



# Employee Handbook

Issued January 2023

Proposed for Re-Adoption by the NWCCOG Council on 12/01/2022

**TABLE OF CONTENTS**

**Important: This Handbook supersedes previous editions ..... 4**

**NWCCOG Mission ..... 5**

**Employee relationship to Policies and Procedures ..... 6**

    Problem Solving:..... 6

**NWCCOG Diversity Policy ..... 7**

**ADA, Religious, and Pregnancy Accommodation Policy ..... 7**

**NWCCOG Prohibited Harassment Policy ..... 8**

    Definitions: ..... 9

**Sexual Harassment Policy ..... 10**

**Complaint and Investigation Procedure for ADA, Diversity, and Harassment Complaints ..... 11**

**EMPLOYEE STATUS ..... 12**

    A Full-Time Employee ..... 12

    A Part-Time Employee..... 12

    A Contract Employee..... 12

    A Temporary Employee ..... 13

    An Exempt Employee ..... 13

    A Nonexempt Employee ..... 13

    Promotions or Changes to Compensation..... 13

    Time Records..... 14

    Discipline and Discharge Policy ..... 14

    Discipline Procedures ..... 15

    Separation of Employment..... 15

    Annual Performance Evaluation ..... 16

    Nepotism, Employment of Relatives, and Personal Relationships ..... 16

**EMPLOYEE BENEFITS – Wages, Holidays, and Payroll ..... 16**

    Employment Eligibility..... 16

    Paydays..... 17

    Improper Deductions..... 17

    Holidays..... 17

    Overtime for Nonexempt Employees ..... 18

    Compensatory Time for Non Exempt Employees (also known as “Flex Time”)..... 19

**EMPLOYEE BENEFITS – Health and Life ..... 20**

    County Health Pool..... 20

    Life and Disability Insurance ..... 20

Best Flex ..... 21

**EMPLOYEE BENEFITS -Retirement and Other ..... 21**

Retirement Benefits ..... 21

Deferred Compensation..... 21

Unemployment Insurance..... 22

Silverthorne Recreation Center ..... 22

**EMPLOYEE BENEFITS -Accumulated Leave ..... 23**

Annual Leave ..... 23

Attendance and Punctuality..... 24

**EMPLOYEE BENEFITS -Other Leave ..... 25**

Bereavement Leave ..... 25

Shared Leave..... 25

Paid and Unpaid Administrative Leave..... 26

Domestic Abuse Leave..... 27

Parental involvement in K -12 Education..... 27

Jury Duty ..... 27

Community Service Leave ..... 27

Military Leave ..... 28

Voting..... 28

Family and Medical Leave Act (FMLA) ..... 28

Personal Unpaid Leave of Absence..... 29

**EMPLOYEE BENEFITS -Medical Leave ..... 29**

Workers’ Compensation..... 29

Medical Unpaid Leave of Absence..... 30

**NWCCOG WORKPLACE POLICIES ..... 31**

Other NWCCOG Policies ..... 31

Whistleblower Protection Policy ..... 31

Anti-Violence, Threats, and Bullying Policy ..... 32

Personal Safety..... 33

Nursing Mothers’ Policy..... 33

Drug Use, Sale, and Possession ..... 33

Drug Free Workplace Policy ..... 34

Marijuana..... 34

Drug and Alcohol Testing ..... 35

Inspection Policy..... 35

Weapons Policy..... 35

**WORKPLACE POLICIES -Ethics, Use of Assets ..... 36**

Colorado Open Records Act (CORA) ..... 36

Confidentiality Policy ..... 36

Conflict of Interest Policy ..... 37

HIPAA and Personal Information Policy ..... 37

Information Systems and E-Mail ..... 39

Social Media ..... 39

Voicemail ..... 40

NWCCOG Issued Credit Cards ..... 40

Business Expense Reimbursements, Per Diem ..... 40

Hours of Work and Place of Business ..... 41

Inclement Weather Policy ..... 42

Smoking ..... 42

Appearance and Courtesy Policy ..... 43

Political Activity Policy ..... 43

References Policy ..... 43

**WORKPLACE POLICIES – Safety and Driving ..... 44**

    Safety ..... 44

    Driving ..... 44

    Distracted Driving ..... 45

    NWCCOG Vehicles ..... 46

    NWCCOG Vehicle Accident Reporting ..... 47

**NWCCOG Organization Chart ..... 47**

**Related Documents: ..... 48**

**ACKNOWLEDGEMENT OF RECEIPT ..... 49**

**Important: This Handbook supersedes previous editions**

*The NWCCOG organization plays many roles in serving member communities and their citizens. Across a broad region, our programs navigate complex federal and state funding*

*guidelines to deliver grants and services. Our employees help define and continue to cultivate organizational values through a culture of safety, professionalism, innovation, and mutual respect. Employee input informs periodic updates of this document. We strive for the NWCCOG organization to be worthy of the high quality of life we share in Colorado.*

*This Employee Handbook (Handbook) is adopted policy approved by the NWCCOG Council which acquaints and guides employees and program managers at NWCCOG with a personnel policy framework for employment with the organization. It addresses personnel matters derived from federal law, state statute, and NWCCOG best-practices.*

*This Handbook or verbal statements made by management do not constitute a contract of employment either expressly or implied, nor are they a guarantee of employment for a specific duration. Not every circumstance can be anticipated, therefore NWCCOG reserves the right to interpret and update policies without notice. For programs managed by contractors, the Contract defines the relationship of that Contractor to NWCCOG. Contractors, none-the-less represent NWCCOG and must uphold and adhere to equal employment standards, ADA, Diversity, IT, NWCCOG Prohibited Harassment and Sexual Harassment policies and subject to Complaint and Investigation Procedures.*

*Welcome to NWCCOG. Let us know how we can improve the organization. Though it may seem odd to address separation from employment at the beginning, for smooth transitions from complex roles in our professional setting, we request a minimum two-week notice be provided by non-exempt employees, and a month notice when possible for Program Directors; however, employment with NWCCOG is "At-Will." Employees have the right to end their work relationship with the organization, with or without advance notice for any reason, and NWCCOG has the same right. After reading the handbook, if you have questions please discuss with your immediate supervisor or the Executive Director.*

*Jon Stavney  
Executive Director*

## **NWCCOG Mission**

The purpose of the NWCCOG is to be responsive to our members' needs and interests by providing guidance and assistance in problem solving, information sharing and partnership building, advocating member's interests and needs with local, state and federal entities, and providing quality services to our membership that are relevant, effective and efficient.

## Employee Relationship to Policies and Procedures

This Employee Handbook is updated regularly to be consistent with law, best practices, and organizational culture. Some policies and procedures may be specific to federal or state frameworks under which a program operates. It is expected that Program Directors have discretion to manage operations of their programs. Ideally, management is an ongoing collaborative effort between Program Directors, employees, and the Executive Director with policy oversight from the NWCCOG Council. The Handbook and related policies & procedures are available on the NWCCOG Shared Drive for all employees under Employee Resources and are intended to provide clear expectations and guidelines for employees across the organization.

### **Problem Solving:**

NWCCOG encourages an employee who disagrees or is dissatisfied with, or desires clarification of a NWCCOG practice or policy outlined in this Handbook or other policy or practice, to proactively address the matter. Please use the following system for communicating concerns:

1. Discuss the situation with your supervisor within 3-5 business days.
2. If a resolution is not reached with your supervisor or if it is inappropriate to go to your supervisor, discuss the situation with your Program Director. If you are dissatisfied with the decision of the Program Director, you may communicate the problem to the Executive Director.

## NWCCOG Diversity Policy

NWCCOG cultivates an inclusive environment and provides Equal Employment Opportunity (EEO) to all employees and applicants for employment as described in “Equal Employment Opportunities, Title VI of the Civil Rights Act of 1964 and related statutes. It is the policy of NWCCOG that no person shall be discriminated against on the basis of race, color, religion, national origin, education, marital status, age, body size, political affiliation/philosophy, socio-economic status, disability, military status, veteran status, genetic information, sex, gender, gender expression, or sexual orientation, HIV status, amnesty or any other status protected by applicable federal state or local law, or be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of NWCCOG as provided in Title VI of the Civil Right Act of 1964 and related statutes. This policy applies to all terms, conditions, and benefits of employment. NWCCOG is dedicated to ensuring that all employment decisions are in accordance with this policy and the principles of Equal Employment Opportunity including:

1. Recruiting, hiring, training, and promoting for all jobs without discrimination on any of the basis outlined above; and
2. Making placement decisions solely on an individual’s qualifications and other job-related factors for the position being filled; and
3. Administering other personnel actions, such as pay, training, layoffs, and other actions without discrimination on any of the bases outlined above.

An employee acting in any manner or capacity is found to be in violation of the letter or spirit of this policy that employee shall be subject to disciplinary action as outlined in the disciplinary section of this Handbook.

## ADA, Religious, and Pregnancy Accommodation Policy

The Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Amendments Act (ADAAA) of 2008 are federal laws that prohibits discrimination of applicants and individuals with disabilities in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC) and Department of Justice. For Title I employment issues, NWCCOG will make reasonable accommodation

for qualified individuals with known disabilities, employees whose work requirements interfere with a religious belief, and for conditions related to pregnancy, physical recovery from childbirth, or a related condition, unless doing so would result in an undue hardship to the organization or cause a direct threat to health & safety of others that cannot be eliminated with a reasonable accommodation. Requests for reasonable accommodations under the ADA must originate with the employee or potential employee. In determining reasonable accommodations, the NWCCOG Executive Director and Program Director will work together with the requesting employee in an informal interactive process to determine what may be reasonable.

