.
- Subtract any unpaid time off (unusual for a salaried employee).
- Salaried employees do not receive overtime pay.
- To calculate gross pay for hourly (non-exempt) employees:
- The information provided by the employee's timesheet records the employee's hours (record of employee time).
- Calculate regular pay by multiplying the total hours worked in the pay period (not including overtime hours) times the employee's hourly pay rate.
- If the employee has worked overtime hours, this will be paid at a minimum of 1 1/2 times regular hourly pay for any hours worked over 40 hours in a week.
- Add any other pay the employee may receive, such as a reimbursement.

An example of how to calculate hourly (non-exempt) gross pay:

An employee is paid \$10 an hour and worked 43 hours in a work week. First, calculate regular pay:  $\$10 \times 40$  hours = \$400

Then, calculate overtime pay  $\$10 \times 1.5 \times 3$  hours = \$45 Add the totals for a gross pay of \$445

#### **4-10 Time Off**

Unplanned time off for any reason during a working day will count first against an employee's allotted PTO, as appropriate, in quarter-hour increments. Once an employee has used all their earned PTO, the time will be counted against earned vacation time and thereafter any time off will be without pay. Exceptions to this would need to be approved by the CEO.

Compensatory or comp time is not recognized by JFS. Exempt employees cannot receive additional hours or days of time off outside of the policies within this manual. Non-exempt employees are covered by the regulations of the Fair Labor Standards Act (FLSA) for overtime pay and are ineligible for comp time. No employee or supervisor has the authority to grant days off without regard to an employee's use of PTO or vacation time earned. If an exception is to be made to this policy, it must be approved by the CEO.

#### **4-11 Record of Absence**

If an employee is absent because of illness for three (3) or more successive days, their supervisor may request the employee provide written documentation from the doctor which would confirm the days absent. If an employee is absent five (5) or more days because of illness, the employee may be required to provide written documentation from a doctor indicating that the employee is able to resume normal work duties before they are able to return to work. Where there is concern over an employee's physical ability to perform their responsibilities, management may request written approval from a physician that the employee may assume their duties.

Note: Any documentation provided must not include any information regarding the nature of the illness or medical condition.

#### 4-12 Pay for Emergency Closings

In the event that JFS must close on a day when it would otherwise be open, exempt employees will receive regular pay for the day of closure. Non-exempt (hourly) employees will receive an amount equivalent to four hours of base pay for the day.

If JFS remains open on an adverse weather day, employees who report to work will receive their normal pay for the day, i.e., Exempt employees will receive their regular salary and Non-exempt employees will be paid their base rate for all hours worked. If an employee elects not to report to work when JFS is open, the employee can elect to (1) use any accrued PTO for the missed day or (2) the employee will not be paid for the day.

Essential Employees - are required to work when a full-day closing has been authorized and shall be compensated at their regular rate of pay. They will not be given time off at a later date for hours worked during such a period. If employees who are required to work do not report to work when a full-day closing has been authorized, they shall not be paid for the hours they would normally have worked during such period unless there is a valid and compelling reason for their absence. The hours which employees work during the period of a full-day closing will be counted as hours worked for overtime purposes.

Opens Late or Closes Early – in situations where a delayed opening occurs, Essential employees will be paid for the time from they arrive for the start of their shift in which the delayed opening occurred until the facility opens. Non-essential employees who report at the announced later start time and complete their normal shift will receive their regular day's pay for the shortened day. When a delayed opening is announced, and an employee arrives early, the employee may be released by the supervisor early.

Part-day Closure – if an emergency event such as inclement weather or a power outage occurs, the executive team may determine that JFS will close mid-day. When the company closes mid-day, employees are encouraged to leave immediately so that the conditions do not further deteriorate and affect their ability to safely travel. Exempt employees who were working at home with prior permission, or at the office on the day of the partial day closure, will be paid their normal salary. Non-exempt employees will be paid for their scheduled hours of work. No overtime will be paid. Employees who had taken the day off prior to the closure (paid or unpaid) will continue to be observed as paid or not paid accordingly.

NOTE: Fair Labor Standards Act (FLSA) establishes minimum wage, overtime, labor laws for minors, and determines what employees get paid when a business is closed. Exempt employees will receive their pay during company closure. Non-exempt employees are only required to be paid for hours worked. So, if a business is closed and the employee cannot work, the business is not required to be paid under FLSA.

<https://www.dol.gov/whd/flsa/>

#### 4-13 Working Hours and Schedule

JFS is normally open for business from 8:30 am to 7:00 pm, Monday through Thursday and 8:00 am to 4:00 pm on Friday. Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of our business, at some point we may need to change individual work schedules on either a short-term or long-term basis. Employees will be provided meal and rest periods as required by law.

Employees who are based at a client's location or offsite will adhere to the holiday policy, early closing and hours of the client to whom they are primarily assigned. The employee will have the option to use accrued paid time off or unpaid time; or elect to work at a JFS office, with approval by their supervisor.

#### **4-14 Rest and Meal Periods – Non-exempt Employees**

Non-exempt employees are given two (2) break periods of 15 minutes in length each workday. To the extent possible, break periods will be in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstation beyond the allotted break period time.

Non-exempt employees are provided with one meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. During meal periods, employees will be relieved of all work responsibilities and restrictions and will not be compensated for that time. Delaware law requires that a meal period occur sometime after the first two (2) hours of work and before the last two (2) hours of work. Lunch breaks may not be skipped in order to leave early or make up for lost time. There is no option to accrue time.

*Example:* An employee reports to work at 8:00 am, takes lunch from 12:00 – 12:30 pm and leaves work at 4:30 pm. This employee is eligible for a 15-minute break between the hours of 8:00 am – 12:00 pm and between 12:30 pm – 4:30 pm. This would equate to a 7 ½ hour day.

Note: If the employee would rather take a one-hour lunch period, they could negate the two 15- minute breaks and take lunch from 12:00 – 1:00 pm, leaving for the day at 4:30 pm. This also equates to a 7 ½ hour day.

#### **4-15 Overtime – Non-exempt Employees**

There may be times when JFS cannot meet its operating requirements or other needs during regular working hours. If this happens, JFS may schedule employees to work overtime hours. When possible, JFS will try to let employees know in advance of a mandatory overtime assignment.

It is JFS's policy that no overtime can be worked without the approval and authorization of an employee's supervisor. JFS tries to distribute overtime assignments fairly among all employees who are qualified to perform the required work.

