

**Phyllis Wheatley Community Center**

**Employee Handbook**

**Revised December 2019**

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# GENERAL INTRODUCTION

Welcome! You have just joined a dedicated organization. We hope that your employment with Phyllis Wheatley Community Center (“PWCC”) will be rewarding and challenging.

We take pride in our employees as well as in the services we provide. Please learn the mission of PWCC. It is our belief that knowing our mission effectively reminds us of the overarching goals of our work and the work that has been done by others.

This Employee Handbook (“Handbook”) will familiarize employees with the practices, policies, plans, programs, and procedures of PWCC relating to work and pay. Time Off Benefits Supplement and Benefits Supplement (“Supplements”) address employee paid time off and other benefits and are attached and hereby incorporated by reference into this Handbook.

The Handbook and Supplements apply to all employees.

It is the responsibility of each employee to read the Handbook and Supplements carefully, be familiar with their contents, and keep them handy for future reference. Any questions or issues should be discussed with supervisors or with Executive Director as soon as they arise.

The Handbook and Supplements supersede all previous employee handbooks, memoranda, e-mails, or other communications dealing with the subject matter addressed in the Handbook and Supplements. The statements made in the Handbook and Supplements are not intended to, and do not, constitute a contract. PWCC reserves the right to amend, suspend, terminate, deviate from, add to, or supersede any practice, policy, plan, program, or procedure at any time with or without notice. Employment with PWCC is at-will, which means that PWCC retains the right to end employment of any individual at any time, for any reason, with or without cause or notice. Statements in the Handbook and Supplements or in any other PWCC publication are not to be construed as affecting or modifying in any way the at-will status of PWCC employees. No statement, written or oral, or other communication establishing employment for a specific period or under particular terms or conditions (including without limitation terms addressing compensation, benefits or severance rights), or otherwise altering the at-will status of a PWCC employee, will be enforceable unless it is in a written agreement signed by the Executive Director of PWCC.

The Handbook and Supplements are the property of PWCC and must be returned upon request or upon termination of employment with PWCC.

# ABOUT PHYLLIS WHEATLEY COMMUNITY CENTER

## HISTORY

PWCC opened its doors in 1924 as a settlement house. The center was the first agency in the Twin Cities dedicated to serving African Americans. For over nine decades it has remained a cornerstone for north Minneapolis.

Today PWCC programs address the needs of children, you, families, and elders by providing tailored education and skill-building opportunities to help individuals and families discover their strengths, develop their personal networks of support, and take control of their futures.

## LOCATION



Phyllis Wheatley Community Center

1301 10th Ave N, Minneapolis, MN 55411

Office Hours: Monday - Friday | 8:30 a.m. - 5:00 p.m.

Main Phone Line: 612-374-4342

website: www.phylliswheatley.org

email: info@phylliswheatley.org

## MISSION

PWCC provides comprehensive quality programs in life-long learning, child development, and family support for the diverse Greater Minneapolis community.

### Our Values

***Trust****.* A safe place that draws people and resources together in order to address the challenges and needs of the whole person, creating hope for a better life.

***Discovery***. A commitment to an asset-based approach that helps individuals and families discover and build upon their strengths.

***Success***. A legacy of leaders and leadership, that serves as a road map for those seeking to improve their future and impact their community.

We honor our history and those who came before us and paved the way. Phyllis Wheatley Community Center today is a safe place that draws people and resources together to advance personal leadership in building a better life.

## ORGANIZATIONAL CHART



# EMPLOYEE CONDUCT

## ANTI-DISCRIMINATION AND NON-HARASSMENT

PWCC strives to maintain a work environment where all individuals are treated with respect. PWCC prohibits all forms of unlawful discrimination and harassment and expects the cooperation of all employees in making this policy work.

### Equal Employment Opportunity

PWCC is committed to providing equal employment opportunities. All qualified applicants and employees will be considered for employment and advancement without regard to race, color, religion, national origin, sex, disability, age, genetic information, creed, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, sexual orientation or any other status protected by applicable law. This policy applies to all employment practices and terms and conditions of employment, including but not limited to promotions, transfers, compensation, terminations, training and participation in PWCC sponsored benefits or programs.

Employees should raise any concerns they might have regarding possible discrimination in accord with the complaint procedure described below. No retaliation against anyone who in good faith brings forth a complaint of possible discrimination will be permitted or tolerated.

### Disability and Pregnancy Accommodation

PWCC complies with the Americans with Disabilities Act and other applicable laws prohibiting discrimination in employment against qualified individuals with disabilities or addressing providing accommodations to eligible employees with health conditions related to pregnancy or childbirth. To the extent required by applicable law, PWCC will make reasonable accommodations for qualified employees with known disabilities and qualified employees with health conditions related to pregnancy or childbirth. If an employee needs a reasonable accommodation, contact the Executive Director. The Executive Director will work with the appropriate supervisor(s) to review the request and evaluate possible accommodations. PWCC will not retaliate against any employee for requesting or obtaining any reasonable accommodation in accordance with applicable law.

### Religious Accommodation

Consistent with its commitment to providing equal employment opportunities to all individuals, regardless of their religious beliefs and practices or lack thereof, PWCC will provide a reasonable accommodation of an applicant’s or of an employee’s sincerely held religious belief if the accommodation would resolve a conflict between the individual’s religious beliefs or practices and a work requirement, unless doing so would create an undue hardship for PWCC.

Any applicant or employee may request a reasonable accommodation based on a sincerely held religious belief or practice. PWCC may ask the applicant or employee to provide additional information about the accommodation requested. Failure to provide the requested information may result in denial of the accommodation. PWCC makes determinations about religious accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. If you have any questions about a religious accommodation, speak with your supervisor.

Applicants and employees will not be retaliated against for requesting an accommodation in good faith. PWCC expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they should follow the Complaint Procedure for reporting harassment, inappropriate conduct and offensive behavior in the following section. If employees do not report retaliatory conduct, PWCC may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

### Harassment, Inappropriate Conduct and Offensive Behavior

PWCC is committed to maintaining a work environment that is free from discrimination and harassment, including unlawfully intimidating, hostile, or offensive conduct. Harassment and other inappropriate conduct that is based on, or is directed toward someone because of race, color, religion, national origin, sex, disability, age, genetic information, creed, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, sexual orientation or any other status protected by applicable law, is against PWCC’s policy and will not be permitted or tolerated. Voice-mail and electronic communications (such as e-mail and Internet use) are covered by this policy in the same manner as other communications and actions.

#### Prohibited Conduct

For the purpose of this policy, prohibited conduct includes verbal, written, visual, or physical conduct that (1) relates to another person’s to race, color, religion, national origin, sex, disability, age, genetic information, creed, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, sexual orientation or any other status protected by applicable law or (2) is directed toward another person because of that person’s race, color, religion, national origin, sex, disability, age, genetic information, creed, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, sexual orientation or any other status protected by applicable law, where such conduct may have the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited conduct may include, among other things, telling racist or sexist jokes or making offensive or derogatory remarks about another person’s race, color, religion, national origin, sex, disability, age, genetic information, creed, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, sexual orientation or any other status protected by applicable law. Prohibited conduct includes, among other things, sexual harassment as discussed below.

Prohibited conduct includes, but is not limited to, conduct that may constitute or lead to sexual harassment, such as: use of suggestive sexual comments, jokes, or innuendo; persistent, unwanted flirtation or invitations for dates or other social activities; unwelcome sexual advances or passes; sexual remarks or questions about a person’s body, clothing, or sexual activities; patting, pinching, or other offensive touching; or displays of sexually suggestive pictures or objects. Sexually harassing conduct may include conduct between persons of the same gender, regardless of the sexual orientation of those persons.

Discrimination and harassment are prohibited whether it is committed by supervisors, co-workers, or non-employees, including vendors, suppliers, contractors, families, and clients. Employees must not engage in prohibited conduct against other PWCC employees or PWCC’s vendors, suppliers, contractors, families, and clients.

#### Complaint Procedure

Employees who become aware of or are subjected to possible discrimination or harassment should notify their immediate supervisor or Executive Director immediately. PWCC may ask that complaints be put in writing to facilitate the investigation process. In addition, for employees who are comfortable doing so, telling the person who is engaging in inappropriate behavior to stop is often the most effective way to stop objectionable behavior.