NWCCOG is also dedicated to extending ADA to its clients, or potential clients of its services. Employees who encounter ADA compliance requests to the organization are required to report those to their supervisor and to the NWCCOG Office Manager or Executive Director who act as the ADA Coordinators for the organization.

## **NWCCOG Prohibited Harassment Policy**

NWCCOG strives to maintain a work environment where individuals are treated with respect and dignity, free from unlawful harassment. All employees and Contractors of NWCCOG are expected to consider, respect, and observe this policy in their daily work and duties. Prohibited harassment includes verbal, electronic, or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. If approached with a question or complaint related to these matters, or if an employee believes they are being harassed, employee should immediately share these concerns with the Executive Director or Program Director. NWCCOG expects individuals to make a timely complaint preferably within 24 hours to enable NWCCOG to investigate and respond to any behavior which may be in violation of this policy.

It is the policy of NWCCOG that all employees are entitled to work in an environment free of harassment. Harassment will not be tolerated. Complaints of prohibited harassment will be investigated promptly. Effective and appropriate corrective action will be taken when determined to be warranted based on that investigation. If it is



determined that any employee's conduct violated this policy, the employee shall be subject to disciplinary action, up to and including the possibility of immediate termination of employment. This policy applies to all employees including managers, supervisors, co-workers, and extends to behavior of non-employees such as Contractors, customers, clients, vendors, consultants, NWCCOG Council.

NWCCOG is aware that employees may be subject to domestic violence or harassment in their private lives. If an employee has concerns about the potential for a domestic violence situation to affect the workplace, it is that employee's responsibility to inform their supervisor at NWCCOG so that concern may be addressed for the safety of the employee and others.

**Definitions:**

- ◆ "Prohibited Harassment" includes other forms of harassment listed below and unwelcome conduct in verbal, written, or physical form which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment; results in a tangible employment action; or is sufficiently severe or pervasive as to alter the conditions of employment. Prohibited Harassment also includes any unwelcome conduct in verbal, written, or physical form that constitutes harassment based on other status under the equal employment opportunity laws.
- ◆ "Age Harassment" is harassment because an individual is 40 years or older.
- ◆ "Disability Harassment" is harassment because of an individual's physical or mental impairment that substantially limits an individual's major life activities.  
*Impairment on the job for current illegal use of drugs or alcohol is not a "disability."*
- ◆ "Gender Harassment" is harassment because of an individual's gender, or because of an individual's gender identity or gender expression. "Gender identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth. "Gender expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress and behavior.

- ◆ “Marital or family status harassment” means harassment because an individual is a parent or non-parent, married, single, divorced, separated, or widowed.
- ◆ “National Origin Harassment” is harassment because of an individual’s ancestors’ place of origin or having the characteristics of a national origin group.
- ◆ “Sexual Harassment” is defined separately below.
- ◆ “Race/Color Harassment” is harassment because of an individual’s race or skin color. For purposes of this policy, "race" includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. A “protective hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and headwraps.
- ◆ “Religious Harassment” is harassment because of an individual’s religious or moral views which are sincerely held with the strength of traditional religious views.
- ◆ “Sexual Orientation Harassment” is harassment because of an individual’s sexual orientation.
- ◆ “Benefits Use Harassment” is harassment for utilizing employee benefits granted by NWCCOG, state or federal law

## Sexual Harassment Policy

Because sexual harassment raises issues that are to some extent unique in comparison to other Prohibited Harassment types, it warrants additional emphasis.

NWCCOG strongly opposes sexual harassment and inappropriate sexual conduct.

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is explicit or implied term or condition of employment;
2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment; or
3. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Conduct that constitutes prohibited Sexual Harassment may include but is not limited to the following: conduct in written or electronic form such as cartoons, e-mails, posters, calendars, notes, drawings, letters, or photographs; verbal conduct such as epithets,

derogatory comments, slurs or jokes; and/or physical conduct such as unwelcome physical contact, assault or blocking an individual's movement. This applies to all employees, including contract employees, managers, supervisors, co-workers, and non-employees such as NWCCOG Council, customers, clients, vendors, and consultants.

## Complaint and Investigation Procedure for ADA, Diversity, and Harassment Complaints

If an individual believes there has been a violation of the EEO policy or encounters Prohibited Harassment, Sexual Harassment as outlined above, that individual should use the following complaint procedure:

1. First, it is *preferred* that an individual who believes they are being subjected to prohibited harassment should inform the person responsible for the conduct that such conduct is unwelcome, and plainly request that such conduct stop immediately. If that individual is concerned about the threat posed by an immediate response, they are not expected to escalate the encounter or put themselves in danger.
2. Second, the individual shall inform their immediate supervisor or the Executive Director as they choose. The notification may be in the form chosen by the employee; the individual is encouraged to put the notification in writing. Upon notification under this paragraph, an investigation will be undertaken promptly.
3. To the extent possible, complaints and investigations will be handled as confidentially as possible by the Program Director or the Executive Director. The investigation may be conducted in-house, or by an investigator to be chosen at NWCCOG's discretion. *\*Note that NWCCOG reserves the right to choose a qualified third-party investigator to conduct the investigation. That investigator has discretion to re-format the process or add steps as they see fit.*
4. The subject employee may be placed on a leave during the investigation.
5. If the investigation by a Program Director or the Executive Director (or other investigator as noted in paragraph #3) determines that an employee's conduct is in violation of this policy, appropriate disciplinary action will be taken against the employee and documented on an **Employee Discipline Action Form**. Possible disciplinary action ranges from verbal and written reprimand, to suspension, up to and including the possibility of termination of employment as determined.

6. The individual who submits complaint will be apprised of investigation results.
7. Intentional false reporting of harassment is prohibited and may be subject to discipline.
8. In the case that the complaint involves the Executive Director, such complaint may be made to a Program Director or immediate supervisor who will bring the matter to the NWCCOG Council Chair to inform the Executive Committee, which will investigate the matter and determine whether corrective and/or disciplinary action is appropriate, based on the investigation. The Committee may employ a third-party investigator for such investigation.
9. NWCCOG prohibits retaliation against an employee for filing a complaint under this policy or for participating in a complaint investigation. If retaliation for making a complaint or for participation in the investigation is perceived, the employee should immediately report such conduct using the complaint procedure outlined above.

## EMPLOYEE STATUS

### Full-Time Employee

Is an employee who is normally scheduled to work at least **32 hours** per week and is currently eligible for organization benefits as outlined in this Handbook including paid holiday, personal and medical leave, and other leave.

### Part-Time Employee

Is an employee who is normally scheduled to work less than **32 hours** per week and is currently eligible for a level of benefits proportional to their degree of employment as follows (unless required under the Affordable Care Act (ACA)) or similar federal or state legislation. Those proportions are as follows:

- ◆ 24+ hours a week: Retirement, health, life, dental, vision, Flexible Spending Account (FSA), and disability insurance.
- ◆ Participation in retirement program is mandatory for all employees.

### Contract Work

An individual performing a scope of work within a NWCCOG program whose relationship to the organization is defined by Contract rather than the employment

terms outlined in this Handbook is **not** eligible for participation in NWCCOG benefits. NWCCOG complies with the Colorado Employment Security Act. Contractors are independent of control and direction, paid in lump payments (not hourly) outside of payroll, and as independent contractors are not eligible for unemployment insurance.

### **Temporary Employee**

Is an employee who is hired by an NWCCOG program for a temporary period, an assignment, or a group of assignments, and is **not** eligible for participation in NWCCOG benefits other than Colorado County Officials, Employees Retirement Association (CCOERA), and those required by law.

### **Exempt Employee**

Is an employee who is **not** eligible for overtime compensation as defined by the Fair Labor Standards Act (FLSA) and regulations of the United States Department of Labor, and the Colorado Department of Labor and Employment.

### **Non-Exempt Employee**

Is an employee who is eligible for overtime compensation. Non-Exempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours in a workweek with the only exception being use of Compensatory Time at the rate of one and one-half hour for each hour worked in excess of 40 hours in a workweek, but only if and as agreed upon by a supervisor and an employee through the **Non-Exempt Employee Agreement to Compensatory Time Form**.

*\*Note that some grants and programs do not allow use of compensatory time.*

### **Promotions or Changes to Compensation**

Promotion or changes to compensation must be approved by the Executive Director. With possible exceptions, such as an increase of duties, promotion, or reclassification, changes to compensation will only occur on an annual cycle concurrent with approval of the following years budget by NWCCOG Council. Note that some programs operate on a fiscal year that begins July 1.

## Time Records

Employees must accurately record their daily and hourly work.. Time records are used for calculating pay and benefits. Time records must include and accurately set forth the total hours worked excluding meal or break periods. If participating in the Compensatory Time or Flex Time program, that time must also recorded on the timecard (accumulated or used), similarly to Annual Leave.. Employees must submit coded time records for review to their Program Director to be signed and placed in the timecard “boxes” which for most employees is on the Shared Drive. The Executive Director signs Director’s time record prior to submittal to the Fiscal Office for timely processing. Remotely located employees are responsible for timely completion of timecards. NWCCOG distributes to employees a reminder of due date for time record submittal, including the final due date and time for that pay period. NWCCOG will not alter the above process or delay payroll processing because of time records submitted after the due date. NWCCOG may not by law withhold payment from an employee as a punishment for a late timecard, but timecards submitted later than the final submittal date and time will not be processed until the following pay period unless preauthorized.

