



EDUCATION ACHIEVEMENT AUTHORITY
OF MICHIGAN

Employee Handbook
2016-2017

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INTRODUCTION

PURPOSE AND USE OF THE HANDBOOK

This Handbook has been created for the use of Education Achievement Authority of Michigan (“EAA” or “District”) employees. It covers a wide range of employment-related issues, and therefore, all staff is required to review the Handbook and become familiar and aware of its contents. This Handbook is intended as a general reference guide to policies and procedures that must be adhered to by all EAA employees. This Handbook supersedes any and all conflicting prior practices or policies of the District, oral or written, and rescinds conflicting prior policies, procedures, handbooks or general District rules previously in effect. Please also be advised that any and all statements and policies contained in this Handbook are subject to unilateral change, in whole or in part, by the EAA at any time, except that the policies in the Employee Relationship section can only be changed as set forth in that section.

This Handbook is not a contract of employment. For those employees who have entered into employment agreements with the EAA, the language contained therein should be read in conjunction with the provisions of this Handbook. In the event of a conflict between this Handbook and terms of an employee’s contract of employment, the employee’s contract of employment will govern. EAA employees are employed on an at-will basis. This means that the employment relationship can be terminated at any time, with or without cause, and with or without prior notice. No EAA employee, supervisor or other person, except the EAA Board of Directors, has the authority to enter into a different employment relationship with staff.

As an EAA employee, you are required to adhere to, and comply with the policies and procedures contained within this Handbook so that our collective desire to service students, parents, other staff members, and the community at large, to the best of our ability, is achieved. While some of us provide direct educational services, and some of us provide support for those educational services, each of us has an important role to play in educating the children of the EAA. We suggest that you keep this Handbook accessible for easy reference, as you will be held accountable for the information contained in it.

All the policies are written with the intent of complying with applicable law. To the extent that any policy is in conflict with a state or federal law that is applicable, the applicable law will control.

If you have any questions regarding this Handbook, or your employment in general, please contact the Human Resources Office at (313) 263-9800 or *via* email at eaahr@eaaofmichigan.org. They are here to help you!

WELCOME

Dear EAA Employee:

Welcome to the EAA! I am happy to have you as an important member of our team.

No matter what your position may be – whether a teacher, administrator, instructional assistant, or administrative assistant – you are a critical part of our efforts to help serve, protect, and lead our students toward reaching their highest potential. Consequently, each of us has a responsibility to strive to be our best possible selves. At the EAA, we expect excellence from our students, and therefore, expect nothing less from our employees.

As you help guide EAA students, and move us toward effectuating our goal of transforming our schools into places where young people will be prepared to become college, career, and workforce ready, I encourage you to remember the high expectations that have been placed upon us as individuals entrusted with our community's most precious resource – its children.

Thank you for the efforts you make each day on behalf of our students! I look forward to working with each of you.

Sincerely,

Veronica Conforme

Veronica Conforme, Chancellor

EMPLOYEE RELATIONSHIP

AT-WILL EMPLOYMENT

EAA employees are employed on an at-will basis. As an at-will employee, you or the EAA can terminate the employment relationship with or without cause or reason and with or without notice. The severance of your employment with the EAA, for any or no reason not prohibited by law, will not constitute a violation of any express or implied contract or covenant.

TIME LIMIT FOR CLAIMS

As a condition of employment or continued employment, employees agree not to file any action, suit, charge, or other legal proceeding against the EAA and/or its predecessors, successors, assigns, subsidiaries, parent(s), affiliates, and all past and present officers, directors, employees and agents, in their individual and representative capacities of the foregoing entities relating to his/her application for employment, employment or termination thereof, more than six (6) months after the event complained of, unless a shorter period is established by law, and agree to waive any statute of limitations to the contrary to the extent permitted by law.

This provision does not prohibit the timely filing of a charge of discrimination under federal or state law with an administrative agency and the right to investigate is maintained. However, filing a charge or claim with an administrative agency, including the EEOC or internally, does not toll (hold in abeyance) the 180 calendar day period for filing of a civil suit and, if the employee wishes to obtain individual relief, employee understands that any lawsuit must be filed within 180 days of the complained of action.

MODIFICATION OF AT-WILL RELATIONSHIP OR TIME PERIOD FOR CLAIMS

Only the EAA Board of Directors has the authority to enter into an agreement contrary to At-Will Employment or the Time Limit for Claims. Such an agreement must be in writing, must specifically state that the employee's term of employment is for a fixed term and is not terminable "at-will" or that the Time Limit for Claims is altered. In addition, the agreement must be signed by the employee and the EAA Board of Directors. No other practice, procedure, written or oral policy or statement by anyone, including other management personnel, supervisors, or representatives, can alter the At-Will Employment or the Time Limit for Claims.

EMPLOYEE PROTECTIONS

The EAA Board of Directors takes seriously their responsibility of ensuring that all employees are offered the requisite protections established by law. This section of the Handbook describes these protections and outlines the process that should be employed in order to bring concerns to the attention of appropriate EAA administrative staff. If you have questions or are unsure about the process described herein, please contact the Human Resources Office at (313) 263-9800 or *via* email at eaahr@eaaofmichigan.org and a representative will assist you.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the EAA to follow and abide by all equal employment opportunity laws. The EAA is an equal opportunity employer and does not discriminate against applicants or employees on the basis of disability, religion, race, color, national origin, age, gender, height, weight, marital status, veteran status, sexual orientation, gender identity, or any other status protected by applicable law. This policy applies to all employment practices including hiring, termination, compensation, benefits, transfers, layoffs, return from layoff, or EAA sponsored training. An employee with a concern about an equal employment opportunity should feel free to initially raise the concern with his/her immediate supervisor in accordance with the District's Open Door policy, as outlined herein. To the extent that an employee believes that his/her concern has not been adequately addressed *via* the Open Door policy, he/she may file a complaint by following the Complaint Procedure as described within this Handbook.

RIGHTS OF PERSONS WITH DISABILITIES

The EAA assures that no otherwise qualified person shall, solely because of his/her disability, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity sponsored by the EAA. This applies to employees, students, parents and any other individual who may have business with the District.

This policy applies to employment, access to facilities, and access to programs. If you feel that you have been subjected to discrimination on the basis of your disability, you should report your concern by either utilizing the Open Door policy or the Complaint Procedure, as provided herein.

In accordance with Michigan law, any individual with a disability requiring a reasonable accommodation in order to perform the duties associated with his/her position, must notify the EAA in writing within 182 days after they know or should have known that an accommodation is necessary. This written request should be sent to: EAA of Michigan, Human Resources Office, 300 River Place, Suite 3600, Detroit, Michigan 48207.

FREEDOM FROM HARASSMENT AND DISCRIMINATION

Consistent with its policy of equal employment opportunity, the EAA will not tolerate any form of unlawful harassment of, or discrimination against, employees, students, or others on the basis of disability, religion, race, color, national origin, age, gender, height, weight, marital status, veteran status, sexual orientation, gender identity, or any other status protected by applicable law.

Non-employees covered under this policy include students, families of students, vendors, independent contractors, temporary employees, applicants for employment, members of the public with whom employees have contact during the course of their work, and visitors to any EAA location. All employees must avoid offensive or inappropriate behavior and are responsible for assuring that the workplace is free from harassment and discrimination at all times.

The EAA prohibits unlawful discrimination and harassment in any form, on any and all EAA premises, within an EAA authorized vehicle, or at any EAA-sponsored activity (whether on or off EAA premises). Harassment generally is defined as unwelcome conduct that has the purpose or effect of creating an intimidating hostile or offensive environment, unreasonably interfering with an individual's work performance, or adversely affecting an individual's opportunities within the workplace. Examples

of conduct that may constitute harassment, whether inadvertent, in jest or otherwise, include, but are not limited to:

- *Verbal Harassment:* Abusive language; profanity; derogatory comments; demeaning jokes or slurs.
- *Physical Harassment:* Assault, physical interference with normal work or movement; or unwelcome conduct.
- *Visual Harassment:* Displays of derogatory or demeaning posters, cards, cartoons, graffiti, gestures, drawings or suggestive pictures.
- *Sexual Harassment:* Includes, but is not limited to, offensive and/or unwelcome sexual flirtation, advances, touching, propositions, graphic verbal comments of a sexual nature, the display of sexually suggestive objects or pictures, and other similar offensive conduct as prohibited by law. Sexual harassment also includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where: (1) submission to such conduct is made a condition of employment; (2) submission to, or rejection of, such conduct is used as the basis for an employment-related decision such as promotion, performance evaluation, pay adjustments, discipline or work assignment; or (3) such conduct creates an offensive environment such that it interferes with work performance. Sexual harassment can occur even when the alleged perpetrator is not a supervisor.

Any employee who believes that he/she has been subjected to unlawful harassment should bring the matter immediately to the attention of his/her immediate supervisor pursuant to the Open Door policy, or if the complaint involves his/her immediate supervisor, or if the employee is uncomfortable in any way in bringing the matter to the attention of their supervisor, he/she should file a complaint in accordance with the Complaint Procedure immediately.

All complaints or incidents that come to the attention of the EAA will be investigated immediately and appropriate action taken. To the extent possible, the complaint and its investigation will be kept confidential. In determining whether the alleged conduct violates this policy, the EAA will look at the totality of the circumstances. A violation of this policy does not necessarily mean that there was unlawful discrimination or harassment.

Any employee who is determined, after investigation, to have engaged in unlawful harassment or discrimination in violation of this policy will be subject to discipline up to and including discharge at the sole discretion of the EAA.

Failure by a supervisor to appropriately report such complaints or suspected acts of harassment or discrimination shall be considered a violation of this policy and may result in discipline up to and including discharge at the sole discretion of the EAA.

PROTECTION FROM RETALIATION

The EAA specifically prohibits retaliation by, or on behalf of, the EAA against staff for making good faith complaints, reports, or inquiries under this policy, or for participating in a review or

investigation under this policy conducted either by a public body, court, or EAA administration. If the EAA, after appropriate investigation, finds that an employee has engaged in retaliation, he/she will be subject to disciplinary action up to and including termination.

An employee is deemed to act in good faith when making a complaint concerning a violation of suspected wrongdoing if he/she has reasonable grounds for believing the information disclosed is, in fact, a violation. While the employee is not required to prove the allegation. Where an allegation proves to be unsubstantiated and to have been made maliciously or was knowingly false, the EAA will view such action as a serious disciplinary offense, which may result in the imposition of corrective action up to and including discharge at the sole discretion of the EAA.

OPEN DOOR POLICY

The EAA strives to promote good working conditions and harmonious working relationships amongst its employees, supervisors, administrators, vendors, contractors, students and families. Thus, the EAA has an Open Door problem-solving policy. Employees are encouraged to discuss concerns or suggestions with their immediate supervisors as an initial matter. If the concern involves his/her supervisor, or if after making a good faith effort, the employee has not been able to resolve the conflict with the assistance of their supervisor, then the EAA encourages employees to utilize the Complaint Procedure.

