

MEXICO HOUSING AUTHORITY

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RESOLUTION NO. 2851

REVISIONS OF THE MEXICO HOUSING AUTHORITY PERSONNEL POLICY

Whereas, the revision to the Mexico Housing Authority's personnel policy is needed to update the policy with new guidelines and requirements, and

Whereas, the Board of Directors approves the updates and revision to this policy to best meet the needs of the Mexico Housing Authority and requirements of current Federal and State laws,

Whereas, the additions of the "at will" clause, immigration compliance, harassment policy, drug and alcohol workplace policy, weapons policy, office policies and procedures, confidentiality policy and other minor changes

NOW, THEREFORE BE IT RESOLVED, that at a regular Board Meeting of the Board of Commissioners duly called and held on the 18th day of October, 2016, at which a quorum was present, and by an affirmative and concurring vote of the majority of the Board, The Board of Commissioners of the Housing Authority of the City of Mexico, hereby approves to adopt Resolution 2851 approving the revisions to the MHA Personnel Policy.

Passed this 18th day of October, 2016.

Chris Miller, Chairperson

ATTEST:

Tammy Dreyer, Board Secretary
Executive Director Mexico Housing Authority

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MEXICO HOUSING AUTHORITY

PERSONNEL POLICY

Revised October 2014

Revised October 2016

INTRODUCTION

The Commissioners of the Housing Authority of the City of Mexico are appointed by the City Mayor. All powers of the Authority are vested in the Commissioners, three of whom constitute a quorum of the Authority for the purpose of conducting its business. Power of the Authority includes the power to acquire, lease and operate housing developments to provide for construction and improvements, to invest its funds and to employ personnel. The Board of Commissioners employs an Executive Director who is responsible to the Board for the proper administration of all affairs of the Housing Authority. The Board issues these policies under its authority to employ personnel. These policies constitute the official position of the Authority in all matters pertaining to personnel management.

Section 1.1 — Objectives

This Personnel Policy is intended to promote efficiency and economy by establishing normal procedures which serve as a guide, and does not create an employment contract. Mexico Housing Authority (MHA) reserves the right to change or revise policies, procedures, and benefits described in this Policy, or to vary from the procedures herein at its discretion, other than the employment-at-will provision. Such changes will not affect the status of the employment-at-will provision. Nothing in this document changes such being an “at will” employee which means that you may terminate your employment at any time, for any reason, or for no reason at all. It also means that the Mexico Housing Authority may terminate your employment at any time, for any reason, or for no reason at all. Nothing in this Handbook affects the ability of the Mexico Housing Authority to discipline employees, up to and including termination, and the Mexico Housing Authority deems appropriate under the circumstances and in its discretion.

Each and every guideline, policy, and practice contained in this Handbook can be changed or discontinued at any time, for any reason, or no reason by the Mexico Housing Authority. No one other than the Commissioners of the Housing Authority of the City of Mexico and/or its Executive Director is authorized to make such changes. No statement or promise by anyone other than the Mexico Housing Authority Commissioners and/or Executive Director may be interpreted or relied upon as a change in any guideline, policy, or practice.

As used in this Handbook:

The term “employee” means all employees of the Housing Authority, including secretarial, Administrative, maintenance, director and management employees.

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Section 1.2 — Equal Employment Opportunity Policy (EEO)

Discrimination against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of race, color, national origin, or other non—merit factors is prohibited. Discrimination on the basis of age, sex, disability, race, religion, marital status, sexual orientation, or any other group protected by law or ordinance is prohibited.

Any employee who believes he or she is the victim of discrimination in the terms or conditions of employment should bring the matter to the attention of Mexico Housing Authority Executive Director, as described in the Non-Harassment Policy. All complaints of discrimination will be handled confidentially to the maximum extent possible. The MHA will promptly investigate all complaints and take appropriate corrective action if warranted. Retaliation for complaints made under this policy is strictly prohibited.

Formal or informal hearings:

Employees, who believe that they have been the object of discrimination, should report the act or circumstances immediately to their supervisor. Individuals who believe that they are being harassed by a supervisor are not required to discuss the matter with the supervisor. The employee should notify the Executive Director.

Section 1.3 Immigration Law Compliance

The Mexico Housing Authority is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and Present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the MHA within the past three years, or if their previous I-9 is no longer retained or valid.

Section 1.4 –Disability Policy

It is the Housing Authority's policy to comply with all applicable federal, state, and local laws concerning the treatment of individuals with disabilities. The Mexico Housing Authority will not discriminate against any qualified employee or qualified job applicant with respect to any terms, privileges, or conditions of employment because of the individual's physical or mental disability.