## Discipline and Discharge Policy

NWCCOG prides itself on being a collegial and supportive workplace to work, and a learning organization which encourages professional development and embraces training opportunities. Employees and Program Directors receive annual or more frequent performance evaluations and are expected to provide each other constructive feedback in the course of the regular work week and throughout the year to advance work the goals of their program/departments and the NWCCOG organization. NWCCOG expects employees to strive to master their work and seek additional challenges in order to grow in their work. Occasionally, performance or conduct falls short of NWCCOG standards and/or expectations. When policy, performance, or professional conduct has been compromised, management will take appropriate action from a spectrum of options as outlined in this Handbook. Disciplinary actions range from a formal discussion with an employee about the matter, a work plan or other constructive solutions up to and including immediate discharge. NWCCOG is an “at-will” employer.

## Discipline Procedures

NWCCOG recognizes that management of employees and promotion of a healthy working environment requires a great deal of feedback and communication. Feedback should be ongoing rather than withheld until an annual evaluation. Just as it is important to provide formal feedback and constructive criticism and keep a record of that through an Employee Evaluation, it is also important to record any feedback which may effect an employee's current or future status with NWCCOG. Note that coaching or training may be utilized as part of a disciplinary process and is to be documented. If that feedback is related to a violation of this Handbook or other policies and procedures, it is important that what may begin as verbal feedback or discussion of an incident also be formally recorded in writing through use of an email or **Employee Discipline Action Form** to be filled out by a Program Director including a recommended action signed by the employee and forwarded to the Executive Director who will review with the Program Director before placing the form in the employee's personnel file.

## Separation of Employment

Non-Exempt employees planning to separate from employment should notify their supervisor of their anticipated departure date with two-week notice. Program Directors should notify the Executive Director of their intention to resign and provide a month or more in advance if possible. Once an employee has provided notice, a day will be scheduled for "check out" procedures (conversion of insurance, return of property, delivery of final paycheck, etc.) with a NWCCOG representative (supervisor, Office Manager or Executive Director). Program Directors are required to ensure that an **Employee Separation Checklist Form** is completed and that all NWCCOG property is returned. An orderly separation includes an employee understanding how the separation impacts their benefits. Health insurance terminates the last day of the calendar month of employment. Employees will be required to pay premiums through the month. NWCCOG will provide the employee information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage. NWCCOG also conducts voluntary exit interviews to gather feedback for improving the organization.

## **Performance Evaluation**

The Performance Evaluation is a management tool that records an employee's work performance and aligns the employee to the overall goals of the program and organization. Supervisors may conduct quarterly or mid-year evaluations in addition to an Annual Evaluation, especially if the need for a mid-year follow up was noted at the time of the annual evaluation. Annual merit increases, subject to appropriation by the NWCCOG Council, require positive evaluations and are at the discretion of Program Directors in consultation with the Executive Director. The standard **Employee Evaluation Form** is updated periodically. The Executive Director establishes an annual schedule for evaluations with a memo to Program Directors outlining the expectations for the evaluation process, COLA increase amount and merit pool available. Training or certificates completed or earned shall be recorded in personnel files at annual evaluation if not before.

## **Nepotism, Employment of Relatives, and Personal Relationships**

An employee may not supervise or be in the line of supervision for another employee, Contractor or vendor of a relative by blood or marriage. Immediate family members may not work in the same program together unless such arrangements have been approved by the Executive Director. An employee may not make decisions or seek influence before decisions to hire, retain, promote, or determine the salary, compensation or benefits of a relative. It is the employee's responsibility to disclose their relation to prevent nepotism, employment of relatives or similar personal relationships that are or may be perceived as subject to this policy.

## **EMPLOYEE BENEFITS – Wages, Holidays, and Payroll**

### **License or Certification may be a requirement for Employment Eligibility**

If an employee has a Job Description that requires a license or certification and that license or certification expires or is in jeopardy, the employee shall report that information immediately in writing to their supervisor. In some programs where it is necessary to maintain a license or certification as a condition of employment for that job, NWCCOG may, at its discretion, work with an employee to provide time to become relicensed or recertified after written notice is provided to a Program Director. Failure



to report an expired license or certification is subject to Disciplinary Action up to and including separation from employment.

**Paydays**

Paydays are on the 5<sup>th</sup> and 20<sup>th</sup> of each month. If the regular payday occurs on a holiday or weekend, employees are paid on the last working day prior to the regular payday. On each payday, employees electronically receive a password encrypted statement showing gross pay, deductions, and net pay. Automatic deductions such as additional tax withholding, contributions to voluntary plans, and individual savings plans may be arranged through the Fiscal Office. NWCCOG does not print paychecks. Payroll is made through electronic transfer (direct deposit) of funds into the employee’s designated, qualified account by filling out the Direct Deposit Authorization Form. Employees may designate no more than two different accounts for direct deposit.

**Improper Deductions**

If an employee believes NWCCOG has made an improper deduction for payment of state or federal taxes, the employee should immediately report this information to the Fiscal Office which will promptly investigate reports of improper deductions. If it is determined that an improper deduction has occurred, that employee will be promptly reimbursed.

**Holidays**

NWCCOG observes 14 holidays as days off with pay. The 14 holidays are as follows:

New Year’s Day	January 1
Martin Luther King’s	Third Monday in January
President’s Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth Day	Third Monday in June
Independence Day	July 4
Colorado Day	First Monday in August
Labor Day	First Monday in September
Frances Xavier Cabrini Day	First Monday in October

Veteran’s Day	November 11
Thanksgiving Day	Fourth Thursday in November
Thanksgiving Friday	Friday after Thanksgiving
Christmas Day	December 25
Floating Holiday	Any day, at the discretion of the employee

Employees do not need to fill out an **Employee Leave Request Form** for Holidays. Holiday time off is not counted as hours worked in the computation of overtime. Full-time employees not scheduled to work on the holiday will receive 8 hours of holiday pay at their regular rate of pay. Holiday pay for part-time employees is prorated based on their regularly scheduled work hours. Exempt Employees may Flex holiday time within the pay period or next with verbal approval from a supervisor.

*\*Note that some grant programs only allow pay for federal holidays, so any holidays (floating, Thanksgiving Friday) must be budgeted in the program to be paid.*

When a holiday falls on a Saturday, it is observed on the proceeding Friday. When the holiday falls on a Sunday, the following Monday is the paid day off. Non-Exempt employees shall not work on NWCCOG observed holidays without prior approval from their supervisor. Work on holiday time by a Non-Exempt employee unless the holiday worked was requested through an approved **Request for Leave Form** to be exchanged for another day off, is compensated at one and one-half times the regular rate of pay for nonexempt employees. Part-time employees receive holiday hours pro-rated based on the part-time hours worked.

**Overtime for Nonexempt Employees**

From time-to-time, the work may require a Non\_Exempt employee to work overtime or an employee may need to work overtime to complete work or work-related travel. When possible, the employee should anticipate and give advance notice to supervisor to approve overtime and be able to manage the work to fit within the budget. Employees must receive approval from their supervisor before working overtime when it can be anticipated. Non-Exempt employees are eligible to be paid at the rate of one and one-

half (1-1/2) times their regular hourly rate for hours worked in excess of 40 during the established workweek. The established workweek begins at 12:01 a.m. on Sunday and ends at 12:00 a.m. midnight on Saturday. For purposes of calculating overtime payments, only actual time worked is counted; paid or unpaid time off for annual leave, holidays, jury duty, bereavement leave, annual leave and any other type of leave is not considered time worked.

### **Compensatory Time For Nonexempt Employees**

Compensatory Time may be granted in lieu of overtime pay at the discretion of the Program Director and with the agreement of the employee. Compensatory Time will be dispensed as outlined below.

Compensatory Time may be requested by nonexempt employees in lieu of paid overtime after filling out and having signed a Nonexempt Employee Agreement to Compensatory Time Form. This request must be approved in advance by the employee's supervisor. Per FLSA, Compensatory Time will accrue at one and one-half (1-1/2) hours for each one (1) hour worked in excess of 40 hours in a workweek. A nonexempt employee may accrue up to 16 hours of Compensatory Time. Compensatory Time accumulation is managed identically to the FLSA rules for overtime. Upon separation, NWCCOG will pay for accrued, unused Compensatory Time for nonexempt employees up to 16 hours. Compensatory time can be carried from one calendar year to the next.

### **Flex Time for Exempt Employees**

Wages for Exempt Employees are based on a 40 hr. work week. Exempt employees are paid a salary and will receive a predetermined amount of compensation each pay period on a weekly basis. Exempt employees are not eligible for overtime compensation as defined by the FLSA. Exempt Employees are compensated for hours worked in excess of their normal daily or weekly hours by tracking those hours on a timesheet. Hours accumulated may be utilized as time off on another day. Hours accumulate on a one-to-one basis. Exempt employees may only accrue up to 40 hours of Flex Time. Upon

separation from employment, all Flex Time for exempt employees is forfeited. Flex Time can be carried from one calendar year to the next.

## **EMPLOYEE BENEFITS – Health and Life**

### **County Health Pool**

After the first full calendar month of employment, full-time and part-time (24 hours/week minimum) employees are eligible to participate in group medical, dental, vision, life, and disability insurance coverage programs beginning on the first day of the following month. Enrollment in the County Health Pool (CHP) must be confirmed or waived at that time, and thereafter on an annual basis during Open Enrollment by filling the CHP Enrollment Application. All employees receiving insurance benefits through NWCCOG will contribute a designated percentage toward the payment of their premium. NWCCOG pays a portion of the CHP premium for the employee, spouse, and children of full-time employees. The percentage paid for part-time employees is pro-rated based on the number of hours worked per week. Employees must work at least 24 hours per week to qualify. NWCCOG does not pay any amount towards the insurance of an employee's spouse if their spouse is covered by insurance at their place of employment. Many major life events affect eligibility for insurance coverage. These major life events must be reported within 30 days of the event to ensure continuous coverage. Births, adoptions, marriages, divorces, college graduation, child turning 27, and loss of insurance through a spouse are common examples of major life events that effect coverage eligibility and need to be reported.