COMPLAINT PROCEDURE

As described above, all EAA employees are encouraged to initially attempt informal resolution of their employment concerns *via* the District's Open Door policy. However, if their concerns involve an employee's supervisor, or his/her concerns are not adequately resolved with the help of an immediate supervisor, an employee may utilize the following Complaint Procedure:

- *Step 1:* Submit your complaint to: (i) the EthicsPoint through the Ethics Hotline; or (ii) to the Human Resources Office at eaahr@eaaofmichigan.org. The Ethics Hotline may be accessed online at www.eaa.ethicspoint.com or via telephone at (844) 286-6024. Once the complaint information is entered into EthicsPoint, a case manager will be assigned to investigate, determine any findings as a result of the investigation and develop any corrective actions necessary to resolve the complaint.
- *Step 2:* An employee wishing to appeal the findings of the EthicsPoint investigation may submit a signed statement of appeal to the Human Resources Office within ten (10) business days after notification of the EthicsPoint investigation findings. The Human Resources Office shall review the findings from the EthicsPoint investigation, obtain and review other evidence as the Human Resources Office deems necessary, and respond in writing to the employee within fourteen (14) business days.
- *Step 3:* If an employee wishes to appeal the findings of the Human Resources Office, the employee may submit a signed statement to the EAA's Legal Counsel within five (5) business days from the date of the Human Resources Office's response. The finding from the EthicsPoint investigation and any evidence obtained by the Human Resources Office shall be reviewed and additional investigation shall occur as the Office of the Chancellor deems necessary. The Chancellor shall respond in writing to the employee with a final determination within twenty (20) business days after the

statement of appeal is received.

BLOODBORNE PATHOGENS POLICY

Bloodborne pathogens are those microorganisms transmitted by blood that can cause disease. The Occupational Safety and Health Administration Bloodborne Pathogens Standard, 29 CFR 1910.1030 requires school districts to identify persons whose job duties expose them to blood or other potentially infectious bodily fluids. Some of you, as EAA employees, are considered at risk of potential exposure.

The EAA wants to do everything possible to protect employees from any illness that could result from this exposure; therefore, it is critical that you review Appendix A of this Handbook, which outlines more detailed information about Bloodborne Pathogens and Universal Precautions that should be taken and/or followed. Training on this topic will be provided during the course of the school year.

RIGHT-TO-KNOW LAW AND PESTICIDES

The EAA is concerned about the safety of its students, staff and community. Each EAA building has a notebook that contains information about every item the EAA utilizes within their buildings that contains chemicals to which a person may have a reaction. If you are sensitive to certain chemicals, you may wish to review this information. In addition, the EAA may occasionally need to use chemicals to help control pests in the buildings. It is our goal to use non-chemical means whenever possible. When we do need to use chemicals, we shall notify all applicable staff in advance of the application. If you are chemically sensitive and wish individual notice, please contact: [Human Resources Office at 313-263-9800 or eaahr@eaaofmichigan.org](#).

EMPLOYEE DRESS AND PERSONAL APPEARANCE

EMPLOYEE DRESS AND PERSONAL APPEARANCE

Employees assigned to offices and classrooms will dress professionally each day, and in a manner that will prevent an adverse impact on the educational process. All employees are expected to report to work well-groomed, clean and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well-groomed and wearing proper attire. Non-exempt employees will not be paid for time spent making such change and returning to work in proper attire.

Prohibited attire includes, but is not limited to, the following:

- Clothing and grooming that is disruptive of, or distracting from, the educational process
- Clothing with slogans, or language which is inappropriate or offensive
- Clothing which is suggestive or revealing, including clothing which reveals a person's cleavage, back, chest, stomach, or underwear
- Clothing which is wrinkled, torn, soiled or frayed
- T-shirts and sweatshirts
- Hooded clothing may not be worn with the hood pulled over the head
- Flip-flops and crocs
- Slippers
- Hats, caps, visors, bandanas, do-rags, hairnets and sweatbands

Employees who wear head covers that are required for medical reasons, religious purposes, or to honor cultural traditions are acceptable. Other exceptions to employees wearing the prohibited attire listed above are as follows:

- Employees performing duties in lab settings or during extracurricular activities may wear smocks or aprons
- Employees in certain areas of instruction, such as physical education, will be allowed to wear jogging suits, sweat pants and sweatshirts
- Extremes in temperature or other temporary conditions may warrant exceptions to the wearing of prohibited attire
- The EAA may authorize, in writing, exceptions to the mode of dress in specific situations based on an employee's assignment and/or responsibilities

DRUG AND ALCOHOL FREE WORKPLACE

DRUG AND ALCOHOL FREE WORKPLACE

The EAA is a drug and alcohol free workplace. More specifically, our policy is designed to protect our District and staff from legal liability, to provide acceptable role models for the students we serve, to enhance and protect the reputation of the EAA, and to model adherence to local, state and federal laws concerning controlled substances and alcohol.

For purposes of this policy, “drugs” are defined to include controlled substances as defined under federal law, including over-the-counter narcotic medicines. “Possession” includes the presence of drugs or alcohol in the possession or control of the employee while working.

The following policy and rules on alcohol or drugs are aimed toward reaching the goals of fostering employee safety, quality and productivity, which in turn, are in the best interest of the entire District:

1. Possession, use, or offering of alcohol or drugs while on the job, or at an EAA event, facility, or vehicle is prohibited. An exception is made in the case of an employee who is taking medication according to a physician’s prescription. See #3 below. Violation of this policy will constitute grounds for immediate termination.
2. An employee who reports to work, or who is observed at work using, or under the influence of alcohol or drugs, or who is incapable of safely performing his/her job will be subject to disciplinary action, which may include immediate termination.
3. An employee who, under a proper medical authority, is taking prescription drugs or other medication which may affect his/her ability to work safely, is responsible for bringing this matter to his/her supervisor’s attention before beginning work. Whether or not an employee is taking a prescription drug or other medication, an employee who reports to work, or who is observed at work incapable of safely and adequately performing his/her job, depending upon the circumstances, may not be permitted to begin or continue work while under the apparent influence.
4. If the EAA, in its sole discretion, determines that an employee may be under the influence of alcohol or drugs while on EAA premises, during work hours, at an EAA-sponsored event, or while in, or operating an EAA vehicle, the employee may be required to immediately submit to testing at a facility selected by the District.

TOBACCO AND SMOKE FREE WORKPLACE

TOBACCO AND SMOKE FREE WORKPLACE

Smoking is prohibited on all EAA premises and in all EAA vehicles. This policy applies to all members of the EAA, including but not limited to, students, employees, parents, visitors, contractors and vendors. Smoking, and the use of tobacco products, is prohibited on all EAA owned, leased, and controlled properties, including parking lots and garages, and at all EAA-sponsored activities.

For purposes of this policy, smoking is defined as the lighting, burning, or use of tobacco, or any other material in any type of smoking device or equipment. Tobacco includes, but is not limited to, smoking tobacco, chew, and dipping tobacco, cigarettes, electronic cigarettes, clove cigarettes, cigars, pipes, hookahs, blunts, cigarillos, smokeless tobacco, or any item that simulates any of the previously mentioned products.

Employees who violate this policy may be subject to disciplinary action up to and including termination.

CONFLICT OF INTEREST POLICIES

CONFLICT OF INTEREST AND BUSINESS ETHICS

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

All employees of the EAA must avoid being placed in a situation where they are taking action, making a decision, or have the ability to influence any action or decision of the EAA that involves a conflict of interest, or the reasonable perception of a conflict of interest. Likewise, staff members must avoid conflicts that impair their ability to fulfill their duties at the EAA.

EAA employees are not to use their position with the EAA for private/personal advantage or gain. This includes providing consultations and/or educational services outside of regular employment with the EAA, or the use of EAA information, materials or equipment during such activities.

For purposes of this policy, the following may constitute a conflict of interest:

- *Existence of a close personal relationship:* A relationship between an employee and a relative, financial dependent of the employee, a close friend, a *de facto* partner, or any person with whom there is currently, or has been, an intimate relationship may present a conflict of interest in employment, or dealings with vendors or contractors of the EAA, to the extent that individuals who have close personal relationships with an employee are involved and/or hired by the EAA.
- *Conflict of Commitment:* One interest of an employee, which may or may not be a private interest or non-EAA interest, may harm or interfere with the productivity or

involvement of the employee with respect to their responsibilities to the EAA. For example, an employee's involvement with a community, sporting club, church, or other voluntary activity or organization may present a conflict of commitment for purposes of this policy.

- *Conflict of Interest:* An employee using their position with the EAA for private personal advantage or gain. This includes consultations and/or educational services outside of the employee's regular employment with the EAA, or their use of EAA information, materials or equipment. This refers to reasonably perceived, potential or actual conflicts of interest. It is important to note that a conflict can arise whenever he/she is faced with two competing interests. These are often, but not exclusively, interests of public duty versus private interests. Conflicts can involve financial or nonfinancial interest of the employee, his/her business partner, associate, family member, friend, or person who is in, or has had, a close personal relationship with the employee.
- *Financial Interest:* If an employee has any claim, title, or legal share in a company or business that seeks to contract with the EAA for some purpose, the employee has a conflict of interest. Examples of financial interest include, but are not limited to, shares, share options, dividends, payment for the employee's services as an EAA employee or otherwise, salaries, consulting fees, allowances and/or discounts.
- *Consulting Work:* An employee engaging in any consulting with a third party, or rendering any such services to a third party, while employed by the EAA.
- *Solicit Employment:* An employee soliciting employment, an independent contractor agreement or any form of work with a current vendor.

The primary obligation of an employee is to disclose the potential conflict of interest in advance in writing. Failing to disclose a potential conflict of interest appropriately may be regarded as misconduct, and as such, an employee will be subject to discipline, up to and including discharge.

If an employee believes or suspects that a conflict of interest exists or potentially exists, the following steps must be taken:

- Immediately disclose the conflict to his/her immediate supervisor via the Disclosure of Conflict of Interest Form, which shall be provided by the Human Resources Office upon request.
- If an employee is in doubt as to whether a conflict exists, he/she should seek advice from his/her supervisor and the Human Resources Office. If the Human Resources Office ultimately determines that a conflict does exist then the employee must complete a Conflict of Interest Form, if he/she has not already done so.
- If the Chancellor has a conflict of interest, he/she must seek advice from the EAA's Executive Committee for a final determination in this regard.
- All determinations of the existence or non-existence of a conflict of interest will be made with the assistance of legal counsel.

Once a conflict of interest is identified and the employee has completed and submitted the Disclosure of Interest Form, his/her supervisor, with the assistance of the Human Resources Office, must devise an appropriate plan to resolve or manage the conflict of interest. A management plan

shall include and state the following:

- The nature of the employee's personal interest.
- The interest(s) of the EAA with which the employee's personal interest do or could conflict.
- The likelihood of the interests actually coming into conflict.
- The decisions or actions which the employee agrees to avoid doing and participating in.
- The decisions or actions that the employee can take or do, but only with the approval and/or consent of appropriate EAA administration.
- The plan must be signed by the employee, his/her supervisor, a representative from the Human Resources Office, and/or the EAA's Legal Counsel, Chancellor, or Chair of the Executive Committee (as applicable).
- The plan will be reviewed annually at the time of the employee's performance review, or on an as needed basis.
- The plan will be marked "Confidential" and will be placed in the employee's personnel file.

Failure to comply with this procedure may result in disciplinary action being imposed, including termination of employment at the sole discretion of the EAA.

GIFTS FROM VENDORS OR CONTRACTORS

Gifts from vendors, contractors, or other persons are prohibited. To the extent that you receive a gift from a vendor or contractor you are not permitted to accept it under any circumstances. If this occurs, you must report the incident to the Human Resources Office immediately so that any appearance of impropriety or influence can be eradicated.

