

PERSONNEL AND OFFICE ADMINISTRATION PROCEDURES

I. DEFINITIONS.

- A. "Anniversary date" means the first day of the first full month after completion of one full year of employment. Regardless of the hiring date, the anniversary date will always be the first day of the month.
- B. "Cause" means any documented violation or pattern of violations of the Metro 4/SESARM Policies and/or these Procedures, applicable ordinances, regulations, statutes, or other generally accepted employee performance and behavioral standards that are of significant substance and/or consequence as to warrant the initiation of personnel action. "Cause" shall be further defined to include but not be limited to the following:
1. Falsification of office records and reports.
 2. Any other act of dishonesty.
 3. Incompetency.
 4. Inefficiency.
 5. Neglect of duty.
 6. Insubordination, willful disobedience, and/or displays of a lack of commitment to the team.
 7. Drinking of alcoholic beverages while on duty or in such close time proximity thereto as to cause any detrimental effect upon job performance.
 8. Possessing or being under the influence of a controlled substance at work.
 9. Felony conviction.
 10. Conviction of any misdemeanor which is of such a nature as to adversely affect the ability to perform the duties and responsibilities of the position. A plea or verdict of guilty, or a conviction following a plea of *nolo contendere* is deemed to be a conviction within the meaning of this paragraph.
 11. Absence without leave.
 12. Immoral conduct.
 13. Discourteous treatment of office customers.

14. Improper political activity.
 15. Misuse of office property.
 16. Willful violation of any office policy or procedure.
 17. Theft or mishandling of office funds.
 18. Not reporting an actual or potential conflict of interest nor resolving it nor removing oneself from the activity that creates the conflict of interest.
 19. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a Metro 4/SESARM employee.
 20. Unlawful retaliation against any Metro 4/SESARM officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to actual or suspected violation of any applicable and relevant federal or state law or regulation occurring on the job or directly related thereto.
 21. Failing to perform, including but not limited to substantive underperformance in the areas of conduct, work quality, productivity, and/or customer service.
 22. Any other conduct either during or outside of duty hours which is of such nature that it causes or may cause discredit to Metro 4/SESARM and/or their member agencies.
- C. "Exempt employee" means an employee whose salary, duties, and responsibilities qualify for exemption from the provisions of the federal Fair Labor Standards Act.
- D. "Full-time employee" means an employee scheduled to work 40 hours per week.
- E. "Immediate family" means an employee's spouse or partner; or the child, grandchild, parent, grandparent, or sibling of the employee or the employee's spouse or partner.
- F. "Non-exempt employee" means an employee whose salary, duties, and responsibilities subject the employer to conformance to the provisions of the federal Fair Labor Standards Act.
- G. "Part-time employee" means an employee is considered to have part-time status if scheduled to work less than 40 hours per week.

- H. "Permanent employee" means an employee who has successfully completed the applicable probationary period.
- I. "Personnel action" means an action to address an employee behavior or other performance deficiency such as issuance of a corrective action memorandum or letter of reprimand, suspension without pay, demotion, temporary or permanent reduction of pay, or dismissal.
- J. "Probationary employee" means an employee from the effective date of hiring to termination or completion of the probationary period.
- K. "Probationary period" means the initial period of employment extending from the date of employment to the end of the month that completes twelve consecutive, full months of employment.

II. WORK EXPECTATIONS.

A. Normal Work Schedules.

1. Staff work schedules shall be designed to make agency support services available to the member agencies throughout the core of their respective workdays, with consideration that member agencies operate in the Eastern and Central Time Zones.
2. Metro 4/SESARM's official office hours shall be from 8:00 a.m. to 5:00 p.m., local time, Monday through Friday.
3. Normal work schedules for individual employees shall be approved at hiring by the Executive Director but may be adjusted upon agreement of the Executive Director and an employee, with priority given to the goal of providing adequate daily agency support services to the member agencies.
4. All full-time employees shall work an eight-hour workday (excluding any approved personal leave) unless approval has been granted by the Executive Director for a compressed or flexible work schedule.
5. All part-time employees shall work in accordance with the hours per day, week, and pay period that have been established by the Executive Director, in consultation with the employee.

B. Alternate Work Schedules.

1. Occasional Variations from Normal Work Schedule.

Individual work schedules may vary on an occasional basis with approval of the Executive Director, provided that the core hours of the workday can be covered by

available staff. Flex-time schedules shall reflect longer-term approved starting times between 7:00 and 9:00 a.m. and ending times between 4:00 and 6:00 p.m. each day, local time. Variations to flex-time schedules, as with regular work schedules, may be approved provided that requests are made in advance, adequate arrival and departure times are recorded, and proper leave and overtime documentation is prepared.

