



EMPLOYEE HANDBOOK 2023

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I. Introduction

Welcome to the team at the Kelly Center for Hunger Relief! Thank you for sharing your skills and talents with us as we help El Pasoans in need address hunger and food insecurity.

1. **About this Employee Handbook** - This Employee Handbook is designed to familiarize you with the policies of Kelly Center for Hunger Relief (hereinafter referred to as "Kelly"). Nothing in this handbook is intended to create a contract with you beyond the terms of your Employment Agreement.

Kelly's personnel policies are established by the Board of Directors, which has delegated authority and responsibility for their administration to the Executive Director. The Executive Director may, in turn, delegate authority for administering specific policies.

Any specific questions about the policies contained within should be directed to your supervisor or the Executive Director, or specific policy documents. Kelly reserves the right to revise, change or rescind any policies contained in this handbook, as they deem appropriate. Employees will be notified about changes, revisions, or deletions, but failure to notify employees about such changes, revisions, or deletions, does not affect the validity of such documents.

Any provision in this Handbook that summarizes federal or state law should be interpreted consistently with the federal or state law it references. As it is the policy to comply fully with all applicable legal requirements, if those governing laws are changed, the policies in this Handbook should be considered automatically revised to the extent required by the change in the law.

It is important for you as an employee to read and become familiar with the policies contained in the document. You are required by Kelly to sign an acknowledgment stating that you have received and understand the contents of this Handbook. If you have any questions about the contents of this handbook, you should contact Kelly's Executive Director.

2. **Employment "At-Will" Statement** - Unless your Employment Agreement states otherwise, your employment with Kelly is "at-will."

An at-will arrangement means that you were not guaranteed a specified length of employment. This allows you to terminate your employment relationship with Kelly with or without reason, with or without notice, but it also allows Kelly to terminate your employment relationship for any lawful reason, with or without cause, with or without notice.

3. **Equal Employment Opportunity Statement** - Kelly provides equal employment opportunities to qualified individuals according to their job-related qualifications regardless of race, ethnicity, color, gender, gender identity, abilities or disabilities, religion, sexual orientation, creed, marital status, national origin, or veteran status.

In addition to observing all federal law requirements, Kelly complies with all applicable state and local law regarding nondiscrimination in employment. This policy of equal

opportunities applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training.

Employment decisions are based on the stated requirements of the position, the needs of Kelly and the qualifications, experience, interview impressions and other legitimate factors that indicate whether a person is likely to succeed in the position.

Consistent with the equal opportunity commitment, Kelly will make reasonable accommodations for qualified individuals with known disabilities as required by law.

Consistent with the commitment to provide equal opportunities, Kelly prohibits all types of unlawful harassment and retaliation against employees for engaging in protected conduct. Anyone found to be engaging in any unlawful discrimination, harassment, retaliation or wrongful accusation will be subject to disciplinary action, up to and including termination of employment.

4. **Employee Relations Statement** - Kelly believes that the working conditions, wages and benefits offered to its employees are competitive with those offered by similar employers. Any questions, comments, concerns or suggestions about your working conditions, compensation or benefits, should be openly and directly communicated to your supervisor.

It is Kelly's goal to respond promptly and appropriately to employee questions, comments, concerns and suggestions.

Kelly relies on the accuracy of your employment application, representations you made during the interviewing process, and all information you have provided to Kelly regarding yourself thereafter. Any misrepresentations, falsifications or material omissions (as determined at Kelly's sole and complete discretion) in any of this information or data may result in the exclusion of an applicant from further consideration for employment or, based on the severity of the misrepresentation (as determined at Kelly's sole and complete discretion), termination of employment.

5. **Statement on Immigration Law Compliance** - Kelly is committed to employing only United States citizens and others who are authorized to work in the United States.

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 Kelly Center for Hunger Relief within the past year or if their previous I-9 is no longer valid or if there has been a break in service to Kelly Center for Hunger Relief of more than one year.

II. General Policies

1. **Confidentiality – Non-Disclosure Policy** - Kelly is committed to the protection of confidential information used for Kelly's competitive advantage, as the protection of such information is vital to the interests of Kelly. Kelly is also committed to the protection of confidential client information in order to protect clients' right to privacy.

Unauthorized disclosure or misuse of Kelly's confidential information, either during your employment or after the termination of your employment relationship with Kelly, may be grounds for discipline, dismissal and/or the initiation of legal action.