Non-exempt employees must record all hours worked daily. Overtime work will be paid as straight time for hours between the thirty-seven and one half (37-1/2) hours regular work week and forty (40) hours. Hours above forty (40) will be compensated at the rate of one and one-half (1-1/2) times the employee's regular hourly rate. If, during that week, the employee is away from the job because of a job-related injury, paid holiday, jury duty, vacation, or paid sick time, those hours not worked will be counted as hours worked for the purpose of computing eligibility for overtime pay.

If an employee works overtime without receiving their supervisor's prior authorization, they may be subject to disciplinary action, up to and including termination.

#### **4-16 Health and Safety**

The health and safety of employees and others on JFS property are of critical concern. JFS intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on JFS's premises, or in a product, facility, piece of equipment, process, or business practice for which JFS is responsible should be brought to the attention of management immediately.



Periodically, JFS may issue rules and guidelines governing workplace safety and health. JFS may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

#### **4-17 Business Expense Reimbursement**

Employees will be reimbursed for reasonable, approved expenses incurred in the course of business. These expenses must be approved by the employee's supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, tolls, gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee's supervisor along with the receipts within two weeks from the end of the event date.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their supervisor in advance if they have any questions about whether an expense will be reimbursed.

#### **4-18 Mileage Reimbursement Policy**

JFS will reimburse employees for the use of their personal vehicle used for JFS business. Reimbursement will be at the effective rate determined by the contract agreed upon by the business in which JFS embarks and/or the IRS guidelines in place at the time of reimbursement. This business mileage rate covers all costs of operating the vehicle including gasoline, oil, insurance, and repairs. Receipts for tolls and parking fees are reimbursed separately and not included in the business mileage rate.

Reimbursement requests should indicate the points of travel and the miles eligible for reimbursement. Mileage reimbursement requests should be approved by the employee's supervisor within two (2) days in which the travel occurred and submitted to payroll immediately to ensure the employee receives reimbursement in the next occurring paycheck.

Mileage reimbursement is meant to cover only those miles incurred above and beyond the employee's normal commute to their place of business. For example, if the normal round-trip commute is 20 miles, and the employee goes on a trip that covers 75 miles, only the incremental 55 miles are reimbursable. The number of days should also be considered. If the 75 miles in the example were incurred over three business days, then the incremental reimbursable miles would be 15 ( $75 - (3 \times 20)$ ).

JFS will not reimburse individuals for the cost of auto insurance or other expenses including but not limited to driving or parking violations, fines, gasoline, auto repairs, vehicle damage or insurance deductibles as a result of an accident, break down, tow or resultant meals and lodging.

## Section 5 - Employee Conduct and Disciplinary Action

### 5-1 Workplace Conduct

JFS endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, all employees must abide by certain rules of conduct, based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including termination. The following are examples of some, but not all, conduct which can be considered unacceptable:

- Obtaining employment on the basis of false or misleading information.
- Stealing, removing, or defacing JFS property or a co-worker's property
- Disclosure of confidential information.
- Completing another employee's time records.
- Violation of safety rules and policies.
- Violation of JFS's Drug and Alcohol-Free Workplace Policy.
- Fighting, threatening, or disrupting the work of others or other violations of JFS's Workplace Violence Policy.
- Failure to follow lawful instructions of a supervisor.
- Failure to perform assigned job duties.
- Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences.
- Gambling on JFS property.
- Willful or careless destruction or damage to JFS assets or to the equipment or possessions of another employee.
- Wasting work materials.
- Performing work of a personal nature during working time.
- Violation of the Solicitation and Distribution Policy.
- Violation of JFS's Harassment or Equal Employment Opportunity Policies.
- Violation of the Communication and Computer Systems Policy.
- Unsatisfactory job performance.
- Encouraging JFS clients to follow a therapist upon their end date of employment.
- Any other violation of company policies.

Obviously, not every type of misconduct can be listed. All employees are employed at-will, and JFS reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. JFS will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in any given situation. However, JFS will endeavor to utilize corrective action but reserves the right in its sole discretion to terminate an employee at any time for any reason. The observance of these rules will help to ensure that JFS's workplace remains a safe and desirable place to work.

## **5-2 Harassment: Workplace Bullying**

JFS defines workplace bullying as "repeated, inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates JFS's Code of Ethics which states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors and executives that JFS will not tolerate bullying behavior. Although bullying may be intentional or unintentional, this becomes irrelevant when an allegation of bullying is made and will not be given consideration when determining discipline. Similar to the way sexual harassment is viewed, it is the effect of the behavior upon the individual which is important.

JFS considers the following types of behavior examples of bullying:

### **Verbal Bullying**

- Slandering, ridiculing, or maligning a person or his/her family
- Persistent name calling or offensive nicknames which are hurtful, insulting or humiliating
- Using another person as the butt of jokes
- Abusive and offensive remarks
- Shouting, fist pounding, raising voice at an individual in public and/or in private
- Using obscene language
- Personal insults
- Public reprimands or humiliation in any form
- Encouraging others to disregard a supervisor's instructions

### **Physical Bullying**

- Pushing, shoving; kicking; poking; tripping
- Assault or threat of physical assault
- Damage to a person's work area or property (defacing or marking up property)
- Unwanted physical contact, physical abuse, or threats of abuse

### **Gesture Bullying**

- Non-verbal threatening and/or obscene gestures
- Glances or stares that convey threatening messages

## Exclusion Bullying

- Socially or physically excluding or disregarding a person in work-related activities
- Persistently singling out one person
- Not allowing a person to speak or express him/herself (ignoring/interrupting)
- Spreading rumors and gossip about an individual that may or may not result in their isolation from others
- Taking credit for another person's ideas (excluding individual from acknowledgement of work)

In addition, the following examples may constitute or contribute to evidence of bullying by a supervisor or manager toward staff. In these instances, it is important to report the offense(s) to HR or another trusted manager.

- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Repeatedly accusing someone of misbehaviors or errors which cannot be documented.
- Deliberately interfering with mail and other communications.
- Manipulating the ability of someone to do their work (e.g., overloading, under loading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.

## 5-3 Workplace Violence

JFS is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to JFS and personal property.

JFS does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, JFS specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, JFS does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs:

- over-resentment, anger, and hostility
- extreme agitation
- making ominous threats, e.g., bad things will happen to a particular person, or a catastrophic event will occur
- sudden and significant decline in work performance
- irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior
- reacting to questions with an antagonistic or overtly negative attitude
- discussing weapons and their use, and/or brandishing weapons in the workplace

- overreacting or reacting harshly to changes in company policies and procedures
- personality conflicts with co-workers
- obsession or preoccupation with a co-worker or supervisor
- attempts to sabotage the work or equipment of a co-worker
- blaming others for mistakes and circumstances
- demonstrating a propensity to behave and react irrationally

### **Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any JFS employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto JFS premises.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained as confidential to the extent that maintaining confidentiality does not impede the agency’s ability to investigate and respond to the complaint. All threats will be promptly investigated. Employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting a threat in good faith under this policy.