OUTSIDE EMPLOYMENT

Employees are required to obtain written approval from the Chancellor or the Chancellor's designee before participating in outside work activities. Approval will be granted unless the EAA, in its sole discretion, determines that the activity conflicts with the EAA's interest. In general, outside work activities are not allowed when they:

- Prevent the employee from fully performing work for which he or she is employed by the EAA;
- Occur during the employee's regular or assigned working hours (including overtime assignments) or while the employee is on an approved leave;
- Involve a conflict of interest or conflict with the employee's duties at the EAA;
- Involve the performance of duties which the employee should perform as part of the individual's employment with the EAA;
- Involve organizations that are doing or seek to do business with the EAA, including actual or potential vendors or clients; or

- Violate provisions of law or the EAA's policies or rules.

From time to time, EAA employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to EAA must be given priority.

If, in the sole discretion of the EAA, an employee is unable to maintain the same work performance standard at the EAA as a result of working at an approved outside job, permission to work outside may be rescinded, or the employee may be disciplined, up to and including termination.

EMPLOYEE CONDUCT AND RESPONSIBILITIES

Although not exhaustive, this section of the Handbook is offered as a means of developing and supporting a positive work environment within all EAA facilities, as well as a safe and structured environment for students. As school district employees, our conduct sets the expectations and serves as an example for the students we serve. Thus, it is expected that employees will, at all times, adhere to, and subsequently exhibit, the highest standards of professional and personal conduct.

EMPLOYEE CONDUCT

The types of misconduct enumerated in this Handbook are meant to provide a general guide to employees of the type of conduct/behavior that will not be tolerated at the EAA. Thus, the EAA retains the right and discretion to evaluate employee conduct on a case-by-case basis, and make a determination as to what behavior may be deemed disruptive or damaging to the District and/or our students. Engaging in misconduct such as that identified herein, or engaging in other behavior that the EAA, in its sole discretion, deems as unacceptable will result in disciplinary action being imposed up to, and including, discharge. Nothing in this policy alters the at-will employment relationship. The following serves as a non-exhaustive list of unacceptable conduct for EAA employees:

- Falsifying any record related to the EAA, including all student, staff, financial, business or personnel records.
- Intentionally or neglectfully, damaging, misusing or defacing EAA equipment or property.
- Revealing confidential information about any student or employee to a person who is not an employee of the EAA or agent of the District, who is not entitled to know said information, or to a person who does not have a legitimate educational or work-related interest in knowing that information.
- Threatening the use of, or using corporal punishment as a penalty or punishment for student behavior.
- Participating in, or engaging in unsafe acts that endanger, or can reasonably be expected to endanger the person or property of a student, employee, or others.
- Allowing or participating in the unauthorized use of, or entry into, the EAA's computer system or any of its facilities.
- Transporting students without proper authorization.
- Failing to make reports of an on-the-job injury, or making false claims of an injury.
- Misrepresenting or omitting material facts upon application for employment, or during any District investigation of any incident or condition relevant to your employment, the employment of other staff, or to the rendering of educational services at the EAA.

- Using profane, abusive or vulgar language towards a manager, supervisor, coworker, student, parent, vendor or guest.
- Making defamatory statements to, or about students, parents, other District personnel, or any other person connected with the EAA.
- Participating in or instigating harassment or intimidation of any persons connected with the EAA on the basis of their disability, religion, race, color, national origin, age, gender, height, weight, marital status, veteran status, sexual orientation, gender identity, or any other status protected by applicable law.
- Stealing, misappropriating or removing any EAA property without authorization.
- Participating in, or encouraging any form of gambling.
- Carrying firearms or weapons of any kind on the premises of any EAA facility, to EAA-sponsored activities, or in any EAA authorized vehicles.
- Manufacturing, using, possessing, distributing, or working while having a detectable amount of illegal drugs or alcohol, or the improper and/or unlawful use of prescription drugs.
- Unlawfully discriminating against any person connected with the EAA including employees, students, applicants for employment, parents, contractors and volunteers.
- Participating in unprofessional, criminal, or immoral conduct involving moral turpitude on or off the job, which demonstrates an unfitness to teach or work in a school setting, or which poses a danger, or threat of danger to students, EAA employees or the overall school community.
- Gross neglect of duty. Examples of gross neglect of duty include, but are not limited to: (i) failure to prepare lesson plans; (ii) failure to provide reasonable classroom safety; (iii) sleeping while on duty; (iv) intoxication; and (v) unannounced absence.
- Failure to give proper notice of absence, or absence without obtaining requisite approval.
- Habitual tardiness or excessive absenteeism in violation of the Punctuality and Attendance Policy.
- Insubordination, or other serious incidents involving improper conduct toward a supervisor or other EAA administrative staff.
- Conviction of criminal offenses, which includes but is not limited to, listed offenses as defined in the Michigan Revised School Code, e.g., any felony; criminal sexual conduct in the 4th degree, or an attempt to commit sexual conduct in the 4th degree; child abuse in the 3rd or 4th degree, or an attempt to commit child abuse in the 3rd or 4th degree; a misdemeanor involving cruelty, torture, or indecent exposure involving a child; a misdemeanor violation of Section 7410 of the Public Health Code; a violation of Section 115, 141a, 335a, or 359 of the Michigan Penal Code, or a misdemeanor violation of Section 81, 81a, or 145d of the Michigan Penal Code; a misdemeanor violation of Section 701 of the Michigan Liquor Control Code of 1998; any misdemeanor that is a listed offense; a violation of any substantially similar law of another state, or a political subdivision of this state or another state.
- Failure to report, in writing, conviction of a listed offense, an arrest, arraignment, plea of guilty or nolo contendere (no contest) to any crime, to the Human Resources Office and/or the Michigan Department of Education, as applicable, within forty-eight (48) hours of the occurrence.
- Becoming involved in a conflict of interest situation, or failure to properly report a possible conflict of interest.
- Departure from acceptable attire or grooming. Acceptable attire or grooming may vary

according to working conditions, job duties and contact with students, families, or the public.

- Engaging in actual or attempted physical violence at any time while on EAA property, during work hours, or at EAA-sponsored events.
- Engaging in any behavior that suggests or indicates the potential for violence, e.g., throwing objects, shaking fists, intentional destruction of property.
- Engaging in any threatening behavior directed toward another individual or causing or urging others to engage in such behavior.
- Engaging in a course of conduct which would cause another individual to feel terrorized, frightened, intimidated or harassed.
- Hindering or interfering with any authorized investigation by the EAA or any other lawful agency.
- Making a false claim of on-the-job injury, or complaint of harassment or discrimination, or providing false information during the course of any EAA investigation, or investigation of a third party on behalf of the EAA.
- Violation of safety rules and policies.
- Performing work of a personal nature during work hours.
- Violation of the Solicitation and Distribution Policy.
- Violation of the Equal Employment Opportunity, Anti-Harassment and Discrimination Policies.
- Violation of the Communication and Computer System Policy. (A copy of this policy will be provided to employees at the time of hire.)
- Unsatisfactory job performance.
- Loitering or sleeping on the job.
- Engaging in inappropriate communication (oral, written, internet) with students. This includes, but is not limited to, Facebook, Twitter, e-mail, Instagram, or any other social media network.
- Violation of the Drug and Alcohol Policy.
- Accepting compensation from a party other than the EAA in fulfilling normal EAA work duties.
- Personal conduct that damages the image and reputation of the EAA.
- Any other violation of EAA policies and/or procedures.

Nothing in this policy prohibits employees from lawfully engaging in protected concerted activity.

WEAPON FREE AND WORKPLACE VIOLENCE POLICY

The EAA is concerned with and interested in protecting the health, safety, and welfare of students, employees and visitors. The EAA recognizes that school buildings, facilities, parking lots, vehicles, grounds and other school property are best utilized during the educational process, in the absence of threats to physical wellbeing and safety. Thus, threats, threatening language, or any other acts of aggression or violence will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment, or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking, or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.

In addition, the possession or concealment of any kind of weapon or dangerous instrument,

device, materials, knife, gun, metal knuckles, tools, mace, look-alike weapons, objects used as weapons *etc.*, or any other item deemed to be a weapon is strictly prohibited. This prohibition applies to persons regardless of whether he/she has a concealed weapons permit, except that the Chancellor or the Chancellor's designee may authorize a person with a concealed weapons permit who performs a security function to carry a weapon onto EAA property.

Employees shall report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors via the Open Door Policy or Complaint Procedure, as described herein. Employees may also use the OK2SAY system to confidentially report potential harm or criminal activities aimed at students, teachers, staff or other school employees. The program will operate as an early warning system in EAA schools which will hopefully thwart tragedies before they occur. To use the OK2SAY system, call 1-8-555-OK2SAY or text 652729.

PERSONAL TELEPHONE CALLS AND USE OF CELL PHONE

Disruptions during working hours can lead to errors and delays. Therefore, it is requested that all employees keep their personal cell phone usage to a minimum, and to only make and/or receive calls and texts before or after working hours.

CORPORAL PUNISHMENT

Michigan law strictly prohibits the use of corporal punishment on a student, which is defined as the "deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline." All discipline issues that you cannot handle should be referred to the supervisor of the activity, principal or assistant principal. An employee who uses corporal punishment on a student will be subject to appropriate disciplinary action, up to and including discharge.

Consistent with Michigan law, a school employee may use reasonable force upon a student as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. Reasonable physical force may only be used to:

- Restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school functions within a school or at a school-related activity, only if that student has refused to comply with a request to refrain from further disruptive acts.
- Prevent a student from inflicting harm on himself or herself.
- Prevent physical harm to yourself or another student.
- Quell a disturbance that threatens physical injury to any person.
- Obtain possession of a weapon or other dangerous object.
- Protect property.

The above are the only circumstances under which physical force may be used. If physical force is necessary, staff members **MUST** report this immediately to their building principal and/or immediate supervisor. A written follow-up report will then be required. Using physical force (including hitting or restraining a student) in other situations may result in legal or disciplinary action being taken, up to and including discharge.

ACCEPTABLE USE AND TECHNOLOGY POLICY

A major goal of the EAA is to prepare students for life in the 21st century and to ensure a technologically literate staff and student population that can compete in the global economy. To that end, the EAA provides access to information resources in a variety of electronic formats and for the development of information management skills, including the skill of discerning the validity and use of such information. The EAA, however, expects all employees and students to conform to ethical and legal standards in the use of technology, which includes but is not limited to, e-mail and social media, and to demonstrate knowledge and responsibility in the use of resources, processes and systems of technology. The following guidelines are provided so that you are aware of your responsibilities and the EAA's expectations in this regard:

- Do not use offensive or inappropriate language, or language that would promote violence or hatred, and do not respond to such.
- Do not friend or communicate with students via social media sites, which includes but is not limited to, Facebook, Twitter, Instagram, or any other social media site.
- Do not post or blog on a webpage, or participate on a social network site during work hours, or at any time with EAA equipment or property.
- If you post something on your own blog, web page, social media site, or on someone else's, if you mention the EAA and also express either a political opinion or an opinion regarding the EAA's actions, the post must include a disclaimer *i.e.*, a statement indicating that the opinion you are expressing is your personal opinion and not the EAA's position.
- Do not post via a blog, webpage, or social media site any material that is discriminatory, obscene, defamatory, libelous, threatening, harassing or intimidating;
- Do not reveal your (or others') personal address, phone number or credit card information.
- Do not use the EAA network in a way as to disrupt use of the network by others or abuse access time.
- Do not harass anyone by sending uninvited communication.
- Do not send electronic information from accounts that do not belong to you without the owner's authorization.
- Do not access unauthorized or inappropriate areas on the network.
- Do not make unauthorized copies of software or information.
- Do not violate any copyright, trademark, trade secrets, or licensing agreement.
- Do not obtain unauthorized access into files or programs, whether to use, read, change, or for any other purpose.
- Do not engage in the unauthorized transformation, deletion, or duplication of files or programs.
- Do not engage in the unauthorized use of another individual's identification or password.
- Do not transmit any material in violation of any state or federal law.
- Do not use the network for commercial or for-profit purposes.
- Do not damage computer, computer systems, or computer networks.
- Do not access obscene, pornographic and/or sexually explicit material on the network.
- Do not invade the privacy of other network users.
- Do not use the network to post any materials on social media sites that violate any EAA policy or procedure.