### **Life and Disability Insurance**

NWCCOG provides Life through County Health Pool (CHP) and short and long term Disability through UNUM at two times an employee's annual salary up to \$100,000. Accidental Death insurance is provided through CHP. NWCCOG pays the premium. Disability Insurance for employees injured (non-workers' compensation injuries) off the clock and unable to work receive 2/3 of their normal wage following a 30-day waiting period. For further information and plan details describing insurance coverage, please contact the Office Manager or Executive Director.

### Best Flex

NWCCOG offers an optional flexible health account plan through Employee Benefits Corporation in which employees may elect deductions tax-free from their pay to be placed in either a Standard Health Care FSA, which can be used to reimburse eligible medical expenses, or a Dependent Care FSA, which can be used to reimburse eligible child or elder care expenses (i.e. daycare).

## EMPLOYEE BENEFITS –Retirement and Other

### Retirement Benefits

NWCCOG is a member of Colorado County Officials and Employee Retirement Association (CRA) and *participates in the program instead of contributing to Social Security*; therefore, *all employees are required to participate* in this program.

Employees must contribute a minimum of 3.75% of wages or salary to the 401(a)-retirement program and may elect to contribute from 3.75% up to 6% of wages or salary on a pre-tax basis. NWCCOG matches up to 6% of the employee's personal contribution to the 401(a)-retirement plan. This is also the maximum an employee may contribute to the 401(a) plan. NWCCOG participates in this plan in lieu of participating in Social Security which is 8% of wages. Employees should be aware that non-participation in Social Security impacts future eligibility for those benefits. Employees own 100% of contributions, including the NWCCOG match (there is no vesting period). Once an employee selects a percentage at the beginning of employment, the employee may not make changes to the percentage for the duration of their employment. Changes to specific investment choices within the plan may be changed. Employees should note for tax purposes that employer sponsored retirement plans are NOT subject to the IRS annual limits and penalties for IRAs.

### Deferred Compensation

NWCCOG employees are encouraged to also contribute to either the CRA 457 (b) or 457 Roth plans (see next) in addition to full participation in the 401(a) plan. CRA offers a 457(b) deferred compensation plan in addition to the 401(a) retirement plan. This allows employees to make additional voluntary contributions for retirement. Contributions to the 457 (b) plan contribution can be made pre-tax or after tax (Roth) or both.

Contributions to the 457 (b) plan are not matched by NWCCOG. There are annual IRS limits for these plans. Employees should consult with NWCCOG's CRA representative about those limits. More detail is provided in the benefits summary available under Employee Resources on the Shared Drive.

### **Unemployment Insurance**

NWCCOG pays unemployment insurance for all eligible employees as required by law. This is not shown on timecards.

### **Education and Training Reimbursements**

NWCCOG takes pride in training & educating employees and encouraging professional development activities. Some programs have specific training and certification benchmarks required to advance or to retain employment. These are generally paid for by the program through a training budget, including incidentals through a travel budget.

Program Directors or the Executive Director may also approve training or education that is for personal advancement or professional education that is not explicitly related to an employee's specific training or certification benchmarks or current Job Description.

With permission from their supervisor and pending available funds, NWCCOG may also pay or reimburse for classes or education expenses toward a professional license, certification, or degree. Specific arrangements may be made between an employee and supervisor in consultation with the Executive Director as to whether such expenses are paid directly by the organization to the institution, or are considered reimbursable expenses first paid by the employee which may or may not require achieving certain minimum standards (i.e. passing the class) in order to qualify for NWCCOG reimbursement. There is no "general fund" for these benefits, so what is budgeted and planned by each program annually to meet their goals is what is available. These funds, once budgeted, are distributed at the discretion of Program Directors. Employees are encouraged to discuss training and education plans with their supervisor through their regular review and evaluation process. Reimbursement requests that are not pre-approved are likely to be denied.

**Silverthorne Recreation Center**

NWCCOG pays an annual Business Membership Fee for NWCCOG employees to be eligible for corporate employee pass pricing. Please visit the Recreation Center website for current pricing for monthly, six month, or annual individual or family pass rates. Employees are responsible for paying their own entry or membership fees.

**EMPLOYEE BENEFITS -Accumulated Leave**

**Annual Leave**

Full-time employees accrue annual leave based on the following schedule:

Annual Leave Earned Per Year	Length of Service
128 hours @ 5.34 hours per pay period (or 16 days)	Commencing on the date of employment, continuing to the fifth anniversary of the date of employment
168 hours @ 7 hours per pay period (or 21 days)	Commencing on the fifth anniversary of the date of employment, continuing to the tenth anniversary of the date of employment
240 hours @ 10 hours per pay period (or 30 days)	Commencing on the tenth anniversary of the date of employment, continuing through the remainder of employment

Part-time employees may accrue annual leave proportional to the above schedule.

Employees must schedule use of accrued Annual Leave to minimize interruptions to organizational operations and authorization for use of leave from their supervisor through a signed **Request for Leave Form**. Annual Leave time will not be advanced (from outside of current pay period), prior to it being accrued under any circumstances. Employees must provide their supervisor as much advance notice as possible when requesting annual leave.

NWCCOG does not provide “sick leave” separately from Annual Leave. When utilizing Annual Leave on short notice, such as for illness, employees are required to call in or

Speak directly with their supervisor when reporting an absence due to illness. If their supervisor is not available, employees shall contact the Office Manager or another Program Director in a reasonable attempt to speak to a person directly. A failure to notify NWCCOG due to sudden absences may be subject to Disciplinary Action; and three consecutive days of unreported absences (without reasonable extenuating circumstances) may be subject to separation from employment (provided this is not in conflict with HFWA).

An employee is not eligible to accumulate more than 240 hours of accrued annual leave and carry it from one time period to the next. Once an employee reaches this maximum, the employee ceases accruing additional Annual Leave, and resumes accruing leave only from and after the date that leave falls below the 240-hour limit. Accumulated Annual Leave is a benefit intended to provide an employee the opportunity to self-manage their work-life balance and recharge themselves, so they stay healthy and engaged. A Program Director or Executive Director may require an employee to take Annual Leave if it is believed that employee is reaching the 240-hour limit and not managing use of Annual Leave. Upon termination, employees receive pay for accrued, unused Annual leave.

### **Attendance and Punctuality**

Regardless of what position an employee holds, punctuality and regular attendance are essential for efficient operation of programs. If an employee knows in advance, they are going to be unavoidably late or absent, that employee must notify their Program Director's cell phone, so other arrangements can be made. If an employee is absent without prior notice, the employee should advise the supervisor or Program Director by calling or texting their cell phone as soon as possible. If a supervisor is not available, employees should contact the front office staff during business hours at 970-468-0295 or another Program Director. Employees are expected to make every effort to speak directly with a person and should leave a message only when other alternatives have been exhausted. If an employee fails to report to work for three consecutive days without notification to their supervisor or without reasonable, extenuating



circumstances, they are subject to separation from employment (provided this is not in conflict with HFWA).

### **Healthy Families and Workplaces Act Compliance**

NWCCOG complies with the paid sick leave requirements of the Colorado Healthy Families and Workplaces Act, C.R.S. 8-13.3-401 et seq. (FHWA) through the provision of paid Annual Leave. An employee may use Annual Leave for any HFWA and non-HFWA purposes. In the event a public health emergency is declared in accordance with the provisions of the HFWA, NWCCOG will provide Supplemental Leave as necessary to satisfy the requirements of C.R.S. 8-13.3-405(1) and applicable rules implementing the HFWA. An employee may use Annual Leave under all the same conditions as under HFWA and applicable rules implementing the HFWA. In the event of any conflict between the provisions hereof and the requirements of the HFWA and such implementing rules (including, without limitation, with respect to accrual, use, payment, annual carryover, notice and documentation, and anti-retaliation and anti-interference rights) NWCCOG will comply with the requirements of the HFWA and such implementing rules.

## **EMPLOYEE BENEFITS -Other Leave**

### **Bereavement Leave**

Following a death in an employee's immediate family, that **employee is granted upon request, up to five paid workdays of bereavement leave**. Immediate family includes an employee's spouse, partner, parents, children, sisters, brothers, grandparents, grandchildren, and mother or father-in-law. In the event of a death of another relative, colleague, or close friend, employees may be granted one paid workday of Bereavement Leave. The above relations may be defined at the discretion of NWCCOG. If more time off is desired than provided, employees may use Annual Leave.

### **Shared Leave**

Approval of Shared Leave is at the discretion of the Executive Director. Leave time is gifted by the written permission of individual employees whose own Annual Leave will be reduced by the number of hours gifted. Shared Leave that is gifted, will be charged

to the gifting employee's program as it would be if they used it themselves. An employee may put in a written request to the Executive Director to give not more than two of their own accumulated annual leave days to a fellow employee who has utilized all of their own accumulated Annual Leave time and whose circumstances warrant additional time.