2. **Reasonable Accommodation Policy** - Kelly is committed to complying with all federal, state and local laws regarding individuals with disabilities.

Reasonable accommodations will be made during the job application process as well as in hiring, promotion, compensation, job training, job transfers, continuation of employment and all other conditions or privileges of employment.

All employment decisions and the evaluation of proposed accommodations are based on the merits of the situation in accordance with applicable state and federal laws. Kelly prohibits discrimination against any qualified employee or applicant because of a relationship or association with a person with a disability.

- A. *Requests for Accommodations* - The applicant or employee with a disability is responsible for informing Kelly that an accommodation is needed to enable the applicant or employee to apply for a position or to perform the functions of a job.
 - i. Kelly may ask an applicant or employee with a known disability if the applicant or employee needs an accommodation.
 - ii. It is anticipated that the applicant or employee will cooperate fully with Kelly as well as communicate openly and honestly so that Kelly can determine whether an accommodation is needed and whether a suggested accommodation is reasonable.
 - iii. When an applicant or employee requests an accommodation, the supervisor for the position will:
 1. Analyze the job involved and review its essential functions.
 2. Consult with the employee or applicant to determine the individual's job-related limitations and how the limitations might be overcome through accommodation.
 3. Identify potential accommodations in consultation with the applicant or employee, including but not limited to asking the applicant or employee's health care provider to provide information based on the job description at issue, and/or asking

the employee to complete an examination with a health care provider of their choice. If requested, Kelly will suggest a potential provider to complete this evaluation.

4. Assess the effectiveness of each potential accommodation identified.
5. Consider the applicant or employee's preferences and select the accommodation most appropriate for the employer and the applicant or employee. If more than one accommodation is feasible, Kelly will exercise its discretion in selecting which accommodation will be provided. The most readily available, least expensive and easiest accommodation to implement normally will be selected as long as the accommodation will allow the applicant or employee to perform the essential functions of the job.
6. Determine if an accommodation is possible without undue burden to Kelly.

B. The hiring supervisor must approve all accommodations.

C. Regardless of disability, applicants or employees selected for positions should be the best-qualified person with or without reasonable accommodation. Applicants and employees must be qualified for the position and must be able to perform the essential functions of the job with or without reasonable accommodation.

D. This policy is neither exhaustive nor exclusive. Kelly is committed to taking all actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with all applicable federal, state and local laws.

3. **Personal Data Changes Policy** - It is the responsibility of each employee to notify Kelly of any changes in personal data promptly. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency.

4. **Intellectual Property Rights of Others Policy** - During your employment, you will occasionally receive and use the proprietary information of others. You must use this proprietary information only in accordance with Kelly's agreement with the owner and all applicable laws.

Kelly honors copyrights and respects the propriety information of others. You should not engage in any unauthorized copying or unauthorized use of any propriety information in connection with your employment.

Kelly retains the rights to any and all materials, curricula, or processes created by employees either during work hours or in fulfillment of job responsibilities.

5. **Information Technology Policy** - Kelly provides employees access to computers, computer networks, software, information, the Internet and other internal and external electronic communication systems such as e-mail, websites, social media and blogs.
6. **Media and Public Relations Policy** - Kelly will authorize and designate representatives as spokespersons for Kelly. Only these designated individuals may make public statements on behalf of Kelly.

Any requests for comment by a member of the media should be politely referred to your supervisor or the Executive Director.

7. **Workplace Violence Prevention Policy** - Kelly is committed to preventing workplace violence and to maintaining a safe work environment. Kelly has adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours or on its premises. All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times.

Weapons and other dangerous or hazardous devices or substances, excluding legally-permitted concealed carry handguns, are prohibited from the premises of Kelly. Open carry of firearms is not permitted on any work premises unless required by law.

Conduct that threatens, intimidates or coerces another employee, a visitor or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age or any characteristic protected by federal, state or local laws. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public.

When reporting a threat of violence, you should be as specific and detailed as possible. In an emergency or life-threatening situation, call 911 immediately! All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril.

Kelly will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. To maintain workplace safety and the integrity of its investigation, Kelly may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Kelly encourages employees to bring their disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. Kelly is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

8. **Sexual and Other Unlawful Harassment Policy** - Kelly does not tolerate any form of harassment, including sexual harassment, Supervisors, co-workers, vendors and all other individuals with whom employees have contact with must not engage in any harassing activities.