If JFS determines, after an appropriate good faith investigation, that someone has violated the Workplace Violence policy, JFS will take swift and appropriate corrective action up to including termination.

If an employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for employees to be aware of any potential danger in JFS offices. JFS wants to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

### **5-4 Sexual Harassment**

It is JFS’ policy to prohibit harassment of any employee by any supervisor, employee, client, or vendor based on sex or gender. The purpose of this policy is not to regulate personal morality within JFS. It is to ensure that all employees are free from sexual harassment.

While there are a wide range of behaviors that may violate this policy – even if such behaviors do not violate the law – it is not easy to provide an exhaustive list of prohibited behaviors. That said, the following behaviors represent some of the most frequent forms of sexual harassment:

- unwelcome sexual advances
- uninvited touching
- requests for sexual favors in exchange for advancement or other benefits (quid pro quo)
- obscene gestures

- sexually related comments
- displaying sexually graphic magazines, calendars, or posters
- sending sexually explicit e-mails or text messages

Depending upon circumstances, improper conduct can also include:

- sexual joking, including vulgar or offensive conversation or jokes
- commenting about an employee's physical appearance
- conversation about their own or someone else's sex life
- teasing or other conduct directed toward a person because of their gender

In all these cases, the behavior can be considered sexual harassment when it is sufficiently severe or pervasive enough to create an unprofessional and hostile working environment.

If an employee feels that they have been subjected to conduct which violates this policy, the employee should immediately report the matter to the CEO and/or HR. In addition, it is important to document the behavior, including:

- What was said and done
- When it happened
- Who witnessed it
- What attempts were made to address the harassment

If the employee is unable to contact HR or the CEO for any reason, or, if the employee has not received a satisfactory response within five (5) business days after reporting any incident of perceived harassment, or, if the person toward whom the complaint is directed is one of these individuals, the employee should contact the Chair of the Board of Directors.

Every report of perceived harassment will be investigated, and corrective action will be taken where appropriate. Employees are expected to cooperate with all investigations.

All complaints will be kept confidential to the fullest extent possible; however, confidentiality cannot be guaranteed. JFS will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If an employee feels they have been subjected to any such retaliation, they should report it in the same manner described above.

Violation of this policy, including any improper retaliatory conduct, will result in disciplinary action, up to and including termination.

If you witness harassment, speak up, offer support to the staff member, and help them take action.

## **5-5 Child Protection Policy**

JFS is committed to maintaining a supportive and safe environment which seeks to enhance the well-being of all members of its community. Within this commitment, JFS places the highest importance on creating a secure environment for children, and in turn, has adopted this child protection policy and procedure.

No form of child abuse - whether physical, emotional, mental, or sexual - or neglect will be permitted or tolerated under any circumstances whatsoever. Child abuse and neglect are criminal acts. Individuals cannot participate in any activities that meet the definitions of child abuse or neglect. Any person associated with this organization who violates this policy is subject to dismissal and will be reported to the appropriate authorities.

All individuals, including JFS employees, casual workers, temporary workers and contractors, volunteers, as well as third-party vendors and their staff, representatives, or volunteers, that contract for use of JFS's facilities and/or come to JFS to deliver a service, must understand and comply with this policy.

For general purposes of this policy, a "child" is any person under 18 years of age. This policy applies to child abuse or neglect that allegedly occurs on property owned or leased by JFS or while JFS personnel are participating in a JFS-connected activity off property.

### **Definitions of Child Abuse and Neglect**

- Harm or threatened harm to a child's health or welfare that occurs through non-accidental physical, emotional, or mental injury; sexual abuse or attempted sexual abuse; or sexual exploitation or attempted sexual exploitation.
- "Sexual abuse" may be perpetrated by an adult or another child and includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child or any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by law. Sexual abuse also includes any activity that is meant to arouse or gratify the sexual desires of the perpetrating adult or child. Sexual abuse may or may not involve touching.
- "Sexual exploitation" includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes.
- Negligent treatment or maltreatment of a child includes the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Any individual who observes abusive behaviors of any kind must make every reasonable effort to stop it and must report it.

### **Mandatory Reporting Procedures**

If an individual knows or suspects that a child is a victim of abuse or neglect, they must act. All individuals are considered 'mandated reporters' under Delaware law (Del Code § 901-914, Title 16, Chapter 9). Anyone who is a witness, aware of, or in good faith suspects child abuse or neglect must make a report immediately. This organization requires it and there are legal penalties that can be imposed by not reporting.

In deciding whether or not to report an incident or situation of suspected abuse or neglect, it is not required that an individual have proof that abuse, or neglect has occurred. Any uncertainty in deciding to report suspected abuse or neglect should be resolved in favor of making a good faith report. Any person or entity that makes a good faith report of child abuse or neglect is immune under Delaware law from any liability—civil or criminal—that might otherwise be incurred or imposed.

In making a report, an individual's actions should be as follows:

1. First, individuals must immediately report the information to their immediate supervisor, the individual designated to assist with making reports, and the Executive Director, so that the proper steps are taken. Note: This does not preclude individuals from making a report in the event that none of the above personnel can be contacted and waiting would inhibit prompt reporting. However, those personnel must be notified immediately after a report has been made.
2. Second, the individual should complete a Division of Family Services (DFS) Child Abuse/Neglect Mandatory Reporting Form prior to making the phone call to the DFS 24-hour hotline. Police can also be called; however, a verbal report must also be made to DFS. The form can be obtained from the individual designated to assist with making reports, the Executive Director, and can be found on-line and on JFS shared drive under Forms.
  - The Mandatory Reporting Form will ask for all available information regarding the known or suspected abuse or neglect, including, but not limited to: the name, date of birth, and address of the child; the names, addresses, and phone numbers of the parents, guardians, or caretakers; location of the child; and the character and extent of the injuries or behaviors of concern. The report should also contain, if known, any other pertinent information that might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same. If some information is missing, still make the call.
  - Do not directly question or solicit further information from the child or from the person suspected of improper behavior. This is the role of city, county and state officials.
3. Third, call the DFS hotline at 1-800-292-9582, preferably in the presence of the immediate supervisor, the individual designated to assist with making reports, and/or the Executive Director.
4. Fourth, complete and mail or fax the Division of Family Services (DFS) Child Abuse/Neglect Mandatory Reporting Form within 72 hours of making the verbal report. In addition, complete any other forms required by JFS regarding this report.