2. Regular Variations from Normal Work Schedule.

Employees may be granted approval for compressed work weeks if adequate agency support can be provided within the revised work schedule. Compressed work weeks may include various daily arrangements as long as the total work hours scheduled in any week and/or payroll period meet the minimum required hours for the part-time or full-time status of each employee and provided that the working arrangements conform to the exempt/non-exempt requirements of the Fair Labor Standards Act.

C. Emergency Situations.

Any workday may be disrupted by weather or other emergency, but because Metro 4/SESARM staff now operate in a decentralized arrangement out of individual homes, the ability of weather conditions to disrupt the commute to work is minimized. Employees are cautioned, however, to be watchful during extreme weather declarations. Other paid leave shall be granted to any employee who is rendered unable to work due to a severe weather event or other emergency, including flooding, tornadoes, and hurricanes. During such events, employees shall make a reasonable effort to continue routine work when power and internet connectivity are available, provided that there are not safety issues. Employees shall not be required to take personal leave during times of emergencies, provided that an employee is scheduled to be working during the emergency event.

D. Breaks.

1. Staff may take brief, necessary work breaks during the workday.
2. All staff are encouraged to take a lunch break each normal workday. Lunch breaks may vary from one-half to two hours in length and shall occur between the hours of 11:00 a.m. and 2:00 p.m., local time. The length and timing of a lunch break on any given day may be impacted by work tasks and call scheduling that may be beyond the control of the employee.

III. PAYROLL.

- A. Employees of Metro 4/SESARM shall be paid on a semi-monthly (twice per month) schedule.

- B. Metro 4 and SESARM shall utilize a one-pay-period delay in paying salaries to allow for adequate documentation and recordkeeping before payroll must be entered. This means that the first payroll payment will be paid at the end of the second pay period after hiring, and the last payroll payment will be at the end of the first succeeding payroll period after the payroll period during which the employee left Metro 4/SESARM employment.
- C. Salary payments shall be direct deposited to a financial institution account of the employee's choosing no later than the last working day prior to the 16th of the month and no later than the last working day prior to the 1st day of the month. The actual payday for any payroll period is affected by weekends and holidays, and for end-of-month payments, by the number of days in the month.
- D. Records of impending electronic deposits may be provided to individual employees in advance of actual deposit.

IV. TIME ACCOUNTING.

- A. Each employee shall maintain a daily record of start and end time, lunch break duration, and any personal leave taken.
- B. Each employee shall maintain a daily record of major activities and accomplishments.
- C. Each employee shall prepare, sign, date, and submit a time sheet to the Executive Director within three business days of the end of each pay period that accurately reflects the hours of work each day, subdivided into categories of activities as prescribed by the Executive Director. If multiple grants are in place, at a minimum, time sheets must differentiate the hours worked under each grant. Each employee shall account for and record work time in 15-minute (0.25-hour) increments.
- D. Each employee shall request and gain prior approval from the Executive Director before taking annual, sick, and, where applicable, compensatory time leave. Such requests may utilize a leave request form or may be submitted by e-mail message as prescribed by the Executive Director. Where prior approval of personal leave is not possible, the employee shall notify the Executive Director of the situation and use of personal leave as soon as practicable. The Executive Director shall respond in a timely manner to requests for approval of personal leave.
- E. Non-exempt employees shall not work beyond their approved daily work schedule except as directed by the Executive Director. Since overtime payments are necessary for work in excess of 40 hours in a Sunday-Saturday week, there must be budgeted funds for overtime payments as well as critical work with short deadlines to create the necessity for overtime work.

- F. Exempt employees shall document extra time worked beyond 40 hours in a Sunday-Saturday work week and shall maintain an ongoing record of accumulated compensatory time. Such work shall be conducted only with approval of the Executive Director for critical and essential tasks with deadlines that must be met.

V. PERSONNEL.

A. Official Employer.

SESARM is the official employer for the joint operations of Metro 4 and SESARM. SESARM shall consult with Metro 4 prior to hiring of employees since Metro 4's member agencies contribute to the costs of office operations including personnel costs through an arrangement with EPA Region 4 via their grant holdback and award process to SESARM.

B. Position Descriptions.

1. Positions established for Metro 4/SESARM operations may be in the executive, technical, and/or administrative categories. An individual position may contain duties that cross these categories. The official category of a position shall be determined by the duties which predominate within the responsibilities of the position.
2. Prior to each position being advertised and filled, a position description shall be completed, or updated as needed. For each position, at a minimum, a job title, salary range, general duties, specific duties, education requirements, experience requirements, and special requirements shall be developed.

C. Hiring Procedures.

1. No Metro 4/SESARM staff position shall be created without prior approval of the position and funding mechanism by the Metro 4 and SESARM Boards of Directors, unless such authority has been granted by the Boards to the Executive Director.
2. The Metro 4/SESARM Executive Director shall have authority to fill a position provided that it is an existing vacancy or a new position approved by the Boards of Metro 4 and SESARM and provided that the starting salary is consistent with the approved budget for the fiscal year in which the hiring is occurring.
3. Solicitation of candidates to fill vacancies may occur via word-of-mouth, e-mail, print media, employment agency, or any other effective means, provided that any solicitation costs are consistent with the approved budget for the fiscal year in which the hiring is occurring.