Supervisors who become aware of any incidents or alleged incidents of possible discrimination or harassment must immediately report them directly to the Executive Director. Supervisors who receive complaints of possible discrimination or harassment must consult with Executive Director before undertaking an investigation or other action. Any supervisor who fails to report allegations of discrimination, harassment, or other prohibited conduct or who otherwise fails to deal properly with such allegations may be subject to discipline, up to and including termination of employment.

PWCC will take prompt action to investigate allegations of discrimination or harassment. Based upon its investigation, PWCC will take prompt and appropriate corrective action. Any employee found to have engaged in discrimination, harassment, or other prohibited conduct will be subject to appropriate discipline or other corrective action, up to and including termination of employment. Appropriate steps will also be taken if any non-employees (such as a vendors, suppliers, contractors, families, and clients) are found to have discriminated against or harassed any employee of PWCC.

Reports of discrimination or harassment will be kept confidential to the extent possible, consistent with the need for a thorough investigation.

PWCC will not retaliate or take any form of reprisal against any victim of or witness to discrimination or harassment, and any such retaliation or reprisal by a PWCC employee is forbidden. Any employee who retaliates against another employee or witness because of a complaint of discrimination or harassment, or because of participation in any investigation, will be subject to discipline, up to and including termination of employment.

## ATTENDANCE AND PUNCTUALITY

Regular and timely attendance are essential requirements of every employee’s position. When any employee is late or absent, PWCC’s ability to serve its families and clients and perform other work is affected and an extra unfair burden is placed on fellow workers. Any employee who is going to be absent or late must call his or her supervisor as soon as possible (but not later than the scheduled start of the employee’s work day). Excessive absences or tardiness may lead to discipline, up to and including termination of employment.

If an employee is absent for more than one day, the employee must notify his or her supervisor each day (unless the employee is on an approved leave of absence or pre-approved time away from work). An employee who fails to report to work and fails to notify his or her supervisor of the reason for his or her absence from work for three consecutive workdays will be considered to have abandoned his or her job and voluntarily resigned.

## PERSONAL APPEARANCE

During business hours or when representing PWCC, employees are expected to present a clean, neat, and professional appearance. Employees are asked to be considerate of others, who may have sensitivities or allergies to various fragrances or scented products, when wearing fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products. The following may unacceptable during normal business work hours: leisure t-shirts, sundresses, revealing tops, tank tops, midriff blouses, skirts shorter than mid-thigh when seated, shorts, sweatpants, and leisure sweatshirts. Exceptions to the preceding list may be made for employees with certain job duties (van drivers, maintenance workers, and child care workers). Body art or piercings may be deemed inappropriate by the employee’s supervisor, and the employee may be requested to remove jewelry or cover body art during work times. Senior management and/or supervisory staff may need to interpret this policy in individual circumstances. PWCC reserves the right to send an employee home to change clothes if any supervisor determines that an employee’s attire is unacceptable.

Any employee that requires a reasonable accommodation for reasons based on religion, disability, or other grounds protected by federal, state, or local laws should contact their supervisor. Reasonable accommodation will be granted unless it would cause an undue hardship on PWCC. PWCC prohibits any form of discipline, reprisal, intimidation, or retaliation for requesting a reasonable accommodation for grounds protected by federal, state, or local law.

## PROTECTION OF CONFIDENTIAL INFORMATION

In the course of employment with PWCC, employees will have access to, view or work with information and materials that are confidential and that are regarded by PWCC or its clients as confidential. Such confidential information and materials are very valuable to PWCC and its families and clients. Therefore, improper access to or disclosure of any such confidential information and materials could irreparably harm PWCC and its families and clients.

It is impossible to list all the kinds of confidential information and materials to which employees might have access, which employees might view, or with which employees might work or be entrusted while at PWCC. Therefore, employees should treat all of PWCC’s business affairs, materials, plans and projects as confidential information. Employees also should keep confidential all tangible property associated with these matters, such as notes, drawings, letters, artwork, photographs, print-outs and non-public materials of any kind that employees or others prepare. PWCC may further designate from time to time other specific items that are to be treated by employees as confidential.

Because of the importance of confidential information and materials to the business of PWCC and its families, employees must not, at any time, disclose any such confidential information and materials to anyone—even after they leave PWCC—except as specifically authorized by PWCC in the course of their employment, nor may employees make any personal use of such confidential information and materials. Similarly, all non-public documents, files, records and other work product relating to PWCC or its families are the property of PWCC or its families and should not be removed from the premises of PWCC except as authorized by PWCC in the course of employees’ employment. Employees must exercise utmost care and take all steps that may be necessary to protect and guard against the disclosure of any confidential information or materials to anyone, even family members or vendors, suppliers, contractors, consultants and others who may serve PWCC or its families.

Employees are not entitled to view or gain access to all confidential information and materials of PWCC or its families. Employees are entitled to gain access to and view only that confidential information and materials specifically entrusted to them for the purpose of performing their job at PWCC.

If employees are in possession of a previous employer’s or another’s confidential information and materials, employees have an obligation not to disclose such confidential information or materials to anyone at PWCC and must not do so. Employees are also prohibited from violating the rights of any other party in connection with their work and must honor all copyrights and other rights in computer software, photographs, drawings, written works, music and other materials licensed for use or entrusted to PWCC or its clients.

No employee may photograph, tape, or otherwise record any person, document, conversation, communication, or activity that in any way involves confidential information of PWCC or employees of PWCC, its families or any other individual with whom PWCC is doing business or intending to do business in any capacity. The authorized copying of documents in the ordinary course of business for the benefit of PWCC is not prohibited by this policy. Limited exceptions will apply where the photographing, taping, or recording is being conducted by an individual who has been provided advance written authorization for the activity by an authorized member of PWCC management. Where the conduct engaged in is illegal, violators may be subject to prosecution under applicable law.

This policy is not intended to, and does not, in any manner, prohibit employees from discussing or others’ wages, benefits, and other terms and conditions of employment or workplace matters of mutual concern that are protected by the National Labor Relations Act.

## ELECTRONIC COMMUNICATIONS

PWCC’s computer, Internet, e-mail, voice mail, telephone, photocopy, facsimile and other electronic communication systems are property of PWCC and intended for business use during working time. Any non-business use is limited to an employee’s non-working time. Employees learning of use of electronic communications that are inconsistent with the requirements of this policy must immediately notify Executive Director. Violations of this policy may result in disciplinary action, up to and including termination of employment.

Employees do not have a personal privacy right in any matter created, received, sent, accessed, or stored on any PWCC computer, telephone, voice mail, e-mail or Internet connection. Designating a matter as private or confidential or the existence of passwords and “message delete” functions does not restrict or eliminate PWCC’s ability or right to access electronic communications. PWCC monitors its computer, telephone, voice mail and e-mail systems and Internet connection and, at any time and without prior notice, may record telephone calls, listen to voice mail, and read and copy any and all files or data contained therein (including, but not limited to, e-mail messages and personal file directories). PWCC maintains full access to all electronic communication systems to assure compliance with legal requirements as well as internal policies, supporting the performance of internal investigations, and assisting with the management of PWCC’s information systems.

All use of electronic communications must conform to the same standards of propriety as any other verbal or written business communication. Demeaning, harassing or defamatory communications, messages or postings are prohibited. This includes, but is not limited to, any electronic communication that is inconsistent with PWCC’s Anti-Discrimination and Non-Harassment Policy.

### Computer Systems In General

Computer resources are assets of PWCC and are to be protected from unauthorized access, modification, destruction, theft or disclosure. An active desktop computer or unlocked laptop should not be left unattended for any extended period, such as overnight or while the user is otherwise away from the office or other location where the computer is being used for any extended period of time. Individual passwords for computers are confidential and may not be shared or posted. If a user’s password is learned by someone else, the password should be changed immediately. Each user is responsible for activity performed using the user’s password. No user should attempt to obtain access to another user’s files or other information without prior authorization.

Most proprietary software licenses have legal restrictions prohibiting unauthorized use and copying. It is the responsibility of each employee to ensure compliance with all copyright laws and license restrictions before downloading or receiving software from any source. In addition, software may not be downloaded or received on a PWCC computer, including software available on the Internet, unless it is approved in advance by Finance Director. Only personnel authorized by Finance Director] may load software onto any PWCC computer, connect any hardware or other equipment to any PWCC computer, or move or change any PWCC computer equipment.]