Any individual (including temporary, contractor or volunteer) named in a child abuse incident will be released immediately from their assignment without payment (if applicable) until a determination is made by the investigating authority. If applicable, contract reinstatement may occur only if the individual has been cleared to the satisfaction of JFS management. Should the individual be deemed guilty in whole or in part of the incident, the contract (if applicable) with JFS will be cancelled effective as of the onset of the suspension and the individual will be reported to the appropriate authorities.

### **Child Abuse Prevention**

The prevention of child abuse is part of JFS's commitment to maintaining a supportive and safe environment. The following preventive measures will be taken to ensure a safe environment and the professional conduct of all staff, contractors, and volunteers.

- **Screening** - Prior to contracting or volunteering (if more than three days per year on-site), individuals will be screened for a history of child abuse. This includes completing an application, criminal background history, personal interview, and if directly working with children, a child protection registry form. In addition, a minimum of three reference checks are required and, if previously employed or working as a volunteer with children, must include one or more references from those places. All candidates and potential contractors and volunteers must read and sign a copy of the Child Protection policies before starting.



- **Training** – Contractors and volunteers must be oriented within one week of their start date by their immediate supervisor regarding child abuse policies, reporting procedures, and appropriate/inappropriate behaviors with children. Attendance at JFS-sponsored child abuse and neglect trainings and/or completion of online trainings is considered mandatory for all individuals. Those working directly with children and supervisors may be required to attend additional trainings.
- **Monitoring** – JFS issues guidelines and/or Codes of Conduct that describe appropriate and inappropriate behaviors and establish safe boundaries with children; these must be read, signed, and followed. It is a supervisor’s responsibility to monitor the actions of contractors and volunteers who report to them for potentially inappropriate behaviors or interactions that could be harmful. However, this responsibility should not be limited to supervisors. All individuals are responsible for monitoring behaviors and interactions within the organization. While some behaviors may occur because of a lack of training or misunderstanding of guidelines, and may not seem inherently harmful to children, these behaviors can also be used by child sexual predators to “groom” children or could create conditions where abuse could occur. Individuals who observe or become aware of an inappropriate behavior/harmful interaction, or potentially inappropriate behavior/harmful interaction, must report it to their supervisor, the supervisor of the person in question, or the Executive Director immediately. Reporting procedures specific to these kinds of behavior violations or potential violations must be followed.

## 5-6 Protection Policy for Adults who are Impaired

JFS’s commitment to creating and maintaining a supportive and safe environment extends to adults who are impaired, including, but not limited to, elders and persons with disabilities.

No form of abuse of adults who are impaired – whether physical, emotional, mental, or sexual, or neglect – or exploitation will be permitted or tolerated under any circumstances whatsoever. Abuse, neglect, and exploitation of adults who are impaired are criminal acts. Individuals cannot participate in any activities that meet the definitions of abuse, neglect, or exploitation. Any person associated with this organization who violates this policy is subject to dismissal and will be reported to the appropriate authorities.

All individuals, including JFS staff, casual workers, temporary workers and contractors, volunteers, as well as third-party vendors and their individuals, representatives, or volunteers, that contract for use of JFS’s facilities and/or come to JFS to deliver a service, must understand, and comply with this policy.

For general purposes of this policy, an “adult who is impaired” is any person over 18 years of age who, because of physical, mental, sensory, emotional, or developmental disabilities, addiction to drugs or alcohol, or some combination of these, is substantially impaired in the ability to provide adequately for their own care and custody.

This policy applies to abuse, neglect, and exploitation that allegedly occurs on property owned or leased by JFS, or while JFS personnel are participating in a JFS-connected activity off property.

### Definitions of Abuse, Neglect, and Exploitation:

“Abuse” means:

- Physical abuse by unnecessarily inflicting pain or injury on an adult who is impaired; or
- A pattern of emotional abuse, which includes, but is not limited to, ridiculing or demeaning an adult who is impaired, making derogatory remarks to an adult who is impaired, or cursing or threatening to inflict physical or emotional harm on an adult who is impaired.

"Neglect" means:

- Lack of attention by a caregiver to physical needs of an adult who is impaired, including but not limited to toileting, bathing, meals, and safety.
- Failure by a caregiver to carry out a treatment plan prescribed by a health care professional for an adult who is impaired; or
- Intentional and permanent abandonment or desertion in any place of an adult who is impaired by a caregiver who does not make reasonable efforts to ensure that essential services, as defined in this section, will be provided for said adult who is impaired.

"Exploitation" means:

- The illegal or improper use or abuse of an adult who is impaired by another person, whether for profit or other advantage
- The illegal or improper use or abuse of an adult's resources or financial rights by another person, whether for profit or other advantage

### **Mandatory Reporting Procedures:**

If an individual knows or suspects that an adult who is impaired is a victim of abuse, neglect, and/or exploitation, they must act. All individuals are considered 'mandated reporters' under Delaware law (Del Code § 3901-3912, Title 31, Chapter 39), § 3910 Duty to Report:

- a) Any person having reasonable cause to believe that an adult is impaired or incapacitated and needs protective services shall report such information to the Department of Health and Social Services.
- b) Upon receipt of a report, the Department shall make a prompt and thorough evaluation to determine whether the person named needs protective services and what services are needed, unless the Department determines that the report is frivolous or is without a factual basis. The evaluation may include a visit to the person and consultation with others having knowledge of the facts of the case. If outside professional assistance is required for a caseworker to complete an evaluation, the Department may contract with professionals to provide such services.
- c) Anyone participating in good faith in the making of a report pursuant to this chapter shall have immunity from any liability, civil or criminal that might otherwise exist and such immunity shall extend to participation in any judicial proceedings resulting from such report.

In deciding whether to report an incident or situation of suspected abuse, neglect, and/or exploitation, it is not required that an individual have proof that abuse, neglect, or exploitation has occurred. Any uncertainty in deciding to report suspected abuse, neglect, and/or exploitation should be resolved in favor of making a good faith report. Any person or entity that makes a good faith report of abuse or neglect is immune under Delaware law from any liability—civil or criminal—that might otherwise be incurred or imposed.

In making a report, an individual's actions should be as follows:

1. First, individuals must immediately report the information to their direct supervisor, the individual designated to assist with making reports, and the Executive Director, so that the proper steps are taken. Note: This does not preclude individuals from making a report in the event none of the above personnel can be contacted and waiting would inhibit prompt reporting. However, those personnel must be notified immediately after a report has been made.