4. Where possible, multiple qualified prospective candidates shall be identified who appear capable of performing the prescribed duties of the position in the desired manner.
5. Prior to selecting candidates for interviews, a scoring sheet template should be developed containing a list of weighted job expectations according to relative priorities of major job duties. This scoring sheet should be utilized to rate potential interviewees for determining who will be interviewed and also to rate actual interviewees.
6. After evaluation of applicants and identification of targeted applicants for interviews, each prospective interviewee shall be provided an invitation for an interview. This communication will usually occur via phone call or e-mail.
7. Personnel interviews shall be conducted in person where possible and shall be designed to evaluate each interviewee's education, experience, and general capability of performing the prescribed duties. Interviews shall be conducted by the Executive Director who may request the assistance of other Metro 4/SESARM staff or member agency representatives.
8. At the conclusion of the selection process, each interviewee shall be advised of the outcome of the interview process.
9. Equal Employment Opportunity requirements shall be followed in all hiring procedures. Please refer to the Metro 4/SESARM Nondiscrimination Policy and Procedures for more information.
10. New staff shall receive and sign an employment understanding that establishes certain basic job expectations, as determined for inclusion by the Executive Director.

D. Staff Compensation.

1. The initial compensation of each employee shall be determined by the Executive Director with consideration of position responsibilities, selected individual qualifications, other similar staff position salaries, if any, and authorized funding in the current Metro 4/SESARM budget.
2. The salary range of any position shall be determined with consideration of the nature of the position, the job duties, salary ranges for similar positions in nonprofit organizations in the Southeast, current and future budget considerations, and other factors of significance to Metro 4/SESARM and the member agencies.

E. Probationary Period for New Staff.

1. Probationary reviews shall be conducted at points shortly after completion of three and six months of employment. Probationary reviews shall outline accomplishments, deficiencies, strengths and weaknesses of performance, and any appropriate recommendations for improvement.
2. Metro 4 and SESARM reserve the right to terminate employment of any employee at any time during the probationary period for cause, if said employee is substantively under-performing and/or otherwise failing to meet the specifications for the position.
3. Near the end of the first year of employment, or shortly thereafter, a final probationary review shall be conducted which shall constitute the annual evaluation for the first year of work of a new employee. The employee shall be advised in writing as to whether the probationary period has been successfully completed and thus whether the individual has achieved permanent employment status.

F. Probationary Salary Increases.

A probationary salary increase shall be granted to an employee who has successfully completed the probationary period. Such probationary salary increase shall be a percentage of the initial base salary, subject to Metro 4 and SESARM Boards of Directors approval via the current approved fiscal year budget, upon a determination by the Executive Director of acceptable probationary period performance. A probationary salary increase shall be effective on the employee anniversary date.

G. Permanent Employee Status.

Employees successfully completing their respective probationary periods shall become permanent employees on their respective employee anniversary dates and shall, starting at that point in time, have all of the rights, privileges, and benefits available to all Metro 4/SESARM employees.

H. Continued Employment.

Continuing employment shall be contingent on performance, funding, and the needs of Metro 4/SESARM and their member agencies.

I. Annual Personnel Evaluations.

Annual evaluations of permanent employees shall occur between September and December of each calendar year, with the review period being the fiscal year recently ended. Results of the evaluation shall be documented with a copy provided to the employee, who shall have an opportunity to ask for further review, if desired. The

evaluation summary sheet may be of the Executive Director's personal preference but should generally cover in any combination of numerical and narrative form the following criteria:

1. Employee conduct;
2. Quality of work;
3. Productivity and major accomplishments;
4. Progress of professional development and any near-term training needs;
5. Attitude and teamwork commitment;
6. Customer service commitment; and
7. Other performance criteria deemed significant by the Executive Director that are applicable across the full staff complement.

J. Salary Adjustments.

1. Subject to approval of the Boards of Directors through specific action or through approval of the annual Metro 4/SESARM budget, permanent employees may be given periodic salary adjustments, subject to satisfactory performance in the previous twelve months as documented in the most recent annual personnel evaluations and availability of adequate funding to support the proposed salary increases. Salary adjustments will apply to base salaries and shall be effective on respective employee anniversary dates. Increases of stipend amounts may also periodically occur through separate consideration by the Executive Director and/or Boards of Directors.
2. Determinations of whether to award salary adjustments shall be made annually by the Board of Directors and may be based on an analysis of various factors including the increase in the Consumer Price Index as determined by the federal government for the most recent twelve month period for which information is available on September 30 of each year, federal employee cost of living adjustments, Social Security increases, local and state air pollution control agency salary adjustments, staff performance, and other factors of significance to the Boards.

