



# Human Resources Committee Meeting

The Children's Trust – 8<sup>th</sup> Floor

3150 SW 3<sup>rd</sup> Avenue

Conference Room A

Wednesday, April 3, 2019

9:30 a.m. – 10:30 a.m.

## Board of Directors

Kenneth C. Hoffman  
Chair

Mark Trowbridge  
Vice-Chair

Steve Hope  
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Javier Reyes

Hon. Isaac Salver

Rita Vega

David Lawrence Jr.  
Founding Chair

James R. Haj  
President & CEO

County Attorney's Office  
Legal Counsel

## AGENDA

9:30 a.m. **Welcome and opening remarks**

Mark Trowbridge  
Committee Chair

9:35 a.m. **Public Comments**

Mark Trowbridge  
Committee Chair

9:45 a.m. **Discussion Items**

James R. Haj  
President/CEO

- *Approval of revisions to the employee handbook (Pgs. 2-68)*
- *Add the State of Florida deferred compensation plan as an option for deferred compensation*
- *Approval of revised Acceptable use of Information Technology Resources Policy*
- *Review options for health insurance renewal for employee benefits*

10:30 a.m. **Adjourn**

The public is allowed to comment before presentation of resolutions but must register with the Clerk of the Board prior to being allowed to comment.

# The Children's Trust

## Summary of Employee Handbook Revisions

- **Vision and Mission Statements** (page 5)
  - Added vision, mission and operational values.
- **Equal Employment Opportunity** (page 7)
  - Added ancestry, familial status, gender expression to the protected characteristics.
- **Political Activities/Political Campaigns** (page 11)
  - Added language to provide guidance on political activities in the workplace.
- **Anti-Harassment/Anti-Discrimination Policy** (page 12)
  - Added ancestry, familial status, gender identity and gender expression to the protected characteristics.
- **Nepotism** (page 15)
  - Revised policy to allow relatives to be employed with no supervisory relationship and with the approval of the CEO.
- **Whistleblower Policy** (page 16)
  - Added policy to encourage employees to come forward with credible information on illegal practices or inappropriate acts by persons associated with The Trust.
- **Nursing Mothers** (page 26)
  - Added language to allow nursing mothers reasonable break time to express milk on-site.
- **Smoke-Free Work Environment** (page 30)
  - Included reference to the use of e-cigarettes.
- **Employee Classifications – Part-Time** (page 34)
  - Added definition of part-time and included the Florida Retirement system (FRS) policy for part-time employees.
- **Holidays** (page 37)
  - Added Columbus Day to the list of paid holidays.
- **Paid Time Off** (page 37)
  - Revised language to include all regular full-time employees (exempt and non-exempt) accrue 15 days of paid annual leave.
  - Added language to allow new employees to use accrued paid time off upon the completion of the 90-day introductory period.
- **Annual Leave** (page 38)
  - Capped the number of consecutive days of annual leave to 30 days.
- **Other Leave** (pages 40 and 45)
  - Bereavement – Removed aunt, uncle, great grandparent, sister-in-law and brother-in-law from the definition of “immediate family”.
  - Paid Parental Leave – New policy concurrent with FMLA and coordinated with Short-Term Disability benefit. New policy added to Paid Leave section.
- **Voting** (page 46)
  - Removed two hours of paid time off for voting while encouraging early voting and mail-in ballots.
- **Employee Benefits** (page 50)
  - Added the Florida Deferred Compensation Plan as an option under the 457(b) Plans.
- **Acceptable use of Information Technology (IT) Resources Policy** (page 52)
  - Updated the policy for the use of IT resources.



# EMPLOYEE HANDBOOK



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**WELCOME**

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Congratulations and thank you for accepting an offer of employment from The Children's Trust. Most critical to our success is hiring good employees. We have hired you because we believe you have the talent and skills to continue the success of help our organization. We expect and depend upon you to perform to the very best of your abilities. Your hard work and commitment will not only help this organization, but, we also hope it will give you a sense of pride and accomplishment, as you become part of a team that seeks to better the lives of children, their families, and the communities in which we live.

We are glad you have joined our staff and hope that your employment proves mutually satisfying and that you will make important contributions to our future. Every employee has an important role in our operations and we value the abilities, experience and background that you bring to us. It is our employees who provide the services that our community relies upon and your ingenuity that will enable us to grow and create new opportunities in the years to come.

Our management team intends to provide you with the support and resources you will need to perform your job effectively. If, at any time, you need assistance or guidance, please do not hesitate to ask any member of our management team. We are here to help you perform to the best of your abilities.

Once again, welcome to The Children's Trust. We are delighted to have you with us.

Sincerely,

James R. Haj  
President/CEO



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## OVERVIEW

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There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a benefit or the applicability of a policy or practice to you, you should address your specific questions with your supervisor or to Human Resources.

This Employee Handbook (“Handbook”) is intended to help you get acquainted with The Children’s Trust (hereafter referred to as “The Children’s Trust” or “The Trust”). It explains some of our philosophies and beliefs, and describes, in general terms, some of our employment guidelines. We hope it will serve as a useful reference document throughout your employment at The Trust, even though it is not intended to be an official policies and procedures manual. Also, please understand that the Handbook is not intended to create or to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of The Trust or its employees. This Handbook supersedes and replaces all previous personnel policies, practices and guidelines.

To obtain information regarding specific employment policies or procedures, whether they are referred to in the Handbook, contact your supervisor or Human Resources. The Trust reserves full discretion to add, modify or delete provisions of the Handbook or the policies and procedures on which they may be based at any time without notice. For this reason, we urge you to check with your supervisor or Human Resources to obtain current information regarding the status of any policy, procedure or practice. No individual other than the Chief Executive Officer of The Trust has the authority to enter into any employment or other agreement that modifies The Trust policy.