The use of the EAA's network is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. Based upon the acceptable use guidelines outlined herein, the EAA will deem what is inappropriate usage, in its sole discretion. It is also important to note that employees have no reasonable expectation of privacy with respect to the use of the EAA network, or any technology devices that may be issued to employees. The network, including an employee's use of said network with EAA issued devices or personal devices, will be subject to monitoring to the extent permitted by applicable law.

The EAA encourages all employees to remember the speed and manner in which information is posted on a blog, webpage, and/or social media site. Employees must use their best judgment when using technology. If you have any questions as to what is acceptable, and permissible in terms of use of the EAA network, its technology, or the posting of materials on the Internet, please consult with the Human Resources Office for further information. Failure to follow the guidelines outlined herein may result in discipline being imposed, up to and including discharge at the sole discretion of the EAA.

PERSONAL AND EAA-PROVIDED PORTABLE COMMUNICATION DEVICES

The EAA may provide portable communication devices, which include but are not limited to, cell phones and iPads to employees. These devices should be used primarily for business purposes and must be password protected. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring and wiping, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary and the right to wipe the device remotely, should it be lost or stolen.

All conversations, text messages and e-mails should be professional. When sending a text message or using a portable device for business purposes, whether it is an EAA provided or personal device, employees must comply with applicable EAA policies and guidelines, which includes but is not limited to the acceptable use and technology policy, anti-harassment and discrimination policy, equipment use, and operation of vehicles policy.

If an employee who uses a personal communications device for business resigns or is terminated, the employee will be required to submit the device to the EAA's IT department for resetting, on or before his or her last day of work. At that time, the IT department will reset and remove all EAA related information, such as contacts or emails. The removal of EAA information is crucial to maintaining and complying with the EAA's confidential and proprietary information policies and objectives. Employees must also report any loss or theft of an EAA device to the EAA IT department immediately upon discovery of such loss or theft.

Employees must abide by all state and local laws that prohibit or limit the use of cell phones, or portable communication devices while driving or when performing work on behalf of the EAA. The term "use" for purposes of this policy includes, but is not limited to, talking or listening to another person, sending an e-mail or text message.

The EAA expressly prohibits texting and e-mailing while driving. Phone calls can be made and/or received while driving, if permitted by law, provided the employee utilizes a hands-free device to do so.

CAMERA PHONES/RECORDING DEVICES

As a result of the potential issues that may arise with respect to invasion of privacy, claims of sexual harassment and loss of productivity, employees are asked to refrain from making video or voice recordings of other EAA employees, students, or volunteers while on EAA property, or while performing work for the EAA, unless under the direction of the EAA Office of Communications.

All EAA Employees, by virtue of accepting employment with the EAA, agrees to be photographed and/or recorded while performing work for the EAA.

SOLICITATION AND DISTRIBUTION

No employee will be allowed to engage in solicitation, including solicitations for subscriptions, religious or political causes, outside organizations, businesses, memberships or other solicitations during working time or with another employee during that employee's working time.

For the purpose of this policy, working time is that period during the workday when the employee is supposed to be working or otherwise attending to the duties of the job. Working time does not include break or lunch periods or periods before or after work.

In addition to this no-solicitation policy, the EAA has a no distribution policy. There will be no distribution of literature, pamphlets or printed material of any kind on EAA property by persons who are not employees of the EAA. There will be no distribution of literature, pamphlets or printed or graphic materials of any description by employees in work areas at any time or while employees are working.

PUBLICITY/STATEMENTS TO THE MEDIA

All media inquiries regarding the position of the EAA as to any issue(s) must be referred to EAA's Executive Director of Communications at 313-263-9800 or renghish@eaaofmichigan.org. Only the EAA's Communication Department is authorized to make, or approve public statements on behalf of the EAA. Thus, employees, unless specifically designated by the Communications Department and/or the Chancellor or the Chancellor's designee, in writing, are not authorized to make any statements or comments to the media on behalf of the EAA. Any employee wishing to write, publish an article, and/or distribute videos or other materials that are in any way related to the EAA, is asked to first make the Chancellor aware before publication/distribution.

GUIDELINES AND PROCEDURE FOR TRAVEL

General Guidelines

- Only travel expenses strictly limited to legitimate business expenses will be reimbursed. The EAA will not incur nor reimburse any expense that conveys to any employee a significant personal benefit unrelated to the EAA's interests. Expenses deemed unnecessary and/or excessive may not be reimbursed.
- Pre-travel authorization is required in all cases. A travel proposal form must be completed, submitted, and approved by the Chancellor, the Chancellor's designee or EAA's Legal Counsel. This should be done with a reasonable amount of notice. The requisite form can be obtained from the Finance Department.

- Upon return, a travel expense reimbursement form (also available from the Finance Department) must be completed within two (2) weeks, or such costs are no longer eligible for reimbursement.
- Employees should use common sense and look for the most cost-effective options when booking travel. Employees are encouraged to use aggregate travel sites such as Kayak, Expedia, and Travelocity to find the best prices.
- When booking airline tickets, hotel rooms, and car rental, employees should make reservations as far ahead of time as possible to obtain advance purchase discounts.

Airline Travel

- Employees must purchase the lowest coach fare available. Upgrades to First or Business class will not be eligible for reimbursement.
- Airline club membership is not an allowable business expense.
- Employees are allowed to keep frequent flyer miles for their own use. However, if an employee decides to use frequent flyer miles for a business trip, the EAA will not reimburse the employee for the value of the ticket.
- When parking at the airport for short-term parking, employees should park in daily, not hourly lots; for longer trips, employees should park in long-term parking. Employees should consider the use of taxi or car service to and from airports when the cost of the taxi or car is less than the cost of parking.

Ground Transportation – Rental Car

- Rental cars should only be used when other modes of transportation (taxi, train, car service etc.) are not practical or economical.
- The approved car class is intermediate (or mid-size) unless the vehicle is being used for a group of four or more employees, in which case a full-size vehicle is allowed.
- Employees renting vehicles on EAA business are required to follow all local driving regulations, including the use of hands-free devices while using mobile phones. Any citations are the responsibility of the driver.
- If employees are not covered while renting cars under their own personal auto insurance or by their credit card, they should accept the optional insurance coverage offered by rental car companies.
- To avoid additional charges, cars should be returned with a full tank of gas. The EAA reserves the right not to reimburse employees for pre-paid fuel service options, or for refueling by the rental agency.
- Employees have a responsibility to inspect the vehicle and document any damage before it is driven off the lot and when returned. Note any damage to the vehicle before signing the contract.
- Employees have a number of online tools available for obtaining driving directions when they travel. Accordingly, charges incurred for portable or in-car navigation systems are not eligible for reimbursement.

Ground Transportation – Personal Car

- Employees should use their personal vehicle for business travel when it is less expensive than alternative means of transportation. Employees who regularly use their car and drive to schools in the district as a function of their role and on a regular basis

may be eligible to be reimbursed at a rate equivalent to the federal government approved rate per mile. Business mileage is the travel an employee incurs beyond normal commute mileage (from home to the office and home again) on a normal workday. Employees may request reimbursement for any business mileage incurred. It is the employee's responsibility to carry, at their own expense, adequate insurance for the protection of the vehicle, driver, and passengers. Employees will be reimbursed at a rate equivalent to the federal government approved rate per mile. The per-mile rate covers the cost of wear and tear, as well as other operating costs. Expenses such as car washes, gasoline, oil, and other maintenance are not reimbursable. Employees are responsible for the cost of repairs to their personal vehicle in the event of an accident as well as the cost of moving violations, parking tickets, traffic violations, etc.

- Regular commuting to and from schools is not reimbursable.

Ground Transportation – Train/Bus/Taxi/Subway

- All reasonable transportation fares in conducting EAA business will be reimbursed. You must retain original receipts for reimbursement. When taking a taxi, please ask for a receipt from the taxi driver.

Lodging

- Employees should stay in clean, safe, and comfortable accommodations. Only standard rooms should be booked. The EAA will reimburse up to the federal government per diem rate for hotels. The rate varies by location and season and should be consulted prior to travel. If no accommodations are available at the per diem rate, consult the Finance Department to determine the best course of action.

Meals and Incidentals

- The EAA will reimburse up to the federal government per diem rate for meals and incidental expenses. The rate varies by location and should be consulted prior to travel. On the first and last day of travel, employees are eligible for 75% of the per diem – pursuant to federal government rules. Receipts are required to receive reimbursement.
- Alcohol is not a reimbursable expense under any circumstances.

CHILD ABUSE OR NEGLECT

CHILD ABUSE OR NEGLECT

District employees are reminded of their obligation, by law and District policy, to report suspected child abuse or neglect. Pursuant to the Michigan Child Protection Law, MCL 722.623, a school administrator, counselor, social worker, psychologist, or teacher who has reasonable cause to suspect child abuse or neglect must immediately, by telephone (855-444-3911) or otherwise, make an oral report of suspected child abuse or neglect to Child Protective Services at the Department of Human Services. Within 72 hours after making the oral report, the reporting person shall file a written report to the Department. Requisite forms can be obtained via EAA's Legal Counsel. Any person acting in good faith in making such a report, cooperating in an investigation, or assisting in any other requirements of the law, is immune from civil or criminal liability.

While the Child Protection Law reporting requirements apply only to school administrators, counselors, social workers, psychologists and teachers, it is the EAA's expectation that any employee, regardless of position, who has reasonable cause to suspect child abuse or neglect will immediately report that suspicion to his or her immediate supervisor.

PERFORMANCE EVALUATIONS

All EAA staff generally receive an annual review or other feedback of their performance following completion of the probationary period. Teachers and administrators shall be evaluated in accordance with the mandates of all applicable laws, and if appropriate, the Pay for Excellent Performance Program.

To the extent that issues are noted with an employee's performance, at the time of their annual performance evaluation, or at any time during the course of their employment, an employee may be placed on a written Performance Improvement Plan ("PIP") by his/her immediate supervisor in an effort to correct any noted deficiencies, and to the extent applicable, provide the employee with training and support, such that he/she has every opportunity to improve and continue his/her employment with the EAA. A PIP may vary in length, *i.e.*, 30, 60, or 90 days, within the discretion of the supervisor. Upon expiration of a PIP, the employee's performance will be evaluated, and a determination will be made as to whether the PIP will be extended or terminated. Nothing in this policy alters the at-will employment relationship.