K. Meritorious Salary Increases and Bonuses.

1. Meritorious salary increases may be provided to employees for outstanding performance and/or service upon recommendation of the Executive Director and approval of the Boards of Directors. A meritorious salary increase may not be granted to an employee more than once in a 12-month period.

2. The amount of a meritorious salary increase may range from 0.5% to 5% depending on the degree of outstanding service, budget constraints, and other considerations.
3. A meritorious salary increase shall be effective on a date prescribed by the Boards of Directors and shall be calculated from and applied to the base salary of the employee.
4. A meritorious salary bonus may be granted at any time the Boards of Directors so direct. A meritorious salary bonus may range from \$250 to \$5,000 based on the degree of outstanding service and shall be granted to the employee on a one-time basis. Meritorious salary bonuses shall not be added to the base salary of the employee.

L. Disciplinary Action.

1. Metro 4/SESARM employees may be subject to disciplinary action for cause.
2. Disciplinary actions shall be preceded by development and/or collection of evidence of the infraction(s) and shall be commensurate with the type and degree of the infraction(s). Except in cases where more severe personnel action is required due to the degree of the infraction, there shall be a progression of personnel action from less severe to more severe. Metro 4/SESARM reserves the right to take any disciplinary action that is warranted, up to and including termination for cause without first taking less severe disciplinary action.
3. The Executive Director is authorized to initiate personnel action against any Metro 4/SESARM employee where warranted.
4. An employee may appeal any disciplinary action except a corrective action memorandum or letter of reprimand to the Metro 4 and SESARM Boards of Directors. The Boards' collective determination of the sufficiency of the cause for disciplinary action shall be conclusive.
5. An employee shall be provided written documentation of any disciplinary action taken and shall be provided written notice of the right to respond in writing as well as the right to appeal a suspension or termination to the Boards of Directors if applicable.

M. Personnel Records.

1. Copies of employee personnel records shall be maintained for the duration of employment and for such additional time as necessary to ensure that such records are available in case of a subsequent need within a reasonable amount of time after employee severance.

2. Personnel records shall include but not be limited to original documents and supporting information in the following categories:
 - a. Hiring agreement;
 - b. U. S. Department of Homeland Security Form I-9 Employment Eligibility Verification;
 - c. Federal IRS Form W-4 Employee's Withholding Certificate;
 - d. Mississippi Form 89-350 Employee's Withholding Exemption Certificate, or equivalent from other applicable state;
 - e. Salary adjustment history;
 - f. Probationary and annual personnel evaluations;
 - g. Disciplinary actions and any responses, appeals, and summaries of appeal reviews, as applicable;
 - h. Commendations, awards, and other recognition; and
 - i. Notice of resignation or retirement.
3. After the reasonable amount of time has passed since employment severance, as referenced in Section V. M. 1. above, Metro 4/SESARM shall continue to maintain a basic record of employment history for each employee including but not limited to:
 - a. Employee number;
 - b. Employee name;
 - c. Hiring date;
 - d. Severance date; and
 - e. Comments, such as nature of severance (resignation, retirement, etc.).

VI. BENEFITS AND ACCRUAL OF LEAVE.

A. Fringe Benefits.

As of Fiscal Year 2021, Metro 4/SESARM benefits are payment of employer amounts of Social Security, Medicare, and Worker Compensation Insurance.

B Stipends.

In lieu of paying for or contributing to personal insurance and retirement fringe benefit programs, Metro 4 and SESARM may choose to pay a taxable stipend to each employee in an amount negotiated at the time of employment and, at least in part, calculated from a percentage of the base salary. Stipend payments are made each payroll period and are included in the U.S. IRS W-2 income statements at the end of each calendar year.

C. Holiday Leave.

Metro 4/SESARM operations recognize the following federal holidays, as per 5 U.S.C. § 6103(a). When a holiday falls on a Saturday or Sunday, the holiday shall be observed on the previous Friday or following Monday, respectively.

1. New Year's Day (January 1).
2. Birthday of Martin Luther King, Jr. (3rd Monday of January).
3. Washington's Birthday (3rd Monday of February).
4. Memorial Day (Last Monday of May).
5. Juneteenth Independence Day (June 19).
6. Independence Day (July 4).
7. Labor Day (1st Monday of September).
8. Columbus Day (2nd Monday of October).
9. Veterans Day (November 11).
10. Thanksgiving Day (4th Thursday of November).
11. Christmas Day (December 25).

D. Accrual of Leave.

1. Annual Leave.
 - a. Annual leave for full-time employees shall accrue at the rate of 16 hours per month, for any month in which more than half of the total available work hours for that month were paid work hours.