The Handbook is the property of The Trust and it is intended for your personal use and reference as an employee of The Trust. Circulation of the Handbook outside The Trust requires the prior written approval of the Chief Executive Officer.



## EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I understand it is my responsibility to read the handbook and that I am to comply with the policies contained in this handbook and any revisions made to it. The handbook is posted in Share Point Policies & Procedures Human Resources folder.

The employee handbook describes important information about The Children’s Trust, and I understand that I should consult my manager or Human Resources regarding any questions not answered in the handbook. I have entered my employment relationship with The Trust voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or The Children’s Trust can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

I understand and agree that, other than the president/CEO of The Children’s Trust, no manager, supervisor or representative of The Children’s Trust has any authority to enter into any agreement for employment other than at will; only the president/CEO of The Trust has the authority to make any such agreement and then only in writing signed by the president/CEO of The Children’s Trust.

This handbook and the policies and procedures contained herein supersede all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with The Children’s Trust. By distributing this handbook, The Trust expressly revokes all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, all policies and practices may be changed at any time by The Children’s Trust, and The Trust reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the president/CEO of The Children’s Trust can adopt any revisions to the policies in this handbook.

**I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at The Children’s Trust is employment at will, which may be terminated at the will of either The Children’s Trust or me. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.** I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by The Children’s Trust or me.

**I have read and understand the information contained in the Employee Handbook.**

Employee's Signature \_\_\_\_\_

Employee's Name (Print) \_\_\_\_\_ Date \_\_\_\_\_

## A BRIEF HISTORY

In the late 1980s, recognizing that the needs of children in Miami-Dade County far exceeded the resources and support systems available, a cadre of committed individuals spearheaded a drive to address the problem. Using a Florida statute that allowed for such an initiative, the group generated a two-part referendum in 1988. Voters overwhelmingly recognized the need to help area children but declined to fund the remedy through tax revenues.

Retired Miami Herald Publisher David Lawrence Jr. spearheaded a new initiative a decade later. Given this second opportunity and with a much better funded campaign, Miami-Dade voters in September 2002 approved an independent special district, a dedicated funding source for children entitled "The Children's Trust." The vote was 2-1 in favor. One key difference between the 1988 and 2000 campaigns was that the latter emphasized a commitment to all Miami-Dade children, while still clearly recognizing that some children are more at risk and therefore need more help. A "sunset provision" required that the initiative be returned within five years for voter approval. That vote took place Aug. 26, 2008. Despite the difficult economic climate, Miami-Dade voters decided in overwhelming numbers - 86 percent - to reauthorize.

### **A Commitment to Collaboration, Accountability and Results**

The Children's Trust, our staff and a 33-member board remain committed to funding programs that offer the highest possible quality services, with the goals of implementing best practices and improving the lives of children and families in our community. In 2014, The Trust board and staff, together with community participation, developed a Strategic Plan that offers strong and achievable recommendations for the children and families of Miami-Dade County. It is grounded in four foundations for healthy child development that are at its core:

- **Social Foundations** foster healthy relationships in the lives of children.
- **Educational foundations** promote high quality learning environments and health literacy.
- **Economic foundations** encourage prosperity and financial stability for all members of the community.
- **Environmental foundations** promote healthy environments and supportive services.

The Children's Trust emphasizes collaboration and partnership to provide the programs and services needed by children and families and to effect community-wide change. As we have since our inception, The Children's Trust encourages creative approaches to coordinating, integrating and funding services across and within the areas of health, safety, development and to promote increased parental and community involvement on behalf of all our children, while stressing accountability and results.

## VISION AND MISSION STATEMENTS

### ➤ Vision Statement

The Children's Trust envisions a community that works together to provide the essential foundations to enable children to achieve their full potential.

### ➤ Mission Statement

The Children's Trust partner with the community to plan, advocate for and fund strategic investments that improve the lives of all children and families in Miami-Dade County.

### Guiding Principles

1. We respect and strengthen the family.
2. We seek for all children the opportunity to achieve their fullest potential.
3. With the fullest integrity, we invest wisely in partnerships, advocacy and systems of care to create change and earn the community's trust.
4. We promote high-quality, research-based practice that is culturally competent and sensitive.
5. We will target early intervention and prevention services to our most vulnerable children, families and neighborhoods, while advocating for, and supporting, the increased availability of needed services for all children and their families.
6. We will be responsive to the community and focus on supporting parents with the best possible, high-quality choices for their children and families.
7. We will strive to remove barriers to the full participation of children with disabilities in all that this community has to offer.

### Operational Values

The following operational values are to further guide employees of The Children's Trust. Those values are:

#### Integrity

- Establish a sense of individual and shared accountability
- Exercise honesty and fairness in all aspects of our work
- Treat each person with respect and dignity
- Demonstrate professional behaviors in all interactions
- Give and receive constructive criticism and praise

#### Trust

- Assume the best in one another
- Empathize with others, trying to understand their perspectives
- Practice clear, timely, two-way communication
- Respect the burden and responsibility of decision-makers
- Honor decisions made within approved policies, procedures and protocols
- Be mindful of one another's communication styles

#### Teamwork

- Honor commitments
- Support and encourage one another

- Provide and seek clear direction and constructive feedback
- Understand that each person serves a role in helping to achieve our mission
- Seek out partnerships with others within The Trust and among our providers
- Communicate the decision-making process to those impacted
- Recognize and take pride in your work, your team, and our agency as a whole
- Embrace diversity
- Respect everyone's skills, abilities and expertise
- Respect our shared work areas