If an employee has, or develops, a disability while remaining qualified to perform his or her job, but believes a reasonable accommodation may be required in order to safely and efficiently

perform some or all of the essential functions of this job, then this employee should notify Housing Authority Management of the disability and request assistance. The Housing Authority's policy is to provide any reasonable accommodations not representing an undue hardship and necessary to allow an employee to perform his or her essential job functions.

An employee may be requested to provide medical information or to submit to a medical examination by a physician chosen by the Housing Authority to assist it in evaluating and accommodating the disability. An employee requesting an accommodation is responsible for ensuring that his or her medical providers submit all medical information requested and necessary to support the requested accommodation.

In compliance with the provisions of 24 CFR, Part 8, effectuating Section 504 of the Rehabilitation Act of 1972 as amended (29 U.S.C. 794):

The Mexico Housing Authority does not discriminate in the admission or access to, or treatment, or employment in its federally assisted programs or activities.

Grievances regarding alleged noncompliance with the provisions of Section 504, should be filed with the appropriate designated person, depending upon area of complaint. Employees who believe that they have been the object of discrimination on the basis of disability should report the act or circumstances immediately to 504/ADA Compliance

No employee, tenant, or applicant shall be penalized or subjected to retaliation for filing a discrimination complaint or for cooperating in the investigation of such a complaint.

Employees, who believe that they have been the object discrimination should report the act or circumstances immediately to their supervisor and/or the Executive Director. Individuals who believe that they are being harassed by a supervisor are not required to discuss the matter with the supervisor. The employee should notify the Executive Director.

Section 1.5 — Non- Harassment Policy

The Housing Authority seeks to make its workplace as pleasant and professional as possible by creating and maintaining a work environment that is free from all forms of harassment. The Housing Authority will not allow any form of harassment or any other improper conduct that has the purpose or effect of interfering with an individual's work performance or that creates an intimidating, hostile, or offensive work environment.

Harassment based on an individual's race, religion, national origin, disability, age, sexual orientation, and/or sex is strictly prohibited. Violations of this policy will result in disciplinary action up to and including termination of employment. Employees may not engage in harassment of other employees or of third parties, such as residents and other visitors.

The Housing Authority takes allegations of harassment seriously and will take all steps reasonably required to prevent, investigate, and promptly correct any harassment or other improper conduct in the workplace or in settings in which employees may find themselves in connection with their employment.

Section 1.6 -Sexual Harassment-Prohibited Conduct

Under the applicable legal standard, it can be difficult to determine whether particular conduct of a sexual nature is unlawful. The Housing Authority's goal is to avoid the risk of unlawful sexual harassment by prohibiting any conduct that may possibly be construed as unlawful sexual harassment. To achieve this goal, the following conduct is prohibited, regardless of whether it is sufficiently severe or widespread to be unlawful:

- Unwelcome sexual assaults, advances, or propositions—whether they involve physical touching or not;
- Sexually oriented, suggestive, obscene, or insulting comments, language, jokes, written or oral references to sexual conduct, comments about an individual's body, sexual activities, experiences, deficiencies, or preferences;
- Displaying or possessing in the workplace sexually suggestive, revealing, or pornographic objects, pictures, graffiti, or cartoons;
- Physical horseplay, practical joking, leering, unnecessary touching such as patting, pinching, or intentional brushing against another's body, or sexual gestures;
- Threats, or promises of preferential treatment, designed to induce submission to or toleration of any of the above conduct;
- Any other conduct that, if unwelcome and sufficiently severe and widespread, may constitute unlawful sexual harassment.

Section 1.7 -Other Forms of Harassment Prohibited

Also prohibited are disparaging remarks, epithets, graffiti or other offensive or inflammatory conduct based on an individual's race, religion, national origin, sexual orientation, age, or disability.

Section 1.8 –Complaints of Harassment

All Housing Authority employees have a responsibility to come forward and report offensive or other improper behavior they believe may constitute harassment. Most incidents of harassment can be effectively addressed with a minimum of disruption to the affected employee and the Housing Authority if promptly reported. Failure to report harassment or other improper conduct on a timely basis may make it difficult for the Housing Authority to take effective corrective action.

If you believe you have been harassed by a co-worker, supervisor, agent, vendor, or resident, you should promptly report the facts of the incident or incidents, and names of the individuals involved to your immediate supervisor or Housing Authority Management. If you believe circumstances make reporting to either of those individuals inappropriate, please report such

facts to another member of Housing Authority Management; provided, however, complaints of harassment by the Executive Director must be reported to any member of the Board of Commissioners. If you fail to file a complaint and fail to take other reasonable steps to avoid being harmed by harassment, it will be impossible for you to obtain the protection of this Policy.

If at any time you feel your complaint has not received prompt and adequate attention, you should immediately contact Housing Authority Management, or if the matter involves the Executive Director, contact must be made to any member of the Board of Commissioners. While it may take a short time for the Housing Authority to review and investigate your concerns, feel free at any time to inquire about the status of your concerns by contacting Housing Authority Management.