Information posted, viewed or downloaded from the Internet may be protected by copyright or piracy laws. Reproduction of protected information is permitted only if such reproduction is (1) a fair use or (2) based on express permission given by the copyright owner that is on file with PWCC’s Finance Director. It is each employee’s responsibility to comply with applicable copyright and piracy restrictions.

All files originating from a source outside of PWCC, including files obtained over the Internet, must be checked for possible computer viruses before being downloaded onto a PWCC computer. The virus-checking software on each PWCC computer will ordinarily perform this check automatically. All users should contact Finance Director before downloading a file that may pose a particular risk for any reason.

### Telephone Calls and Text Messaging

Excessive personal calls or text messaging by any employee during work time may result in disciplinary action.

Personal calls and personal faxes to or from PWCC should generally be avoided, except under special and necessary circumstances. Limited use of PWCC’s telephone or fax systems is permitted so long as such use is minimal and does not impact performance or violate any of PWCC’s policies or work rules.

### E-mail Usage

The principal purpose of electronic mail (e-mail) is to facilitate business communications among PWCC employees and with its clients. E-mail should not be used to solicit outside business ventures or for any political purpose.

E-mail that contains information confidential or proprietary to PWCC must be treated as confidential in accordance with PWCC’s policy regarding Protection of Confidential Information. Employees may not share e-mail passwords, provide e-mail access to an unauthorized person, or access another user’s e-mail without authorization.

### Internet Access and Usage

PWCC’s connection to the Internet is principally for work-related purposes. Limited use of PWCC’s Internet is permitted so long as such use is minimal and does not impact performance or violate any of PWCC’s policies or work rules. Any unauthorized use of the Internet is prohibited. Unauthorized uses include, but are not limited to, posting, viewing, downloading, or otherwise transmitting or receiving offensive, defamatory, pornographic, or sexually explicit material; engaging in computer “hacking” or other related activities; or attempting to disable or compromise the security of information on any computer.

A subscription to an Internet mailing list is permitted only if the subscription is (1) work-related.

Only authorized personnel may establish Internet or other external network connections. Because other connections may cause unauthorized access to PWCC’s systems and information, they are strictly prohibited. Prohibited connections include but are not limited to the establishment of hosts with public modem dial-ins, World Wide Web home pages and File Transfer Protocol (FTP).

## ELECTRONIC MEDIA USE

PWCC supports use of electronic media as a vehicle for personal and business networking, but employees who maintain social media pages (including, but not limited to, forms of online publishing and discussion, including blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks) are expected to comply with the following guidelines:

* Employees should not misuse PWCC's time and resources. Only employees who are required and approved to use electronic media as part of their jobs may have access to social media on PWCC's computers and during regular working hours, and then only to conduct PWCC business.
* Employees must not make unauthorized statements on behalf of PWCC. Content placed on electronic media regarding PWCC or its management, employees, customers, competitors or vendors must be free of any impression that the views expressed are anything more than personal opinion; in other words, such content must make clear that it does not represent the views of PWCC. Postings that disclose an employee's association with PWCC should include a disclaimer stating that any opinions expressed are the employee’s own and do not represent those of PWCC.
* Employees must not violate PWCC's policies. Use of electronic media may not conflict with any of PWCC’s existing policies including, but not limited to, the Anti-Harassment and Non-Discrimination, Code of Conduct, Violence-Free Workplace.
* Employees must not use or disclose confidential or proprietary information. Use of electronic media may not conflict with PWCC’s Protection of Confidential Information policy.

This policy does not, in any manner, prohibit employees from discussing among themselves or others, wages, benefits, and other terms and conditions of employment or workplace matters of mutual concern that are protected by the National Labor Relations Act.

## SOLICITATION AND DISTRIBUTION

No employee may engage in solicitation, nor may any employee willingly accept solicitation, on behalf of any club, society, religious organization, political party, labor union or similar association, or for any other purpose, during the working time of either the solicitor or the person being solicited. Employees may not distribute or receive non-work-related literature on their working time, nor may employees distribute non-work related literature in working areas at any time. Non-employees may not solicit or distribute literature to employees on PWCC property at any time.

“Working time” means the time during which an employee is required to be performing work duties; it does not include the time before the employee’s scheduled work day begins, the time after the employee’s scheduled work day ends, or the employee’s break or lunch periods (whether or not paid). “Working areas” includes all areas of the premises.

## BULLETIN BOARDS

Bulletin boards may be provided by PWCC. These bulletin boards are for the express purpose of communicating work-related information. All postings must be related to PWCC. Approval by Executive Director] is required before posting any material.

## DISCIPLINE

PWCC’s policy is to attempt to deal constructively with employee performance problems, unsatisfactory behavior and employee errors. The disciplinary process used will be determined by PWCC in its discretion in light of the facts and circumstances of each case. Each situation will generally be considered in light of a variety of factors including, but not limited to: the seriousness of the situation; the employee’s past conduct and length of service; and the nature of the employee’s previous performance or incidents involving the employee.

Depending upon the facts, disciplinary action may include oral or written warnings, probation, suspension with or without pay, or immediate termination of employment. Because all employees are employed on an at-will basis, PWCC has the right to terminate employment of any employee at any time for any reason, with or without notice.

# COMPENSATION

## WORK WEEK AND PAY PERIODS

PWCC’s work week for payroll record-keeping purposes commences at 12:01 a.m. on Sunday and ends the following Saturday at midnight. Payroll checks will be issued bi-monthly. If a pay day falls on a holiday, checks will be distributed on the previous work day. PWCC will provide employees with a list of pay periods each year indicating the start and end dates of the pay period as well as the pay dates.

## EMPLOYEE CLASSIFICATIONS

PWCC is committed to complying with all wage and hour laws and regulations with respect to exempt and non-exempt employees. All PWCC policies, including the policies in the Handbook and Supplements, will be interpreted and administered consistent with the requirements of applicable law. In the event of any ambiguity or any inconsistency between the Handbook or Supplements and applicable law, applicable law controls.

Any employee who has questions regarding any aspect of payroll administration or believes that he or she has been improperly classified, that an improper deduction has been made to his or her salary, or that he or she has been otherwise improperly compensated, should immediately notify Finance Director. PWCC will promptly review and investigate the complaint and will reimburse any employee found to have been subjected to improper classification, improper salary deduction or otherwise improperly compensated.

### Regular Full-Time Personnel

Regular full-time employees are those employees who have completed their introductory period and are regularly scheduled to work more than 37.5 hours per week. Unless stated otherwise or specifically permitted by law, all the benefits provided to employees at PWCC are for regular full-time and regular part-time employees only. This includes paid time off, holiday pay, health insurance and other benefits provided for in the Benefits Supplement to this handbook.

### Regular Part-Time Personnel

Regular part-time employees are those who have completed their introductory period and are regularly scheduled to work more than 20 hours per week. Regular part-time employees may be eligible for benefits as provided for in this handbook or as required by applicable law.

### Temporary, On Call, and Unpaid Intern Personnel

Temporary employees are hired for a specific period or specific work project, not to exceed 12 months in duration. PWCC reserves the right to extend the duration of temporary employment where necessary. Temporary employees are not eligible for benefits unless specified otherwise in this handbook or in the Benefits Supplement or specifically permitted by law.

***On-Call Employees***

On-call employees include those employees who work on an occasional basis or who are not regularly scheduled to work but may be scheduled from time to time. On-call employees are not eligible for benefits.

***Unpaid Interns***

Unpaid interns include those individuals whose schedule is based on programmatic needs. Unpaid interns are not eligible for benefits.

### Classification

For payroll purposes, employees are classified as exempt or non-exempt under applicable law. Exempt employees are generally paid on a salary basis. Non-exempt employees are generally paid on an hourly basis.

### Timekeeping and Overtime for Non-exempt Employees

All non-exempt employees are required to accurately record their time worked through their designated time keeping system. Non-exempt employees must exercise care to complete their time records accurately. Time must be recorded as follows:

* Immediately before starting your shift.
* Immediately after finishing work before your meal period.
* Immediately before resuming work after your meal period.
* Immediately after finishing your shift.
* Immediately before and after any other time away from work.

“Immediately” means that if you are required to clock in, you should clock in no more than five minutes ahead of your start time and clock out no more than five minutes after your shift ends. Falsifying time records or working “off the clock” is strictly prohibited. An employee who submits inaccurate time entries or otherwise tampers with time records will be subject to discipline, up to and including termination of employment.