### **Quality**

- Take time to reflect on our work
- Make informed decisions
- Value good data and effective evaluation
- Celebrate wins and look at mistakes as learning opportunities
- Identify barriers to accomplishing our goals and plan to reduce or eliminate them
- Be receptive to change and responsive to opportunities
- Create regular opportunities for feedback and input

### **Leadership**

- Offer and accept opportunities to take the lead or participate
- Offer and seek new ideas
- Be an agent for positive change or constructive change

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## EMPLOYMENT STANDARDS

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### ➤ **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of The Children's Trust to provide equal employment opportunity for all job applicants and employees. The Trust does not unlawfully discriminate on the basis of race, color, pregnancy, religion, sex, **ancestry**, national origin, age, disability, veteran status, marital status, **familial status**, sexual orientation, gender identity, **gender expression** or any other characteristic protected by law.

The Trust will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship or impose a direct threat to the safety of the employee or to others. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the executive for their work group. **Employees can raise concerns and make reports without fear of reprisal.** Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

It is the responsibility of every supervisor and employee to conscientiously follow this policy. If you have any questions regarding this policy, you should discuss them with your supervisor, Human Resources or Chief Executive Officer.

### ➤ **EMPLOYMENT AT WILL**

During your employment, you are free to leave The Trust at any time, for any reason, and The Trust reserves a similar right. Thus, both you and The Trust will have the right to terminate your employment at any time, with or without notice and with or without cause. This is known as "employment at will". No one other than the Chief Executive Officer has the authority to alter this arrangement; to enter into an agreement for employment for a specified period or to make any agreement contrary to this policy. Furthermore, any such agreement must be in writing and must be signed by the Chief Executive Officer.

### ➤ **EMPLOYEE CONDUCT**

You represent The Trust and your demeanor and behavior, both at and away from work, reflects upon The Trust. It is the responsibility of every employee therefore, to be alert to enhancing the experience of doing business with The Trust by being, courteous, patient, kind and genuinely interested in the needs and concerns of our members, prospective members and each other.

It is of the utmost importance and essential that employees represent The Trust honestly and fairly. No employee may represent The Trust except in accordance with his/her job assignment. If placed in a situation and asked to represent The Trust in matters not directly related to your job, you should simply decline to comment stating you are not informed on the subject.

➤ **EMPLOYEE CONFLICT OF INTEREST POLICY and CODE OF ETHICS**

Violations of any part of this policy, including failure to disclose any conflicts or to seek any necessary exceptions, may result in disciplinary action, up to and including, immediate termination from employment.

**Conflict of Interest**

Trust employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The conflict of interest policy establishes the framework within which business should operate and provides a guideline for employees regarding conflicts of interest and acceptable standards of operation.

An **actual or potential conflict of interest** (or even the appearance of a conflict of interest) occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative of the employee as a result of The Children's Trust's business dealings. For purposes of this policy, **a relative** is any person who is related to the employee by blood, marriage, or adoption, or whose relationship with the employee is similar to that of persons who are related by blood or marriage (such as a close companion or partner).

No "presumption of guilt" is created by the mere existence of a **relationship with outside entities**. However, if an employee has any influence on transactions involving review of funding applications, purchases, contracts, or leases, the employee must disclose the conflict to the Chief Executive Officer and their supervisor.

The guidelines below will be followed upon the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

**Personal gain** may result not only in cases where an employee or relative has a significant ownership in a firm or other entity with which The Children's Trust does business, but also when an employee or the employee's relative receives any gift or special consideration as a result of any transaction or business dealing involving The Children's Trust.

The conflict of interest policy does not attempt to describe all possible conflicts of interest. Below are the more common conflicts from which employees must refrain, include:

1. Accepting personal gifts or entertainment from providers, potential providers, suppliers or potential suppliers;
2. Working for a provider or vendor;
3. Engaging in self-employment with providers receiving funding from The Children's Trust;
4. Using proprietary or confidential information of The Children's Trust for personal gain or to the detriment of The Children's Trust;
5. Having a direct or indirect financial interest in, or a relationship with, a supplier or provider;
6. Using assets of The Children's Trust or labor for personal use;
7. Acquiring any interest in property or assets of any kind for the purpose of selling or leasing it to The Children's Trust; or,
8. Committing The Children's Trust to give its financial or other support to any outside activity or organization.