2. Second, the individual should make the phone call to the Delaware Aging and Disability Resource Center (ADRC) which is available weekdays from 8:00 am to 4:30 pm. Police can also be called; however, a verbal report must also be made to ADRC.

Any individual (temporary, contractor or volunteer) named in a adult abuse incident will be released immediately from their assignment without payment (if applicable) until a determination is made by the investigating authority. If applicable, contract reinstatement may occur only if the individual has been cleared to the satisfaction of JFS management. Should the individual be deemed guilty in whole or in part of the incident, the contract (if applicable) with JFS will be cancelled effective the onset of the suspension and the individual will be reported to the appropriate authorities.

#### **Prevention of the Abuse, Neglect, and Exploitation of Adults Who Are Impaired:**

The prevention of abuse is part of JFS' commitment to maintaining a supportive and safe environment. The following preventive measures will be taken to ensure a safe environment and the professional conduct of all staff, contractors, and volunteers.

- **Screening** - Prior to contracting or volunteering (if more than three days per year on-site), individuals will be screened for a history of adult abuse. This includes completing an application, criminal background history, personal interview, and if directly working with adults who are impaired, an online adult abuse registry check. In addition, a minimum of three reference checks are required and, if previously employed or working as a volunteer with adults who are impaired, must include one or more references from those places. All candidates and potential contractors and volunteers must read and sign a copy of the Adults Who Are Impaired Protection policies before starting.
- **Training** – Contractors and volunteers must be oriented within one week of their start date by their immediate supervisor regarding adult abuse polices, reporting procedures, and appropriate/inappropriate behaviors with adults who are impaired. Attendance at JFS- sponsored abuse and neglect trainings and/or completion of online trainings is considered mandatory for all individuals. Those working directly with adults who are impaired, and supervisors may be required to attend additional trainings.
- **Monitoring** – JFS issues guidelines and/or Codes of Conduct that describe appropriate and inappropriate behaviors and establish safe boundaries with adults who are impaired; these must be read, signed, and followed. It is a supervisor's responsibility to monitor the actions of contractors and volunteers who report to them for potentially inappropriate behaviors or interactions that could be harmful. However, this responsibility should not be limited to supervisors. All individuals are responsible for monitoring behaviors and interactions within the organization.
- While some behaviors may occur because of a lack of training or misunderstanding of guidelines, and may not seem inherently harmful, these behaviors can also be used by sexual predators to create conditions where abuse could occur. Individuals who observe or become aware of an inappropriate behavior/harmful interaction, or potentially inappropriate behavior/harmful interaction, must report it to their supervisor, the supervisor of the person in question, or the Executive Director immediately. Reporting procedures specific to these kinds of behavior violations or potential violations must be followed.

#### **5-7 Use of Communications and Computer Systems**

JFS' communication and computer systems are intended for business purposes and may be used only during working time; however limited personal usage is permitted if it does not hinder performance of job duties or

violate any other JFS policy. This includes the voice mail, email, and Internet systems. Users have no legitimate expectation of privacy regarding their use of the systems.

JFS may access the voice mail and email systems and obtain the communications within the systems, including past voice mail and email messages, without notice to users of the system, in the ordinary course of business when JFS deems it appropriate to do so. The reasons for which JFS may obtain such access include but are not limited to maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that JFS operations continue appropriately during an employee's absence.

Further, JFS may review Internet usage to ensure that such use with JFS property, or communications sent via the Internet with JFS property, are appropriate. The reasons for which JFS may review employees' use of the Internet with JFS property include but are not limited to maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that JFS operations continue appropriately during an employee's absence. JFS may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

JFS's policies prohibiting harassment, in their entirety, apply to the use of JFS's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, gender, sexual orientation, gender identity, age, disability, religious beliefs, or any other characteristic protected by federal, state or local law.

Since JFS's communication and computer systems are intended for business use, these systems may not be used to solicit for religious or political causes or outside organizations. Further, since JFS's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords. Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited. No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including termination.

## **5-8 Use of Social Media**

JFS respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect JFS interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with JFS equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an email also cannot be disclosed in a blog, web page or social networking site.

Whether an employee is posting something on his or her own blog, web page, social networking site, Twitter or similar site or on someone else's, if the employee mentions JFS and also expresses either a political opinion or an opinion regarding JFS's actions that could pose an actual or potential conflict of interest with JFS, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is the employee's personal opinion and not JFS's position. This is necessary to preserve JFS's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter, or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. JFS policies apply equally to employee social media usage.

JFS encourages all employees to keep in mind that information posted on a blog, web page, and/or social networking site without context is often easily misinterpreted or misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their supervisor. Failure to follow these guidelines may result in discipline, up to and including termination.

#### **5-9 Camera Phones/Recording Devices**

Due to the potential for issues such as invasion of privacy, sexual harassment, and loss of productivity, the camera function on mobile phones must be used with care. Whether clients, volunteers, or staff are involved, a Marketing & Communications Consent must be completed and signed prior to taking photos or making video recordings.

The use of tape recorders or any type of voice recording device on JFS property, including to record conversations or activities of other employees or management, or while performing work for JFS, is strictly prohibited, unless the device was provided to you by JFS and is used solely for legitimate business purposes.

#### **5-10 Mobile Phone Use**

JFS-provided mobile phones should be used primarily for business purposes. Employees have no reasonable expectation of privacy regarding the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes as permitted the right to monitor personal communications as necessary.

Some employees may be authorized to use their own mobile device for business purposes. These employees should work with the HR department to configure their mobile phone for business use. Communications sent via a personal cell phone may also be subject to monitoring if sent through JFS's networks and the phone must be provided for inspection and review upon request.

All conversations, text messages and emails must be professional. When sending a text message or using a mobile phone for business purposes, whether it is a JFS-provided or personal device, employees must comply with applicable JFS guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a JFS-issued cell phone to send or receive personal text messages are always prohibited and personal use during working hours should be limited to emergencies.

If an employee who uses a personal cell phone for business resigns or is terminated, the employee will be required to submit the device to HR for resetting on or before their last day of work. At that time, HR will reset and remove all information from the device, including but not limited to, JFS information and personal data (such as contacts, emails, and photographs). HR will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal cell phone for business unless they agree to submit the device to HR on or before their last day of work for resetting and removal of JFS information. This is the only way to ensure that all JFS information is removed from the device at the time of termination. The removal of JFS information is crucial to ensure compliance with JFS's confidentiality and proprietary information policies and objectives.