Non-exempt employees are entitled to overtime pay for all hours worked in excess of 40 hours in a work week. Non-exempt employees must not work overtime unless authorized in advance by their supervisor. Any employee who works unauthorized overtime must accurately record any overtime hours worked and will be paid for such time but may be subject to discipline for failing to secure the required advance authorization. No supervisor or other employee has the authority to direct or approve “off the clock” work. Any employee who is asked not to record time worked, including overtime, must promptly report the request to Finance Director.

Paid or unpaid time off pursuant to a PWCC policy (for example, sick leave, PTO, holidays, bereavement), will not be counted as hours worked for purposes of determining whether an employee is entitled to receive overtime pay.

### Salary for Exempt Employees

Exempt employees are generally paid a fixed salary for their job responsibilities, without regard to the number of hours needed in a work week to complete the job. Exempt employees are not eligible for overtime pay but are required to spend whatever hours are necessary to fulfill their job responsibilities. Similarly, regardless of variations in the number of days or hours worked or the quality of the work performed, PWCC will not make deductions from an exempt employee’s salary for any work week in which the employee worked, unless such deductions are authorized by applicable law.

## BREAKS

Non-exempt employees may be eligible for rest, meal or nursing mother breaks depending on how many hours they work and as required under applicable law. All full-time employees are expected to work 37.5 hours per work week, eight hours per day. PWCC provides compensation for 30 minutes per eight-hour work day for full-time employees. Non-exempt employees are not authorized to work during unpaid breaks.  Any non-exempt employee who works either authorized or unauthorized time during an unpaid break will be paid for time worked and must report this time to his or her supervisor immediately and record it on the employee’s time record. Non-exempt employees should talk to their supervisors about rest and meal breaks for their particular department or location, as well as schedules for such breaks.

## RIGHT TO DISCLOSE AND DISCUSS WAGES

PWCC does not require nondisclosure by an employee of his or her wages as a condition of employment and does not require employees to sign a waiver or other document which purports to deny any employee the right to disclose the employee’s own wages to others. PWCC will not take any adverse employment action against an employee for disclosing the employee’s own wages or discussing another employee’s wages which have been disclosed voluntarily. If PWCC violates any of the aforementioned rights with respect to an employee who resides in Minnesota, then such employee may bring a civil action against PWCC and seek remedies under Minnesota’s Wage Disclosure Protection law.

# CODE OF CONDUCT

## ETHICS CODE

PWCC will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our employees are expected to adhere to high standards of business and personal integrity as representatives of PWCC.

We expect that employees will not knowingly misrepresent PWCC and will not speak on behalf of PWCC unless specifically authorized. PWCC expects employees to adhere to the confidentiality and privacy policies contained in this handbook.

Violations of this provision may result in discipline, up to and including, termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and the employee’s cooperation in any subsequent investigation.

## POTENTIAL CONFLICTS

PWCC’s reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, employees must never use their positions with PWCC, or any of its customers, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

PWCC adheres to the highest legal and ethical standards applicable in its business. PWCC’s business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of PWCC must conduct their personal affairs such that their duties and responsibilities to PWCC are not jeopardized or legal questions do not arise with respect to their association or work with PWCC.

## CONFLICT OF INTEREST

Employees have an obligation to conduct business in a way that avoids actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of PWCC’s business dealings.

Employees and their relatives are prohibited from receiving any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving PWCC.

If any employee or relative has a significant ownership in a firm with which PWCC does business, or if an employee has any influence on transactions involving purchases, contracts, or leases, the employee must immediately disclose to the Executive Director the existence of any actual or potential conflicts of interest.

## GIFTS

Accepting or offering gifts, loans, or other forms of personal compensation (i.e., vacation or trips, favors, excessive or inappropriate entertainment) that may influence, or appear to influence, an employee in conducting PWCC business is prohibited.

Gifts, favors, casual entertainment of nominal value (defined as less than $50) or promotional materials such as pens, pencils, note pads, calendars, etc., may be accepted when they meet general standards of ethical business conduct, involve no element of concealment, and are accepted on a reciprocal basis where no obligation remains.

Any employee who is uncertain as to whether a gift, favor or other item offered or given to him or her is acceptable should talk to his or her supervisor or Executive Director. Employees are also responsible for reporting any questionable activity to their supervisor or Executive Director.

## OUTSIDE EMPLOYMENT

Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions. Activities and conduct away from the job must not compete with, conflict with or compromise PWCC interests or adversely affect job performance and the ability to fulfill all responsibilities to PWCC. Employees are prohibited from performing any services for clients on nonworking time that are normally performed by PWCC. This prohibition also extends to the unauthorized use of any PWCC tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If PWCC determines that an employee’s outside work interferes with his or her performance or the ability to meet the requirements of PWCC, as modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with PWCC.

Failure to adhere to this policy may result in discipline up to and including termination.

## RELATIONSHIPS IN THE WORKPLACE

PWCC is committed to establishing a work environment that is free of conflicts of interest and harassment and in which personnel decisions and opportunities are recognized to be based on talent and merit. No person in a management or supervisory position shall have a romantic or dating relationship with an employee whom he or she directly supervises or whose terms or conditions of employment he or she may influence (examples of terms or conditions of employment include promotion, termination, discipline, and compensation). All PWCC employees involved in romantic relationships covered by this policy must report the relationship to their supervisor. In such an event, PWCC will determine the appropriate resolution to the actual or potential conflict of interest or appearance of favoritism. Failure to disclose relationships in accordance with this policy may be subject to disciplinary action up to and/or including termination of employment.

## ETHICAL CLIENT RELATIONSHIPS

## To provide the highest standard of stewardship for the trust and dependency of PWCC’s clients and participants, all employees shall make every effort to avoid relationships which might impair professional judgement or which might increase the risk of client/participant exploitation in any form.

## EMPLOYMENT OF RELATIVES AND FRIENDS

PWCC allows the employment of relatives and friends, as long as such relationship is disclosed and does not create real or perceived conflicts of interest. Such conflicts of interest typically exist where one relative works in a supervisory role of the other or otherwise is in a position to affect the other employee’s compensation, benefits, performance or career advancement. If such situations develop, PWCC will determine whether the situation poses an actual or potential conflict and the appropriate resolution to the actual or potential conflict of interest.

# HEALTH AND SAFETY

## DRUG AND ALCOHOL-FREE WORKPLACE

PWCC is dedicated to maintaining a drug and alcohol-free workplace. PWCC recognizes that drug and alcohol use in the workplace can have serious consequences in terms of safety, security, and productivity. For this reason, PWCC prohibits the following activities while working, while on PWCC property (including parking facilities), and while operating or occupying PWCC equipment, machinery or vehicles:

* Use, consumption, or possession of alcohol or illegal drugs;
* Manufacturing, buying, selling, offering, or receiving illegal drugs;
* Reporting to work or working while under the influence of alcohol or illegal drugs; and
* Electronic cigarettes or tobacco use in any form outside of designated outdoor smoking areas.

For purposes of this policy, “illegal drugs” includes legal drugs that were not legally obtained or that were used for purposes other than the purpose for which they were prescribed.

PWCC encourages any employee who may have an alcohol or drug-related problem to contact the Employee Assistance Program (EAP) seek other professional assistance. PWCC will support any employee desiring assistance. Employees, however, should seek help before the dependency affects their job performance. While drug or alcohol dependency itself is not grounds for discipline or termination of employment, any work problems resulting from such use or dependency will be dealt with as any other work-related problem and may be cause for discipline or discharge.

Employees must notify the Executive Director of PWCC of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction. Compliance with the Drug and Alcohol-Free Workplace policy is a condition of employment and the failure to comply may result in discipline up to and including discharge.

## SMOKING

Smoking electronic cigarettes and tobacco use in any form is prohibited indoors at all PWCC facilities and within 50 feet of any entrance or exit to all PWCC facilities. Smoking electronic cigarettes and tobacco use is permitted outside PWCC’s buildings, provided that all butts and other tobacco products and electronic delivery devices are fully extinguished and properly discarded in the trash, and the employee stands at least 50 feet from any entrance or exit to PWCC’s facilities.

##

## SAFETY

PWCC will comply with all applicable safety laws and make efforts to reduce the possibility of workplace accidents. Any employee who has any concerns about safety within the work environment is strongly encouraged to report them to his or her supervisor. Any employee who sustains an illness or injury while on the job, no matter how minor, should report the injury or illness to his or her supervisor immediately.