Retaliation Prohibited

Any retaliation against an individual who has complained about or who has participated in an investigation of alleged harassment or other improper conduct is strictly prohibited. If you feel that you are being retaliated against in violation of this Policy, contact Housing Authority Management and your concerns will be promptly and thoroughly reviewed.

Harassment Investigation

When an employee complains about harassment or other improper conduct, the Housing Authority will promptly and thoroughly investigate the employee's concerns. While it will be necessary to discuss the employee's concerns with the alleged offender and possibly other employees, the Housing Authority will attempt to conduct the investigation on a confidential basis, with disclosures limited to those necessary to conduct the investigation. Upon completion of the investigation, the Housing Authority will inform the person filing the complaint and the alleged offender of the results of the investigation and, to the extent appropriate, any remedial action to be taken.

If it is determined that the terms of this harassment policy have been violated, the Housing Authority will take reasonable steps designed to prevent reoccurrence of the offending conduct.

The Housing Authority recognizes that in some cases, despite thorough investigation, it may be impossible to determine whether the alleged violations of this policy have in fact occurred. In such cases, the Housing Authority may take other action intended to reinforce the effectiveness of this Policy and to prevent future violations.

Once the Housing Authority has addressed concerns raised with respect to harassment or other improper conduct, it will assume that the problem is not continuing in nature unless it is informed otherwise. If you are again offended or harassed, you must immediately report this reoccurrence to Housing Authority Management or any member of the Board of Commissioners, in the problem involves the Executive Director. A prompt and thorough investigation will be conducted.

Section 1.9 — Applicability

These rules apply to all MHA employees except where inconsistent with State law, charter, or ordinance. Persons employed under contract to supply professional and technical services and personnel appointed to serve without pay shall not be considered MHA employees for purposes of these rules.

Section 1.10 — Dissemination

All regular MHA employees shall be provided with a copy of all existing work rules within thirty (30) days after they become effective. New employees shall be provided with a copy at the time of hire.

Section 1.11 — Division of Responsibility

The Board of Commissioners of the MHA is the authority for setting of all personnel policies. With the exception of matters reserved to the Board, the general and final authority for personnel management rests with the Executive Director, who may delegate authority as necessary and proper.

The Executive Director is authorized to establish personnel procedures and to alter such procedures whenever necessary so long as they are in accordance with the personnel policies and shall advise management of all areas of personnel administration.

Supervisory personnel are responsible for enforcing the provisions of these rules and for cooperating with the Office of the Executive Director on all related matters pertinent to their organizational units.

Section 1.12—Right to Amend, Delete or Revise Policies

MHA hereby reserves the right to amend, add or delete any policy contained in this manual solely at its discretion, when it determines that such a change is in the best interest of MHA or its employees. In some cases, the changes will be effective only for new employees, in other cases, new policies will have a delayed effective date, and in still other cases, the policy may be immediate and include all employees. Efforts will be made, but cannot be guaranteed, that the rights and conveniences of employees will be taken into account when such changes are necessitated. All changes will be distributed in writing to each employee. In some instances, employees may be individually notified of changes which the Executive Director considers of major importance. This policy will be updated as necessary and new editions distributed to all employees when needed, as determined by the Executive Director. Great effort has been made to insure the accuracy and relevancy of each topic and rule described in this policy, however, the Executive Director reserves the right to make technical corrections even if they change the effect of any rule. Interpretation of the meaning and application of any and all rules shall be at the exclusive discretion of the Executive Director.

Section 1.13—Snow Policy

During the course of the winter, we may experience weather conditions which will impede

transportation. If employee finds it impossible to get to work on time, employee shall call the office as soon as possible. Time off shall be charged against accrued leave. If sufficient leave is unavailable, time will be charged to leave without pay.

In cases of extreme weather, a decision may be made not to open the office, or to close the office early. In such cases, MHA will attempt to notify each employee. Employees will not be charged for time off when the office is officially closed.

CHAPTER 2

METHOD OF FILLING VACANCIES

Section 2.1 — Vacancy Identification

The Executive Director will decide to fill vacancies according to established positions included in current budget(s) and as necessary. It will be the decision of the Executive Director to fill vacant positions by transfers, promotions or external hiring.

Section 2.2 — Announcement of Vacancies

All vacancies to be filled in the service by other than administrative transfer, temporary promotion, or reinstatement shall be internally and/or publicly announced. Both Housing Authority employee and non-employee applicants for a position must complete an MHA Job Application form and submit it to the Office of the Executive Director no later than the announced closing date.