WORKING CONDITIONS

HEALTH AND SAFETY

Ensuring the health and safety of employees, students, and the public while on District property is a top priority. The EAA seeks to comply with all health and safety laws applicable to school districts. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, which includes recognizing and reporting dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to your immediate supervisor or the EAA's Chief Administrative Officer immediately, even if the problem appears to be corrected.

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

In addition, any workplace injury, accident, or illness must be reported to your immediate supervisor as soon as possible, regardless of the severity of the injury or accident.

OPERATION OF VEHICLES

All employees authorized to drive EAA-owned or leased vehicles, or when driving their own personal vehicles while conducting business on behalf of the EAA, must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to the Human Resources Office immediately. It is the responsibility of every employee to

drive safely and obey all traffic, vehicle safety, and parking laws or regulations.

PERSONAL PROPERTY

The EAA reserves the right to require employees, while on EAA property, to be subject to the inspection of their person, personal possessions and property, their work areas, or personal vehicles parked on EAA property. This includes lockers, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment. E-mail communications may also be inspected and/or monitored to the maximum extent permitted by applicable law. Employees are expected to cooperate when inspections and/or searches are requested.

It is important to note that lockers, desks, file cabinets, computer files and records, telephones and voice mail records are the property of the District. Employees should also be aware that a Freedom of Information Act (“FOIA”) request can include computer files and records, telephone records, copies of e-mail on our system and voice mail records. Therefore, employees are reminded that they have no reasonable expectation of privacy with respect to the aforementioned property. Employees will be expected to fully cooperate and provide any and all information that may be requested via a FOIA request and/or any other request from a formal tribunal or agency.

EMPLOYMENT

NEPOTISM

Employment of persons who are related to other employees of the EAA is permitted, except that no one will be hired, promoted, transferred, or moved into a position in which he/she is supervised by, or supervises, directly or indirectly, another person to whom he/she is immediately related by blood or marriage. For purposes of this Handbook, the term “immediately related” shall be defined to include: a spouse, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law. Both employees who are immediately related to one another are required to disclose their relationship and subsequently sign a Conflict of Interest Disclosure Form. This form can be obtained from the Human Resources Office. Failure to make this disclosure as described above, may result in disciplinary action being imposed, up to and including discharge

PROBATIONARY PERIOD

The first ninety (90) days of your employment with the EAA is a probationary period, to the extent that this is not contradicted by a governing employment agreement. The probationary period is an opportunity for the EAA to evaluate and/or review your performance. The completion of the probationary period does not guarantee employment for any specified period of time thereafter since your employment relationship is at-will. A performance review will generally be conducted by your immediate supervisor at the conclusion of the probationary period.

JOB POSTINGS

The EAA is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. Generally, if an employee finds a position of interest on the job posting website and meets the job requirements outlined therein, he/she must adhere to all the application procedures outlined on the website. The EAA reserves the right to

seek applicants solely from outside sources or to post positions internally and externally simultaneously.

REFERENCES

The Human Resources Office will respond to all reference requests. The EAA will provide general information concerning an employee such as date of hire, date of termination, and positions held. Additional information will not be provided unless the EAA is required by law or court order. Requests for reference information must be in writing, and responses shall be in writing. Please refer all requests for references to the Human Resources Office.

ATTENDANCE AND COMPENSATION

WORKING HOURS AND SCHEDULE

The EAA operates during various hours and days. You will be assigned a work schedule and you will be expected to promptly begin and end work according to that schedule. To accommodate the needs of the EAA and/or the students and families it serves, employee schedules are subject to change.

PUNCTUALITY AND ATTENDANCE

Excessive absences and tardiness will not be tolerated and may result in disciplinary action being imposed, up to and including discharge. It is important that when you find it necessary to be absent, you contact your immediate supervisor as soon as possible before you are expected to arrive at work, but no later than one (1) hour before your normal scheduled starting time. Employees should not rely on messages left by co-workers, family or friends. Only if you are physically unable to contact your Supervisor, should you direct another person to make the necessary contact on your behalf. Failing to report to work without any notification to your supervisor for a period of three (3) or more consecutive workdays shall constitute voluntary termination of your employment.

EMERGENCY SCHOOL CLOSINGS

Occasionally, it becomes necessary to close the District, or portions of the District, because of inclement weather or other unforeseen conditions. Information about closings that occur prior to the start of the school day will be given over Detroit area radio stations and television channels. Staff who are not specifically exempted from reporting when classes are cancelled (e.g., central office staff) are expected to report as usual, unless otherwise notified. Central office staff who are expected to report to work, but who are unable to do so because of inclement weather, must immediately notify their supervisor. If this occurs, and the central office does not officially close, employees will be required to take vacation day(s) or personal leave day(s) for the period of time they are unable to report.

Non-Exempt Staff

All staff paid on an hourly basis are considered non-exempt. Every effort will be made to designate staff as non-exempt in their employment contract and/or offer of employment. Non-exempt staff must submit a weekly time sheet and, subject to the policy set forth below, shall receive overtime for any hours worked over 40 hours in a workweek (as defined below). Pursuant to applicable law, all non-exempt (hourly) staff will be paid only for the hours worked and reported [on an appropriate time-

sheet/time reporting system]. If the District makes the decision to close school or the Central Office, non-exempt staff may use their paid time off (vacation or personal time) to supplement their pay for the absences. Subject to prior written authorization from your supervisor, non-exempt staff members may adjust their work schedule to supplement work time lost due to office closure, provided it occurs within the same work week.

Subject to prior written authorization from your supervisor, non-exempt employees may complete certain work remotely. Hours worked remotely must be reported on your weekly time sheet.

Exempt Staff

If the District closes school or the Central Office due to inclement weather, all exempt employees will receive the same pay despite the closure; however exempt employees are expected to work remotely. This may include joining conference calls, responding to e-mail communication, or conducting other business on behalf of the District.

Open During Inclement Weather

If the District and Central Office stay open despite inclement weather and an employee chooses not to work, that is a personal decision and the employee can elect to use, with their supervisors' approval, vacation or personal time or the employees pay may be docked for that working day.

If the District and Central Office stay open despite inclement weather and schools are closed, school based Central Office staff (e.g., SPED team, Social Workers, etc.) are expected to report to Central Office and work from an open cubicle, office or conference room or with their supervisors' approval, utilize paid time off.

If the employee was scheduled for time off on the day of the closing/delay/early closure, the employee must still take that day off from their own leave time. For example, if an employee is on an approved Family And Medical Leave, the day will still be counted toward their time off, as well for an employee who is on a weeklong vacation.

Sick time cannot be used to supplement pay for personal time voluntarily taken during inclement weather. When approved by your manager to use your vacation or personal time off, be sure to request time off or e-mail the Human Resources Office at eaahr@eaafmichigan.org.

This policy applies to all District employees, management, contractors, student interns, and volunteers and is intended to ensure that the District has proper coverage and support to continue operations during inclement weather.

TIMEKEEPING PROCEDURES

Employees must record their actual time worked for payroll and benefit purposes in accordance with processes and procedures outlined by the Human Resources Office. These specific processes may vary in accordance with applicable grant requirements and/or state and federal laws, but will be clearly explained to each employee upon initial hire. Any forms that require completion to this end will also be provided by the Human Resources Office.

Altering, falsifying, or tampering with time records is prohibited and subjects the employee to

discipline, up to and including discharge.

It is your responsibility to sign your time record and certify the accuracy of all time recorded. Any errors in your time record should be immediately reported to your supervisor and/or the Human Resources Office, who will work to correct any legitimate errors.

YOUR PAYCHECK

All EAA employees are paid on the 15th and last day of every month. Your pay stub itemized deductions will be made from your gross earnings. By law, the EAA is required to make deductions for all employees for Social Security, federal and state income tax, and other appropriate taxes and withholdings. Direct deposit is available. You may obtain all requisite paperwork to effectuate automatic deposit of your check from the Human Resources Office.

The EAA will pay time-and-a-half to nonexempt employees who exceed 40 hours of work time in a workweek. Paid leave, such as holiday, sick or vacation pay, does not apply toward work time. The workweek begins at 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night. Although employees are normally scheduled for a 40 hour work week, overtime payments do not commence until the employee exceeds 40 hours in a work week.

Overtime Approval

Employees who anticipate the need for overtime to complete the week's work must notify their supervisor in advance and obtain written approval prior to working hours that extend beyond their normal schedule. Supervisors are required to obtain written approval from the Chief Administrative Officer prior to the use of overtime. Overtime payments do not commence until the employee exceeds 40 hours in a workweek, and written approval is required for hours that exceed 40 hours in a workweek.

During busy periods, the employer may require employees to work extended hours.

Supervisors who authorize staff members to work overtime without prior approval from the Chief Administrative Officer may be subject to disciplinary action. Supervisors who continually rely on the use of overtime hours to complete a week's work without it being deemed as extenuating circumstances by management will be subject to disciplinary action.

Employees who fail to obtain written approval prior to working hours that extend beyond their normal 40 hour workweek will be subject to disciplinary action. Overtime offenses may result in termination.

If during the course of your employment you believe that an error has been made with respect to your pay, you are encouraged to bring this to the attention of the Human Resources Office as soon as that error is detected. The EAA will act immediately to resolve any substantiated errors.

EXEMPT EMPLOYEES/SALARY BASIS COMPLAINT PROCEDURE

Exempt employees that are required to be paid on a "salary basis" may file a complaint as set forth below if they believe that their salary was not properly paid. A salary basis is regularly receiving a predetermined weekly amount (payable weekly, bi-weekly, monthly or as otherwise allowed by law) that is not subject to reduction because of variations in the quality or quantity of the work performed.

Subject to the exceptions outlined below, the EAA will pay exempt employees that must be paid on a salaried basis the full salary for any week in which the employee performs any work without regard to the number of days or hours worked. Exempt employees will not be paid for any workweek in which they perform no work.

The exceptions are as follows:

- Absence from work for one or more full days for personal reasons, other than sickness or disability. If an exempt employee is absent for one-and-a-half days for personal reasons, the EAA can deduct only for the one full day absence; it cannot reduce salary for partial day absences. If, however, the employee has unused Paid Time Off (“PTO”) available in accordance with the EAA’s PTO policy, the EAA can charge the employee’s available PTO for partial day and full day absences, and the employee may use PTO, if available, for full day absences.
- Absences of one or more full days occasioned by sickness or disability (including work-related accidents) if the deduction is made in accordance with another policy provided by the EAA. The EAA will not pay any portion of the employee’s salary for full day absences for which the employee receives compensation under another plan, policy or practice. Deductions for such full day absences also may be made before the employee has qualified under any plan, policy or practice, and after the employee has exhausted the leave allowance thereunder.
- The EAA can offset any amounts received by an employee as jury fees, witness fees or military pay for a particular week against the salary due for that particular week without loss of the exemption.
- Fines for infractions of safety rules of major significance.
- Unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for infractions of workplace conduct rules in accordance with EAA policies.
- The EAA may pay a proportionate part of an employee’s full salary for the time actually worked in the first and last week of employment. In such weeks, the payment of an hourly or daily equivalent of the employee’s full salary for the time actually worked will meet the requirement.
- The EAA is not required to pay the full salary for weeks in which an exempt employee takes FMLA leave.