## **Disclosure of Conflict of Interest**

1. All Trust employees shall complete and sign The Trust [Conflict of Interest Declaration](#) upon employment and at the commencement of each fiscal year. Employees must disclose all other employment, all board membership, appointments or activities that may possibly constitute or reasonably be presumed to constitute a conflict of interest, compromise objectivity or restrict job performance, including, if the employee or someone with whom an employee has a close relationship (a relative or close companion) has a financial or employment relationship with a current or potential Provider or vendor of The Trust. The signed Conflict of Interest Declaration will be included in the employee's official personnel file.
2. Employees shall promptly terminate or decline any employment, board membership, appointments or activities deemed by the CEO, or CEO's designee, to constitute a real or perceived conflict of interest, compromise objectivity or interfere with the employee's ability to perform the duties of his/her position in a timely and/or efficient manner.
3. Employees are required to become familiar with and understand the Miami-Dade County Conflict of Interest and Code of Ethics ordinance, as amended, (see [Miami Dade Conflict of Interest and Code of Ethics](#)). Employees are to abide by these conflict of interest provisions throughout the course of their employment with The Children's Trust and in connection with obligations hereunder to attend regular conflict of interest and ethics training.
4. The Trust employees may serve on the governing board of an agency whose mission and goals are not in conflict with those of The Trust; and with sole approval from the President/CEO of The Trust, and subject to the following rules:
  - Employee is on regular employment status and in good standing with performance and maintains good employee status; and
  - Employee is recruited to a board based on professional qualifications, not their status with The Children's Trust; and
  - As a board member, employee would receive no compensation; and
  - Employee is not involved with administration and/or payment of a contract(s) with providers; and
  - Employee would not be eligible to review or rate any applications for funding received by The Children's Trust; and
  - Employee agrees in writing to maintain the integrity of information on upcoming funding availability from The Trust learned as an employee; and
  - Employee is required to notify The Trust of any changes in their status on the board.
5. An employee may not serve as an officer of a board that has or that may seek funding from The Children's Trust. If funding is sought from The Trust, the employee will resign as an officer of the board. Once an employee becomes aware of such a conflict, 1) the employee must resign as soon as practicable, but no later than ten (10) days from becoming knowing of the conflict; and 2) the employee may not participate in any application process, review process, recommendation, speak in favor of a matter, or vote on any matter related to The Trust funding.
6. If at any time an employee who is engaged in a previously approved employment, board membership, appointment or activity becomes aware of any change in the circumstances and/or conditions which justified the original approval of the activity, or becomes aware of any new



condition or circumstance that may constitute or give rise to the appearance of impropriety, perception of a conflict of interest or compromise of integrity, the employee shall immediately notify his/her supervisor in writing using a conflict of interest declaration form.

The supervisor will review the conflict to determine the appropriate action to be taken which may include: adjustments to the employee's work assignments to remove the conflict, reassignment of a contract, removal from work on a funding solicitation, or removal from approval of payment requests. The conflict of interest declaration shall reflect any action taken by The Trust or required of the employee. The employee must sign receipt of a copy of the form with a notation of the action taken. Thereafter, the conflict of interest declaration will be placed in the employee's personnel file.

7. All funding solicitations will include notification of the *Employee Conflict of Interest Policy and Code of Ethics* and of the provider/applicant's responsibility to advise The Trust of any conflicts the provider/applicant may have with any The Trust employee in conducting business with The Trust.

### **Professional Integrity**

1. Employees should act in such a manner to avoid the appearance of impropriety. Trust employees should strive to conduct all business dealings and relationships with integrity, honesty, and respect for others. Employees should always deal fairly and honestly with co-workers and others with whom The Trust does business.

2. Trust funding and other Trust property must solely be used for the benefit of The Trust's missions and goals.

3. All disbursements must be lawful, consistent with applicable directives, and supported by appropriate documentation. Transactions concerning the disbursement of funds should be clearly authorized and properly and promptly recorded. Compliance with accepted accounting rules and controls is required.

4. No unrecorded fund, reserve, asset, or special account shall be set up or maintained for any purpose.

5. No false or fictitious entries shall be made in books, records, accounts, or in The Trust's communications for any reason.

6. Employees are responsible for accurate and timely record-keeping. All books, records and documents must accurately and completely describe the transactions they represent.

7. Violations of law are prohibited and will be reported to law-enforcement authorities.

8. The Trust does not permit or condone bribes, kickbacks, or any other illegal, secret, or improper payments, misuse of funds, transfers, or receipts. This prohibition applies both to the giving and the receiving of payments or gifts.

9. No employee shall offer, give, or transfer any money or anything else of value for the personal benefit of any employee, relative, friend, provider, or agent of another entity for the purpose of:

obtaining or retaining any business; receiving any kind of favored treatment from a business entity; or inducing or assisting anyone to violate any duty or to violate any law.

10. All fees and expenses paid to providers, outside agencies, or others must be based upon proper billings, accurate record keeping, and reasonable standards for documented services rendered.

### **Political Activities / Political Campaigns**

Employees may express their opinions on any candidate or issue and participate in any political campaign solely during his or her off duty hours, and not using any equipment or resources belonging to The Children's Trust such as phones and computers, so long as such activities are not in conflict with the prohibitions contained herein.

### **NON-PERMISSIBLE ACTIVITIES: No employee shall:**

1. Seek or attempt to use any political endorsement in connection with any appointment to a position at The Children's Trust.
2. Use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position at the Children's Trust, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration.
3. Directly or indirectly, coerce or attempt to coerce, command/or advise any other employee of The Children's Trust to pay, lend or contribute any part of his salary, or kick-back any sum of money, or anything of value to any party, committee, organization, agency or person for political purposes. However, nothing herein shall prohibit an employee from suggesting to another employee in a non-coercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes.
4. Use the authority of his or her position to secure support for, or oppose, any candidate, party, or issue in a partisan election or effect the results thereof.
5. Shall use any promise of reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate or party.

### **Gifts and Entertainment**

The term "gift" refers to the transfer of anything of economic value, whether service, loan, travel, entertainment, hospitality, meals, cash payments, a loan, gratuity, favor, tickets or gratuitous entry to events or fundraisers, baskets, fruit, wine or promise of future employment. Monetary, cash payments / gifts, or gift cards of any value cannot be accepted under any circumstance. Non-monetary gifts having a value of \$25.00 or less may be accepted, but not as part of a specific transaction or business dealing with The Children's Trust. The recipient shall notify the giver of the gift in writing of The Children's Trust policy not to allow employees to receive gifts valued more than \$25.00.