- b. Annual leave for part-time employees shall accrue at the rate established at hiring by the Executive Director. The Executive Director shall prorate the annual leave accrual rate based on the scheduled hours to be worked per week, rounded up to the nearest whole hour. For example, an employee working 24 hours per week would accrue 10 hours of annual leave per month: $(24/40)$ hours per week x 16 hours per month accrued at full time = 9.6, rounded up to 10 hours per month accrued at part-time.
 - c. Annual leave may accrue and carry over into a new fiscal year, with limitations. No more than 240 hours may be carried over into a new fiscal year.
 - d. Any accrued annual leave in excess of 240 hours on September 30 of each year shall expire on that date.
 - e. Accrued Annual Leave Payout.
 - i. Upon severance, an employee may be paid for the balance of unused annual leave up to a maximum of 240 hours, subject to availability of funds and approval of the Metro 4 and SESARM Boards of Directors.
 - ii. The accrued annual leave payout shall be calculated by multiplying the employee's current base salary rate times the total accrued annual leave hours to a maximum of 240 hours.
 - iii. The employee current base salary rate shall be calculated by dividing the annual salary by the annual work hours. For full-time staff, the annual work hours would be 2,080 (52 weeks x 40 hours per week). For part-time staff, the annual work hours will be unique to that individual, as determined by the Executive Director.
 - iv. Annual leave payouts at severance will be made via the payroll system as a separate check. Such payouts are taxable salary income.
2. Sick Leave.
- a. Sick leave for full-time employees shall be accrued at the rate of 8 hours per month for any month in which more than half of the total available work hours for that month were paid work hours to an individual employee.
 - b. Sick leave for part-time employees shall be accrued at the rate established at hiring by the Executive Director.
 - c. The maximum sick leave that may be accumulated is 1,040 hours. This is six months of leave (26 weeks x 40 hours per week).

- d. Unused sick leave at severance shall have no monetary value and Metro 4/SESARM shall have no obligation to pay a departing employee for accumulated sick leave.

3. Timing of Annual and Sick Leave Awards.

Annual leave and sick leave shall be awarded during the second payroll period of each month of employment provided that the employee is on the payroll for more than 50% of the workdays of the month. An employee on unpaid leave for more than 50% of the workdays of a month shall not qualify for annual and sick leave accrual during that month. New employees shall be awarded one month's worth of sick leave upon their date of hire.

4. Compensatory Leave.

- a. Please refer to Section VII. below for details about compensatory time accrual and usage.
- b. Non-exempt staff shall not qualify, either formally or informally, for compensatory time accrual.
- c. Unused compensatory time at severance shall have no monetary value and Metro 4/SESARM shall have no obligation to pay a departing employee for accumulated compensatory time.

5. Other Paid Leave.

a. Storm Emergencies.

Metro 4/SESARM shall pay an employee idle time during work hours necessitated by storm-related situations such as shelter-in-place orders due to severe storms, power outages, and other unavoidable service interruptions that render an employee unable to work. This paid leave shall be minimized to the smallest amount possible by making every effort to reinstate work at the first practical opportunity.

b. Voting Leave.

Metro 4/SESARM shall pay an employee for time needed to vote during any local special election or primary, general, or runoff election. Generally, paid voting leave shall be minimized and no more than four hours of voting leave shall be compensated per month, except in cases of extremely long lines due to unanticipated turnout and/or voting equipment malfunctions. The Executive Director shall have final authority to determine the approvability of requested voting leave.

c. Jury Duty.

- i. In the case of jury duty, employees shall be granted paid leave necessary to travel to and serve on any jury formed by a local, state, or federal court, provided that the employee has been selected as part of a standard jury pool and has been ordered to appear for jury service.
- ii. When an employee has been summoned for jury duty, the employee shall promptly notify the Executive Director so that alternative plans may be made to complete critical office work.
- iii. Employees serving on jury duty may retain all jury pay received for service and shall provide evidence of jury duty in the form of a receipt from the court.
- iv. Employees shall return to work at the conclusion of daily jury duty if there is any regular work time remaining in the business day, unless they have made prior arrangements with the Executive Director to take the rest of the day off as personal leave.

d. Bereavement Leave.

Employees shall be granted up to 16 hours of administrative leave in the event of the death of a member of the employee's immediate family.

- E. All leave shall be recorded in the daily work logs of employees and entered in appropriate columns of semi-monthly time and attendance reports. To limit the dimensions of time and attendance sheets, other paid leave may be entered in the holiday leave column, with an appropriate footnote on the time sheet explaining the nature of the other paid leave.