Harassment includes verbal, nonverbal, physical and visual conduct that creates an intimidating, offensive or hostile working environment or that interferes with work performance. Some examples include racial slurs, ethnic jokes, posting of offensive statements, posters, cartoons or other similar conduct.

Sexual harassment refers to behavior of a sexual nature that is unwelcome and offensive. Sexual harassment is a form of employee misconduct that is demeaning to another person and undermines the integrity of the employment relationship. According to the United States Equal Employment Opportunity Commission, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute "sexual harassment" when submission to such conduct is made explicitly or implicitly a condition of an individual's employment; submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee; or the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment that is intimidating, offensive or hostile to the employee. Unwanted physical contact, foul language, sexually oriented propositions, sexual jokes or remarks, obscene gestures or the display of sexually explicit pictures, cartoons or other materials may be unwelcome and offensive and must not occur.

You must report any incident of discrimination, harassment, suspected discrimination, or harassment to your immediate supervisor, or if the supervisor is involved in the incident, you must report the incident to the Executive Director. If the Executive Director is involved in the incident, you must report the incident to the President of the Board of Directors. Anyone who observes discrimination or harassing conduct or suspects discrimination or harassing conduct has occurred, even if directed at another employee, must inform the supervisor or Executive Director.

- A. *Retaliation* - Retaliation against any employee for asking questions, making a complaint or cooperating in an investigation is not tolerated. Any employee who experiences or suspects retaliation must report it to the supervisor or Executive Director.

Every complaint or report of harassment, discrimination and/or retaliation will be taken seriously and investigated promptly. Kelly will take action to stop harassing activities and correct inappropriate situations. Employees who engage in discrimination, harassment or retaliation will be disciplined, up to and including termination of employment.

Vendors, customers, members and other third-party harassers may be prohibited from working with Kelly or interacting with company personnel and may be banned from company property.

When harassment, discrimination and/or retaliation occurs, it is important that you report it as clearly as possible. Kelly asks that you speak and write candidly. Withholding any information will interfere with Kelly's ability to address the

situation adequately. Complaints, investigations and information will be handled confidentially to the extent practicable under the circumstances.

- B. All employees making complaints, responding to complaints or participating in an investigation should act only in good faith.

Compliance with this policy is a condition of your employment. You are encouraged to raise any questions or concerns about this policy or about possible harassment with the Executive Director.

9. **Whistleblower Policy** - Kelly encourages its employees to report improper activities in the workplace and will protect employees from retaliation for making any such report in good faith.

- A. *Employee Rights* - Employees have the right to report, without suffering retaliation, any activity by Kelly or any of our employees that the employee reasonably believes:
 - i. violates any state or federal law;
 - ii. violates or amounts to noncompliance with a state or federal rule or regulation; or
 - iii. violates fiduciary responsibilities by a nonprofit corporation.

In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation.

Employees are also protected from retaliation for having exercised any of these rights in any former employment. The whistleblower protection laws do not entitle employees to violate a confidential privilege of Kelly (such as the attorney-client privilege) or improperly disclose trade secret information.

- B. *Where to Report* - Employees have the duty to comply with all applicable laws and to assist Kelly to ensure legal compliance. An employee who suspects a problem with legal compliance is required to report the situation(s) to the Executive Director or President of the Board of Directors if the complaint involves the Executive Director.

Employees may also report information regarding possible unlawful activity to an appropriate government or law enforcement agency.

- C. *Protection from Retaliation* - It is the intent of this policy to encourage employees to report fraudulent or illegal activities and there shall be no retaliation for any reports made pursuant to this policy. Any employee who believes they have been retaliated against for whistle blowing may file a complaint with either the Executive Director or the President of the Board of Directors. Any complaint of retaliation will be promptly investigated, and remedial action taken when warranted. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the ordinary course of business based on valid performance-related factors.

10. Client Grievance Policy - Kelly respects every client's right to a clear and fair process for clients to bring up problems, complaints and disagreements with the organization's actions and decisions.

- A. Employees are to make sure clients understand their right to file a grievance at any time during services and that retaliation such as end of services is not permitted due to a grievance being filed.
- B. If a client brings an employee a complaint, problem or issue with services received, the employee can first see if the situation can be resolved with the employee and or a supervisor.
- C. If the complaint cannot be resolved informally, the employee is to direct the client to the Executive Director. The Executive Director will have final review and will respond verbally or in writing to the client. The final response will include information confirming that the client may still receive services and will not be retaliated against for the grievance.
- D. If the grievance shows that actions taken by employees were incorrect or violated policy or procedures, that employee may receive corrective action. If the grievance shows that policies or procedures are harmful or against internal, contract, state or federal rules, Kelly will take steps to change and address the policies or procedures.