Section 2.3 — Selection Control List

The Office of the Executive Director will prepare a Selection Control List for each announced position vacancy, at the close of the announcement period. Selection control lists will be dated and numbered in sequence. The applications of individuals whose names appear on this list will be screened by the Executive Director to identify those who meet the minimum qualifications for the announced position. If it is determined that an applicant does not meet the minimum required qualifications for the position, an appropriate entry will be made. Applications of qualified applicants will then be considered.

Section 2.4 — Selection

The Executive Director will decide whether an interview process is necessary and conduct or assign the interview procedures.

CHAPTER 3

EMPLOYMENT

Section 3.1 — Basis

Employment shall be made based on the qualifications of applicants as ascertained through fair and practical selection methods.

Section 3.2 — Type

Employment shall be designated as regular full-time, part-time and temporary. Regular full-time employment will ordinarily be of indefinite duration and employees in this status are entitled to employee fringe benefits, subject to eligibility standards for those benefits. Part-time and temporary employment positions are not entitled to employee fringe benefits or holiday pay, except as required by law.

It is the policy of the Mexico Housing Authority to categorize the status of employees in order to make distinctions in benefits and conditions of employment among employees and to aid in a better understanding of employment relationships with the Mexico Housing Authority.

Regular full-time employees: “Full-Time Employees” are those individuals who are hired by the Housing Authority to work 40 hours or more per workweek on a regular basis. This definition shall apply to both “exempt” and “nonexempt” employees, as defined below.

Regular part-time employees: “Part-Time Employees” are those individuals who are hired by the Housing Authority to work less than 40 hours per workweek on a regular basis. This definition shall apply to both “exempt” and “nonexempt” employees, as defined below.

Temporary employees: “Temporary Employees” are those individuals who are holding jobs of limited or specific duration arising out of special projects, position vacancy pending appointment, the absence of a position incumbent, abnormal workloads, emergencies, or other reasons, established by the Housing Authority. Temporary employees may work either full-time or part-time work schedules but will not exceed 1000 hours in a calendar year and will not be eligible to receive Housing Authority-sponsored benefits.

Non-Exempt employees (hourly): “Non-Exempt Employees” are those individuals who are subject to the wage and hour requirements of the Fair Labor Standards Act (29 U.S.C.

§ 201 et seq.). Non-exempt employees will be paid overtime for all time worked in excess of 40 hours in a workweek. Overtime pay is paid at a rate of one and one-half times such employee's regular rate of pay.

Exempt employees (salaried): "Exempt Employees" are those individuals who are exempt from the wage and hour requirements of the Fair Labor Standards Act. Exempt employees are not paid overtime for time worked in excess of 40 hours in a workweek. Exempt employees generally include, but are not limited to, individuals employed in a bona fide executive, administrative, or professional capacity, all as defined in the FLSA and the regulations promulgated thereunder.

Section 3.3 — Nepotism

The employment of more than one member of the same immediate family shall be avoided. No employee may directly or indirectly supervise or be supervised by a member of his/her immediate family. For purpose of this rule, the immediate family includes spouse, parent, stepparent, foster parent, parent-in-law, legal guardian, child, stepchild, brother, stepbrother, foster brother, brother-in-law, sister, stepsister, foster sister, sister-in-law, grandparents, foster grandparents, grandparents-in-law, cousin or any relative or other person living in the same household as the employee.

Section 3.4 — Drug and Alcohol-Free Workplace Policy

MHA, as a federal grant recipient, is subject to the Federal Drug-Free Workplace Act of 1988, 41 USC 702. MHA is a drug and alcohol free workplace and it is MHA's policy to maintain a drug and alcohol free workplace. As a condition of employment, all employees must abide by this policy. This policy in no way limits MHA's ability to take action against an employee other than as stated in the policy including but not limited to suspension without pay and/or termination of employment. No part of this policy is intended to affect MHA's right to manage its workplace or discipline its employees, nor does it guarantee employment, continued employment, or the terms or conditions of employment to any individual or alter any employee's at-will employment status. The policy in no way creates an obligation or contract of employment. MHA reserves the right to alter or amend the policy and procedures at any time at its sole discretion.

If any part of this policy is determined to be void or unenforceable under state or federal law the remainder of the policy, to the extent possible, shall remain in full force and effect.

1. MHA establishes, implements, and promotes a program to improve drug and alcohol awareness among its employees through meetings and postings regarding:
 - a. The dangers of drug and alcohol abuse
 - b. MHA's policy of maintain a drug-free workplace
 - c. The availability of drug and alcohol counseling, rehabilitation, and

employee assistance programs

d. The penalties for violations of this policy

2. MHA gives each employee a copy of the Drug & Alcohol Free Workplace policy and posts it prominently in the areas where employees work.
3. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances of drug paraphernalia or acting under the influence of a controlled substance (even with a prescription if the safety of the employee or others may be affected or job performance is affected and reasonable accommodation, if required, does not remedy the danger or performance issue), in MHA's facilities, on MHA's property, in any MHA owned vehicle at any MHA sponsored activity, or while working (all hereinafter being referred to as the "workplace") is strictly prohibited.
4. The manufacture, distribution, dispensing, possession, or use of alcohol or acting under the influence of alcohol in the workplace is strictly prohibited.
5. To use, or be under the influence of alcohol or controlled substances (without a valid prescription), at any time, to the extent that an employee's work performance or fitness for duty is adversely affected, is prohibited.
6. To use or be under the influence of legal drugs, at any time, to the extent that an individual's job performance or fitness for duty is adversely affected, despite reasonable accommodation where required, is prohibited.