## VIOLENCE-FREE WORKPLACE

To maintain a safe workplace, PWCC prohibits the possession of firearms or other weapons, violence and any type of violent or threatening behavior towards employees, contractors, vendors, suppliers, families, and clients at any time while on or using PWCC property, during working hours or after hours, or while an employee is engaged in PWCC business regardless of the employee’s location. All contractors, vendors, suppliers, service personnel, families, and clients, and visitors of any type are also prohibited from carrying firearms or other weapons on PWCC premises.

For purposes of this policy, "violent behavior" includes, but is not limited to, any physical touching that is intended to or does inflict injury on another, including but not limited to the use of a weapon against another individual. Violent behavior also includes, but is not limited to, stalking or intimidating a person, making physical or verbal threats, and intentionally destroying PWCC property or property of another individual affiliated with PWCC.

“PWCC property” includes, but not limited to, desks, offices, workstations, file cabinets, e-mail and voice mail, facilities, buildings, structures and motor vehicles, whether owned, leased, or used by PWCC. PWCC property is intended to apply to all work locations and sites in which PWCC does business and transportation between such locations while in the course and scope or employment for PWCC, except where firearms are allowed by law in parking facilities or parking areas.

Employees should report the following incidents immediately to their supervisor or the Finance Director:

* Any suspicious activity or unauthorized persons in the building or parking lot.
* Anyone in possession of a firearm or other weapon while on PWCC property.
* Possession by an employee of a firearm or other weapon while engaged in PWCC business regardless of whether or not he or she is on PWCC property.
* Any threatened or actual violent behavior by or against an employee while on PWCC property or while engaged in PWCC business.
* Any threat of violent behavior made known to an employee when off PWCC property and not engaged in PWCC business, if there is reason to believe that the threat may be carried out on PWCC property or while the employee or person making the threat is engaged in PWCC business.
* Any other incident the employee finds threatening or believes might lead to a violent altercation while on PWCC property or while engaged in PWCC business.

Any employee who feels that he or she is in imminent danger of being harmed should dial 911 if the situation warrants.

# LEAVES OF ABSENCE

To apply for any leave offered by PWCC, employees should contact their supervisor or Finance Director. Employees who apply for a leave will be asked to state why they want the leave, when they want the leave to begin and when they want the leave to end. The PWCC will inform employees what type and duration of leave, if any, has been approved and will also tell them what requirements, such as certification of a health condition, they must fulfill.

All leaves are granted for a specific period of time. Any employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which he or she may be eligible, including an extension of the current leave. Employees who do not return to work at the end of an approved leave period, including any extensions, may be terminated as of the date the leave ends.

Leaves of absence or other time off is governed by various laws and PWCC will comply with applicable law. Employees who need time off that is in addition to or is not covered under the provisions of this Handbook or any Supplement should contact supervisor to determine whether any other type of leave is available at their work location.

## PREGNANCY AND PARENTING LEAVE

PWCC provides unpaid parenting leave of up to six (6) weeks for eligible employees who are natural, foster, or adoptive parents. An “eligible employee” is one who has been employed by PWCC for (1) the previous 12 consecutive months and (2) at least one-half the full-time equivalent position in the employee’s job classification during those 12 months.

An eligible employee may take an unpaid leave of absence of up to six (6) weeks in conjunction with the birth or adoption of the employee’s child, or placement of a foster child. A leave for the birth of the employee’s child may begin not more than 6 weeks after the birth; except that, if the child must remain in the hospital longer than the mother, the leave may begin not more than six (6) weeks after the child leaves the hospital. The leave for the adoption of a child or placement of a foster child must begin either before or at the time of the child’s placement, at the employee’s choice.

If the employee had health insurance coverage prior to the leave, PWCC will continue to make health care coverage available to the employee while he or she is on leave, under the same terms and conditions as health insurance is provided to employees who are not on leave. The employee must continue to pay his or her own share of the premiums for such coverage while on leave.

An employee will be returned to his or her former position (or a position of comparable duties, number of hours, and pay), unless the employee’s employment has been terminated during the leave of absence for reasons unrelated to the leave. An employee returning from a Parenting Leave longer than one (1) month must notify PWCC at least two (2) weeks prior to returning from leave.

## SCHOOL CONFERENCE AND ACTIVITIES LEAVE

PWCC will grant up to 16 hours of unpaid time off during any 12-month period for employees to attend their child’s special education, preschool or school conferences or school-related activities, if those conferences or activities cannot be scheduled during nonwork hours. To be eligible for this leave, an employee must have worked at least one-half the number of hours of a full-time employee during the 12-month period immediately preceding the leave and must have worked for PWCC for at least 12 months preceding the request.

For purposes of this policy, “child” includes a foster child.

When the need for leave under this policy is foreseeable, employees must provide reasonable advance notice and must make a reasonable attempt to schedule the leave so as not to unduly disrupt PWCC’s operations.

Employees may substitute any accrued paid vacation leave or other appropriate paid leave for any part of this leave.

## MILITARY LEAVE

PWCC complies with the Uniform Services Employment and Reemployment Rights Act (USERRA) and applicable state law pertaining to military leave. Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with applicable law. Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to Finance Director and arrangements for leave made as early as possible before departure. Employees must notify Finance Director of their intent to return to employment as required by applicable law. No attempt is made in this policy to cover all possible situations and circumstances that may arise in connection with the military service of an employee. Therefore, as military leave situations arise, employees should consult with Finance Director for complete details regarding their military leave rights.

## GENERAL LEAVE OF ABSENCE

Employees who must be away from their job for greater lengths of time than PWCC’s standard leave policies allow may request a general leave of absence without pay. During a general leave of absence, employees will not be eligible for any of the benefits of a full-time employee. Whether to grant such a leave and the conditions of any such leave that is granted will be decided in the sole discretion of PWCC. Employees might not be guaranteed a return to the same job.

## JURY DUTY

Employees who are required to serve on a jury should let their supervisors know as soon as possible. Employees who are classified as exempt will not incur any deduction in pay for a partial week’s absence due to jury duty. Employees who are classified as non-exempt will not be compensated for time spent on jury duty. Employees may opt to use PTO in place of unpaid leave. Employees must present proof of jury service. Employees are expected to report to work on any regular work day when their services as a juror are not required. PWCC will not retaliate against employees who request or take leave in accordance with this policy.

## BEREAVEMENT LEAVE

PWCC recognizes the importance of taking leave when there is a death in the family. Bereavement leave with pay in the amount of three consecutive days will be granted in the event of the death of an employee’s immediate relative. Paid leave is provided at the employee’s regular rate of pay for an eight-hour day. If an extended absence is required, employees may use vacation, PTO, or a general leave of absence without pay may be requested. Approved bereavement leave will not be charged against an employee’s accrued PTO hours unless it exceeds three days.

Immediate family is defined as spouse/partner, children, stepchildren, father, mother, stepparent, or legal guardian, father-in-law, mother-in-law, sister, brother, sister-in-law, brother-in-law, grandparents, or grandchildren.

## TIME OFF TO VOTE

PWCC encourages employees to fulfill their civic responsibilities and to vote in all public elections. Most employees’ schedules provide sufficient time to vote either before or after working hours. When an employee may take time off to vote is at the discretion of the employee’s supervisor, subject to applicable laws.

Employees who are eligible to vote may take the necessary amount of time off to appear at the employee’s polling place, cast a ballot and return to work. Time off is paid and may be taken to vote in any regularly scheduled state primary or general election, an election to fill a vacancy in the office of a United States senator or United States representative, or an election to fill a vacancy in the office of a state senator or state representative.

Proof of voting may be required.

## ELECTION JUDGE LEAVE

Employees will be allowed time off to serve as an election judge.

Employees taking leave under this policy must provide at least 20 days’ written notice of the need for leave and certification from the appointing authority indicating the hours to be served and compensation to be paid. Approved Election Judge Leave will not be charged against the employee’s accrued PTO hours.

PWCC will reduce employees’ pay by the amount paid by the appointing authority for the hours of service. Employees serving as election judges must submit documentation of any payment they received from the County to PWCC’s Executive Director or Executive Assistant.

## BONE MARROW DONATION LEAVE

Eligible employees will be allowed a paid leave of absence to undergo a medical procedure to donate bone marrow. The length of the leave may not exceed 40 work hours.

Employees must provide reasonable notice of the need for leave and must submit verification from a physician detailing the purpose and length of the leave requested. If there is a medical determination that the employee does not qualify as a donor, the paid leave of absence provided to the employee prior to that medical determination will not be forfeited.