All gifts having a value more than \$25.00 should be respectfully declined. If such a gift is unable to be returned, whenever possible, such gifts should be distributed by The Children's Trust to charitable organizations. If the value of the gift exceeds \$25.00, but is less than \$100.00, a conflict of interest disclosure form should be completed by the recipient and filed with the Clerk of the Board. Any series of gifts from any one person or entity, having value more than one hundred

dollars (\$100.00), received within each fiscal year, should be disclosed by filing appropriate disclosure forms with The Clerk of the Board of Miami-Dade County Commissioners and with simultaneously filing the form with the Secretary of State, as required by the Code of Miami-Dade County. This requirement extends to the reporting of a series of gifts/tickets to events/fundraisers, for entry to an event, holiday party, or other occasion, where each ticket would be valued over \$25.00.

Food and beverages consumed at a single sitting or meal are considered a single gift, and the value of the food and beverage provided at that sitting or meal is considered the value of the gift.

The provisions of this conflict of interest policy do not apply to:

- (a) Gifts from relatives or members of one's household;
- (b) Awards for professional or civic achievement, or honorariums;
- (c) Material such as books, reports, periodicals or pamphlets that are solely informational or of an advertising nature.

The policy that employees are not to accept or solicit gifts is not meant to apply in connection with and related to program items officially sponsored by The Children's Trust and bearing The Children's Trust logo, such as: hats, shirts, or cups related to out of school, or other Children's Trust sponsored programs or initiatives.

➤ **ANTI-HARASSMENT/ANTI-DISCRIMINATION POLICY**

The Trust is committed to providing a workplace free from all forms of discrimination and harassment and strives to create an environment in which every employee is treated with respect and professionalism.

The Trust hereby adopts a "zero tolerance" policy against harassment or discrimination. In accordance with federal, state and local laws, The Trust does not unlawfully discriminate because of race, color, pregnancy, religion, sex, **ancestry**, national origin, age, disability, veteran status, marital status, **familial status**, sexual orientation, **gender identity, gender expression** or any other characteristic protected by law.

Although this policy is primarily directed to sexual harassment, it applies equally to harassment based on any protected characteristics as noted above. All Trust employees as well as visitors to The Trust are responsible for complying with the guidelines outlined in this policy. In addition, all employees of The Trust's providers, vendors or other third parties with whom The Trust has business dealings will be required to adhere to this policy.

Applicable state and federal laws define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- 2) Submission to or rejection of such conduct is used as the basis for an employment decision affecting an employee; or
- 3) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Examples: Some of the more common examples of sexual harassment include:

- 1) Repeated, unwelcome, and offensive sexual flirtations, advances, or propositions;
- 2) Continued or repeated verbal abuse of a sexual nature;
- 3) Continued or repeated graphic verbal commentaries about a person or the person's body or dress;
- 4) Sexual graffiti, pictures, posters, cartoons, or objects; sexual e-mail communications or jokes; leering, and obscene gestures, letters, notes or invitations;
- 5) Any intentional uninvited contact, including touching, brushing up against the body, pinching, patting, and rubbing;
- 6) Offering employment benefits in exchange for sexual favors;
- 7) Making derogatory comments, epithets or slurs; and
- 8) Retaliation for reporting harassment or threatening to report harassment.

Sexual harassment is not limited to harassment of women by men. It includes the harassment of men by women and of gender-based harassment of individuals of the same sex as the harasser. Sexual harassment can occur between a manager and an employee, between coworkers of the same or opposite sex, and by providers or other visitors to The Trust.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is offensive both objectively and subjectively, that fails to respect the rights of others, that lowers morale, and that interferes with work effectiveness.

The Trust's employees, including, but not limited to officers, directors and supervisors, do not have the authority to engage in any activity which would constitute harassment, sexual or otherwise. **The Children's Trust will not condone such behavior.**

Prohibited harassment on the basis of race, color, creed, pregnancy, religion, sex, **ancestry**, national origin, age, disability, veteran status, marital status, **familial status**, or any other protected status, and, sexual orientation, **gender identity, gender expression** in accordance with the policy of The Trust includes behavior similar to sexual harassment, such as:

- a) Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- b) Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- c) Physical conduct such as assault, unwanted touching, or blocking normal movement; and,
- d) Retaliation for reporting harassment or threatening to report harassment.

All employees of The Trust, including supervisors, have a duty to prevent and immediately report any harassing conduct (in the workplace or work-related settings) even if they do not personally believe that the conduct amounts to harassment. No reported incident should be considered too trivial, and The Trust strongly encourages all employees to come forward with their observations or complaints.

An employee who believes he/she has been a victim of harassment or who has observed inappropriate conduct should immediately report the incident to his/her supervisor and or to human

resources.

Employees should not feel obligated to bring complaints to their immediate supervisor when there is reason to believe that such person might be directly involved in the conduct. Moreover, this procedure does not prevent an employee who is experiencing conduct which violates this policy from notifying the offender that his/her conduct is unwelcome and requesting that it be discontinued. Complaints can be made in person, verbally, or in writing.

Employees may also report the incidents in writing, by placing the report in a sealed envelope marked "Personal and Confidential" and directed to human resources. The following information should be included in the written statement: the date(s) of the incident(s), identity of the alleged harasser, identity of any witnesses, and details of the incident(s).