Section 3.5 — Hiring

Final decisions on hiring will be made by the Executive Director, taking into account recommendations from appropriate Housing Authority staff. All new hires will be at the entry level salary. The Executive Director may elect to waive this requirement based on the qualification involved.

Section 3.6-Resignation Policy

An employee desiring to terminate his or her employment relationship with the Mexico Housing Authority is urged to notify the Housing Authority at least two (2) weeks in advance of his or her intended resignation. Such notice should be given in writing to the Executive Director.

The foregoing does not alter or modify the fact that any person's employment may be terminated at any time with or without cause, and with or without notice, at the option of either the Housing Authority or the employee.

CHAPTER 4

POSITIONS PLAN

Section 4.1 — Plans, Preparation and Maintenance

The Authority shall prepare and administer a Positions Plan for MHA based on analysis of various factors integral to the positions. Positions shall be allocated based on objective factors. When positions become vacant their duties and responsibilities will be reviewed for changes to make any necessary adjustments to the Positions Plan.

Section 4.2 — Establishment of Positions

All positions shall be grouped in classes. Each class is to include those positions sufficiently alike to justify common treatment in selection, compensation and other personnel processes and sufficiently different from positions allocated to other classes to justify different treatment in one or more of these respects. The Executive Director has the authority to establish or abolish positions.

CHAPTER 5

INTRODUCTORY PERIOD

Section 5.1 — Introductory Period

Every person initially appointed or promoted in the MHA service under a regular full-time or regular part-time position will be required to successfully complete an introductory period of **three (3) months**. Extension of an introductory period beyond **three** months may be done only with prior recommendation of the Supervisor and approval of the Executive Director.

Section 5.2 — Purpose

Supervisors shall use the introductory period to closely observe and evaluate the work and fitness of the employees and to encourage adjustment to their jobs and the service.

Introductory Employment — as a general rule, new and newly rehired employees are subject to an initial **three (3) months** "introductory period" during which both the employee and MHA will be assessing the employee's performance, ability, compatibility and interest in the job. This period allows for a mutual evaluation of the relationships and will usually involve more intense review and discussion than at later stages, but neither the nature of our relationship nor any limitation on its duration are affected by successful completion of this introductory period. Annual and sick time will start accruing immediately but Annual time off will not be allowed until the introductory period is completed and/or prior approval from the Executive Director.

CHAPTER 6

PEFORMANCE EVALUTION

Section 6.1 — Performance Evaluation Report

The work performance of each regular full-time employee will be evaluated each year in accordance with prescribed procedures. Evaluations may be conducted at any time midway through and upon completion of an introductory period, for employees in an introductory period and annually for other employees. The Office of the Executive Director will maintain a schedule of the performance evaluation timetable and will send to each department supervisor, an evaluation form one month prior to the date the evaluation is due.

Section 6.2 — Purpose

The performance evaluation is designed to help supervisors and employees measure how well work is being performed and to provide a tool for management decisions regarding training, assignment, promotion and retention of employees.

Section 6.3 — Counseling

Employees shall be provided copies of their performance evaluation reports. Evaluators shall individually discuss the reports with the employees and shall counsel them regarding their careers and the improvements in performance which appear desirable or necessary.

CHAPTER 7

COMPENSATION

The Mexico Housing Authority shall prepare and administer a comprehensive compensation plan for MHA employees subject to a required Executive Director's approval. Employees will be paid in accordance with the compensation plan, which may include one or more salary schedules. Consideration will be given to comparable rates of pay for similar employment in the area. The duties, responsibilities and qualifications required of the employee and other relevant factors will be considered.

Section 7.1 — Administration of Salary Schedules

Salary schedules shall be administered in accordance with the following rules:

1. A new employee will normally be compensated at the minimum of the approved salary. The Executive Director may authorize hiring above the minimum step, if such authorization is based on general recruitment difficulties or qualifications or experience of an applicant.
2. A newly promoted employee shall ordinarily be compensated at the lowest step within the new pay grade that is higher than the employee's former rate of pay. An employee being laterally transferred will ordinarily continue to receive the same salary and shall retain the same eligibility date for pay increases.
3. An employee voluntarily or involuntarily demoted for any reason shall be compensated at the new position as administratively determined.
4. A former employee reinstated in accordance with these rules shall be compensated at a step of the approved class as administratively determined.