If an employee believes that the EAA has violated this Policy in any way, the employee may file a written complaint. If it is determined that improper deductions have been made, the EAA will reimburse employee for any improper deductions.

ACCESS TO PERSONNEL RECORDS

The maintenance and disclosure of employee personnel files is governed by state law. The Bullard-Plawecki Employee Right to Know Act defines what constitutes a personnel record, limits its use, provides for employee review and restricts its disclosure to third parties.

Current and former employees have a right to examine their personnel files, or to obtain a copy of their files upon written request to the Human Resources Office. It should be noted that frequency of requests must be within reason. If an employee wants to examine his/her file, he/she may do so during normal office hours provided it does not interfere with his/her assigned duties, or arrangements may be made for an examination before or after working hours. Such examination will occur in the Human Resources Office, and the EAA may require up to two days' notice in order to allocate the time of a Human Resources representative to witness such an examination, or to provide a copy of the file to the employee.

All personnel records are maintained in a confidential manner. Thus, requests for disclosure of personnel records will be handled in accordance with the Bullard-Plawecki Act, and other applicable laws, including but not limited to, the Michigan Freedom of Information Act and Revised School Code. You will be notified of such a request.

Employees are expected to keep their personnel records current and notify the EAA of any change in name, address or telephone number. These changes should be made via the completion of a Change of Address Form available from the Human Resources Office. The form may be submitted in person, *via* email at eaahr@eaafmichigan.org or *via* fax at (313) 263-9817.

EMPLOYEE BENEFITS

BENEFITS OVERVIEW

In addition to good working conditions and competitive pay, the EAA provides a wide range of supplemental benefits to all eligible employees. These benefits include, but are not limited to, vacation and sick leave, personal leave days, paid holidays, health and life insurance, and the option of participating in a 401k program. We are constantly studying and evaluating our benefits programs and policies to better meet your present and future requirements.

The next few pages contain a brief outline of the benefits programs the EAA provides. The information presented here is intended to serve only as guidelines. Specific descriptions of insurance and other plan benefits offered are outlined in official plan documents, which are available for review upon your request at the Human Resources Office. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this Handbook.

Further, the EAA (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While the EAA intends to maintain these employee benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason.

If you have any questions regarding your benefits, please contact the Human Resources Office.

HOLIDAYS

Regular, full-time employees will be paid for the following holidays:

New Year's Day
Martin Luther King, Jr. Day
President's Day
Good Friday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

To be eligible for holiday pay, employees must work the day before and day after the holiday, unless the employee is on an approved day off, scheduled in advance in accordance with the EAA's policy.

VACATION

All regular, full-time 12-month employees shall accrue twelve (12) days of vacation leave (1 day per month) which will be credited every July 1, to be utilized during the District's fiscal year, *i.e.*, from July 1 to June 30. Unless the employee agrees in writing to allow the EEA to deduct advanced vacation leave amounts from his/her subsequent paycheck(s) or final paycheck, as determined by the EAA's discretion, an employee can only use vacation leave that has already accrued.

Any regular, full-time 12-month employee who was employed with the District prior to the beginning of the 2014-2015 school year, and accrued what was previously classified as Paid Time Off ("PTO") leave, will be entitled to retain said leave, however as of September 1, 2014, those PTO days were converted to sick leave days for their continued use.

Vacation time must be requested in advance, and an employee must receive approval from his/her immediate supervisor before taking vacation leave. A vacation request must be made to a supervisor in writing, and approval from the Attendance Tracking system must be received at least three (3) days before the absence. Any unused vacation days in excess of 25 days may be used in the 2016-2017 school year or such days will be lost because an employee will not be paid for any unused vacation days in excess of 25 days. Upon separation of employment, 12-month employees hired before July 1, 2016 will be paid for up to twenty-five (25) unused vacation days.

Vacation time accrued in the 2016-2017 school year, and any year thereafter, that is not used will not be paid out upon termination for any reason for any employee irrespective of hire date. Accrued, but unused, vacation time does not carry over into the next fiscal year.

Employees who work less than 12-months, *i.e.*, teachers and other specified staff, do not earn vacation days.

PERSONAL LEAVE DAYS

All regular, full-time employees shall receive two (2) personal leave days per fiscal year. A leave request must be made to your supervisor in writing, and you must receive written approval

from your supervisor and the Attendance Tracking system at least three (3) days before taking the leave day. Personal leave days accrued in the 2016-2017 school year and any year thereafter that are not used will not be paid out upon termination for any employee irrespective of their hire date. Unused personal leave days do not carry over into the next fiscal year.

SICK LEAVE

All regular, full-time 12-month employees shall accrue ten (10) days of sick leave (.83 day per month) which will be credited every July 1, to be utilized during the District's fiscal year, *i.e.*, from July 1 to June 30. Unless the employee agrees in writing to allow the EEA to deduct advanced sick leave amounts from his/her subsequent paycheck(s) or final paycheck, as determined by the EEA's discretion, an employee can only use sick leave that has already accrued. This policy will be applied in accordance with the Family and Medical Leave Act, short term disability benefits, long term disability benefits or other benefits available by applicable law or policies.

Any regular, full-time 12-month employee who was employed with the District prior to the beginning of the 2014-2015 school year, and accrued what was previously classified as Paid Time Off ("PTO") leave, will be entitled to retain said leave, however as of September 1, 2014, those PTO days will be converted to sick leave days for their continued use.

Teachers and other specified staff who do not work 12 months will receive five (5) days of sick leave, to be utilized during the academic year (as determined by the District's academic calendar). An employee can only use sick leave that has already accrued. To the extent an employee uses more sick leave than he/she has already accrued, the Employee agrees that the EEA is authorized to deduct, from the Employee's next paycheck after using un-accrued sick leave, the amount owed to the EEA for the Employee's use of such un-accrued sick leave time. Exceptions to this policy may be made, at the District's discretion, in instances of extended or serious illness.

Any teacher or other staff member, who is a regular, full-time employee working less than 12 months, who was employed with the District prior to the beginning of the 2014-2015 school year, and accrued what was previously classified as Paid Time Off ("PTO") leave, shall be entitled to retain said leave, however as of September 1, 2014, those PTO days will be converted to sick leave days for their continued use. Unused sick days do not carry over into the next fiscal year.

If an employee is unable to work during his/her scheduled work hours due to illness, he/she must notify their immediate supervisor as soon as possible, or by no later than one (1) hour before his/her scheduled reporting time. After the third (3rd) consecutive day of illness, all employees will be required to provide a physician's note before returning to work. This information should be submitted to the Human Resources Office. Any unused sick leave days in excess of 20 days may be used in the 2016-2017 school year or such days will be lost because an employee will not be paid for any unused sick leave days in excess of 20 days. For employees hired before July 1, 2016, upon their separation of employment, they will be paid for up to twenty (20) unused sick leave days.

Sick time accrued in 2016-2017 school year, or any year thereafter, that is not used will not be paid out upon termination for any reason for any employee irrespective of their hire date.

NURSING MOTHERS

The EEA will provide a reasonable amount of break time to accommodate an employee

desiring to express breast milk for her infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, subject to applicable law.

The EAA will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. The EAA may not be able to provide additional break time, if doing so would unduly disrupt the EAA's operations, subject to applicable law.

Please advise your immediate supervisor if you need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

JURY DUTY AND WITNESS LEAVE

The EAA recognizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law, provided the employee is not a party in the lawsuit. If an employee is a party in a lawsuit, days off may be counted as personal days or taken as unpaid leave if requested and approved in accordance with EAA Policy.

When an employee receives a notice of jury or witness duty, he or she should provide his or her supervisor and the Human Resources Office a copy of the court notice as soon as possible. While on jury or witness duty, the employee must advise their supervisor by telephone on a daily basis of the duty schedule. When serving on a jury or as a witness, an employee is expected to work as much of his or her regular schedule as the duty permits. If the employee is temporarily excused from serving jury or witness duty, a return to work during regularly scheduled work hours is expected.

Upon return from jury duty, the employee should provide their supervisor and the Human Resources Office with the court documentation detailing the dates of actual jury service.

BEREAVEMENT LEAVE

We know the death of a family member is a time when you wish to be with the rest of your family. Regular, full-time employees will be allowed paid time off of up to three (3) days to assist in attending to your obligations and commitments for the loss of a close relative. For the purposes of this procedure, a close relative includes spouse, domestic partner, child, parent, sibling; the employee's spouse's parent, child, or sibling; or the employee's child's spouse, grandparents or grandchildren. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death and/or concurrent with the decedent's memorial or funeral services. You must inform your supervisor prior to commencing bereavement leave and submit a Leave Request Form. In administering this procedure, the EAA may require verification of death.

MILITARY LEAVE

The rights of Employees whose employment is interrupted by military duty are as defined by the Uniformed Services Employment and Reemployment Rights Act and state law. In addition, regular, full-time employees with at least six (6) months of continuous service will be allowed to take

a paid leave of absence of military duty up to fourteen (14) calendar days.

Any employee who may need such leave should contact the Human Resources Office to obtain more detailed information regarding their rights and responsibilities.

EMPLOYEE ASSISTANCE PROGRAM

The EAA provides an employee assistance program (“EAP”) for employees. This program offers qualified counselors to help you cope with personal problems you may be facing. Further details can be obtained by contacting an EAP counselor at (888) 231-7015.

401(K) PLAN

Eligible employees participate in the EAA’s 401(k) plan. Plan participants may opt out of making pre-tax contributions to this account.

Upon becoming eligible to participate in this plan, you will receive additional documentation describing the plan in greater detail from the Human Resources Office. Please refer to these documents for detailed plan information. Of course, you may also feel free to speak to a Human Resources representative if you have any further questions.

FAMILY AND MEDICAL LEAVE ACT

Definitions

- *Family and/or Medical Leave of Absence*: an approved absence available to eligible employees for up to 12 weeks of unpaid leave per 12 month period under particular circumstances. The operative period is the 12 months preceding the date of the leave. In certain situations, employees may use, or the EAA may require the employee to use, paid time given by the Education Achievement Authority.
- *Serious Health Condition*: one that requires inpatient care or continuing treatment by a health care provider. Serious health conditions do not include short term or minor illnesses. Examples of a “serious health condition” include an illness, injury, impairment, or a physical or mental condition involving: any period of incapacity requiring continuing treatment by a health care provider and absence from work, school or regular daily activities of more than three (3) full consecutive days; any period of inpatient care; any period of incapacity due to pregnancy or prenatal care; any period of incapacity due to a chronic serious health condition that requires periodic visits (at least twice a year) for treatment and may cause episodes of incapacity; or any period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective.
- *Continuing Treatment*: either one (1) treatment by a health care provider and a regimen of continuing treatment or two (2) or more treatments by a health care provider within 30 days of the first day of incapacity. The first treatment by the health care provider must occur within seven (7) days of the first day of incapacity.

Leave Types

Leave may be taken for the following reasons:

- a) Upon the birth of the employee's child; upon the placement of a child with the employee for adoption or foster care; to care for a newborn child; or for a child placed with an employee by adoption or foster care;
- b) When the employee is needed to care for a child, spouse, or parent who has a serious health condition; or
- c) When the employee is unable to perform the functions of his or her position because of a serious health condition.