11. Dress Code Policy - Kelly is committed to maintaining a workplace free from unnecessary distractions and annoyances. An employee's dress, grooming and personal hygiene can affect the morale of all employees both positively or negatively. Therefore, Kelly maintains a Dress Code Policy to regulate the effects an employee's dress, grooming and personal hygiene may have on the conditions of the workplace.

The way you dress and maintain your personal appearance during business hours makes a representation about Kelly whether intentional or not. Be sensible about what you wear to work or what you wear when you are representing Kelly in public. Casual attire is acceptable, but Kelly reserves the right to require changes if the supervisor deems it appropriate. Shirts containing offensive language, short shorts, flip flops or tank tops are not considered acceptable attire.

Kelly expects that you have sufficient pride in your work and association with Kelly to exercise mature discretion regarding your appearance and demeanor at all times.

12. Property, Return of Property Policy - You are responsible for all the property, materials, keys and written information issued to you by Kelly as well as any Company property in your possession or control. You must return all Company property immediately upon request or termination of employment. When permitted by applicable laws, Kelly may withhold from your paycheck or final paycheck the cost of any items that are not returned when requested/required.

13. Security Inspection Policy - Kelly may provide you with desks, file cabinets and/or other storage areas for the conduct of Kelly business. However, these items and anything on Company property are subject to search at any time, for any or no reason,

with or without notice and with or without permission. If you have something you wish to keep private and personal, you should not bring it to the workplace or with you when conducting Company business. E-mail, computer files, hard drives, voice mail, text messages and all other information storage devices are also subject to inspection at any time, for any or no reason, with or without notice and with or without permission.

14. Safety Policy - Keeping Company work spaces hazard-free depends on the alertness and personal commitment of every staff member to notice potential problems and dangers and to report them promptly.

- A. *Obey all Safety Rules* - You and all of your co-workers are expected to obey safety rules and to exercise caution in all work activities. You must immediately report any unsafe condition to your supervisor.

Any employee who violates safety standards, causes hazardous or dangerous situations or fails to report (or, when appropriate, remedy) such situations, may be subject to disciplinary action, up to and including termination of employment.

- B. *Stop Work Authority* - As an employee, you may work with other staff members, vendors, contractors or volunteers and notice that others have put themselves or bystanders at risk due to unsafe work practices.

You have a duty and right to STOP WORK whenever any person or the environment is at risk. Once work has stopped, the team should immediately address the risk factor and proceed only when the risk has been mitigated. Stop work authority applies in any situation involving unsafe conditions, actions, inactions, omissions or mistakes that may cause harm. There will be no adverse effect (blame or punishment) levied on the person taking such action.

- C. *Reporting Injuries* - If you or any individual on Company premises or working for Kelly is involved in an accident that results in injury, regardless of how insignificant the injury may appear, you must notify your supervisor as soon as possible.

15. Work Schedules

- A. *Office Hours* - While subject to change, Kelly is open for business Monday thru Friday, 8am – 5pm and Saturdays 9 am – Noon.
- B. *Emergency Closings* - At times, emergencies such as severe weather, fire, power failures, floods or other events can disrupt normal Company operations. In extreme cases, these circumstances may require the closing of Kelly premises.

The Executive Director or his/her designee will determine when Kelly premises will be closed. If possible, you are asked to accomplish what you can given the circumstances by working remotely without putting yourself at risk.

If Kelly's offices are open, employees are expected to make reasonable efforts to report for duty. If conditions prevent commuting to work in a safe manner,

you are expected to notify your supervisor or Kelly office and keep Kelly informed as to your status. You are expected to report to work as soon as a safe commute is possible unless instructed otherwise.

When Kelly is officially closed due to emergency conditions, the time off from scheduled work for non-exempt hourly employees will be unpaid while exempt employee salary will be unaffected. However, with supervisory approval, non-exempt employees may use available paid leave time, such as unused vacation benefits.

Employees in essential operations may be asked to work on a day when Kelly is officially closed. In these circumstances, employees who work will receive regular pay.

16. Drug and Alcohol Policy - Kelly will not tolerate the use, sale, or possession of any controlled substances or other illegal drugs, or the abuse of alcohol at any time or under any circumstances.