VII. OVERTIME AND COMPENSATORY TIME.

A. Minimum Wage and Overtime.

1. The Fair Labor Standards Act (FLSA) (29 U.S.C. § 201 et. seq.), and associated promulgated regulations at 29 CFR Part 541, require that qualifying employees in the United States be paid at least the federal minimum wage for all hours worked and be paid for overtime at one and one-half times the regular rate of pay for all hours worked over 40 hours in a work week. These employees are referred to as non-exempt.
2. Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay requirements for employees in certain executive, administrative, professional and outside sales positions. Sections 13(a)(1) and 13(a)(17) also exempt

certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$684 per week (\$35,568 per year). Job titles are not a sufficient basis to determine exempt and nonexempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of 29 CFR Part 541.

- a. To qualify for the executive employee exemption, the employee must be compensated on a salary basis as defined in 29 CFR Part 541 at a rate not less than \$684 per week; the employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise; the employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and the employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight.
- b. To qualify for the administrative employee exemption, the employee must be compensated on a salary or fee basis as defined by 29 CFR Part 541 at a rate not less than \$684 per week; the employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and the employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
- c. To qualify for the learned professional employee exemption, the employee must be compensated on a salary or fee basis as defined by 29 CFR Part 541 at a rate not less than \$684 per week; the employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment; the advanced knowledge must be in a field of science or learning; and the advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.
- d. To qualify for the creative professional employee exemption, the employee must be compensated on a salary or fee basis as defined by 29 CFR Part 541 at a rate not less than \$684 per week and the employee's primary duty must be the performance of work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.
- e. To qualify for the computer employee exemption, the employee must be compensated either on a salary or fee basis as defined by 29 CFR Part 541 at a

rate not less than \$684 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour; the employee must be employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field performing the duties described below and the employee's primary duty must consist of the application of systems analysis techniques and procedures including consulting with users to determine hardware, software, or system functional specifications; the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications; the design, documentation, testing, creation, or modification of computer programs related to machine operating systems; or a combination of the aforementioned duties, the performance of which requires the same level of skills.

3. Non-exempt employees as defined in the FLSA may request or be directed to work overtime, within reason and subject to other provisions of Section VII. of these Procedures, in instances involving special projects, unforeseen developments, serious backlogs of work, or because of anticipated or incurred leave absences. Metro 4/SESARM shall pay non-exempt employees for overtime approved in advance at a rate of one and one-half times the regular rate of pay, as prescribed by 29 CFR Part 541.

B. Compensatory Time.

1. Exempt employees as defined in the FLSA may request or be directed to work overtime, within reason and subject to other provisions of Section VII. of these Procedures, in instances involving special projects, unforeseen developments, serious backlogs of work, or because of anticipated or incurred leave absences. Metro 4/SESARM shall allow exempt employees to gain compensatory time, when approved in advance, on an hour-for-hour basis, up to a maximum limit of 50 hours at the end of any pay period. Under no circumstance shall an employee's compensatory leave balance be allowed to exceed 50 hours at the end of a pay period.
2. Compensatory time accrued shall be available for use during the pay period in which it was earned and the immediately succeeding pay period. Compensatory time not used during the pay period in which it was earned or the immediately succeeding pay period shall expire at the end of the immediately succeeding pay period and shall be deducted from the payroll period time sheet's ending balance.

C. Limitations on Overtime and Compensatory Time.

Metro 4 and SESARM reserve the right to deny requests to earn overtime and compensatory time when the Executive Director determines that such overtime and

compensatory time work is not in the best interest of the Metro 4 and SESARM. The Executive Director shall deny overtime and compensatory requests, at a minimum, when work is not critical, funding is not available, or the work could be done in the normal business day.

VIII. LEAVE USAGE.

A. Requests for Use of Leave.

1. Requests for use of leave, with the exception of holiday leave, shall be provided in advance to the Executive Director on a form or in an alternative format as required by the Executive Director.
2. Leave requests may be denied if critical assignments conflict with taking the planned leave on the requested days. The Executive Director shall make every effort to work out arrangements to accommodate critical needs of employees if adequate advance notice of leave needs is provided.
3. Employees shall be aware that Metro 4/SESARM has the right to deny leave requests and employees accept all risks if they make nonrefundable travel arrangements for personal leave without having first sought and received approval for the leave.
4. Where leave cannot be anticipated in advance, such as due to a sudden sickness, employees shall bear the responsibility of ensuring that their work intentions are reported to the Executive Director as soon as practicable. Failure to do so may result in an employee being placed on unpaid leave.

B. Holiday Leave Usage.

Use of holiday leave shall be granted to Metro 4/SESARM employees without prior request or approval. The Executive Director shall remind staff of upcoming office holidays.

C. Annual Leave Usage.

Annual leave usage shall be granted by the Executive Director to Metro 4/SESARM employees after receipt of a request reasonably in advance of the first day of intended annual leave usage, provided that there are no incomplete, critical work assignments that would cause a serious disruption of services to the Metro 4/SESARM agencies.

D. Sick Leave Usage.

1. Sick leave is to be used only in the event the employee is unable to work because of illness, injury, medical appointment, or other medical condition, either for themselves or for an immediate family member.