PWCC will not retaliate against an employee for requesting or obtaining leave under this policy.

## CRIME VICTIM OR WITNESS LEAVE

Employees who are crime witnesses or crime victims and who are subpoenaed or requested by a prosecutor to attend court for the purpose of giving testimony in a criminal proceeding will be given reasonable time off from work to do so.

Additionally, employees will be allowed reasonable time off from work to attend criminal proceedings related to a violent crime, if they are: (1) the victim of the crime; (2) the spouse or next of kin of the victim or (3) the family member, guardian or custodian of a minor, incompetent, incapacitated or deceased individual who was the victim.

Employees seeking leave under this policy must provide 48 hours’ advance notice unless it is impractical or an emergency prevents them from doing so. PWCC may require that employees provide verification to support the need for this leave.

Time off under this policy will be without pay except that exempt employees will receive pay when required under applicable law.

PWCC will maintain as confidential information related to an employee’s leave under this policy.

# MISCELLANEOUS

## AT-WILL EMPLOYMENT

Employment with PWCC is at-will and entered into voluntarily, which means that any employee is free to resign at any time, for any reason, with or without notice. Likewise, PWCC is free to terminate the employment relationship at any time, for any reason, with or without notice. No one has authority to alter the at-will relationship, other than in writing signed by the Executive Director.

## JOB DESCRIPTIONS

PWCC attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from your supervisor.

Job descriptions prepared by PWCC serve as an outline only. PWCC business needs may require the employee to perform job duties that are not expressly provided for in the employee’s job description. From time to time PWCC may revise or amend the employee’s job description with or without notice to employees.

The employee should direct any questions regarding the employee’s job description or scope of the employee’s duties to the employee’s supervisor.

## INTRODUCTORY PERIODS

The first 90 days of the employee’s employment with PWCC is considered an introductory period. During this period, the employee is expected to become familiar with PWCC and the employee’s job responsibilities. PWCC will have the opportunity during this period to monitor the quality and value of the employee’s performance and make any necessary adjustments in the employee’s job description or responsibilities. The introductory period with PWCC may be shortened or lengthened as deemed appropriate by PWCC management. Completion of this introductory period does not alter the at-will nature of employment and does not guarantee continued employment. Nothing that occurs during or after this period should be construed to change the at-will nature of the employment relationship.

This policy applies to new hires and employees who have been transferred and/or promoted to new positions.

### Extension of Introductory Period

The introductory period may be extended for 30 to 90 days. If a salary increase was negotiated at the time of initial employment, an introductory period extension could impact the receipt of the salary increase. Employees who have had their introductory status extended will be re-evaluated at the end of the extension. If re-evaluation of performance is satisfactory, then the employee may move to an approved status. If re-evaluation of performance is less than satisfactory, then the employee will be recommended for discharge. The Executive Director will be consulted throughout this process.

## TRAINING

In most cases, and for most departments, the department manager will train the employee individually. The employee must learn the procedures and responsibilities for the employee’s position at PWCC even if the employee has previous experience in his or her specified job duties. If the employee would like additional training, the employee should consult his or her supervisor.

**OUT OF STATE TRAINING**

From time to time employees are required to travel on behalf of the company for business purposes. This policy sets forth procedures and guidelines for incurring expenses and for their reimbursement. If you are uncertain about a particular expense or policy, contact your supervisor prior to the expenditure.

Authorization to Travel - All travel must be approved in advance by their supervisor. Please complete a Purchase Orderfor the necessary travel arrangements and accommodations.

Use of Personal Automobile - From time to time, it may be necessary for you to utilize your vehicle for pre-authorized company business. You may claim current standard IRS mileage reimbursement rates per mile as reimbursement.

Air Fare - Airline tickets should be booked in advance in order to take advantage of any discounts. Please bear in mind that discount fares do not allow changes, so you must be able to make a commitment to the travel dates and change them only under extraordinary circumstances. All air travel must be coach class. Please include your airfare receipt with your expense statement.

Automobile Rental - Auto rental requires the prior approval of your department manager. In general, auto rentals will be approved for a group traveling together. Include your rental receipt with your expense statement.

Taxi and Other Transportation Costs - Please utilize shuttle/hotel bus service whenever possible. When traveling in groups, taxis may be economical. When traveling to and from your local airport, choose between long-term parking, or a taxi based on whichever is the most economical for the company. Obtain receipts whenever possible and include them with your expense statement.

Hotel - Choose hotels convenient to your business activities. Please supply copies of all hotel receipts with your expense statement and also remember to report phone calls and faxes separately.

Per Diem Meal Reimbursement - Meals will be reimbursed on a per diem basis. The per diem rate varies by IRS standard daily per diem rates. The per diem applies to full travel days associated with an overnight stay. PWCC will not reimburse any meal expenditures over the per diem rate.

## CONTINUING EDUCATION POLICY AND TUITION ASSISTANCE

PWCC believes in the continuing education of our employees. Non-exempt employees that PWCC sends to a class or training program during normal working hours related to the employee’s employment will be paid training pay for that time. Employees interested in attending an outside class may submit a written request in advance to supervisor describing the class, including the subject matter, length and cost. Depending on the type of training requested, PWCC may reimburse some or all of the fees, including materials, meals and transportation. Employees must submit documentation of all fees, costs and expenses. PWCC will reimburse approved and documented expenses after completion of the class or training.

### Required Licensure, Registration and Certification

It is the employee’s responsibility to maintain any license, registration or certification required for the performance of the employee’s job, including required educational activities. Employees must provide a current copy of their license, registration or certification for the employee’s personnel file. Failure to maintain a current record of licensure, registration or certification may result in disciplinary action up to and including termination.

## EMPLOYMENT AUTHORIZATION VERIFICATION

In compliance with the Immigration Reform and Control Act of 1986 ("IRCA") and any other applicable federal, state, or local laws, PWCC is committed to:

* Employing only those who are authorized to work in the US.
* Not discriminate on the basis of national origin or citizenship in hiring, recruiting, or terminating employees.

Every employee of PWCC must adhere to all aspects of this policy. Failure to comply with IRCA may subject PWCC and any responsible individuals to civil monetary or criminal penalties. Violations of this policy may be grounds for employee discipline, up to and including termination of employment.

New hires will be required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with PWCC. Current PWCC employees who have not complied with this requirement or whose status has changed must inform their supervisor.

Employees who are authorized to work in this country for a limited period of time must submit proof of renewed employment eligibility prior to the expiration of the period to remain employed by PWCC.

## CRIMINAL RECORDS CHECK

It is the policy of PWCC to conduct criminal records checks on all applicants for employment after a conditional job offer is made. PWCC will not employ a person if the person has previously been convicted of or pled guilty or no contest to the identified felonies and misdemeanors outlined in the DHS guidelines.

## OPEN DOOR

PWCC encourages employees to bring forward any concerns or complaints they may have regarding their employment. Initially, employees should raise any concerns with their supervisor. If any employee is not satisfied with the outcome of any issue, the employee should direct his or her concern to Executive Director. If any employee is still not satisfied with any particular issue, he or she may bring the concern to the Board of Directors only after notifying the Executive Director and their supervisor.

Concerns relating to unlawful discrimination or harassment should be addressed through the complaint procedure set forth in the Anti-Discrimination and Non-Harassment Policy.

## ACCESS TO PERSONNEL RECORDS

Employees employed in the state of Minnesota have various legal rights and remedies related to the contents of their personnel records, which include:

* The opportunity to review the contents of their personnel records, upon written request to Finance Director, once every six months as an active employee and once each year after termination of their employment for as long as the personnel records are maintained,
* The opportunity to receive a copy of the contents of their personnel records, upon written request to Finance Director and,
* The opportunity to dispute information that is contained in their personnel records and request that the information be removed. If PWCC does not agree with their request to have the information removed, employees have the opportunity to include a statement that outlines their position.

PWCC may not use information from an employee’s personnel records that was intentionally omitted during the employee’s review in a civil or administrative proceeding; and

PWCC may not retaliate against an employee for exercising the employee’s rights with respect to his or her personnel records. If it is determined that PWCC has not acted in good faith in complying with the provisions of this law, various remedies for violations and retaliation may be available to employees. Any employee who would like to request a review of his or her personnel records should contact Executive Director.