Section 7.2 — Overtime

The Executive Director will authorize overtime pay and/or compensatory time to meet the operational needs of MHA. Overtime, when ordered for the maintenance of essential MHA functions, shall be allocated as evenly as possible among all employees qualified to do the job.

Overtime is time worked in excess of an employee's regularly scheduled work week or in excess of eight hours in any one 24 hour day. The overtime rate of pay and other considerations pertaining to overtime are addressed under the applicable procedures. Supervisors may authorize overtime based on prior approval of the Executive Director.

Section 7.3 — Compensatory Time

Time worked in addition to the normally scheduled work week or in excess of eight hours in any given 24 hour day, is considered compensatory time, unless authorized as overtime. Compensatory time off may be authorized in lieu of overtime pay on a set basis as determined by the Executive Director.

Section 7.4 — Benefits

Eligible employees shall receive Social Security, Worker's Compensation, Unemployment Compensation, Pension Benefits, Medical Insurance and Life Insurance.

NOTE: The Housing Authority reserves the right to amend or modify its benefits programs, or to increase or require premiums paid by employees.

Social Security.

The Housing Authority participates in the Social Security Plan. Social Security participation is covered through contributions from both the Housing Authority and the employee.

Worker's Compensation

All employees are covered immediately upon date of hire for all work—related injuries. Employees and Supervisors will adhere to the following procedures in reporting work related injuries:

Non-Emergency

- a. In the event of injury or illness during working hours, the employee will immediately report the occurrence to his/her supervisor.
- b. The supervisor is responsible for reporting the incident to the Office of the Executive Director to prepare appropriate forms, advise the supervisor of appropriate procedures and inform the Executive Director of the incident.

Life or Limb Threatening Emergencies

1. The supervisor or available personnel will call 911 immediately; rescue unit will transport to nearest facility.
2. After immediate crisis is past, the supervisor will notify the Executive Director's office.

Unemployment Compensation.

1. All employees are encouraged to file for unemployment benefits upon termination of employment with MHA at their local unemployment office.

Retirement Plan—Eligible Regular Fulltime Employees

1. The MHA and the employee will contribute a total contribution of 12% for regular fulltime employees who qualify for the Retirement Plan. It is mandatory for all employees to participate in the retirement plan after the completion of the introductory period (three months). Employees are qualified to participate in the Retirement Plan upon completion of three (3) months of regular fulltime employment with the MHA. An employee is vested in the Retirement Plan after the completion of five (5) years of regular fulltime employment.

Medical Insurance—Eligible Regular Fulltime

1. The MHA currently pays 100% of the cost of individual employee coverage and 50% toward the cost of family coverage. All regular fulltime and regular part time employees are eligible to participate in the Health Insurance plan 30 days after the date of their employment.

Life Insurance—Eligible Regular Fulltime Employees

1. The MHA will provide life insurance for each regular fulltime employee in the amount of \$25,000.00.

CHAPTER 8

LEAVE

Section 8.1 — Official Holidays

New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and the Friday after, 1/2 day Christmas Eve, Christmas Day, 1/2 day New Year's Eve and other holidays that may be declared by the Executive Director, at the direction of the Board, will be observed as official holidays for MHA employees in accordance with the following rules:

- a. As many employees possible will be given each holiday off as consistent with the maintenance of the essential MHA functions.
- b. Full time regular employees shall be entitled to paid holidays.
- c. Probationary, temporary, intermittent, or seasonal employees who would normally have worked on a day or week observed as a holiday will be entitled to holidays with pay.
- d. Supervisors will ensure that eligible employees working unusual schedules or on shifts, receive benefits for the full number of holidays.
- e. If a holiday falls on Saturday, the preceding Friday shall be observed and if a holiday falls on Sunday, the following Monday shall be observed.
- f. An employee in a non-pay status on the holiday or on the scheduled work day immediately preceding or following shall not receive pay for the holiday.
- g. Employees desiring to observe religious holidays not coinciding with official holidays will utilize annual leave for this purpose.
- h. Full time regular employees that are required to work on a holiday, will receive 1 1/2 times regular pay or will be given compensatory time off at the authorized rate in lieu of overtime pay.

Section 8.2 — Annual Leave

Full time regular employees will earn paid Annual Leave in accordance with the following schedule:

<u>Years Services</u>	<u>Pay Period Accrual Rate</u>	<u>Yearly Accrual Total Hours</u>
0 to 5	4 hours	104 hours
5+	5 hours	130 hours

Annual Leave Carry Over — An employee may accumulate annual leave accrual not to exceed twice the yearly accrual (hours) in accordance with the above schedule. Annual leave in excess of the maximum carry over amount will be forfeited automatically at the beginning of each full pay period.