2. Sick leave usage shall be granted by the Executive Director to Metro 4/SESARM employees upon request, in most cases, after receipt of a request reasonably in advance of the first day of intended sick leave usage that provides basic information about the anticipated absence from work.
3. Employees shall request sick leave in advance where possible.
4. When advance notice of sick leave usage is not possible, the employee shall report the circumstances to the Executive Director as soon as practicable, unless the employee is incapacitated.
5. In situations where there is an unanticipated, emergency need for sick leave usage and the employee is unable to report to the Executive Director, where possible the employee should make arrangements for someone to report the circumstances to the Executive Director.
6. Employees shall not abuse sick leave usage by requesting to use it when they are not sick or having a medical consultation, either during their normal employment tenure or as the time of severance nears.

E. Compensatory Time Usage.

Compensatory time usage shall be granted by the Executive Director to Metro 4/SESARM employees after receipt of a request reasonably in advance of the first day of intended compensatory time usage, provided that there are no incomplete, critical work assignments that would cause a serious disruption of services to the Metro 4/SESARM agencies.

F. Other Paid Leave Usage.

Since not all paid leave situations can be anticipated in advance of their occurrence, Metro 4/SESARM staff should discuss situations with the Executive Director to determine if they qualify for other paid leave. The Executive Director may establish additional procedures for specific situations and/or may make determinations on how to proceed on a case-by-case basis.

IX. EMPLOYEE ETHICS.

- A. Metro 4 and SESARM have an expectation that office operations will be conducted in a manner that maintains a high standard of ethics and conduct. Metro 4/SESARM employees shall conduct themselves in a manner that is beyond reproach as prescribed in the Metro 4/SESARM Code of Ethics.
- B. Employees shall not accept any item of value in excess of \$25.00 from any individual, organization, business, or other entity which is regulated by a member agency or does

business with Metro 4 and/or SESARM. Exceptions to this policy shall be granted only after the offer of such a gift is reported to the Executive Director and a final determination is made as to the appropriateness of the gift. Factors to consider will include the value of such a gift, the circumstances under which it was offered, and whether it is common practice for the donor to provide such a gift in similar circumstances. For instance, if an employee is giving a presentation at a conference or meeting and other panel members (or other previous or future speakers) are given or have been given a similar token of appreciation, then acceptance of the gift may be appropriate. When rejection of an inappropriate gift at the moment it is offered would create an appearance of discourtesy or create a problem for the organizations, the gift may be temporarily accepted provided that it is reported to the Executive Director, donated to a charity, and documented in the files of Metro 4/SESARM. In such cases, the donation shall be subsequently reported to the donor along with an explanation that acceptance of such gifts is not consistent with Metro 4/SESARM policies.

- C. Employees of Metro 4/SESARM shall not conduct any activities which a reasonable analysis might conclude would constitute a conflict of interest. Employees shall excuse themselves from decision making in the awarding of contracts which involve immediate family members or other close relationships. Such relationships shall be disclosed to the Executive Director prior to any participation in procurement activities including awarding of contracts. Any Metro 4/SESARM employee failing to disclose a potential conflict of interest shall be subject to possible disciplinary action up to and including dismissal, depending on the degree of the violation.
- D. Metro 4/SESARM shall not execute a contract with any individual, corporation, partnership, business, or other entity which would result in damaged credibility for the organization or an unacceptable outcome to a work project.
- E. For six months after separation from Metro 4/SESARM employment, employees shall not accept positions with any service provider that has done business with Metro 4/SESARM in the past twelve months or that has an ongoing relationship with Metro 4/SESARM.

X. MISCELLANEOUS EMPLOYEE EXPECTATIONS.

- A. Employee Attire.
 - 1. All employees shall be expected to dress appropriately, as specific situations dictate.
 - 2. When working at home, dress may be casual, but shall be appropriate for video conferences when they occur.
 - 3. For air director and program manager meetings and workshops, attire may range from casual to business casual depending on the nature of the event. For instance, a

field visit may suggest more casual attire than an event entirely occurring in a meeting room.

4. Event attire may need to be more formal, depending on the invited guests who may be speaking and/or interacting with Metro 4/SESARM staff and other event attendees.
5. Business professional attire may be prescribed for more formal events, meetings with dignitaries, and appearances for depositions, hearings, and other formal events.

B. Employee Demeanor.

All employees shall ensure that their demeanor is professional at all times when representing Metro 4/SESARM. Employees shall exhibit courtesy, respect, patience, and sincere interest in the concerns, suggestions, and interactions with other employees, member agency staff, EPA staff, vendors, other customers, dignitaries, and the general public. Since Metro 4/SESARM staff behavior is a direct reflection on the Metro 4 and SESARM member agencies, extreme caution should be practiced to ensure that each conversation and opportunity for service results in a positive impression of the staff person and the Metro 4/SESARM agencies.