### **Paid and Unpaid Administrative Leave**

- ◆ The Executive Director (or the NWCCOG Council when required for the Executive Director) may place an employee on Paid or Unpaid Administrative leave, if appropriate for the good of the organization for that employee to be away from the workplace for a specified or indefinite period of time for a complaint to be investigated, or for other circumstances as determined by the Executive Director (or the NWCCOG Council in the case of the Executive Director).
- ◆ The Executive Director (or the NWCCOG Executive Committee when it is for the Executive Director) in consultation with a Program Director may provide Paid Administrative leave for a variety of special personal situations including, extended medical situations when there is an anticipated return to work, or when an Exempt employee has been required to work a significant amount of extra time for an extended period of time. Such leave will be charged to the employee's program, and there must be budgeted funds available to cover such leave. When Exempt employees have worked a SIGNIFICANT amount of extra time, occasional and judiciously limited Paid Administrative leave may be granted by the Executive Director (or the NWCCOG Executive Committee when it is for the Executive Director).
- ◆ A Program Director in consultation with the Executive Director may place an employee on Unpaid Administrative leave as a part of an escalated employee Disciplinary process.
- ◆ When taking Administrative Leave, the status of health benefits during leave must be determined and noted on the leave request. In most leave situations the employee is required to pay both employee and employer contributions to continue health benefits while on leave. See language in "Medical Unpaid Leave of Absence."

### **Domestic Abuse Leave**

Employees subject to domestic abuse may be entitled to a leave of absence as outlined in C.R.S. 24-34-402.7. Employees may approach a supervisor or Program Director or have a professional advocate approach NWCCOG with such a request. Granting of such leave is at the discretion of the Executive Director. Leave shall be granted as provided under the HFWA or applicable state law. CRS 24-34-402.7 states that employer shall permit an employee to request or take up to three days leave if the employee is a victim of domestic violence.

### **Parental involvement in K -12 Education**

A Full-Time employee may take 18 hours of accrued paid Annual Leave in an academic year for the purpose of attending an academic or extra-curricular activity for his or her child. Employees taking K-12 parental leave are required to use Annual Leave, Flex Time or Compensatory Time.

### **Jury Duty**

NWCCOG recognizes jury duty as a civic responsibility. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly. Employees receive regular pay for the first three days of jury duty if they were scheduled to work and the employee submits a juror service certificate. Beginning the fourth day and thereafter employees serving as jurors will be paid \$50.00 per day by the State of Colorado for state or county court jury duty. For jury duty beyond three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of 10 days (80 hours). Jury duty leave beyond this period is without pay from NWCCOG.

### **Community Service Leave**

Employees may utilize accrued Annual Leave for community service or service trips. Program Directors or NWCCOG Executive Director can allow group community service hours to be billed to the program as regular work hours when more than one employee participates, and the effort is deemed as a teambuilding or related purpose.

## **Military Leave**

Employees granted military leave of absence are reinstated in their employment and paid in accordance with the laws governing veterans' re-employment rights without loss of pay, benefits, or seniority.

## **Voting or Election Judge**

If it is necessary for employees to arrive late or leave early from work to vote, employees may make arrangements the day before with their supervisor. All Colorado voters receive a mail-in ballot for major elections, so this is only for when voting is required in-person. Leave may be used for volunteering to be an Election Judge.

## **Family and Medical Leave Act (FMLA)**

As an association of local governments, NWCCOG posts an FMLA notice to employees. However, to be covered by FMLA under federal law, an employee must work at a work site with at least 50 employees within 75 miles. *Because NWCCOG does not employ at least 50 employees within 75 miles, NWCCOG employees are not eligible to claim FMLA leave.* NWCCOG does, however provide leave to employees as is described elsewhere in this Handbook, and accrued leave may be used as desired.

## **Colorado Family and Medical Leave Insurance (FAMLI) Program**

Colorado voters approved Proposition 118 in November of 2020, creating the Family and Medical Leave Insurance (FAMLI) program. FAMLI allows employees to take up to 12+ weeks of paid leave for medical or caregiver needs. Beginning in 2024, Colorado's paid family and medical leave insurance (FAMLI) program will provide paid time off when employees face life circumstances that pull employees away from their jobs; like growing a family or caring for a loved one with a serious health condition.

On October 27, 2022, NWCCOG Council approved NWCCOG to decline employer participation in the FAMLI program on the grounds that it is exempt as a local government, provides medical leave through UNUM Short Term Disability benefits and after reviewing, was the preference of Program Directors.

Employees also have the choice to voluntarily opt into FAMLI as an individual: Colorado workers have the right to opt into FAMLI benefits pursuant to Colorado Revised Statute 8-13.3-414 C.R.S. by either self-electing coverage and submitting employee premium along with wage data every quarter directly to the FAMLI Division (this requires creating an account at [famli.colorado.gov](http://famli.colorado.gov) at the online FAMLI portal). If an employee creates an online account, they will need the FEIN # of NWCCOG. There is more information about the FAMLI program at [CDLE\\_FAMLI\\_info@state.co.us](mailto:CDLE_FAMLI_info@state.co.us) or by visiting [famli.colorado.gov](http://famli.colorado.gov)

### **Personal Unpaid Leave of Absence**

At the sole discretion of the Executive Director, an employee may be granted an unpaid leave of absence for a non-medical reason for not more than 30 days. Longer unpaid leave may be granted by the Executive Director in consultation with the NWCCOG Council Chair. Employees taking an approved unpaid leave of absence are responsible for paying insurance coverage during the absence. An unpaid leave of absence once granted implies that position will not be filled during the employee's absence.

### **Other Leave of Absence**

NWCCOG reserves the right to develop and adopt Supplementary or Temporary Leave programs or amend terms of leave as necessary to comply with state or federal laws, or to respond to an emergency or crisis, as it did with COVID-19, and may do so administratively through the action of the Executive Director.

## **EMPLOYEE BENEFITS –Medical Leave**

### **Workers' Compensation**

An employee who incurs an injury on the job should seek medical attention immediately and must report work related injuries immediately to their supervisor. A list of workers' compensations approved medical clinics around the region is posted in the common area of NWCCOG offices. NWCCOG will pay the employee their regular rate for the time spent on an initial doctor visit for the work-related injury. Employees will be required to use their Annual Leave, Compensatory or Flex Time for all other doctor visits and therapy sessions.

## Unpaid Medical Leave of Absence

A Program Director and the Executive Director may grant an unpaid Leave of Absence for medical reasons to full-time and part-time employees who work at least 24 hours per week providing the request is accompanied by a recommendation from a medical provider. Program Directors may not grant leave to themselves. The recommendation must include the start date and anticipated return date. It is the employee's responsibility to obtain approval for a Medical Leave of Absence from his or her Program Director and the Executive Director (Request for Leave form).

- ◆ The employee on an Unpaid Medical Leave of Absence must first expend all accrued Annual Leave time and any accrued Compensatory or Flex Time. Accrual of Annual Leave time is suspended until the employee returns from leave. Holidays, bereavement, or jury duty pay will not be granted during the leave. Employees returning from medical leave are expected to provide their Program Director with a medical provider's statement attesting to the employee's fitness for work. At its option, NWCCOG may require and cover the cost of an examination by a NWCCOG-appointed medical provider.
- ◆ Medical Leave of Absence cannot exceed the length of time equal to an employee's service with NWCCOG as of the date of commencement of the Medical Leave or absence, or six weeks, whichever is less. Employees who do not return from Leave of Absence at the expiration of their authorized leave normally will be determined to have abandoned their employment. If the employee's inability to return is due to a disability under the Americans with Disabilities Act or other law, additional accommodations may be provided upon written request (see ADA section). Employees must supply sufficient information from their medical provider indicating that they have a covered disability and when they can return to work with or without reasonable accommodation. Accommodations must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and NWCCOG.
- ◆ Employees who are on approved Medical Leave retain their eligibility to continue participation in NWCCOG insurance and retirement programs as long as the employee continues to pay the employee's portion of the monthly premium.

Employees who return from approved medical leave may be reinstated to their previous position or a position of like status and pay if such position is available and they are qualified. However, NWCCOG is not required to guarantee a position for the returning employee.

#### **Retaliation for use of Benefits**

- ◆ Retaliation upon an employee for utilizing any benefits or returning from use of leave to which the employee is entitled shall be prohibited and be considered Prohibited Harassment.

## **NWCCOG WORKPLACE POLICIES**

#### **Other NWCCOG Policies**

NWCCOG has adopted policies & procedures which are too detailed or specific to certain roles within the organization for this Handbook. These Other Policies & Procedures are updated periodically; categories include: Fiscal Policies and Procedures, (General) Policies and Procedures, Personnel Policies and Safety Policies. These policies and procedures are on NWCCOG Shared-Drive under the Employee Resources. Following adoption, new policies are to be circulated to employees, and may be circulated via email, or in some cases with acknowledgement signature blocks to be returned. If there is a conflict between this Handbook and a specific other written policy, the more recent, specific or stringent shall apply. While some provisions of these other policies and procedures that are pertinent to general employment have been included in this Handbook, Employees must familiarize themselves with these other policies and procedures and employees may be asked to sign acknowledgement of some policies.

#### **Whistleblower Protection Policy**

NWCCOG takes management of information seriously. In the course of employment, an employee may encounter personal and protected information as well as documents which are subject to open records laws. NWCCOG expects that an employee who has evidence of another NWCCOG employee or the organization breaking the law may

disclose that evidence to the appropriate authority. NWCCOG does not initiate or administer disciplinary action against an employee's for such a disclosure of information. Disclosure of information is defined as the written provision of evidence to any person regarding any action, including waste of public funds, abuse of authority, or mismanagement. The law does not protect employees who disclose information they know to be false or who disclose information without regard for truth or falsity. It does not protect those who disclose information that is Confidential under any other provision of the law ("confidential" being defined in statute as "information from public records that are closed to public inspection or that is confidential under any other provision of law").