Leave may be taken for certain family military reasons:

- a) For a "qualifying exigency" arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty, or has been called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending to certain post-deployment activities.
- b) An eligible employee who is the spouse, son, daughter, parent, or next of kin of a service member who is recovering from a serious illness or injury sustained in the line of active duty is entitled to up to 26 weeks of unpaid leave to care for the service member. This military caregiver leave is available during a "single 12-month period" during which the eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Scope

The provisions of this policy shall apply to all family and medical leaves of absence. To the extent that such leaves are also covered under other paid employment benefit plans or policies, the 12 weeks of leave to which the employee may be entitled under this policy will run concurrently.

Eligibility and Conditions Related to a Leave

To be eligible for leave under this policy, an employee must have been employed for at least 12 months in total by the Education Achievement Authority, and must have worked at least 1,250 hours during the 12 month period preceding the commencement of the leave.

If the employee on leave is a salaried employee and is among the 10 percent highest-paid EAA employees within 75 miles, and keeping the job open for the employee would result in substantial economic injury to the EAA, reinstatement to the employee on leave can be denied. In this situation, however, the employee has an opportunity to return from the FMLA leave in a reasonable time. If the employee does not return, the employee may request restoration at the end of the FMLA leave period; however, restoration to the same job is not guaranteed and that will depend on the specific circumstances.

Spouses who are both employed by the Education Achievement Authority are entitled to a total of 12 weeks of leave (rather than 12 weeks each) for the birth or placement of a child.

Leave for the birth or placement of a child, or to care for a newborn or placed child, expires 12 months after the birth or placement of the child.

Employees may not engage in other employment during any leave of absence unless the EAA

specifically authorizes such other employment in writing. If an employee engages in other employment during leave, the leave shall be deemed to have expired and the employee shall be deemed to have resigned from the EAA. Employees must notify the EAA in writing when they accept other employment during leave. In addition, participation in non-work related activities inconsistent with the qualifying reason for the leave or conduct that abuses the grant of a leave of absence may result in loss of leave approval and may subject the employee to discipline and/or discharge.

Notification, Reporting, and Request Requirements

- *Foreseeable*: When the need for leave is foreseeable, such as the birth or placement of a child, or planned medical treatment, the employee must give at least 30 days' notice. If the employee does not know of the need for a leave 30 days in advance, the employee must give notice as soon as practicable; this normally means the same business day that the employee learns of the need for the leave or the next day. The employee must make reasonable efforts to schedule leave so as not to disrupt EAA operations.
- *Unforeseeable Leave*: An employee must notify the EAA of the need for an unforeseeable family medical leave as soon as practicable; this normally means the same business day that the employee learns of the need for the leave or the next day. In addition, the employee must follow the EAA's regular attendance call-in policy to report an unforeseeable absence.
- *Leave Request Procedures*: All requests for family or medical leaves of absence must be made in writing sufficiently stating the reason for the request and expected duration. For any type of leave, if timely notice is not provided, the period of delay counts as non-FMLA time and could result in disciplinary action. After FMLA leave has been approved, an employee using FMLA time must specifically reference the qualifying reason or state "FMLA time" when requesting such time off.

The EAA will notify the employee about their eligibility for FMLA leave and what the employee's rights and responsibilities are within five (5) business days of proper notice and request by the employee.

Medical Certification and Other Leave Conditions

- *Medical Certification Required*: The EAA will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse, or parent. The EAA may also provide a list of the employee's essential job functions to the employee's health care provider. For the employee's own medical leave, the certification must include a statement indicating which of the job functions the employee is unable to perform. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. An employee must return the medical certification of the need for a serious health condition leave or a military service member family medical leave by **15 calendar days** after the EAA requests the medical certification. The medical certification must state what functions of the employee's position that the employee is unable to perform.
- *Incomplete or Insufficient Medical Certification*: If the submitted medical certification form is incomplete or insufficient, the EAA will notify the employee and instruct the employee to have it properly completed by the employee's health care provider within

seven (7) days. An employee's failure to submit a complete or sufficient medical certification will result in the denial of the request for FMLA leave.

- *New Certification:* When an employee's FMLA leave lasts beyond a single 12-month period, the EAA may require a new medical certification in each subsequent 12-month period.

In its discretion, EAA may require, at its expense, a second medical opinion. If the first and second opinions differ, the EAA, at its own expense, may require the binding opinion of a third health care provider, approved jointly by the EAA and the employee.

The EAA may require periodic re-certification of the serious health condition and that the employee report periodically on his or her leave status and intention to return to work.

The EAA will not treat a "serious health condition" for incapacity of more than three (3) full consecutive days or a military service member family leave as qualifying time off unless the employee submits to the EAA a completed medical certification form. An employee's failure to submit a completed medical certification form means that the time-off is not qualifying and will be counted against an employee's attendance record for disciplinary purposes.

Intermittent or Reduced Work Schedule Family And Medical Leave

An employee may take FMLA leave on an intermittent or reduced work schedule basis if it is medically necessary, is needed because of any qualifying exigency, or is needed to care for a covered service member.

An employee must notify the EAA about a medical need for an intermittent or a reduced schedule leave. The EAA will issue a medical certification form to the employee, who must submit, by 15 days after receiving it, the completed form indicating the medical need for an intermittent or a reduced schedule leave. An employee using this type of leave for planned medical treatment must make a reasonable effort to schedule treatment in a way that will not disrupt the EAA's operations.

The EAA, whenever possible, may temporarily transfer an employee to an available alternative position for which the employee is qualified and which better accommodates the intermittent or the reduced schedule leave.

Pay, Benefits, and Reinstatement at the End of a Family And Medical Leave

Pay: Pursuant to the provisions of the FMLA, such leave is not required to be paid. In all situations covered under this policy, however, employees may use, and the EAA may require employees to use, personal and/or PTO. For a purpose covered by this policy, employees must comply with the notice provisions of this policy. Use of any paid time off runs concurrently with FMLA leave and does not extend the FMLA leave period.

An employee may also receive workers' compensation benefits during FMLA leave, depending on the reason for the leave. The EAA and an employee may agree to supplement workers' compensation benefits with paid time off. The EAA may request and receive information related to an employee's qualifications for workers' compensation benefits and that information may also be considered by the EAA in determining the employee's entitlement to FMLA leave.

Benefits During FMLA Leave of Absence

EAA will pay for all insurance and retirement benefits it had provided before the leave began, during the term of the approved leave. If such benefits change during the term of the leave, the employee on leave will be treated as if he/she were on active working duty. Employees on unpaid leave will be required to remit their premium payments to the EAA so that they are received by the first day of each month of the leave. Premium payments which are more than 30 days past due may result in the cancellation of insurance benefits. Employees who lose or decide not to continue health insurance benefits during a leave under this policy will be entitled to a restoration of benefits upon their return to work (assuming such benefits were not changed during the leave). If the EAA pays any premiums for the employee during a leave which should have been paid by the employee, the EAA may recover such payments upon the employee's return to work.

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, EAA may recover from the employee the cost of any payments made to maintain the employee's coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlements based upon the length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence. Employees will not accrue seniority while on unpaid leave and will not earn vacation, sick, or personal days while on unpaid leave.

Reinstatement

At the end of a FMLA leave of 12 weeks or fewer, or a military service member family leave of 26 weeks or fewer, the EAA will restore an employee to the employee's pre-leave position or an equivalent position.

At the end of a FMLA leave because of the employee's serious health condition, the employee must provide a fitness-for-duty certification from the employee's health care provider upon returning to work, and the fitness-for-duty certification must state whether the employee can perform the essential functions of the employee's job.

Key employees may not be entitled to reinstatement. A key employee is among the EAA's 10 percent highest-paid employees within 75 miles of the employee's work site. The denial of reinstatement to a key employee is allowed when substantial and grievous economic injury to the operations of the EAA would result from the reinstatement of the key employee. The determination of whether key employee status exists will be made at the time when the request for leave is made.

Extension of Family And Medical Leave

The maximum amount of time allowable under the FMLA is 12 weeks. An employee who has exhausted 12 weeks of family medical leave may be eligible for extended leave, depending upon the reason for the time off. Requests for such leave must be submitted to the Human Resources Office prior to the end of the 12-week FMLA leave.

Service Member Family And Medical Leave

This type of leave is provided for an eligible employee to care for a spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces, including the National Guard or Reserves, and is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or on the temporary disability retired list for a serious injury or illness.

Definitions: For the purpose of a service member family leave, a serious injury or illness means an injury or illness incurred by the military member in the line of duty in the Armed Forces that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. "Next of kin" means the nearest blood relative other than the service member's spouse, parent, son or daughter in the following order: blood relatives who have been granted legal custody of the service member, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the service member has specifically designated another blood relative as his nearest blood relative for the purpose of a service member family leave.

Amount of Leave: During a single 12-month period, an eligible employee will be entitled to a combined total of 26 work weeks (130 work days) of leave for military service member family leave and all other kinds of family medical leave. This combined total during the single 12-month period when service member family leave is used will have no effect on the availability of family medical leave for any qualifying reason during any other 12-month period.

Each time an employee is absent because of military service member family leave, the absence is counted against the employee's 26 weeks of family medical leave in a single 12-month period. One hour is the shortest period of time that is charged.

When the EAA employs both the husband and wife, they are entitled to a combined total of 26 weeks of leave during a single 12-month period for a military service member family leave or for a combination of service member family leave and all other kinds of family medical leave during a single 12-month period.

The EAA will not permit an employee who has exhausted the maximum of 26 weeks in a single 12-month period of service member family leave to extend that leave beyond the 26-week maximum.

WORKERS' COMPENSATION

On-the-job injuries are covered by our Workers' Compensation Insurance Policy, which is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to your supervisor. Failure to follow the EAA's procedure in this regard may affect your ability to receive Workers' Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence.

DISCIPLINARY PROVISIONS

The EAA maintains a high standard of work performance. In the event that discipline or discharge is being considered after you have served your probationary period, you will be notified by your supervisor of the reason(s) for your discipline or discharge. You will have the opportunity to provide relevant information that may affect the decision.

The EAA may implement the progression of disciplinary action in steps as illustrated here:

1. Verbal warning/informal counseling
2. Written Reprimand/Formal counseling
3. Suspension (with or without pay)

4. Discharge

Discipline may be initiated at any of the steps listed above when, in the discretion of the District, there is justification for doing so. Examples of situations which may justify initiating discipline at a step other than Step 1 include, but are not limited to: (1) misconduct; (2) violation of a policy, law or procedure warranting such action; (3) several occurrences of misconduct or violations of a policy, law or procedure which happen at the same time; or (4) conduct or behavior that endangers the health, safety, welfare or reputation of the students, staff, parents, contractors or volunteers of the District. The aforementioned examples do not serve as an exhaustive list of conduct that may justify initiating discipline at a step other than Step 1.

RECORDKEEPING

DOCUMENTS AND RECORDS

It is the EAA's policy to comply with the law and to maintain accurate records. Employees must follow these policies.

Under this Policy, "EAA records" means paper documents and data existing on paper, as well as documents and data stored electronically, such as e-mails, word processing documents, spreadsheets, ledgers, images, audio files, and video files. It includes records that you created, edited, sent, received, or otherwise handled in any way.

Under this Policy, "EAA records" exist wherever you have saved or stored documents or data related to the EAA, including, but not limited to: the EAA's network; the hard drive of an EAA desktop or laptop computer; your home computer; either your personal or the EAA's smartphone or other PDA device; USB or "flash" drives; external media such as CDs, DVDs, or floppy disks; and/or the voice-mail system of your personal office phone or cell phone issued by the EAA.