Section 8.3 — Administration of Annual Leave

Annual leave shall be administered according to the following rules:

- a. Annual leave may not be granted increments of less than one hour and must be approved by the Executive Director.
- b. Leave will not be earned for any pay period during which an employee is in pay status for less than half the standard number of paid hours for his/her type of job.
- c. An employee may be paid for unused annual leave upon resignation (provided MHA is given minimum of two weeks' notice of resignation), retirement or termination and only up to two times the amount of yearly accrual.
- d. Executive Director will schedule or approve annual leave giving due consideration to the needs of the organization and the employee.
- e. Annual leave will be charged only for time during which the employee would ordinarily have worked. Leave will be earned at the rate to which the employee is entitled while on leave.
- f. Employees being laterally transferred, promoted, or demoted shall retain accrued annual leave.
- g. Official holidays occurring during annual leave will not be charged to annual leave.
- h. Annual leave shall not be advanced to employees; nor shall employees receive pay in lieu of taking annual leave while employed by MHA.
- i. Leave credits are not transferable between employees.
- j. All new full-time regular employees are not eligible for use of annual leave hours accrued until they have successfully completed the introductory period. Unless prior approval from Executive Director.

Section 8.4 — Sick Leave

Sick leave is provided to assure continuation of salary for regular full-time employees during period of personal illness or disability. Sick leave is a privilege to be exercised only as needed to assure the employee's wellbeing and to provide income protection. Employees are encouraged to accumulate sick leave to prevent loss of pay should a prolonged illness occur.

Sick leave may be granted for absence from duty because of personal illness, injury or medical care of an employee, to include both routine and emergency health care appointments.

Sick leave Accrual — Sick leave shall accrue only for regular full-time employees. The rate and method of computation will be as follows:

<u>Pay Period</u> <u>Years of Service</u>	<u>Accrual Rate</u>	<u>Yearly Accrual</u> <u>Total Hours</u>
0 & Over	4 hours	104 hours

Sick Leave Carry Over — A full time regular employee may carry over a maximum of 240 hours (30 days) of accrued sick leave. Sick leave excess of the authorized accrual, as of the first full pay period in January of each year, will be forfeited.

Section 8.5 — Administration of Sick Leave

Sick leave shall be administered according to the following rules:

- a. Sick leave may not be granted in increments of less than one hour per month.
- b. Sick leave shall not accrue for any pay period during which an employee is in a non-pay status.
- c. MHA may request and obtain verification of the circumstances surrounding any use of sick leave.
- d. Sick leave credits are not transferable between employees.
- e. Employees will not be paid for sick leave upon discharge.
- f. Employees are entitled to paid sick leave only when sick.
- g. If an employee has no accumulated sick leave, annual leave may be used. If both sick and annual leave are exhausted, the employee shall be placed on leave without pay for the duration of the absence or automatically terminated, as appropriate.
- h. Any use of sick leave in excess of a three (3) day working period shall be approved only upon certification of illness and treatment by a practicing physician; no employee who has been absent from work because of illness or injury for a period exceeding three working days shall be permitted to return to work without a physician's release certifying fitness to resume all duties of his/her job.
- i. An employee must notify the **Executive Director and/or the administrative office** within 15 minutes of the scheduled starting time to report absence because of illness, injury or medical care. Calls by relative or persons other than the employee will not be accepted.

Section 8.6 — Family and Medical Leave

Regular full-time employees who are eligible to take family or medical leave may do so under the provisions of this section. All employees applying for such leave must do so through the Office of the Executive Director after informing their Supervisor of the need to apply for leave.

Reason for Taking Leave -

Leave will be granted for any of the following reasons:

1. to care for the employee's child after birth or placement for adoption or foster care
2. to care for the employee's spouse, son, daughter or parent who has a serious health condition
3. for serious health condition that makes the employee unable to perform the employee's job

Leave Taken Paid/Unpaid - Eligible employees qualifying for Family and Medical Leave Act ("FMLA") leave shall use all earned sick leave and annual (vacation) leave before being placed on leave without pay.

Advanced Notice and Medical Certification - The employee must provide advanced leave notice and medical certification. Taking of leave may be denied if requirements are not met. The employee must provide at least thirty (30) day advance notice when the leave is "foreseeable". The employee must furnish medical certification to support a request for leave because of the employee's or family member's serious health condition. A second or third opinion may be required at The MHA's expense.

A fitness for duty certification will be required for reinstatement at the end of FMLA leave taken for the employee's serious health condition. Reinstatement may be denied until the certification is provided.

Job Benefits and Protection - For the duration of FMLA leave, MHA will maintain the employee and their dependents' health insurance coverage (if applicable) provided that any employee portions of the premiums are paid by the first of the month. Payments should be made to the Payroll Department.