For purposes of this handbook, drugs are defined as illegal substances, un-prescribed medication, and/or prescription medications that may affect one's ability to perform job duties.

The consumption of alcohol and/or use of drugs during working hours, or reporting to work under the influence, are not permitted and is cause for immediate termination. No employee will bring, keep, or store alcohol or drugs on Kelly premises. The use of drugs or alcohol while at work, or prior to coming to work is prohibited.

III. Position & Compensation Policies

1. **Position Descriptions** - Each position will have a written job description. In general, the description will include: the purpose of the position, areas of responsibility, immediate supervisor(s), position qualifications required, salary range, and working conditions affecting the job, e.g., working hours, etc. The supervisor(s) or the Executive Director have discretion to modify the job description to meet Kelly's needs on an as needed basis.
2. **Employment Classification** - Each position of employment with Kelly is classified in accordance with the Fair Labor Standards Act (FLSA) regarding overtime pay (non-exempt, exempt), employment status (probationary, regular, temporary, intern or seasonal); and schedule (full-time or part-time).
 - A. *Non-Exempt* - Non-Exempt employees are paid on an hourly basis or salaried basis. They must login to record hours as instructed. They are entitled to overtime pay for hours worked exceeding 40 in a defined work week, as much as overtime is authorized by their supervisor.
 - B. *Salaried/Exempt* - Exempt employees are paid on a salaried basis and salary exceeds Department of Labor minimum salary for exempt classification. They

may not be required to login to record hours or otherwise complete time sheets. They are not entitled to overtime pay.

3. **Payday Policy** - All employees will be paid monthly by direct deposit.
4. **Pay Advance Policy** - Kelly does not offer pay advances.
5. **Administrative Pay Corrections** - Kelly takes steps to ensure that every employee receives the correct amount of pay in each paycheck and that each employee is paid promptly on the scheduled payday. In the event there is an error in the amount you received, you should promptly bring the discrepancy to the attention of The HR department. The situation will be evaluated and appropriate corrections will be made as quickly as possible.
6. **Pay Deduction Policy** - Typical pay deductions may be divided into two categories - deductions required by law and deductions authorized in writing by you for your benefit.

The law requires Kelly to make certain deductions from your compensation. Among these are applicable federal income taxes; Social Security taxes up to a specified limit called the Social Security "wage base;" garnishments and child support payments.

Kelly may offer various programs and benefits beyond those required by law. If eligible to participate, you may voluntarily authorize deductions from your paycheck to cover the cost of your participation in these programs in writing. Eligible programs may include, but are not limited to, the payment of your group medical insurance premiums, retirement benefits or other benefits. If you ever have questions about any deductions from your paycheck, please ask your supervisor for assistance. Any correction will be made promptly.

7. Time Recording Policy

- A. **Non-exempt Employees** - In order for Kelly to correctly calculate pay and benefits and adequately comply with federal and state law, every non-exempt employee must accurately record the time they spend working.

Time spent working is all the time that elapses while you are completing tasks for the benefit of Kelly. Non-exempt employees must accurately record the time they begin and end their work, the beginning and end time of any split shift, and the time of any departure from work and time of return to work for personal reasons using a time clock provided by your supervisor.

Overtime work must be approved in advance by your supervisor or the Executive Director. Altering, falsifying or tampering with time records, working unauthorized time or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. If corrections or modifications are made to a time record, notice will be provided to the employee.

- B. *Salaried/Exempt Employees* - Salaried employees adjust their work schedules based upon the duties and demands of their responsibilities. Though the amount of time spent on Kelly business may be different each day, it is understood that the sum total of hours spent fulfilling those responsibilities will rarely be less than 40 hours per week. Salaried/exempt employees may not be required to log their time.

It is your responsibility to keep your supervisor notified of changes to your weekly schedule or departure from work for personal reasons. Excessive or unauthorized absenteeism may result in disciplinary action, up to the termination of the employment relationship.

- C. *Time Analysis Survey* - From time-to-time, your supervisor may request that an employee complete a "Time Analysis Survey" for all or a particular component of Kelly, inclusive of the use of the employee's time spent in the completion of his or her duties and responsibilities. The information from the survey will be used to evaluate the overall needs of the department, to anticipate future staffing needs and/or to modify current roles and responsibilities. The request to complete a "Time Analysis Survey" is considered a part of each employee's job duties. The completed survey will be presented to the supervisor on or before the required due date.