### The Trust's Investigation

1. The Trust will investigate all harassment claims promptly and thoroughly irrespective of the identity of the alleged harasser.
2. The Trust's investigation will include, for example, inquiry into the alleged harasser's identity, the specific conduct complained of, the identity of witnesses, and the number of times the conduct has occurred.
3. The Trust will conduct interviews of the alleged harasser, the alleged victim, and witnesses.
4. In determining whether the conduct constitutes prohibited harassment, The Trust will consider the totality of the circumstances, the nature of the harassment, and the context in which the alleged incident or incidents occurred.
5. The Trust will keep all information concerning the incident or incidents as confidential as possible. The Trust will provide access to and disclose information to only those individuals involved in the investigation and its resolution.
6. The Trust will inform the alleged victim and harasser about the results of the investigation and the steps The Trust will be taking in response to *the complaint*. The Trust will not use the information against the person who makes a truthful, good faith allegation of harassment.

### Sanctions

If the investigation reveals evidence supporting the occurrence of an incident of prohibited harassment, The Trust will take prompt remedial action. The Trust's disciplinary action will depend upon the specifics of the case and may range from a warning to termination of employment.

If the investigation fails to disclose prohibited harassment conclusively, The Trust reserves the right to nonetheless take action. Such action may include counseling, a reminder of The Trust's anti-harassment/anti-discrimination policy, or a written warning to be included in the employee's personnel file. The Trust will not transfer the alleged victim unless he or she consents to a transfer.

### Retaliation is prohibited

The Children's Trust does not permit or condone retaliation. No one will suffer any adverse consequences as a result of bringing the harassment to The Trust's attention. There will be no retaliation for either reporting the harassment or for cooperating in the investigation of the complaint. Any employee responsible for retaliatory conduct will be subject to discipline, up to and including

discharge. If an employee believes that he or she is retaliated against, the employee is to report the retaliation by using the same procedures discussed above for reporting harassment.

#### Follow-Up

Once the matter has been resolved, The Trust will continue to monitor the employees involved to ensure that no future incidents of harassment occur.

The Trust is dedicated to maintaining a working environment free of discrimination and based on professionalism. The Trust expects that all employees will continue to act responsibly to fulfill The Trust's commitment to working in an environment free of discrimination. Employees should not hesitate to ask their supervisor or Human Resources any questions regarding harassment.

#### ➤ **AMERICANS WITH DISABILITIES ACT**

Any employee who requires an accommodation to perform the essential functions of the job should advise his/her supervisor to request the accommodation. The employee with the disability should specify what accommodation he/she needs to perform the job. The Trust will then review the request to identify the barriers that make it difficult for the employee to perform the job as well as consider accommodations that will help eliminate the barriers. If the accommodations are reasonable and will not impose an undue hardship on The Trust, the accommodations will be implemented.

#### ➤ **IMMIGRATION LAW COMPLIANCE**

In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with The Trust within the past three (3) years, or if their previous I-9 is no longer valid.

You must notify Human Resources immediately if you are no longer legally authorized to work in the United States.

#### ➤ **NEPOTISM**

It is the policy of The Trust to avoid bringing relative relationships into the workplace. However, on occasion related persons may work for The Trust with the expressed written approval of the CEO. A relative is defined as an individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister. The following guidelines will govern these situations:

- a. No employee will be permitted to directly hire their relative.
- b. When related persons work for The Trust, one relative may not supervise another.
- c. Related persons will not be involved in any employment decision, including but not limited to, evaluating each other's job performance or in making recommendations for salary adjustments, promotions, or other budget decisions.

➤ **OPEN DOOR POLICY**

The Children’s Trust believes that the work conditions, compensation, and benefits offered to our team members are competitive with or superior to those offered by other employers in this area and industry. We strive to ensure fair and honest treatment for all team members.

However, on occasion, team members may have concerns or issues regarding an aspect of their employment. The Trust invites and encourages team members to voice their concerns in a professional manner and seek resolution of any work-related complaints. The Trust is committed to encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely and thoughtful response from supervisors and management. No team member will be penalized, formally or informally, for voicing a complaint or concern in a reasonable, respectful, and business-like manner through this open-door policy.

We believe that the quickest and easiest way to resolve a concern is to address it at the lowest level possible within the organization. Therefore, with few exceptions\*, team members are expected to discuss any concerns with their supervisor first.

If a team member discusses a concern with his or her supervisor and is dissatisfied with the result, the team member may raise the concern to the department manager. If a satisfactory resolution is not achieved, the team member may continue to raise the concern to senior management and then to the respective executive of the team members department, and finally with the President/CEO.

\*If the team member’s concern is related to his or her supervisor and the team member does not feel comfortable addressing it with the supervisor, the team member may raise the issue directly to the next level of management and/or with human resources. If it is related to possible discrimination or harassment, then this policy does not apply, and the team member must look to and follow the company Anti-Harassment Policy.

We hope that by leaving the door open to discussion, we will foster an environment of honesty and directness that will enhance our productivity and success as an organization.

➤ **PERSONAL RELATIONSHIPS**

Working side-by-side with co-workers for eight or more hours per day, it is understandable how professional relationships may sometimes become romantic personal relationships. In such cases, even if there is no supervisory relationship involved, the parties involved will be required to decide which individual will leave the organization. If that decision is not made within 30 calendar days, management will decide.

➤ **WHISTLEBLOWER POLICY**

The purpose of a whistleblower policy is to encourage employees to come forward with credible information on illegal practices, or inappropriate acts or behaviors by a person or persons associated with The Children’s Trust (The Trust). Employees who blow the whistle on fraud and abuse within The Trust are protected by law. Sections 112.3187- 112.31895, Florida Statutes, constitute the law known as the "Whistleblower's Act" (The Act).

A whistleblower is defined as an employee, board member or compensated consultant that discloses information about a violation, or suspected violation, of any federal, state or local law

that poses a threat to public health, safety or welfare. Other appropriate items covered by this policy include financial improprieties, accounting or audit matters, ethical violations and other illegal or improper practices or policies.