On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. If an employee would have been laid off while on FMLA leave, any right to reinstatement will be whatever it would have been had the employee not been on FMLA leave when the layoff occurred.

The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

Unlawful Acts By Employers — The Family and Medical Leave Act makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under the FMLA, or discharge or discriminate against an person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations. Eligible employees may bring civil actions against the employer for violations. The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information contact the nearest office of the Wage and Hour Division listed in most telephone directories under U.S. Government, Department of Labor.

Section 8.7 — Injury Leave

If an employee is injured on the job and the doctor removes him/her from duty, the employee will be paid worker's compensation as established by the Missouri worker's compensation law.

Administration of Injury Leave

- a. Injuries which do not qualify for worker's compensation may be charged to sick leave or granted as annual leave subject to the rules of those types of leave.
- b. If the work status of an employee is questionable, a full and complete examination by an occupational physician may be required and the results will be considered final.
- c. An employee injured on the job will not be permitted to return to work until an occupational physician has determined that he/she is physically able to perform his/her regular duties.
- d. Employment may be terminated should an employee fail to return to work upon the recommendation of the occupational physician in consultation with the employee's physician, should the employee choose his/her own physician.
- e. Supervisors will contact the Office of the Executive Director to ensure that an employee has been released by an occupational physician before allowing the employee to return to work.

Section 8.8 — Leave of Absence

Leave without pay may, where necessary, be granted not to exceed (3) months in any one calendar year.

Section 8.9 — Military Leave — Regular

A regular full time employee who is called to active service in the Armed Force of the United States shall be granted a leave of absence from the Authority for the period of active service and 90 days following discharge or hospitalization continuing after discharge for a period of not more than one year. All accrued annual and sick leave will be reinstated when the employee returns to work for the Authority within the prescribed time frame. The employee shall be entitled to be reinstated to his/her former position or to a position of like status and pay provided.

- a. He/she presents, prior to deployment, both evidence of call to service and affirmation of intention to return to employment upon separation from service; and

- b. The employee is willing to report to work within 90 days after discharge or hospitalization continuing after discharge for a period of not more than one year; and
- c. He/she is physically and mentally fit for employment. If, by reason of disability, the employee is not fit for position of like status and pay, but is qualified to perform duties of a lower grade position, such other position shall be offered if a vacancy exists; and
- d. The employee is willing to accept a lesser position if there has been a reduction in force during his absence; and
- e. If the employee receives a discharge other than honorable, re-employment shall be at the discretion of the Executive Director.

Section 8.10 — Military Leave — Reserve Status

- a. Within any calendar year, a regular full time employee of MHA may be granted one 17 calendar day period of leave plus necessary travel time not to exceed four calendar days for the purpose of attending an annual military training encampment of a branch of the United States of America's armed forces, or a political subdivision thereof.
- b. If such training is optional, reserve status military leave will be granted at the discretion of the Executive Director.
- c. If pay received for military training exceeds regular pay that the employee would have earned during a time period equal to that spent on leave, the leave shall be taken without pay. If pay received for military training is less than pay that the employee would have earned during a time period equal to that spent on leave, the Authority shall pay the employee the difference between his/her regular pay and military pay.

Section 8.11 — Bereavement Leave

In case of death in the immediate family, the supervisor may approve up to three (3) working days of paid leave. This leave will not be charged to annual or sick leave. If service is farther than 150 miles from Mexico, Mo, an additional day of travel time will be allowed, but will be charged to either sick or annual leave.

Immediate family includes;

Father	Spouse
Mother	Child/Grandchild
Brother	Father-in-Law
Sister	Mother-in Law
Grandparents	Step Child/Parents

The approving supervisor may request a copy of the death certificate upon the employee's return to work.

In case of death of other persons not within the immediate family, annual leave will be charged for the employee's time off.

Section 8.12 — Jury Leave

Employees will receive leave with pay as required to perform jury duty. Such leave will not be charged against annual leave.

- a. Leave must be approved in advance by the Executive Director and must be supported with a summons calling the employee to duty and release from duty.
- b. If excused from jury duty between the hours of 8:00 a.m. and 1:00 p.m. the employee must report back to work.

Section 8.13 — Unauthorized Absence

An unauthorized absence is defined as the absence of an employee from scheduled work without approved leave, such as;

- a. Tardiness — Failure to report to work on time or return to work on time.
- b. Late Call Ins/Late Reports — Failure to call or arrive at work within 15 minutes after the scheduled starting time.
- c. Non-Call/Non-Reports — Failure to report for work or call in during the scheduled work period.

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered absent without leave and shall not be in pay status for the time involved. Being absent without leave constitutes abandonment of duties which may result in dismissal.