## CHANGES IN EMPLOYEE INFORMATION

To ensure accuracy of records, it is the responsibility of each employee to promptly notify Finance Director of any changes in name, address, e-mail, telephone number, person to notify in case of emergency and educational accomplishments. If relevant to a benefit plan, employees should notify Finance Director of any change in marital status and number and names of dependents.

## RESIGNATION/TERMINATION OF EMPLOYMENT

Employees are encouraged to provide at least two (2) weeks written notice of resignation of employment. PWCC may choose to end the employment relationship before the expiration of any notice period. Employees will receive their final pay in accordance with applicable law and PWCC policies. Employees must return all PWCC property immediately upon termination of employment.

## SEVERE WEATHER EMERGENCIES

PWCC will make every effort to remain open during regular office hours; however, there may be instances where severe weather conditions make it impossible to do so. These conditions include, but are not limited to, declared state of emergency, utility disruptions, and natural disasters. In all cases, employee safety will be the primary consideration.

PWCC will close in the event that severe snowstorms, ice storms, or other hazardous weather conditions cause the Minneapolis Public Schools to close. The Executive Director of PWCC reserves the right to close PWCC at his or her discretion when the situation may require it.

Employees will not be paid for scheduled work time missed due to severe weather closure of PWCC unless the employee chooses to substitute accrued PTO including leave under the Minneapolis Sick and Safe Time Ordinance.

# ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK AND PERSONNEL POLICIES

I acknowledge that on the date I sign this Acknowledgement Form, I have received a copy of the Employee Handbook (“Handbook”) and Time Off Benefits Supplement and Benefits Supplement (“Supplements”), which outline current personnel policies, practices, plans, programs and procedures of PWCC (the “Personnel Policies”). A list of the Personnel Policies included in this Handbook and Supplements or otherwise currently available to me through the Finance Director is attached to this Acknowledgement Form as Exhibit A.

I understand that it is my responsibility to read and become familiar with the information contained in the Handbook, Supplements or any other Personnel Policies, and any revisions made to them. I understand that the Handbook and Supplements are intended as reference documents containing general employment guidelines and do not necessarily represent all guidelines and practices of PWCC. I further understand that the language contained in the Handbook, Supplements or any other Personnel Policies, guidelines or policy statements of PWCC do not create a contract of employment. I am aware that the information in the Handbook, Supplements and any other Personnel Policies are subject to change from time to time without prior notice, that the Handbook, Supplements and any other Personnel Policies revoke and supersede any and all previous statements on similar subjects, and that PWCC may deviate from the policies in individual circumstances in its discretion.

I understand that my employment is at-will, which means that neither I nor PWCC is bound to continue the employment relationship, and that either I or PWCC may end the relationship at any time for any reason without notice. I further understand that nothing in the Handbook, Supplements or any other Personnel Policies modify the at-will employment relationship between me and PWCC.

I agree in accepting or continuing employment with PWCC to abide by its policies, procedures and practices and understand that failure to comply with PWCC’s policies, procedures and practices may result in the termination of my employment.

Sign and return to Finance Director.

Employee Signature

Employee Name (Printed)

Date



**Phyllis Wheatley Community Center**

**TIME OFF BENEFITS SUPPLEMENT**

# TIME OFF BENEFITS SUPPLEMENT

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# GENERAL INFORMATION ABOUT TIME OFF BENEFITS[[1]](#footnote-1)

This Supplement describes PWCC’s Time Off Benefits in effect at the time the Supplement was issued. Note that Time Off Benefits are reviewed and revised from time to time and are subject to change without advance notice.[[2]](#footnote-2) For additional information about any of Time Off Benefits, contact Finance Director.

## HOLIDAY BENEFITS

PWCC currently observes 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

Day After Thanksgiving

Christmas Eve Day

Christmas Day

New Year’s Eve

Floating Holiday

Full-time employees are eligible to receive one full day’s pay for each of these holidays. Part-time employees working 20 or more hours per week are eligible to receive holiday pay on a pro-rata basis. Part-time employees working less than 20 hours per week and employees are not eligible for holiday pay. All regular employees working 20 hours or more per week and who were employed on the first day of the year are eligible for a Floating Holiday that year. Floating Holidays must be approved in advance by your immediate supervisor and must be taken at the approved time. An unused Floating Holiday will not be carried over to the next year and are not paid out upon resignation or termination.

When the holiday falls on Sunday, it will be observed on the following Monday; if the holiday falls on a Saturday, it will be observed on the preceding Friday. If a holiday falls on your regular day off, ask your supervisor how it affects you. A scheduled PWCC holiday that falls on a normal business day during an employee’s PTO is not counted as a day of PTO, except when the employee is terminating employment.

## PAID TIME OFF BENEFITS

Paid Time Off (PTO) is a time-off policy for full- and part-time employees regularly scheduled at least twenty hours per week to use for vacation, illness, injury or preventative health care for themselves or their family members, personal business, appointments, personal or family issues, funerals or leisure. Part-time employees working 20 or more hours per week accrue PTO at the rates below on a pro-rata basis. Part-time employees working less than 20 hours per week are not eligible for PTO benefits, but may be entitled to paid sick and safe leave under applicable law. For employees eligible for PTO, it may be used for paid sick and safe leave purposes under applicable law. If an employee exhausts all accrued and available PTO during a calendar year for purposes other than sick and safe leave, then the employee will not be eligible for additional sick and safe leave if needed later in the year. Employees who have any questions about PTO or paid sick and safe leave should contact Human Resources.

Eligible employees accrue PTO on a monthly basis, accrued at the end of each month, as shown in the chart below:

|  |  |  |
| --- | --- | --- |
| Length of employment as of anniversary of employment | PTO HoursAccrued Per Month | PTO HoursAccrued Annually |
| 0-12 months of employment | 10.16 hours | 18 days  |
| 2nd year | Approx. 12.6 hours | 19 days |
| 3rd year | Approx. 13.3 hours | 20 days |
| 4th year | Approx. 14.6 hours | 22 days |
| 5th year | 16 hours | 24 days |
| 6-8 years | Approx. 16.6 hours | 25 days |
| 9-10 years | Approx. 17.3 hours | 26 days |
| 11-14 years | Approx. 18.6 hours | 28 days |
| 15 + | Approx. 21.3 hours | 32 days |

**Eligibility and Use**

* PTO is eligible for use after it is accrued.
* To schedule planned PTO, employees should request approval from their supervisors at least 7 days in advance, if possible. Requests for planned PTO for purposes other than for legally entitled sick and safe leave, will be reviewed based on a number of factors, including business needs and staffing requirements. If the need for PTO is unforeseeable, the employee must provide notice of the need for PTO as soon as practicable.
* PTO must be used in a minimum of half-hour (30 minute) increments. At no time can PTO be used to exceed your normal work schedule for any given week.
* Employees are not eligible to accrue PTO while on any unpaid leave of absence.
* PTO is paid at the base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses.
* PWCC may approve the advance use of PTO hourly allocations subject to the employee’s prior agreement to and written acknowledgement of PWCC’s right of set-off against any amounts owed upon termination of employment.[[3]](#footnote-3)

**Maximum Accrual**

Although there is no cap on the amount of PTO that employees may accrue, a maximum of 80 hours may be carried over from one employment year to the next. Any accrued and unused PTO in excess of 80 PTO hours are forfeited automatically at the end of the employment year.

**Upon Termination**

Employees who voluntarily terminate employment with PWCC will be paid out PTO accrued but not yet used as of termination date with their final paycheck not to exceed 80 hours. Employees whose employment is involuntarily terminated will not be paid out any PTO. In the event that the employee has used more PTO than accrued in the current calendar year, the total overused hours will be deducted from the final paycheck where allowed by law.

**No Retaliation or Discrimination**

Retaliation or discrimination against an employee who asks to use accrued PTO or uses accrued PTO for sick and safe leave purposes under applicable law is prohibited. Any employee who believes that PWCC has retaliated or discriminated against the employee for having requested or used accrued PTO for sick and safe leave purposes under applicable law has the right to file a complaint if leave is denied or to bring a civil action if the employee is retaliated against for requesting or taking PTO for sick and safe leave purposes under applicable law.

**Temporary Disability Bank**

The purpose of TDB is to allow the employee to take paid time off when the employee is personally ill or disabled and not able to report to work and perform their job duties for more than five (5) days.

• Regular full-time employees accrue six (6) days of TDB each year at the rate of ½ day each month, beginning with the employee service date, and can accrue up to a maximum of 60 days.