If an interested party has knowledge of, or a concern about, an illegal act, dishonest, or fraudulent activity, then the interested party must inform the CEO or Board Chair. If the matter concerns the CEO, the interested party must inform the Board Chair. The interested party must exercise sound judgment to avoid baseless allegations. An interested party, who files a report that is not presented in good faith, may be subject to disciplinary action up to and including termination of her/his position with The Trust.

Whistleblower protections are provided in two important areas: confidentiality and retaliation. Inasmuch as possible, the confidentiality of the whistleblower will be maintained; however, a whistleblower's identity may have to be disclosed to conduct a thorough investigation. Staff must recognize that The Trust may be unable to fully evaluate a vague or general complaint, report or inquiry.

The Trust is prevented from taking retaliatory action against a whistleblower who files a good faith report under this policy. Retaliation includes, but is not limited to, actions such as termination, suspension, demotion, compensation decreases, poor work assignments and/or threats of physical harm. Any whistleblower who believes retaliation is occurring against her/him must contact the CEO or Board Chair immediately.

A whistleblower is not responsible for investigating the activity of which complaint is made, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Employees with any questions regarding this policy should contact the CEO.



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## WORKPLACE SAFETY

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### ➤ ACCIDENTS AND INJURIES

The Trust is committed to providing a safe environment for employees, board members and visitors. Ensuring a safe environment is the responsibility of each employee. Employees are requested to notify their supervisor immediately to report any unsafe physical working condition.

Similarly, employees are expected to follow safety practices, obey safety rules and to exercise caution in all work activities. Employees should never use any tool or implement for an unintended purpose.

In the event of an accident that results in an on-the-job injury, regardless of how minor the injury may appear, employees should immediately notify their supervisor and Human Resources. In accordance with Workers' Compensation rules, supervisors and Human Resources are required to notify The Trust's Workers' Compensation carrier immediately. See [Workers Compensation](#)

If an on-the-job injury is life threatening, 9-1-1 should be called immediately and/or the injured party should be transported to the closest emergency medical facility. In such instances, your supervisor should also be notified as soon as possible.

### ➤ DRUG FREE WORKPLACE

The Trust believes that maintenance of a workplace that is free of drugs, alcohol and other harmful materials is vital to your health and safety and to the success of The Trust's business. The Trust considers drug and alcohol abuse by employees a serious matter. The Trust prohibits the use of alcohol or non-prescribed drug use in the work place, on work premises and while at work. It is The Trust's policy that:

- Employees shall not report to work under the influence of alcohol or illegal drugs.
- Employees shall not possess or use alcohol or illegal drugs while on Trust property or on Trust business.
- Employees shall not have their ability to work impaired as a result of the use of alcohol or illegal drugs.
- Employees shall not sell or provide illegal drugs or alcohol to any person while on Trust property or on Trust business.

This policy does not prohibit the possession or use of prescription drugs in a manner approved by a physician when that usage does not impair the employee's ability to perform his/her job duties safely, efficiently or effectively.

The Trust reserves the right to require a drug or alcohol test of any employee based upon reasonable suspicion and requires all employees to acknowledge this Substance and Alcohol Abuse policy under separate copy. Reasonable suspicion includes, but is not limited to, physical evidence of use, the causing of an accident or a substantial reduction in work performance. Failure to take a requested test or a positive test result will result in progressive counseling up to and including termination of employment.

Because some prescribed and over-the-counter medications may alter your behavior and/or impair your performance, you must inform your supervisor prior to work if you are taking any such medication.

The possession and/or sale of drugs on premises of The Trust or at functions hosted/sponsored by The Trust will be grounds for immediate dismissal.

Employees will be required to submit to drug testing if there is cause for reasonable suspicion of substance abuse. Employees who refuse drug screening under these circumstances will be terminated.

Circumstances that could be indicators of substance abuse problem are:

- Observed alcohol or drug abuse during work hours
- Apparent physical state of impairment
- Incoherent mental state
- Marked changes in behavior not otherwise explained
- Deteriorating work performance/attendance not attributable to other factors
- Accidents or other actions/conduct that lead to suspicion that the employee may be under the influence

The supervisor will relate suspicions to the appropriate executive and/or director level manager and Human Resources who will collectively determine if testing is appropriate. If a decision is made to test the employee and the test results are positive, the employee may be referred to The Trust's **Employee Assistance Program (EAP)**. If the employee refuses to consult with the EAP Provider, termination of employment will result.

Consultation with the EAP provider may occur in one of three ways as follows:

- The employee can voluntarily take advantage of this benefit by calling for an appointment (full confidentiality is assured).
- The department head can recommend that the employee obtain consultation from the EAP (full confidentiality is assured).
- The department head and Human Resources can require an employee to obtain consultation and request an alert from the EAP if the employee does not contact them. In such circumstances, the EAP does not advise the nature of the consultation but will inform the designated senior staff member and Human Resources that the employee has not obtained counseling.

The Trust encourages employees and their family members who have a drug and/or alcohol abuse problem to seek help through available community services and/or services that may be available through the organization's health insurance plan.

#### ➤ **EMERGENCY CLOSINGS**

At times, emergencies such as severe weather, fires, power failures, or hurricanes can disrupt operations of The Trust. In extreme cases, these circumstances may require the closing of The Trust's office(s). If such an emergency occurs during non-working hours, every effort will be made by your supervisor and/or a member of the Safety Committee to contact you. The Trust's maintains an emergency staff hotline telephone number, 305-421-6522 for these instances. You

are responsible for following the contact/call-in procedures when the office is closed due to an emergency. In addition, local radio and/or television stations may broadcast notifications of closings.