### **Anti-Violence, Threats, and Bullying Policy**

Employees who engage in intimidation, threats, hostile behaviors, physical, verbal or written abuse, vandalism, arson, sabotage (including electronic/cyber), or any other similar act which is inappropriate to the workplace will be subject to disciplinary action in the process outlined in the Discipline Procedures section of this Handbook. Any employee who is the victim of offensive comments or social media posts related to their employment should report these comments as harassment.

In relation to violence, self-defense, de-escalation, NWCCOG staff are often performing work in the field making presentations and in certain programs, making home visits. It is expected that staff use their best judgement to assess situations and physically remove themselves from potentially dangerous situations as necessary. NWCCOG discusses personal safety with staff on a regular basis. NWCCOG staff will never be disciplined or questioned for making a decision to leave a situation without completing scheduled services when doing so is necessary to avoid a potentially dangerous situation. It is expected that NWCCOG employees take every opportunity to assess situations and act on their perceptions as appropriate to de-escalate a situation, find an excuse to leave, perform self-defense, and/or take other action they see fit as a response to the situation. Employees, after securing themselves from the situation should immediately contact their supervisor to discuss next steps and may contact law enforcement before or after contacting their supervisor as they see fit.



## Personal Safety

NWCCOG has adopted a Safety Program, as well as an Incident Response Program (IRP). NWCCOG has written broad discretion for employees regarding making decisions about safe travel into this Handbook. The IRP states: **Personal Safety in the Field:** NWCCOG employees perform work in private residences and in private as well as public facilities. Employees in such off-site situations have broad discretion if in their assessment that temporary place of work is perceived to be unsafe, or clients or others there appear to hold the potential to be a threat to their personal safety that employee can make the decision to vacate that site and report their concerns to their supervisor, or to law enforcement if appropriate.

## Nursing Mothers' Policy

The NWCCOG office is lactation-friendly workplace. NWCCOG will comply with the Workplace Accommodations for Nursing Mothers' Act by providing reasonable time and location for nursing mothers to express milk, make reasonable efforts to provide suitable and private space for this purpose, and not discriminate against women for expressing milk in the workplace.

## Drug Use, Sale, and Possession

Whenever employees are working, operating a NWCCOG vehicle, present on NWCCOG premises, are conducting NWCCOG related work, or are wearing any uniform identifying them as a NWCCOG employee, they are prohibited from:

1. Using, possessing, buying, or selling, manufacturing, or dispensing a Schedule 1 drug, controlled substance, or related paraphernalia.
2. Being under the influence, possessing, or consuming of alcohol, a Schedule 1 drug, or controlled substance; or
3. Taking prescribed drugs that adversely affect an employee's ability to perform job duties safely and effectively.

*\*Note that employees taking prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce the container if asked.*

NWCCOG may confiscate and turn over to law enforcement any illegal drugs or drug paraphernalia.

### **Drug Free Workplace Policy**

In accordance with the Drug-Free Workplace Act of 1988, NWCCOG prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during organizational time, on organizational premises, or at other work sites. Rational behavior is required for the safe and adequate performance of job duties. Therefore, employees are prohibited from reporting to work or being at work unfit to perform their job duties, because of the apparent use of illegal drugs, controlled substances, or alcohol.

### **Marijuana**

To prevent confusion about the use of marijuana in the State of Colorado and how it relates to employment, NWCCOG has issued this informational guideline. Colorado law permits properly registered patients to use marijuana for medicinal purposes without fear of criminal prosecution, so long as they abide by the State's medical marijuana laws. Colorado also permits adults to possess and use recreational marijuana. Nevertheless, marijuana remains a Schedule I controlled substance under the Controlled Substances Act of 1970. As such, any use of marijuana – medical or otherwise – is against federal law and a violation of the NWCCOG drug policy.

- ◆ Under this NWCCOG drug policy, virtually any conduct involving illegal drugs or controlled substances, as defined by federal law, can result in disciplinary measures up to and including termination. Accordingly, an employee who tests positive for marijuana is in violation of NWCCOG's drug policy, even if the employee is exempt from criminal prosecution under Colorado law. Colorado's marijuana laws – medical and otherwise – provide employers with the right to have and enforce their drug policies with respect to marijuana.
- ◆ A positive drug test for marijuana constitutes a violation of NWCCOG Drug and Alcohol Policy and will lead to disciplinary action as defined in the Discipline Procedures up to and including termination.

## Drug and Alcohol Testing

NWCCOG's policy related to Drug and Alcohol Testing following an accident in a NWCCOG vehicle is covered in the driving section of this Handbook, and in alignment with the NWCCOG Drug and Alcohol Policy.

## Inspection Policy

NWCCOG employees have no expectation of privacy with NWCCOG property or equipment. NWCCOG may conduct searches if there is reason to believe that employee is misusing or abusing resources or is in violation of these policies. This may include, but is not limited to, lunch bags, boxes, purses, personal computers that belong to NWCCOG, packages, or vehicles. NWCCOG may conduct searches of the above items without employee consent upon a reasonable suspicion that illegal activity is taking place. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives. Employees do not have a reasonable expectation of privacy in lockers, desks, cabinets, or file drawers, all of which are keyed by NWCCOG and/or copies of those keys are kept by NWCCOG. A Company-initiated search does not necessarily imply an accusation of theft or that an employee has broken a rule.

## Weapons Policy

NWCCOG prohibits the possession or use of concealed weapons and dangerous weapons, and the open carry of guns on NWCCOG property, regardless of whether the person is licensed to carry the weapon. This prohibition applies to all NWCCOG employees, contract and temporary employees, and visitors (exception: municipal, county, state or federal law enforcement officials) regardless of whether or not the person is licensed to carry a weapon.

- ◆ **“NWCCOG property”** covered by this policy includes all NWCCOG-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under NWCCOG's ownership or control. This policy also applies to all NWCCOG-owned or leased vehicles and all vehicles that come onto NWCCOG property.

- ◆ **“Dangerous weapons”** include, but are not limited to explosives, knives, and similar weapons. If employees have a question regarding whether an item is covered by this policy, they should contact the Executive Director. Employees have the responsibility to make sure that any item not specifically listed above that is possessed by the employee is not prohibited by this policy.

## **WORKPLACE POLICIES –Ethics, Use of Assets**

### **Colorado Open Records Act (CORA)**

NWCCOG is a public entity subject to CORA. NWCCOG has adopted a **CORA Policy** establishing parameters and procedures for responding to records requests from the public. Employees at NWCCOG should be aware that communications or other records on nearly every media platform they utilize in the course of employment may be requested by a citizen and “made public” under the provision of CORA requiring disclosure of public records (subject to limited exceptions). This means that use of NWCCOG computers, email, phone (phone records), and other media and work materials must be utilized in the most professional manner. Be aware of your tone, what information is being shared, and practice restraint. Employees should further be aware that their communication by any means can be accessed and often are utilized in civil discovery, civil litigation, criminal investigation or procedural/regulatory disputes against an individual or the organization.

### **Confidentiality Policy**

NWCCOG retains confidential information and records related to personnel. Additionally, many NWCCOG programs retain confidential information and records of clients (for instance, information protected by HIPAA (Health Insurance Portability and Accountability Act of 1996)) and confidential client financial information (for instance, in the Northwest Loan Fund). This information, as well as records relating to positive drug tests, drug and alcohol dependencies, and payroll garnishments, shall be kept confidential to the extent required by law and maintained in secure files separate from personnel files. Confidential records and information may be disclosed only in accordance with applicable law. It is the responsibility of Program Directors and those with access to confidential information to handle and store that information in as secure

a manner as possible. It is the responsibility of NWCCOG to stay current with best practices for cyber security of that information. Negligent mishandling of confidential information by an employee is subject to disciplinary action.

### **Conflict of Interest Policy**

No employee shall engage in any activity or enterprise that is incompatible with the duties and responsibilities of NWCCOG employment (exceptions may only be granted by the NWCCOG Executive Committee). The following are examples of activities that constitute a Conflict of Interest with the interests of NWCCOG employment, and for which an employee may be subject to discipline up to and including termination of employment:

- ◆ Any employment, activity, or enterprise which involves the use of NWCCOG time, facilities, equipment, work products, supplies, prestige, or influence for private monetary gain.
- ◆ Receipt or acceptance by an employee of any money, gifts greater than \$65 value (Colorado Constitution Article XXIX, Section 3) or other consideration from anyone other than NWCCOG for performance of an act or function which the employee is required or expected to render as a regular course of employment.

Per 2 C.F.R. 200.318 (c)(1): No Employee, officer or agent, may review, influence or participate in the selection, award or administration of any form of contract, grant or employment (hiring) through with an entity from which they may have a real or apparent Conflict of Interest or actually gain financially from the granting of that employment or form of contract through which that person, or any member of that persons immediate family, his or her partner, or organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Note: The Alpine Area Agency on Aging has adopted a program specific Conflict of Interest Policy. If employees have any questions about this policy or possible conflicts of interest, discuss with the Executive Director or NWCCOG Council Chair.