8. **Holiday Benefits** - Full-Time Employees are eligible for 9.5 holidays per year as follows:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- The Day After Thanksgiving Day
- Christmas Eve (1/2 Day)
- Christmas Day

In those years when Independence Day, Christmas Eve and Christmas Day, and New Year's Day fall on Saturday or Sunday, the Executive Director will designate the work day that will replace the weekend holiday.

9. **Vacation Benefits** - During the first 90 days of employment full- and part-time employees will not earn Vacation benefits. During the remaining nine months of the first year of employment, a full-time employee will earn two weeks (10 days) of paid Vacation.

Full-time employees will continue to earn two weeks (10 days) of Vacation during the second year of employment. In their third year of employment, full-time employees will earn three weeks (15 days) of Vacation. During the fifth year and thereafter, full-time employees will earn four weeks (20 days) of Vacation per year.

Vacation benefits are prorated accordingly for Part-Time employees.

Use of Vacation is subject to approval by the supervisor and Executive Director and must be requested in advance, whenever possible.

Unused vacation time cannot be carried over into the next year.

- 10. Sick Time** - Sick Time benefits are earned on a prorated basis of one day (8 hours) per month for full-time employees beginning at first day of employment. Part-time employees receive prorated sick leave benefits, (i.e., 4 hours per month if the Employee works 20 hours per week).

Temporary employees are not eligible for paid sick leave benefits.

Use of sick leave is subject to approval by the supervisor and the Executive Director and must be requested in advance, whenever possible. No sick leave benefits are paid upon separation of employment from Kelly for any reason.

If an employee's illness or injury requires a consecutive absence of five (5) days or more, physician documentation will be required.

Unused sick time cannot be carried over into the next year.

- 11. Personal Leave** - Kelly provides three (3) days of personal leave per calendar year to all Full-Time and Part-Time employees who have completed 90 days of employment. Personal leave benefits are prorated accordingly for part-time employees. Temporary employees are not eligible for paid personal leave benefits.

Personal leave is accrued at the beginning of each year and cannot be carried into the next year.

All personal leave is subject to prior approval by the supervisor and Executive Director and must be requested in advance. No personal leave benefits are paid upon separation from employment with Kelly for any reason.

- 12. Military Leave** - Employees who are inducted into or enlist in the Armed Forces of the United States or are called to duty as a member of a reserve unit may take an unpaid leave in accordance with applicable law. The employee must provide advance notice of his or her need for a military leave and Kelly will request a copy of the employee's orders, which will be kept on record by Kelly.

The time an employee spends on military leave will be counted as continuous service for the purpose of determining eligibility and accrual for various benefit plans and policies.

Upon return from military leave, employees will be reinstated as required by law and benefits will be reinstated with no waiting periods.

13. Absence / Attendance Policy - It is imperative for you to be present at work during your scheduled work hours. Kelly cannot accomplish its goals without being able to depend on each and every employee to carry out their responsibilities.

A. *Absenteeism and Tardiness* - Absenteeism is the practice of continually not showing up to work when you are scheduled to. Absenteeism does not include approved days off.

- i. Excessive absenteeism may result in a disciplinary response, up to and including termination. After 3 consecutive days of absenteeism, an Employee will be considered resigned from Kelly.
- ii. Tardiness is the practice of continually showing up to work late relative to when you are scheduled to arrive. Excessive tardiness may result in a disciplinary response, up to and including termination.

B. *Notification* - If you expect to be absent or tardy, you must inform your supervisor before your shift is scheduled to begin.

14. Overtime Wage Policy - This policy applies to all non-exempt employees. Non-exempt employees are eligible for overtime pay consistent with federal and state wage and hour laws.

Overtime pay is based on actual hours worked more than 40 hours per defined workweek. Paid time off for holidays, personal leave, vacation leave or any other leave of absence is not considered hours worked for purposes of computing overtime pay.

Non-exempt employees must not work more than forty hours in any workweek unless approved in advance. Employees will be paid overtime at the rate of one-and-a-half times their regular rate for hours worked over 40 in a given work week.

Overtime is extremely costly to Kelly and should be kept to a minimum. Supervisors should be prepared to provide written justification for all overtime expenditures incurred during a pay period.

15. Bereavement Days Policy - When a death occurs in an employee's immediate family, that full-time employee may take up to 3 days off to attend the funeral or to make funeral arrangement. When a close non-family member dies, that employee may take 1 day off to attend the funeral. For both non-exempt and exempt employees these are paid days off.