All of the EAA's records must be preserved in the normal course of business and in accordance with the EAA's records retention policies. Moreover, upon learning that legal action involving the EAA is likely, or has been threatened or actually commenced, employees must: (i) immediately suspend all practices that would otherwise allow for the routine discarding of records in the normal course of business; and (ii) promptly seek direction from the Chancellor or the Chancellor's designee. Legal action involving the EAA includes, but is not limited to, situations when:

- The EAA is under investigation by any governmental agency;
- A claim has been made against the EAA or a lawsuit against the EAA has been threatened or commenced;
- Circumstances have arisen where a claim or lawsuit against the EAA should be or can reasonably be expected; or
- The EAA is considering, planning, or has commenced an investigation or lawsuit of its own.

Under any of those circumstances, employees must contact the Chancellor or the Chancellor's designee to discuss: (i) whether they have records that may relate to the subject matter of the

potential or pending legal action; (ii) the places where they have kept such records; and (iii) steps to search for, locate, collect, and preserve all such records. Additionally, if at any time employees have questions about whether and how a document should be retained, they should contact their supervisor, the Chancellor or the Chancellor's designee.

SOCIAL SECURITY NUMBER PRIVACY POLICY

The EAA is committed to keeping the Social Security numbers of its employees private and confidential. Accordingly, the following provisions have been adopted to properly secure and protect the privacy of Social Security numbers belonging to the EAA's employees.

Purpose

Consistent with Michigan law, the purpose and intent of this Policy is to:

- Ensure to the extent practicable the confidentiality of Social Security numbers belonging to the EAA's employees;
- Prohibit unlawful disclosure of employees' Social Security numbers;
- Limit who has access to information or documents that contain employees' Social Security numbers;
- Describe how to properly dispose of documents and other media that contain employees' Social Security numbers; and
- Establish penalties for violation of this Policy.

Prohibited Actions

The EAA and any of its employees who possess, obtain, come into possession of, have knowledge of, or have access to any Social Security number belonging to the EAA's employees are expressly prohibited from doing any of the following:

- Publicly displaying all or more than four sequential digits of the Social Security number. "Public display" means to exhibit, hold up, post, or make visible or set out for open view a Social Security number to members of the public or in a public manner. Examples of public displays include, but are not limited to, open view on a document, file, computer monitor, computer network, website, or any other electronic medium or device.
- Using all or more than four sequential digits of the Social Security number as an individual's identification number or account number. In no event shall an employee's full Social Security number be used as an identification number.
- Visibly printing all or more than four sequential digits of the Social Security number on any identification badge, permit or license.
- Requiring an employee to use or transmit all or more than four sequential digits of his or her Social Security number over the Internet or a computer system or network,

unless the connection is secure or the transmission is encrypted.

- Requiring an employee to use or transmit all or more than four sequential digits of his or her Social Security number to gain access to the Internet or a computer system or network unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access.
- Including all or more than four sequential digits of the Social Security number in or on any document or information mailed or otherwise sent to an individual if the Social Security number is visible on or, without manipulation, from outside the envelope or packaging.
- Including all or more than four sequential digits of the Social Security number in any document or information mailed to a person, organization or entity, unless:
 - The document or information is mailed in a manner or for a purpose consistent with HIPAA, the Michigan Insurance Code or the federal Financial Services Modernization Act.
 - State or federal law, rule, regulation or court order authorizes, permits, or requires that the Social Security number appear in the document;
 - The document is sent as part of an application or enrollment process initiated by the employee;
 - The document or information is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, employee or health insurance benefit, or to confirm the accuracy of the Social Security number of an employee who has an account, contract, policy, employee or health insurance benefit with the EAA; or
 - The document or information is mailed by or at the request of the individual whose Social Security number appears in the document or information, or his or her parent or legal guardian.

Authorized Actions

It is not a violation of this Policy to use all or more than four sequential digits of an individual's Social Security number for administrative purposes in the ordinary course of business to do any of the following:

- Verify an individual's identity, identify an individual or perform another similar administrative purpose related to an existing or proposed account, transaction, product, service or employment;
- Investigate an individual's claim, or their credit, criminal or driving history;
- Detect, prevent or deter identity theft or another crime;

- Lawfully pursue or enforce the EAA's legal rights, including, but not limited to an audit, collection, investigation, or transfer, or a tax, employee benefit, debt, claim, receivable or account, or an interest in a receivable or account; or
- Provide or administer employee or health insurance or membership benefits, claims, or retirement programs, or to administer the ownership of other investments.

Limited Access

Access to documents and information containing employees' Social Security numbers will be limited to those persons who have a legitimate business or medical need to know the information on the document or information containing the Social Security number. If an employee improperly comes into contact with a document(s) and/or information containing an individual's Social Security number, the employee must report this immediately to their supervisor. Failure to make such a report may result in disciplinary action up to and including termination at the sole discretion of the EAA.

If an employee has any questions as to whether he or she should have access to documents and/or information containing Social Security numbers, the employee should contact their supervisor.

Proper Disposal

Employees, agents and vendors of the EAA who have access to paper documents containing Social Security numbers must either shred those documents when discarding them, or place the documents in a locked trash bin, the contents of which will be shredded on a regular basis.

Employees, agents and vendors of the EAA who have access to electronic documents containing Social Security numbers shall promptly permanently delete those documents when discarding them.

Prior to disposing of any computer or other equipment that contains employees' Social Security numbers in electronic form, the Social Security numbers must be rendered irretrievable.

Penalties

Any employee who violates the privacy provisions of this Policy shall be subject to disciplinary action up to and including termination of employment at the sole discretion of the EAA.

SEPARATIONS AND LAYOFFS

VOLUNTARY RESIGNATIONS

Should you decide to leave the EAA, we ask that you provide your supervisor with at least two (2) weeks' advance notice of your departure, unless you are required to provide different notice per the terms of a governing employment agreement. It is also requested that you do the following:

- Notify the Human Resources Office, in writing, that you are resigning, and indicating when your last day of work will be. Please provide a copy of your resignation letter to your immediate supervisor and send the original to the Human Resources Office by mail at: 300 River Place, Suite 3600, Detroit, Michigan 48207, or via e-mail at

eaahr@eaaofmichigan.org or via fax at (313) 263-9817.

Principals, Assistant Principals and certified staff are expected to provide at least sixty (60) days' notice, in writing, to the Human Resources Office (as outlined above), with a copy of their resignation provided to their immediate supervisor.

All EAA property including, but not limited to, keys, security cards, parking passes, laptops, iPads, cell phones, computers, fax machines, passwords and uniforms must be returned at the time of separation. Employees must also return all EAA Confidential Information upon separation. Confidential Information includes, but is not limited to, any and all materials related to EAA finances, curriculum, new curriculum development, software, computer programs, marketing strategies, suppliers, student information and parent information, in accordance with the Family Educational Rights and Privacy Act ("FERPA"). To the extent permitted by law, employees will be required to repay the EAA (through payroll deduction) for any lost or damaged EAA property.

EXIT INTERVIEWS

Whenever possible, an exit interview will be held with all employees who leave the EAA, whether their departure is on a voluntary or involuntary basis. The exit interview may include a review of the status of final assignments, final pay, submission of EAA property, as well as a discussion of the employee's recommendations on EAA effectiveness and functioning. These interviews may be conducted face-to-face, via phone, or e-mail.

APPENDIX A – BLOODBORNE PATHOGENS

BLOODBORNE DISEASES

The most common diseases carried by blood are Hepatitis B (HBV), Hepatitis C (HBC) and the Human Immunodeficiency Virus (HIV).

HBV, HIV and other bloodborne pathogens may be present in blood, saliva that contains blood, semen, vaginal secretions or other bodily fluids that contain blood. These pathogens can enter your body in a variety of ways including open cuts or nicks in the skin, dermatitis, acne or through the mucous membranes of your mouth, eyes or nose.

PREVENTION: UNIVERSAL PRECAUTIONS

“Universal precautions” is a method of infection control where all human blood and body fluids are treated as if they were infectious. Universal precautions are based, in part, on good hygienic practices.

We want you to minimize your risks in the work setting. You can do this by:

- Understanding how bloodborne pathogens are transmitted;
- Using universal precautions and protective equipment consistently and appropriately;
- Reporting any exposure immediately (within one hour) so that you may receive the Hepatitis B vaccine if you wish and receive other information about minimizing your risk;
- Avoiding exposure whenever possible;
- Practicing good hygiene by not eating, drinking or touching your face without first washing your hands

As caring adults, we often try to intervene with a hurt child. When you feel that this is necessary, place a barrier between yourself and any scrape or open wound on a child so that you are not directly touching blood or blood product. This can be accomplished by wearing gloves and using plastic baggies.

Another effective procedure that is very basic is washing your hands thoroughly. The sooner you wash your hands after a possible exposure, the less chance you have of becoming infected. Please review the following guide for effective hand washing:

- Flush your skin with running water if at all possible for several seconds.
- Then, using soap, lather thoroughly and rub your hands together for at least 30 seconds. The rubbing helps create friction and assures that all surfaces of your hands are cleansed. Rub the backs of the hands and between the fingers, as well as the palms.
- Rinse your hands thoroughly and dry.
- Where hand washing facilities are not available, the District will provide antiseptic hand washing towelettes. This is a temporary measure only. You should then wash your hands with running water and soap as soon as you possibly can.

Excellent personal hygiene practices are also important. If you are caring for an injured student or cleaning an infected area, avoid or minimize splashing. Do not drink, apply cosmetics, apply lip balm or handle contact lenses or glasses prior to thorough hand washing. Do not touch your face or any open or cut areas on your skin. Do not keep food or drinks in areas where potentially infectious materials are present.

The EAA will also provide protective equipment appropriate for your job. This may include gloves, face shields or protective eye wear. You will receive specific information if your job requires a face shield or protective eye wear.

Gloves are the most widely used and basic form of personal protective equipment. You **MUST** wear gloves when you anticipate you may have contact with blood, non-intact skin or other potentially infectious material. Since gloves can be punctured, cover any hand cut with bandages before putting on your gloves whenever possible.

Take care when removing your gloves. Remove the first glove by turning the glove inside out with the gloved hand. Remove the second glove, avoiding touching the outer surface, by slipping the fingers of the ungloved hand under the glove and pulling it inside out. Never reuse disposable gloves.

One of the best ways to protect yourself from Hepatitis B is to be vaccinated. In the event of an exposure to blood or other bodily fluids that appear to contain blood while fulfilling your job responsibilities for the EAA, you must remember to **WASH, FLUSH, and REPORT**.

The exposure incident must be reported immediately (within one hour) to your supervisor so that follow-up medical evaluation can begin. Any questions that your immediate supervisor cannot answer concerning an exposure incident should be directed to a school nurse or the Human Resources Office.

EXPOSURE INCIDENT

An exposure incident is defined as contact with blood or other potentially infectious materials on an employee's non-intact skin or in the employee's eyes, nose or mouth.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

If you have an exposure to blood or other bodily fluids that appear to contain blood, you should do the following:

- Wash the area and flush it with water immediately.
- Report the incident within one hour to your immediate supervisor.
- Your supervisor will report the incident to the Human Resources Office.
- The Human Resources Office will assist with ensuring that you receive immediate medical attention.