## Fraud Policy

NWCCOG expects the highest ethical standards from its employees, officers, Contractors and vendors. NWCCOG has adopted and continues to update policies and procedures to provide structural controls and oversight. To effectively prevent fraud and mismanagement of funds or NWCCOG resources requires the vigilance of employees and officers to report any suspected fraud, misappropriation, irregularities or any violation of NWCCOG policy or this Handbook. Actions constituting fraud include:

- Any dishonest or fraudulent act.
- Misappropriation of funds, supplies or other assets.
- Impropriety in the handling or reporting of money or fiscal transactions.
- Fraudulent use or application of employee benefits or any NWCCOG policy.
- Accepting or seeking anything of material value from contractors, vendors or persons providing services to the organization.
- Destruction, removal, or inappropriate use of organizational assets.
- Falsification of records.

Any employee who suspects fraud or dishonest activity has a responsibility to report such activities to the NWCCOG Executive Director immediately and should not attempt to personally conduct investigations or contact the suspected individual. Such reporting may be done anonymously. The reporting and investigation of fraud will be handled in a confidential manner to the extent practicable. Once the matter is reported to the Executive Director (or NWCCOG Chair if the Executive Director is suspected), the ED or Chair has the responsibility to discuss how to proceed with NWCCOG's attorney, insurance carrier or local law enforcement.

## HIPAA and Personal Information Policy

NWCCOG has an adopted a HIPAA Policy to ensure that Protected Health Information (PHI) whenever it is used by NWCCOG representatives, is handled in a manner that protects the privacy and confidentiality of that individual. The Alpine Area Agency on Aging and Energy programs utilize PHI and/or personal financial information regularly. They have adopted internal procedures, but there is also the potential for such information to pass through the fiscal or NWCCOG offices, for instance in the bill

schedule for the Council packet where patient names need to be redacted. Because of this potential, all NWCCOG employees need to be aware of HIPAA requirements and should familiarize themselves with the HIPAA policy.

### **Information Systems and E-Mail**

Information systems and internet access on NWCCOG devices are the property of NWCCOG and are intended for business use. Therefore, NWCCOG maintains the ability to access files, software, e-mail, and voicemail. Because NWCCOG provides the e-mail system to employees to help them with the performance of their job, it should be used for official NWCCOG business. Incidental and occasional personal use of e-mail is permitted; however, employees should be aware that these messages will be treated the same as business messages, and subject to review at any time without notice.

- Employee must be aware that email may exist permanently. Employees must also maintain professionalism in their use of emails; for example, be wary and do not send email outside customary work hours unless necessary. Do not send or reply to emails using angry, reactionary, or inflammatory language. Further, employees cannot control where their messages will ultimately go. For example, a message meant for one person can be mistakenly sent to the wrong individual(s), or the message can be forwarded to unintended recipients. In addition, e-mails that were deleted are stored elsewhere on the system. In a worst-case scenario, rude emails open the organization to legal liability (see CORA above).
- ◆ Employees' correspondence on e-mail may be a public record under the CORA and may be subject to public inspection. (see above CORA policy; C.R.S. 24-72-204.5)
- ◆ NWCCOG has adopted an **IT Policy**. Employees are responsible for safeguarding passwords as well as the transactions made under the context of their login identification.

### **Social Media**

Employees should use good judgement when using social media. Employees shall not use social media as a part of any complaint process or to disclose sensitive information about other employees or NWCCOG. Posting on behalf of NWCCOG must be exercised with professionalism. Such postings should avoid reflecting an employee's personal

opinion. Employees should contact their Program Director or Executive Director for program specific policies for posting on social media.

### **Voicemail**

NWCCOG utilizes systems where employees receive and send messages through voicemail. The communication systems are intended solely for business use. Although employees have personal access codes, the employer maintains the ability to access any messages left on or transmitted over the systems.

### **NWCCOG Issued Credit Cards**

NWCCOG has a **Credit Card Policy**. NWCCOG issued credit cards are for job related use only. Employees are responsible for safekeeping and responsible use of their NWCCOG Credit Card, including saving all receipts for purchases, accurately coding charges. Employees will be responsible for purchases which do not have a receipt or other acceptable form of documentation. Use for personal purchases will be subject to disciplinary action up to and including termination. Under no circumstances will the purchase of alcoholic beverages be allowed on NWCCOG issued credit cards.

Employees are responsible for saving receipts to be attached to the monthly credit card statement (or upload to Certify app) and are responsible for notifying vendors of NWCCOG's exemption from Sales Taxes, particularly on purchases over \$50.

NWCCOG has a Credit Card policy with more detail.

### **Business Expense Reimbursements, Per Diem**

NWCCOG employees and contractors cover a vast region to deliver services. Each program has an annual travel budget to cover related expenses such as meals and lodging. To be reimbursed for actual, reasonable business expenses, employees must turn in a detailed receipt (not just the total charge). **NWCCOG does not provide a per diem reimbursement for business expenses** (please note exception below). Lodging expenses will be reimbursed for mid-range accommodations in a specific location.

Except in the case of emergency (for instance, an inclement weather-related overnight stay), reimbursements should be cleared in advance with a supervisor or the Executive Director unless ongoing arrangements have been made. Questions for what is acceptable for reimbursement should be discussed with a supervisor prior to incurring.



*\*Note an exception to the above no-per-diem policy for regularly scheduled overnight work in the Energy Program, which has developed a travel reimbursement policy with a standardized **Travel Per-Diem Reimbursement Voucher Form** outlining standardized per-diem.*

### **Travel Reimbursement for “In kind” Contributions**

A question that arises periodically is whether an employee who is traveling on NWCCOG business may reimburse an acquaintance or associate who offers a meal and/or free lodging. If the stay is at an established rental location including a short-term rental unit, NWCCOG may pay the established rate or discounted amount. Unfortunately, it is difficult to put an appropriate value on hospitality, especially home cooked meals, and what may appear an appropriate value (payment for services) among acquaintances may not pass public scrutiny, for instance if one were to pay a friend the equivalent of peak season hotel room rates. One approach has been to respond to such kindness with a gift card as a purchased “thank you” which can be done with program funds. There may be exceptions which should be discussed with the Executive Director. Policy is that if there is an expectation of reimbursement either from the employee or their acquaintance, that it is better to stay in an established place of lodging and go out to eat. NWCCOG does not allow payment for meals or lodging provided by acquaintance or associate.

### **Hours of Work, Place of Business and Remote Work**

NWCCOG’s business hours are Monday through Friday, from 9:00 a.m. to 5:00 p.m. The starting and ending times may vary according to the needs of a program and may change from time to time according to the needs of the organization. Some programs operate on a four-ten hour day work week. Employees may be required to work overtime. The official place of business is 249 Warren Avenue, Silverthorne, Colorado, annex places of business include the Energy Program Warehouse on Spring Creek Road in Gypsum and the Energy Program New Castle office,, Unit A2 6460 County Road 335, New Castle, Colorado.

Program Directors or the Executive Director may allow employees to work remotely from home or various locations (outside of the above place of business or annexes for a

variety of reasons including employee safety due to weather or other hazards, scheduled meetings nearby, or more efficient or effective use of employee time or resources. For those working from these locations, those locations are considered temporary places of business. Extended remote work may be possible for some positions. The privilege of working remotely must be approved by an employee's supervisor and periodically reviewed to ensure that the arrangement is beneficial to the operation of the program and productive. Such approvals may be revoked at any time upon notice to the employee. When approving a remote work situation, the employee must still be physically able to attend to duties across the NWCCOG region as necessary. An employee may specifically request permission from their supervisor to conduct remote work outside of reasonable commuting distance for in-person duties for a specific duration of time and may only do so if granted written permission to do so.

### **Inclement Weather Policy**

NWCCOG employees travel across a vast and remote region in Western Colorado in all times of year. It is expected that employees understand, respect, and anticipate the changing, natural conditions of the mountain region. NWCCOG recognizes that employee safety is of the utmost importance. Therefore, NWCCOG employees have discretion if because of late work hours, anticipation of hazardous conditions, or inclement weather to choose to stay in the town closer to where they are for the night as a travel expense. If a NWCCOG Program Director, for instance Energy or Elevator Program, decides that weather or other conditions are too hazardous to travel safely to a client's home or business for a scheduled appointment that Director has discretion to "close the office" for the day and reschedule. Employees may also call in at their discretion for the same reason by notifying the Field Supervisor (Energy) or Elevator Program Director (Elevator) or their supervisor before the start of the shift. In emergency situations, NWCCOG will address continuance of operations planning in a separate document.

### **Smoking**

NWCCOG facilities are smoke free environments. Smoking is prohibited in all areas of the NWCCOG offices, within NWCCOG vehicles, on NWCCOG owned or leased property, and at NWCCOG work sites. The Colorado Clean Indoor Air Act defines

smoking as: "Smoking" means the burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco or marijuana, inhaling, exhaling, burning, or carrying any lighted or head cigar, cigarette, or pipe or any other lights or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or form. 'Smoking' also includes the use on an electronic smoking device." This policy applies to all employees and visitors at all times, including non-business hours.

### **Appearance and Courtesy Policy**

At NWCCOG, professionalism, personal appearance, attire, and courtesy are very important. A professional image must be maintained to elicit confidence and reflect favorably on NWCCOG. Employees are allowed freedom in selecting their work attire and may dress in NWCCOG identifying gear for certain departments. When tasks require safety clothing or personal protective equipment, employees must use it. It is very important that employees choose appropriate attire for their jobs. Dress should be consistent with good hygiene, safety, and public relations. This policy also applies to employees who have been granted remote work privileges, who may be representing NWCCOG via video conferencing. In such situations, employees may be in dress "casual" but should be aware of their appearance and surroundings on video calls to maintain an appropriate professionalism.