• Regular employees working less than full-time (2,080 hours per year), but more than 1,040 hours per year, shall accrue TDB on a pro-rated basis. See Pro-Rated Leave Accrual Table found below in this section:

• TDB taken cannot exceed the number of days an employee had accrued

• TDB should be approved in advance by your supervisor or their designee whenever possible. TDB requests for five (5) days or more should be requested at least 15 days in advance whenever possible

• The first five (5) consecutive days off due to an illness or medical condition will come out of your PTO accrual. After the fifth day, you may choose to continue to use your PTO accrual or if you qualify, can begin to use your TDB bank for the additional days off with pay.

• In order to qualify to use the TDB hours, you must provide a written doctor’s statement indicating the dates you are unable to work due to illness or injury. A written doctor’s statement may also be required before you can return to work.

• Future work days missed due to the same illness or medical condition will also qualify for TDB usage. A written doctor’s statement may also be required to qualify for the use of TDB.

• Salaried-exempt and salaried non-exempt and hourly employees taking time off will use your TDB in increments of a half-hour (30 minutes) as needed to reach your normal hours for the week. At no time can TDB be used to exceed your normal work schedule for a given week.

• Temporary employees or part-time employees working less than 20 hours per week are not eligible for TDB but may request time off without pay.

• You are not compensated for accrued TDB upon separation from employment.

Transferring or donating paid time off (PTO):

• As an employee of PWCC you may transfer your PTO hours to your own TDB account or to a co-worker’s TDB account with certain restrictions. You must complete a PTO transfer request form to initiate this process. You are not allowed to transfer or donate TDB hours.

• If you wish to make a transfer, you must have at least 80 hours of accrued and unused PTO to be eligible to make a transfer for donation.

• You may transfer a minimum of 8.0 hours up to a maximum of 40 hours of your accrued and unused PTO. Once the hours are transferred, they cannot be restored to the PTO balance.

• The recipient's TDB accrual amount can never exceed the maximum of 60 days as a result of the transfer. Any hours donated that would exceed the 60 days’ maximum will be returned to the donating employee.

Requesting a TDB Donation:

• As an employee of PWCC you may request the donation of TDB from other PWCC employees when you have the need for a leave of absence that may extend beyond your available PTO and TDB combined balance. You must complete a TDB donation request form to initiate this process.

• To qualify for a TDB donation, the reason for your leave of absence must be due to personal illness, injury, or a medical condition, and you must provide supporting medical documentation to the Finance Department when making the request.

• All donated TDB will be transferred into the requesting employee’s TDB bank for use under the rules stated above section B and the amount received cannot exceed the 60 days’ TDB maximum. Any hours donated that would exceed the 60 days’ maximum will be returned to the donating employee.

PTO and TDB accrual for regular part-time employees working at least 20 hours per week will be a pro-rated as a percentage of time they normally work based on their full-time equivalent position. The table below can be used to determine employee accrual rates:

|  |  |  |
| --- | --- | --- |
| FTE RANGE | PRO-RATED FT ACCRUAL | PRO-RATED PTO MAX PAY OUT UPON RESIGNATION/TERMINATION |
| .50 -.69 | 50% FT Accrual | Up to 50% of Maximum |
| .70 - .89 | 75% FT Accrual | Up to 75% of Maximum |
| .90 - 1.0 | 100% FT Accrual | Up to 100% of Maximum |

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## SICK AND SAFE TIME POLICY (Minneapolis)

This policy applies to PWCC’s employees who work at least 80 hours a year at a PWCC location in the City of Minneapolis, Minnesota (the “City”) or at another work location in the City performing services for PWCC.

PWCC is committed to complying with all applicable federal, state and local laws, including the Minneapolis Sick and Safe Time Ordinance (the “Ordinance”). All PWCC’s policies will be interpreted and administered consistent with the requirements of applicable law. In the event of any ambiguity or any inconsistency between any policy language in this policy and applicable law, applicable law controls.

**Employees Not Eligible For PTO Who Work In Minneapolis**

*Eligibility Provisions*

Employees who work at least 80 hours a year at a PWCC location in the City or at another work location in the City performing services for PWCC, including part-time, temporary and seasonal employees, are eligible to accrue SST beginning on their first day of employment in accordance with the Ordinance.

*No Retaliation or Discrimination*

Retaliation or discrimination against an employee who asks to use PTO for the purpose of sick and safe leave or uses PTO for sick and safe leave is prohibited. In addition, PWCC may not take adverse employment action or discriminate against an employee because the employee has exercised his or her rights under the Ordinances. Any employee who believes that PWCC has retaliated or discriminated against the employee for having requested or used accrued PTO for sick and safe leave has the right to file a complaint with the applicable city or bring a civil action.



**Phyllis Wheatley Community Center**

**BENEFITS SUPPLEMENT**

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# GENERAL INFORMATION ABOUT BENEFITS

This Supplement generally describes PWCC’s employee benefits in effect at the time the Supplement was issued. Note that benefits are reviewed and revised from time to time, and are subject to change without advance notice. In addition, many of the benefits described below are governed by insurance policies, summary plan descriptions, or benefit plans. In case of any inconsistencies between the information in the Handbook or Supplements and the insurance policies, summary plan descriptions, or benefit plans, the insurance policies, summary plan descriptions, or benefit plans will control. For additional information about any of the benefits, contact Finance Director.

**Medical Insurance**

PWCC provides its regular full-time employees who have completed one (1) day of employment with health insurance. Benefits begin the first day of the month following the date of hire. Medical plan benefits for eligible employees and their dependents are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees. These benefits may be canceled or changed at the discretion of PWCC unless otherwise required by law.

Please understand that plan eligibility does not necessarily mean coverage for all medical treatments or procedures. In addition, under changed circumstances you may be responsible for contributing to the cost of increased premiums. This benefit, as well as other benefits, may be canceled or changed at the discretion of PWCC unless otherwise required by law.

**Dental Insurance**

PWCC provides its regular full-time employees who have completed one (1) day of employment with dental insurance. Benefits begin the first day of the month following the date of hire. Dental plan benefits for eligible employees and their dependents are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees.

**Vision Care Insurance**

PWCC provides its regular full-time employees who have completed one (1) day of employment with vision care insurance. Benefits begin the first day of the month following the date of hire. Vision care benefits for eligible employees and their dependents are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees.

**Life Insurance**

PWCC provides its regular full-time employees who have completed one (1) day of employment with life insurance. Eligible employees must notify the benefits administrator of their intended beneficiary. Life insurance benefits for eligible employees are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees.

**Unemployment Compensation Insurance**

Unemployment compensation insurance is paid for by Phyllis Wheatley Community Center and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the Organization.

**Workers’ Compensation Insurance**

Workers’ compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers’ compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work-related injuries. If you are injured on the job while working at PWCC, no matter how slightly, you are to report the incident immediately to your supervisor. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers’ compensation benefits, notify your supervisor immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

1. Minnesota employers are not required to provide paid time off benefits. If provided, however, paid time off benefits are contractual in nature and employers may restrict the manner in which benefits are accrued and paid*. Lee v. Fresenius Med. Care Inc.*, 741 N.W.2d 117, 126 (Minn. 2007). Employers must then pay earned time off benefits according to the terms of any agreement with employees, including an employee handbook or collective bargaining agreement. Minn. Stat. § 181.74, subd. 2; *see also* Minn. Stat. § 181.13. [↑](#footnote-ref-1)
2. Despite this disclaimer, employers must be cautious in making changes to reduce or eliminate earned benefits. Changing a policy going forward but not paying the benefit earned to date to eligible employees may be risky because employees may argue breach of contract, promissory estoppel or statutory failure to pay wages. *See, e.g.,* Minn. Stat. § 181.74, subd. 2 (Minnesota employer guilty of gross misdemeanor if fail to provide benefits or wage supplements to employees or to a third party or fund for the benefit of employees as required under the provisions of an agreement to which the employer is a party; defining “wage supplements” as including “reimbursement for expenses; health, welfare, and retirement benefits; and vacation, separation or holiday pay.”) [↑](#footnote-ref-2)
3. Minnesota employers must not make deductions from employee’s wages to recover money the employee owes the employer, unless the employee voluntarily authorizes the deduction in writing or the employee is held liable in court. Minn. Stat. § 181.79, subd. 1. [↑](#footnote-ref-3)