Immediate family is defined as an employee's spouse, parents, siblings, children, grandparents, step-parents, step-siblings, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild.

16. Paid Jury Duty and Other Legal Proceedings Policy - If a regular full-time employee is called for jury duty on day(s) that they are scheduled to work, Kelly will pay the employee as though they attended worked on those days.

It is the responsibility of the employee to notify his or her immediate supervisor in advance that he or she has been called for jury service. It is also the responsibility of the employee to keep his or her immediate supervisor notified as to the expected duration of jury service.

An employee should submit the jury service certificate to the supervisor to document the absence. If an employee is not selected for jury service, he or she should report to work promptly after dismissal from jury selection.

Kelly will pay for time spent serving as a witness in a legal proceeding, providing the employee is not a party to the litigation. In the event that an employee is a party in a legal matter, personal or vacation time must be used.

16. Paid Time for Voting Policy - In accordance with state law, all employees will be provided reasonable paid time off to fulfill their obligation to vote in local, state, and national elections.

17. Exceptions - The Executive Director or other Managing Members of Kelly may grant exceptions to these policies. Such exceptions may include, without limitation, additional benefits which might be offered to a prospective candidate that are not in line with approved policies; for example, a commitment for continuing education or an extra week of paid vacation.

IV. Supervision/Disciplinary Guidelines

1. Employee Conduct and Work Rules - Kelly expects employees to follow the following rules of conduct to ensure orderly operations, to provide the best possible work environment, and to protect the interests and safety of Kelly, its employees, and its customers.

Because it is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the list of unacceptable conduct printed immediately below should be considered non-exhaustive. Kelly expects each employee to use their best judgment with regards to how they conduct themselves at the workplace.

The following are examples of conduct that may result in disciplinary action, up to and including termination of employment:

- A. Theft or unauthorized removal of property from Kelly or unauthorized possession of Company property;
- B. Insubordination;
- C. Disrespectful conduct towards others;
- D. Breach of confidentiality, removal, release or improper use of confidential information;
- E. Gossip, rumor, defamation of another's character, making false accusations, claims, statements or reports;

- F. Unsatisfactory job performance, refusal to perform job assignment or conduct that is inconsistent with the individual's job description;
- G. Violations of the Sexual and Other Unlawful Harassment Policy including, but not limited to: verbalized or written threats, fighting, bullying or threatening behavior; sexual or other unlawful harassment, unlawful discrimination, unlawful retaliation or behavior causing a disturbance on Company premises;
- H. Violation of personnel or other protection/safety policies; violation of safety or health rules;
- I. Repeated unexcused absences, excessive absenteeism or tardiness, absenteeism without notice or unauthorized absence from workstation during the workday;
- J. Dishonesty, immoral or indecent conduct, the use of profanity or abusive language; recording of time not worked as time worked on a timesheet; misrepresentations or the falsification of records or other information (verbal or written); misrepresenting Kelly or a Kelly-sponsored event;
- K. Unauthorized use of computers or other Kelly-owned equipment or software copyright infringement;
- L. Unauthorized use of Kelly's telephone system;
- M. Violation of Kelly's drug and alcohol policy;
- N. Negligence or improper conduct leading to the damage of property or persons or gross negligence in the use of Kelly's equipment or materials;
- O. Any other action(s) that are detrimental to the orderly conduct of Kelly business.

2. **Problem Resolution** - Kelly is committed to creating an open atmosphere where problems, complaints, suggestions and questions receive a timely response.

Kelly strives to ensure fair and honest treatment of all employees. All staff members are expected to treat others with mutual respect and are encouraged to offer positive and constructive criticism to one another.

If a problem or issue arises between staff members, the first course of action should be open and honest communication between the two staff members. If that fails, a supervisory resolution may be required.

If you disagree with established rules of conduct, policies or practices, you may express your concern to your supervisor. If the issue is with your supervisor, you may express your concern to the Executive Director.

Everyone will be treated with respect and should feel free to raise issues or concerns, make suggestions and make reports without fear of reprisal, reprimand or retaliation. Kelly expects that you will attempt to resolve interpersonal problems in the workplace in the most informal manner possible. Generally, you should:

- A. Speak directly with your co-worker(s) about the problem/issue.
- B. If the issue is not satisfactorily resolved, present your problem/issue to your supervisor for counsel about next steps.
- C. If your supervisor is unavailable or you believe it would be inappropriate to contact your supervisor, you may present your problem or issue to the

Executive Director.