Whether employees use their personal mobile phone, or a phone issued by JFS, JFS's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

If an employee loses a cell phone while employed by JFS, a replacement phone will be ordered. If an employee loses a cellular phone a second time, there will be a replacement cost associated with the loss of the phone that will be withheld from the employee's paycheck. If an employee loses a phone a third time or more, subsequent replacement costs will be charged to the employee. If an employee continues to lose the company provided cellular phone and comply with these guidelines may result in discipline, up to and including termination.

### **Mobile Phone Use While Driving**

Employees who drive on JFS business must abide by all state or local laws prohibiting or limiting mobile phone use while driving. Further, even if usage is permitted, employees shall refrain from using any cell phone while driving. "Use" includes, but is not limited to, talking, or listening to another person or sending an electronic or text message via the phone.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs. Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their cell phones while driving will be solely responsible for all liabilities that result from such actions.

Texting and emailing while driving are prohibited.

### **5-11 Inspections**

JFS reserves the right to require employees while on JFS property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on JFS or client property, and work areas. This includes lockers, vehicles, desks, cabinets, workstations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to JFS or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

### **5-12 Visitors and Children in the Workplace**

To better protect the safety and security of employees as well as JFS property and facilities, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps to maintain safety standards, safeguard employee and client welfare, protect equipment and confidential information against theft, and reduce potential distractions and disturbances.

All visitors should enter JFS at the main entrance. Once authorized, visitors will receive directions or be escorted to their destination. When an employee has outside visitors, they are responsible for their conduct and taking steps to ensure their safety.

The presence of children in the workplace with the employee parent during the employee's workday is inappropriate and is to be avoided except in emergency situations. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce property liability, and help maintain the company's professional work environment.

If bringing a child to work with the employee is unavoidable, the employee must contact their supervisor as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working. Factors the supervisor will consider are the age of the child, how long the child needs to be present, the work environment in the employee's area, and any possible disruption to the employee's and co-worker's work. Consideration will not be given to allow a child with a contagious illness to come to work with the employee.

A child brought to the workplace in unavoidable situations will be the responsibility of this employee. The child must be accompanied by and under the direct supervision of this employee at all times.

### **Animals in the Workplace**

Other than service animals, animals are not permitted inside any JFS facility.

### **5-13 Smoking**

In keeping with JFS's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace. Employees must be 50 yards off the property to smoke. This policy applies equally to all employees as well as to our clients, tenants, volunteers, temporaries, contractors and visitors.

Smoke breaks are provided as part of all employees' two 15-minute breaks per day and lunch break. Refer to Rest and Meal Periods Policy.

### **5-14 Acceptance of Gifts**

No employee may solicit or accept gifts of significant value (i.e. in excess of \$25.00), lavish entertainment or other benefits from potential and actual clients, partners, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest.

An employee may entertain potential or actual partners, vendors, etc., if such entertainment is consistent with accepted business practices, does not violate any law or generally accepted ethical standards and the public disclosure of facts will not embarrass JFS. Any questions regarding this policy should be addressed to the Executive Director.

### **5-15 Publicity/Statements to the Media**

All media inquiries regarding the position of JFS on any issue must be referred to CEO. Only the CEO is authorized to make or approve public statements on behalf of JFS. No employees, unless specifically designated by the CEO, are authorized to make those statements on behalf of JFS. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of JFS must first obtain approval from CEO.

### **5-16 Solicitation, Distribution and Use of Bulletin Boards**

To avoid distractions, solicitation by an employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time an employee is engaged, or should be engaged, in performing their work tasks for JFS. Solicitation of any kind by non-employees on JFS premises is prohibited.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of JFS or by non-employees on JFS premises is prohibited.

Important notices and items of general interest are continually posted on our bulletin boards. Employees should make it a practice to review these notices frequently. This will assist employees in keeping up with what is current at JFS. To avoid confusion, employees should not post or remove any material from the bulletin board.



## **5-17 Confidential Company Information**

During the course of work, an employee may become aware of confidential information about JFS's business, including but not limited to information regarding JFS finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers and customers and potential customers. An employee also may become aware of similar confidential information belonging to JFS's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to our competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of JFS may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

## **HIPAA (Health Insurance Portability and Accountability Act)**

All employees of JFS are required to comply with the HIPAA (Health Insurance Portability and Accountability Act of 1996) regulations. This is United States legislation that provides data privacy and security provisions for safeguarding medical information. The law emerged into greater prominence with the proliferation of health data breaches caused by cyberattacks and ransomware attacks on health insurers and providers. Any breach to non-compliance within the HIPAA regulations will be considered a violation of company policy and reviewed for disciplinary action up to and including termination of employment.

## **Life-Threatening Illnesses in the Workplace**

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. JFS supports these endeavors as long as employees are able to meet acceptable performance standards.

Medical information on individual employees is treated confidentially. JFS will take reasonable precautions to protect such information from inappropriate disclosure. Supervisors and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

## **5-18 Use of Facilities, Equipment and Property**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using JFS property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees must notify their supervisors if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including termination. JFS is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

## **Intellectual Property**

Users should be aware that the data they create on computer-related systems is considered "intellectual property," and remains the property of JFS. This applies to all computer related systems, including but not limited to computer equipment, software, operating systems, storage media, network access, electronic mail, Internet browsing, and FTP access. Employees are further prohibited from any unauthorized use of JFS's intellectual property, such as audio and video tapes, print materials, branding, and software.



## **5-19 Hiring Relatives/Employee Relationships**

A familial relationship among employees can create a potential or actual conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, JFS may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of JFS. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. JFS generally will attempt to identify other available positions, but if no alternate position is available, JFS retains the right to decide which employee will remain with JFS.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

## **5-20 Employee Dress and Personal Appearance**

Employees are expected to report to work clean, well groomed, and dressed according to the requirements of their position. Some employees may be required to wear specific clothing for the location or site where they primarily work. Supervisors are required to provide employees specific information regarding acceptable attire for their position.

If a supervisor feels that an employee's personal appearance is inappropriate, the employee may be asked to leave work until they can return properly dressed or groomed. If this happens, the employee will not be paid for the time away from work. Employees should work with their supervisor if they have questions as to what constitutes appropriate appearance. JFS may, when necessary and with appropriate documentation to support the request, make reasonable accommodation in the personal appearance policy for a person with a disability.

JFS asks that employees not dress up in costumes or otherwise at any time of the year unless there is a specific site-wide, theme-based event and pre-approval has been obtained by their supervisor. JFS must be mindful of visitors, especially children, in the office or on campus.