C. Employee Customer Service.

The primary purpose of Metro 4/SESARM is to provide service to its member agencies. Employees of Metro 4/SESARM shall constantly strive to provide courteous, prompt, and effective service to all individuals and entities with which it does business including member agencies, federal agencies, the regulated community within the jurisdiction of each member agency, environmental groups, permittees of the member agencies, trade associations, other professional service providers including engineering and legal consultants, media representatives, and the general public. While Metro 4/SESARM may not be able to provide any or all requested information and services, employees shall make every effort to be sensitive to requests for service and, where applicable, to forward an individual to other appropriate contacts when Metro 4/SESARM is not capable of, or authorized to, provide requested services.

D. Employee Punctuality.

1. Employees of Metro 4/SESARM shall be punctual in initiating and completing their workday, consistent with daily work expectations prescribed at hiring or as later amended by the Executive Director.
2. In the current decentralized work location scenario, it is acknowledged that there may be personal interruptions during the day. While employees should minimize

these interruptions to the extent possible, they may take personal leave or make up the personal time with a compressed lunch break and/or an extension of their workday beyond the normal end of their workday to ensure that they have adequately covered their daily work commitment.

E. Drug-free Workplace.

Metro 4 and SESARM shall maintain a drug-free workplace and shall not tolerate the use of alcohol or illegal drugs or abuse of prescription drugs in the workplace. Employees shall not arrive at work under the influence of such substances or use alcohol or illegal drugs or abuse prescription drugs during breaks or lunch. Finally, employees shall use extreme caution when operating vehicles on official Metro 4/SESARM business while taking medications that may cause drowsiness or may otherwise endanger the safety of the employee and/or fellow drivers.

F. Nondiscrimination and Harassment.

Metro 4 and SESARM shall maintain a workplace that is free from any form of discrimination, harassment, or intimidation based on age, ancestry, marital status, national origin, parenthood, physical handicap, race, religion, sex, sexual orientation, or any other demographic as prohibited by federal, state, and/or local statute, ordinance, and/or regulation.

XI. CERTIFICATION AND SIGNATURE.

This certifies that these Personnel Procedures have been prepared for the exclusive use of Metro 4 and SESARM, that they will be made available to all Metro 4/SESARM staff and the Metro 4 and SESARM Boards of Directors, and that the requirements herein will be explained in adequate detail to ensure that all Metro 4/SESARM staff and representatives are aware of, comply with, and fully implement them.

Greg DeAngelo, Executive Director
Metro 4/SESARM

Personnel and Office Administration Procedures—Attachment 1

Example Time and Attendance Sheet

Metro 4/SESARM
Time and Attendance Report
<Employee Name>

Pay Period End Date										
Day	Holiday Leave	Annual Leave	Sick Leave	Comp Leave	Met 4SES Admin	Training	Tech Proj	Work Total	Grand Total	OT
1/16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2/17	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3/18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4/19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5/20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6/21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7/22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8/23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9/24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10/25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12/27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
13/28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14/29	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
15/30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
x/31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

HOLIDAY

Accumulated Leave Summary						OT Calc. (if applicable)			
Leave Type	Balance Forward	Leave Used	Leave Gained	Leave Expired	New Leave Balance	Notes	OT Hrs	Factor	OT Total
Annual	0.00	0.00	0.00	0.00	0.00	16 hours per month & 240 hours max	0.00	1.5	\$0.00
Sick	0.00	0.00	0.00	0.00	0.00	8 hrs per month & 1,044 hours max	0.00	1.5	\$0.00
Comp	0.00	0.00	0.00	0.00	0.00	50 hours max	0.00	1.5	\$0.00

By signature below, I certify that this time report accurately reflects, to the best of my knowledge, the hours that I worked during this time period and the major activity areas for that work. Further, it accurately reflects any time taken off and any overtime worked during the pay period.

Signed: _____ Approved: _____
 Employee Supervisor

Personnel and Office Administration Procedures—Attachment 2

Example Leave Request Form

The undersigned requests approval for the following leave:

	Annual	Sick	Compensatory	Jury	Other
Hours					

Below is more information about the requested leave:

Begin date/time:	
End date/time:	
Additional information/comments:	

Requestor:

Name:	
Date of request:	

Approved by:

Name:	
Date of approval:	
Comments:	

Personnel and Office Administration Procedures—Attachment 3

Example Request for Approval of Compensatory Time or Overtime

The undersigned requests approval for the following compensatory time or overtime:

	Compensatory	Overtime
Hours		

Below is more information about the requested additional work hours:

Begin date/time:	
End date/time:	
Justification:	

Requestor:

Employee category:	Exempt: <input type="checkbox"/> Nonexempt: <input type="checkbox"/>
Name:	
Date of request:	

Approved by:

Name:	
Date of approval:	
Comments:	