- D. Your supervisor or the Executive Director will respond to your problem/issue after performing due diligence such as interviewing appropriate persons, consulting with the proper authorities, and reviewing documents associated with the issue.
- E. Not every problem will be resolved to every person's total and complete satisfaction. Only through understanding and open discussion of mutual problems can we develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure the fulfillment of Kelly's mission.

3. **Discipline** - In accordance with a desire to provide the best workplace possible, Kelly is committed to the administration of appropriate and consistent discipline for unsatisfactory performance or conduct in the workplace.

Kelly's collective best interests lie in ensuring the appropriate treatment of all employees and in making certain that disciplinary actions are prompt, uniform and impartial.

The primary purpose of any disciplinary action is to improve performance, correct a problem, continue improved performance, prevent recurrence of a problem and prepare the employee for satisfactory service in the future.

4. **Progressive Discipline** - When deemed appropriate, in its complete discretion, Kelly may use a progressive discipline system to address employee performance and conduct issues.

The steps in the progressive disciplinary process will be documented in the employee's personnel file by the supervisor and will be concise and specific, with objective examples of the issue that is the basis of the discipline, with time and date references. Effort will be made to include all warnings, whether verbal or written, to be documented and in the individual's personnel file by the supervisor.

The steps in Kelly's progressive discipline system may be varied, combined or bypassed all together as Kelly deems appropriate at any time, for any reason or no reason, with or without notice, in Kelly's full and complete discretion, but will typically include the following 3 steps:

- A. a verbal warning by the supervisor,
- B. a written warning by the supervisor,
- C. termination of employment.

5. **Performance Management** - Each employee may be asked to participate in a periodic review of job performance. The work of each employee is reviewed on an ongoing basis with their supervisor to provide a systematic means of evaluating performance. The periodic performance review is a formal opportunity for the supervisor and employee to exchange ideas that will strengthen their working relationship, review the past, and anticipate Kelly's needs for the future.

The Executive Director reviews the work of all supervisors. Work reviews for other staff are the responsibility of the appropriate supervisor, subject to confirmation by the Executive Director.

V. Telecommuting

1. **Discretionary Assignment** - Teleworking, or telecommuting, is the concept of working from home or another location on a full- or part-time basis. Teleworking is not a formal, universal employee benefit. Rather, it is an alternative method of meeting the needs of Kelly. Kelly has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time.
2. **Communication** - Employees must be available by phone, email and other implemented messaging systems during core hours. Employees will still be available for staff meetings, and other meetings deemed necessary by supervisors and/or the Executive Director even if such meetings need to take place at or away from Kelly's premises.
3. **Equipment** - Employees are responsible for providing a reliable computer and internet access. The computer used should not be a shared computer with friends or family. You will have access to sensitive information belonging to customers of Kelly. It is important that you take the necessary steps to safeguard this information. You should always maintain updates on your computer as well as have an anti-virus installed. You must also protect the customer's information from guest, family, and friends, who may visit your home.
4. **Workspace** - Employees shall designate a workspace within the remote work location for placement and installation of equipment to be used while teleworking. The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment. The employee's workspace must be free of background noises, such as children, pets, and television.
5. **Taxes and expenses related to your telecommuting** - It will be the employee's responsibility to determine any income tax implications of maintaining a home office area. Kelly will not provide tax guidance nor will Kelly assume any additional tax liabilities related to any unreimbursed expenses that allow you to work remotely. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.
6. **Dependent Care** - Teleworking is not a substitute for dependent care. Teleworkers will not be available during company core hours to provide dependent care.

This employee handbook has been reviewed and approved by the Kelly Board of Directors.

Employee Acknowledgment Form

I have received a copy of the Kelly Center for Hunger Relief Employee Policy Handbook. I understand that I am responsible for reading the personnel policies and practices described within it. I understand that this version of the handbook, updated as of 1/4/2023, replaces all prior handbooks, policies and practices.

I agree to abide by the policies and procedures contained in this manual. I understand that the policies and benefits contained in this employee handbook may be revised, added to, or deleted at any time. I understand that this employee handbook has been distributed to me for informational purposes only.

I understand that neither this manual nor any other written or verbal communication by a supervisor and/or the Executive Director is intended to, in any way, create a contract of employment for any specified period of time and that I or Kelly can terminate the employment relationship at will.

Signature

Date