## **5-21 Operation of Vehicles**

All employees driving personal vehicles while conducting JFS business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

A valid driver's license must be in the employee's possession while operating a vehicle off or on JFS property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times. Texting and emailing while driving is prohibited in all circumstances.

## **5-22 Grievance Policy**

A grievance is any complaint, problem, or issue you may have regarding the workplace, your job or role at JFS, or relationships with your coworkers and management. JFS' Grievance Policy applies to our employees, contract staff, interns, and volunteers.

Some of the most common reasons for grievances in the workplace include:

- Harassment
- Health and safety violations
- Supervisor or coworker behavior
- Negative changes in employment conditions
- Discrimination/unequal treatment

### Section One: Filing a Grievance

If it is possible to address an issue without filing a grievance, you are encouraged to do so. You may talk informally with the person against whom you have a complaint, with your direct supervisor, or the CEO. When this is not feasible or does not bring resolution, it may be necessary to file a formal grievance. To do so, follow the steps below:

1. Obtain a Grievance Form, available in Teams, Employee Resources drive, JFS Forms folder.
2. Document the issue, including as much detail as possible to provide a clear understanding of what occurred. Remember to include your phone number so we can contact you.
3. Submit the grievance to Human Resources, who will reach out to you to discuss the matter.

#### Grievances Involving Another Staff Member or Individual Affiliated with JFS:

- a) HR will provide the individual with a copy of the grievance.
- b) A formal *mediation* meeting may be arranged, during which you will explain your grievance and the other person will have an opportunity to respond.
- c) If the mediation results in an agreed-upon resolution by both parties, HR will document the resolution and provide both parties with a copy. Both parties will be expected to abide by the terms they agreed upon.
- d) If mediation is unsuccessful, HR will ask the CEO to review the grievance.
- e) The CEO may also include other Executive Leaders (EL) in reviewing your grievance as well as any information learned during mediation.
- f) You will receive a written response from the EL within ten (10) business days.
- g) If you are dissatisfied with the determination of HR and Executive Leadership, you may request that your grievance is escalated to the President of the Board of Directors. See Section Two.

#### Grievances Against the Agency

- a) Complaints about work conditions, work schedules, office safety and other Agency-related issues will be directed to the CEO. If the grievance is related to risk management (e.g., safety), it will also be shared with the Director of PQI.
- b) The CEO will meet or talk with you to discuss your grievance, understand the solution you are seeking, and work with you to resolve the issue.
- c) You and the CEO may be able to work through the issue together or you may need to wait for a

determination regarding the grievance while the CEO investigates your concerns. Either way, a written response will be provided to you within 10 working days.

- d) If you are not satisfied with the CEO's response, you may ask HR to escalate the grievance to the Board of Directors. See Section Two.

#### Grievances Involving Discrimination, Microaggressions, or any form of Racism:

JFS has a process in place to provide extra support with grievances to staff, interns, volunteers, and contractors of color. Members of JFS' Equity, Diversity, & Inclusion (EDI) Committee are available to attend mediation meetings or meetings with the CEO and other Executive Leaders, or to be by your side following a racially motivated incident to help you write the Grievance Report.

To involve a member of the EDI Committee:

- a) Reach out to co-chairs Latasha Coley (215) 554-9470 or Lisa Bechler (302) 377-2132.
- b) They will listen to your situation and, if desired, set up a time to help you write your grievance report.
- c) Once your report is submitted to HR and you have a mediation meeting or meeting with the CEO set up, you will be paired with a member of the EDI Committee. They will have reviewed your grievance and be prepared to:
  - o offer empathy and support
  - o help you clarify your concern
  - o assist in the resolution of your grievance
- d) Your grievance will be kept confidential by the EDI co-chair(s) and EDI representative who assists you

### **Section Two: Escalating Grievances**

If you are unhappy with the decision you received regarding your grievance, you can escalate the complaint to the Board Level:

1. The Board President will present your grievance to the full Board. If the Board feels a meeting is desirable, it may arrange a meeting with the employee, and if the Committee wishes, the CEO.
2. The Board of Directors will make a final decision. The Board will send you a written response with their decision.

### **5-23 Whistleblower Policy**

This Whistleblower Policy of JFS encourages staff, volunteers, and contractors to come forward with credible information on illegal practices or serious violations of adopted policies of JFS. The policy also specifies that JFS will protect the person from retaliation and identifies where such information can be reported.

- **What to report.** JFS encourages complaints, reports or inquiries about illegal practices or serious violations of JFS's policies, including illegal or improper conduct by staff, leadership, or by others on the agency's behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects for which JFS has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via JFS's HR channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

- **How to report.** Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports or inquiries. They should be directed to JFS's CEO or President of the Board of Directors; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to a member of the Senior Management Team. JFS will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that JFS may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.
- **Protection from retaliation.** JFS prohibits retaliation by or on behalf of JFS against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. JFS reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

#### 5-24 Document Retention and Destruction

JFS identifies the responsibilities of staff, volunteers, members of the Board of Directors, and outsiders for maintaining and documenting the retention, storage and destruction of JFS's documents and records.

JFS's staff, volunteers, members of the Board of Directors and outsiders (i.e. independent contractors via agreements with them) are required to honor the following rules:

- a) paper or electronic documents indicated under the terms for retention below will be transferred and maintained by the Administrative staff/department;
- b) all other paper documents will be destroyed after three years;
- c) all other electronic documents will be deleted from all individual computers, databases, networks, and back-up storage after one year; and
- d) no paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.

Exceptions to these rules and terms for retention may be granted only by JFS's CEO or President of the Board. The terms for retention are as follows:

##### Retain permanently:

- *Governance records* – Charter and amendments, Bylaws, other organizational documents, governing board and board committee minutes.
- *Tax records* – Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence, files related to tax audits.
- *Intellectual property records* – Copyright and trademark registrations and samples of protected works.
- *Financial records* – Audited financial statements, attorney contingent liability letters.
- Retain for ten years:
- *Pension and benefit records* -- Pension (ERISA) plan participant/beneficiary records, actuarial reports, related correspondence with government agencies, and supporting records.
- *Government relations records* – State and federal lobbying and political contribution reports and supporting records.

#### Retain for three years:

- *Lease, insurance, and contract/license records* – Software license agreements, vendor, hotel, and service agreements, independent contractor agreements, employment agreements, consultant agreements, and all other agreements (retain during the term of the agreement and for three years after the termination, expiration, non-renewal of each agreement).