### **Political Activity Policy**

An employee should not be asked about political beliefs or requested to participate or contribute to political parties or groups as a requirement of employment. Employees may not engage in political activities during work hours but may engage in such activities outside of work. NWCCOG property cannot be utilized for campaigning, and such activities shall not interfere with an employee's work. Employees may not be discriminated against for their political affiliations or views but may be asked not to discuss politics during working time.

### **References Policy**

NWCCOG does not furnish open letters of recommendation addressed "To Whom It May Concern." If employees receive a call inquiring about a former employee, please

refer it to the Executive Director. Some separated employees may have an approved reference letter on file.

## WORKPLACE POLICIES – Safety and Driving

### Safety

NWCCOG is committed to a safe work environment for employees, and is responsible for providing a safe workplace, continued training, and annually reviewing and updating our safety program. Employee responsibilities include reporting any unsafe practices or conditions to their supervisor, reporting injuries, and wearing personal protective equipment. If an employee is injured on the job, no matter how minor, they must immediately report this fact to their supervisor. If medical treatment for an on-the-job injury is needed, it must be obtained from one of physicians designated by NWCCOG. Employees are responsible for following the Pinnacle Assurance reporting guidelines. If such guidelines are not followed, the employee may be responsible for the cost of medical treatment. NWCCOG pays for liability coverage through the Colorado Intergovernmental Risk Sharing Agency (CIRSA), and employees will be requested to participate in individual and group trainings from time to time as a part of our organizational compliance.

### Driving

Before being granted permission to drive a NWCCOG vehicle, NWCCOG will review that employee's Motor Vehicle Records (MVR). NWCCOG reviews these on an annual basis or when requested. Prospective employees submit their MVR to NWCCOG. This information will be placed in an employee's personnel file. Changes to drivers' records may affect eligibility to operate a NWCCOG vehicle and may affect an employee's ability to remain employed. Standards for reviewing MVR records are written in the NWCCOG **MVR Policy**. Drivers are responsible for adhering to all safe-driving-related federal, state, and local laws and ordinances. Radar detectors are prohibited in all NWCCOG vehicles. Seatbelts are required for driver and passenger(s) at all times. Drivers shall submit copies of all roadside inspections and citations for moving violations that occur in a NWCCOG vehicle to management within 24 hours or the next business day. Drivers exceeding the speed limit in NWCCOG vehicles will be subject to

discipline, even if a federal or state citation is not issued on the road. Drivers should note that manual data entry and transmission on a hand-held cell phone (i.e. “texting”) is unlawful, and the use of cell phones while driving can be cited as “causing careless driving” in Colorado if it appears to “impair” driving. It is NWCCOG policy that use of cell phones while driving other than through hands-free or Bluetooth systems is not allowed. Drivers not complying with safe-driving-related regulations and policies shall be subjected to disciplinary action in accordance with NWCCOG policies and this Handbook. Employees may be assigned a vehicle, see **Vehicle Assignment Form**.

Employees may drive their personal vehicles for work but will not have the same insurance coverage as driving an NWCCOG vehicle. In the event of an accident, an employee driving their personal vehicle would have no physical damage coverage for their own vehicle through CIRSA (NWCCOG’s liability insurance). Any physical damage would need to be reported to and may or may not be covered by the employee’s personal insurance. If an employee were driving during the performance of their duties and within the scope of their employment and had an accident that was their fault, then CIRSA would provide liability coverage for any third-party bodily injury or property damage claim, subject to coverage requirements. Once again, any physical damage to the employee’s personal car itself would only be paid by the employee’s insurance. If the employee is injured, they may be covered by workers’ compensation insurance pending approval by Pinnacol.

NWCCOG employees are encouraged to rent vehicles if there is not an NWCCOG vehicle available. No additional insurance is required when renting a vehicle.

### **Distracted Driving**

Employees should take note there are many causes of distracted driving other than the use of cell phones including eating or drinking while driving, talking with passengers, failing to secure or stow items which may become dislodged with sudden braking or become projectiles in an accident. While none of these activities are prohibited, employees are asked to be mindful of any activity which distracts one’s focus from driving.

## NWCCOG Vehicles

Most NWCCOG vehicles (leased or owned by) are now assigned to an employee. Those that are not are checked out per day for use on NWCCOG business. There is a NWCCOG vehicle reservation and check out procedure and process which must be followed, including prompt return of keys, refilling of cleaning supplies and returning the vehicle clean and full of gas.

NWCCOG vehicles are not to be used for personal use other than reasonably to stop for a meal or appointment in the course of their workday when it is along the route of scheduled business duties or appointments. The Energy Program has specific vehicle checkout and recordkeeping requirements for vehicle use. In all cases, employees are expected to inspect the vehicle prior to each use to ensure that it is in good working condition and return it as such at the end of use. A NWCCOG issued credit card is in each vehicle to be used only for gas.

NWCCOG reserves the right to utilize tracking devices in NWCCOG vehicles.

It is preferred that employees use a NWCCOG vehicle for work use if possible. When a NWCCOG employee is using their personal vehicle for NWCCOG purposes, that employee is responsible for obtaining current insurance on the vehicle. Miles for use of a personal vehicle for NWCCOG business (not including commuter miles to work) when properly recorded and submitted, will be reimbursed at the current year IRS annual mileage rate, and charged to the program.

In emergency situations an employee may take the NWCCOG vehicle to their personal residence. Also, in early morning departures and/or late-night returns from NWCCOG business, employees may take the NWCCOG vehicle to their personal residence to make departures or returns more convenient. In either case, employees are responsible to be aware of the following days' reserved use. It is the employee's responsibility to park and lock the NWCCOG vehicle in a safe place at their residence in such cases.

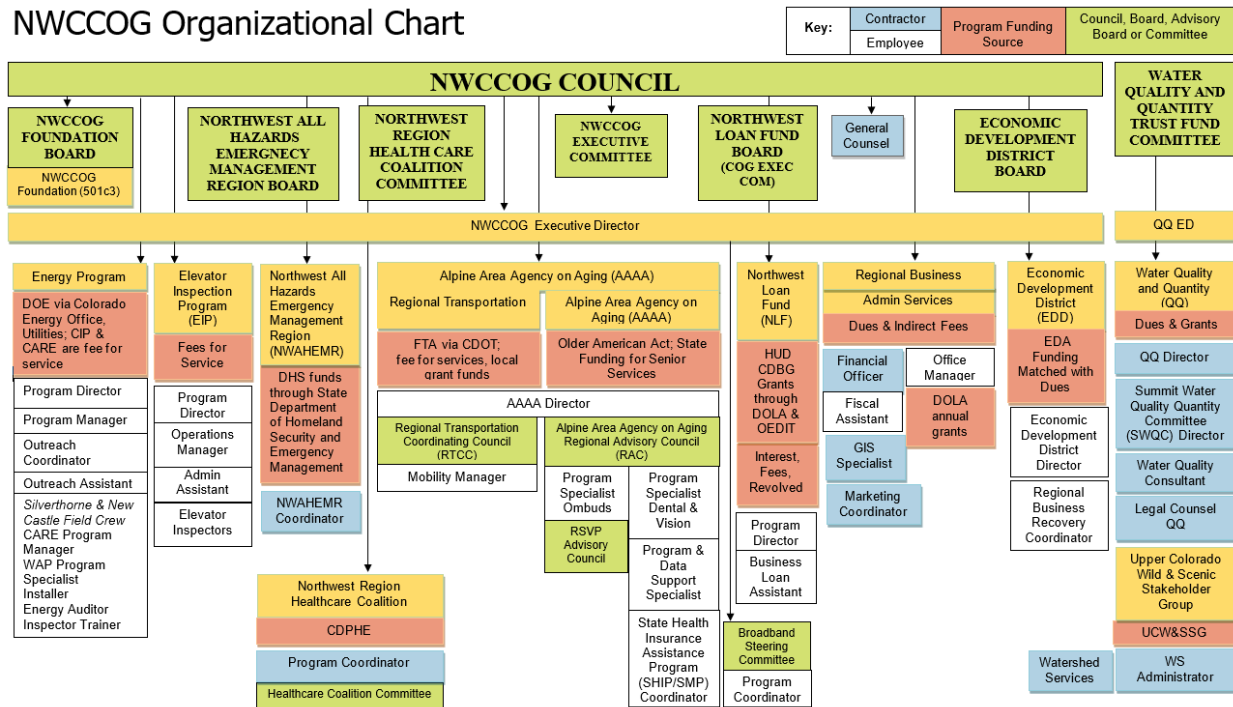
### NWCCOG Vehicle Accident Reporting

All NWCCOG vehicle accident claims are filed through CIRSA, our insurance provider. The claim must be filed within 24 hours.

In an accident, an employee is required to completely fill out the **Proof of Insurance/Driver’s Report Card** located in the glovebox of each NWCCOG vehicle and contact a supervisor immediately. The supervisor will then complete the **Supervisor’s Accident/Incident Investigation Report** and submit it to the Office Manager.

## NWCCOG Organization Chart

NWCCOG Organizational Chart



**Related Documents:**

Request for Leave Form

Employee Action Form

Employee Discipline Action Form

Exempt Employee Agreement to Compensatory Time Form

Nonexempt Employee Agreement to Compensatory Time Form

Reporting Workers' Compensation Claim

Reporting a Vehicle Accident

Supervisor's Accident/Incident Investigation Report

Mileage & Safety Log

Travel Per Diem Reimbursement Voucher Form

Supervisor Hire Checklist for New Employee

Employee New Hire Checklist

Employee Separation Checklist

Contractor New Hire Checklist

Contractor Separation Checklist

Vehicle Assignment Form