#### Retain for one year:

- *All other electronic records, documents and files* – Correspondence files, past budgets, bank statements, publications, employee manuals/policies and procedures, survey information.

### **5-25 Video Surveillance**

JFS property is an area where video surveillance is in place. By entering the premises, employees consent to video recording in accordance with the HIPAA Privacy Standards, Laws and Guidelines. Employees release JFS, its officers and employees, and each and all persons involved from any liability connected with the taking, recording, digitizing, or storage of video recordings.

By entering JFS's premises, employees waive all rights they may have to any claims for payment or royalties in connection with any video recordings. Employees also waive any right to inspect or approve any video recording or section thereof, taken by the onsite video surveillance system. Employees have been fully informed of their consent, waiver of liability, and release from this date forward.

### **5-26 Punctuality and Attendance**

Employees are hired to perform an important function at JFS. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, employees' attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from every employee. Excessive absenteeism or tardiness will result in disciplinary action up to and including termination.

JFS does recognize that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify their supervisor as early as possible, but no later than the start of their workday. Employees should make contact via phone and/or email. Text messaging is not an acceptable form of contact. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees are expected to call, stating the nature of their illness and expected duration, and every day they will be absent. If an employee will be absent for more than two (2) days, a doctor's note is required. Employees may be required to provide validation for the absence to HR or their supervisor immediately upon request.

Unreported absences of three (3) consecutive workdays will be considered a voluntary resignation of employment with JFS, absent extraordinary circumstances (limited to situations where due to a hospitalization or similar acute occurrence or injury wherein a phone call by the employee is impossible).

### **5-27 Corrective Action**

This policy describes the way in which JFS administers consistent, progressive corrective measures for work performance or conduct that needs improvement. We believe that the best corrective measures stem from good communication between supervisors and their team members, fair treatment of employees, measurable performance expectations, and a positive approach to actions taken.

We also believe that it is in the best interests of JFS to make certain that corrective actions are prompt, uniform, and impartial. The major purpose of any corrective action is to correct the problem, prevent recurrence, and prepare an employee for satisfactory performance in the future.

Although employment is based on mutual consent, and both the employee and JFS have the right to terminate employment at will, with or without cause or advance notice, JFS may use progressive corrective action at its discretion based on specific actions made by an employee.

Corrective action may call for any of four steps – verbal coaching, written performance improvement plan, final written warning, and termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

When a problem arises, an employee's supervisor will coach and counsel to mutually develop an effective solution. If, however, the employee fails to respond to coaching or counseling, or an incident occurs which would require formal discipline, the following procedures may occur. This policy does not alter the at-will nature of employment.

- **Verbal Coaching:** Supervisor will meet with the employee to discuss the problem, making sure that the employee understands the nature of the issue and the expected remedy. The purpose of this conversation is to remind the employee of exactly what the performance expectation is and that it is the employee's responsibility to meet expectations. A timetable will be established for the employee to make improvement and a record of the conversation will be placed in the employee's HR file.
- **Performance Improvement Plan:** If the employee's performance does not improve within the stipulated period, or the employee violates any policy, the supervisor will review the situation and discuss the problem with the employee. The employee's supervisor will provide the employee with a documented plan of action and timetable to confirm continued expectations. The improvement plan may include additional training or support to help ensure the employee's success. This document will be discussed and signed by the supervisor and employee and placed in the employee's personnel file.
- **Written Warning:** If the employee's performance still does not meet expectations within the stipulated period noted in the Performance Improvement Plan, or the employee violates any company policy, the employee will receive a written warning. This document will be discussed and signed by the supervisor, CEO and employee and placed in the employee's personnel file.
- **Termination of Employment:** If the employee's performance remains unacceptable after the Written Warning, or the employee violates any company policy, the employee's supervisor, in collaboration with the CEO, may decide to terminate employment.

JFS recognizes that there are certain types of employee problems that are serious enough to justify either a Written Warning, or, in extreme situations, termination of employment, without going through the usual Corrective Action steps.

While it is impossible to list every type of behavior that may be considered a serious offense, the Employee Conduct section includes examples of problems that may result in warnings or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive corrective action.

By using progressive corrective action, we hope that most employee problems can be addressed at an early stage, benefiting both employees and JFS.

## GENERAL HANDBOOK ACKNOWLEDGEMENT – EMPLOYEE COPY

This Employee Handbook is an important document intended to help employees become acquainted with JFS Delaware. The handbook is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention. Because JFS's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate receipt and acknowledgment of this Employee Handbook.

- I have received and read a copy of JFS Delaware's Employee Handbook.
- I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of JFS at any time.
- I further understand that my employment is terminable at-will, either by myself or JFS, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.
- I understand that no representative of JFS other than the CEO and/or Chairman of the Board may alter at-will status and any such modification must be signed in writing.
- I also reaffirm that advancing unaccrued paid time off (PTO) is a benefit to which I would not otherwise be entitled, and thus I authorize deduction from my final pay for used but unaccrued PTO.

### Additional Acknowledgement

All computer related systems, including but not limited to computer equipment, software, operating systems, storage media, network access, electronic mail, Internet browsing, and FTP access, are the property of JFS. Users should be aware that the data they create on computer-related systems remains the property of JFS. JFS may at any time monitor, surveil or record any and all files, data, entries and activity on its computer related systems.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of JFS's Employee Handbook.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this agreement will remain on record with JFS.

EMPLOYEE COPY

## GENERAL HANDBOOK ACKNOWLEDGEMENT – JFS COPY

This Employee Handbook is an important document intended to help employees become acquainted with JFS Delaware. The handbook is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention. Because JFS's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate receipt and acknowledgment of this Employee Handbook.

- I have received and read a copy of JFS Delaware’s Employee Handbook.
- I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of JFS at any time.
- I further understand that my employment is terminable at-will, either by myself or JFS, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.
- I understand that no representative of JFS other than the CEO and/or Chairman of the Board may alter at-will status and any such modification must be signed in writing.
- I also reaffirm that advancing unaccrued paid time off (PTO) is a benefit to which I would not otherwise be entitled, and thus I authorize deduction from my final pay for used but unaccrued PTO.

### Additional Acknowledgement

All computer related systems, including but not limited to computer equipment, software, operating systems, storage media, network access, electronic mail, Internet browsing, and FTP access, are the property of JFS. Users should be aware that the data they create on computer-related systems remains the property of JFS. JFS may at any time monitor, surveil or record any and all files, data, entries and activity on its computer related systems.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of JFS's Employee Handbook.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this agreement will remain on record with JFS.

JFS DELAWARE’S COPY