When operations are officially closed due to emergency conditions, based on the circumstances and/or duration of the closing, The Trust will determine if the time off from scheduled work will be paid by The Trust. If The Trust does not pay for the time off, employees will generally be able to use accrued and unused annual leave to provide compensation.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

➤ **SAFE DRIVING PRACTICES**

It is the philosophy of The Trust that all employees should follow the law with respect to driving while on Trust business including the use of seat belts for the driver and passengers.

The Trust does not want you to use a cellular phone or other communication device to receive, read and send emails or texts while driving. Distracted driving is against the law. If you do use any of these devices while driving, you do so at your own risk. For your safety, you are encouraged to use hands-free equipment should you use a cellular phone while driving.

The Trust will not pay tickets for non-moving (including parking) and moving violations incurred by employees while on Trust business.

**Under no circumstances will an employee convicted of driving under the influence of drugs and/or alcohol (DUI) be permitted to operate a personal vehicle on behalf of The Trust. Failure to notify the Chief Executive Officer of a conviction for DUI will result in termination of employment.**

➤ **SAFETY**

Safety can only be achieved through teamwork. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe work situations and reporting unsafe conditions immediately.

Please observe the following precautions:

1. Notify your supervisor of any emergency. If you are injured or become sick at work, no matter how slightly, you must notify your supervisor immediately.
2. The unauthorized use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal drug/substances on Trust property or work locations is forbidden.
3. Use, adjust and repair equipment only if you are trained and qualified.
4. Get help when lifting or pushing heavy objects.
5. Understand your job fully and follow instructions. If you are not sure of the safe procedure, do not guess! Ask your supervisor.
6. Know the locations and use of first aid and fire extinguishing equipment.
7. Wear personal protective equipment in accordance with the job you are performing.

➤ **VISITORS**

To provide for the safety and security of employees, authorized visitors may only enter the premises through main reception areas and must be escorted always. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare and avoids potential distractions and disturbances. Employees are responsible for the conduct and safety of their visitors.

Only authorized visitors are permitted in Trust facilities. At times, family members of staff, including children, may come to The Trust facility during working hours. Should an emergency require an employee to periodically bring his/her children to work at The Trust, it is the responsibility of the employee to supervise and control the children always. Under no circumstances should children be left unattended.

If an unauthorized individual is observed on Trust premises, employees should immediately notify their supervisor or direct the individual accordingly.

➤ **WORKPLACE VIOLENCE POLICY**

The Trust will not tolerate violence by its employees including but not limited to: intimidating, threatening or hostile behavior, physical abuse, assault, battery, vandalism or destruction of Trust property, arson, sabotage, use of weapons, carrying weapons onto Trust property (even where the employee is licensed to carry a weapon unless doing so is a stated requirement of the position and/or a condition of employment requested by The Trust), or any other act which The Trust determines to be inappropriate workplace conduct.

An employee who is subjected to any of the above behavior should immediately report the incident to his/her supervisor, a senior staff member, Human Resources or the Chief Executive Officer. Complaints or policy violations will be immediately investigated, and appropriate action will be taken including progressive counseling up to and including termination.

If you encounter an individual who is threatening immediate harm to anyone on Trust premises, call 9-1-1 immediately.

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## WORKPLACE EXPECTATIONS

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### ➤ ATTENDANCE AND PUNCTUALITY

Employees are expected to be punctual. This means employees must be at their designated work location ready to work no later than the scheduled starting time. If unforeseen circumstances prevent you from reporting to work on time, you must notify your supervisor immediately. If you are unable to report to work for any reason, your supervisor must be notified no later than your normal starting time. You must advise your supervisor of the reason for your absence and you must call or email your supervisor each day of your absence until you return to work. If your immediate supervisor is not available at the time you call in, you must ask to speak with another supervisor. Leaving a voice mail message to report an absence is not appropriate. [See [Attendance & Absenteeism Policy](#)]

Nonexempt employees must record their time in and out each day, including meal breaks, using **WebClock**. Please refer to WebClock Business Rules located on your computer desktop. WebClock is accessible from the Internet at <https://www.webclock.biz/prod/TCT01/home.cfmWebClock>

Nonexempt employees will not be paid for work time lost due to lateness in reporting to work or leaving early and may lead to progressive counseling, up to and including termination of employment, if such behavior is excessive.

Exempt employees are not required to record their work time electronically. However, all staff of The Trust is required to record all time off and requests for leave using WebClock.

If you are absent three or more days for your own illness, you may be required to present a certificate from your health care provider indicating your ability to resume your normal work duties.

Taking time off after The Trust has denied a request is considered a voluntary resignation without notice. **Failure to report to work or advising your supervisor as to your status for 24 hours may be considered job abandonment.**

### ➤ BUSINESS HOURS AND WORK SCHEDULE

To maximize our accessibility to the community we serve, the core operating hours of The Children's Trust are 8:00 a.m. to 5:30 p.m. Monday-Friday. Full time employees must complete 40 hours of work each week generally working eight hours each business day. This does not include time off for a bona fide meal break (usually 30 minutes or more). Time off for a meal period is unpaid.

Alternate schedules such as 8:30 a.m. – 5:00 p.m. with a thirty-minute meal break are acceptable, if your supervisor agrees. Nothing in this policy is intended to prevent this type of flexible work schedule when approved by a supervisor. Your immediate supervisor will discuss with you a specific work schedule. However, most employees are expected to be at work during our primary core hours between 8:00 a.m. to 5:30 p.m.

➤ **CHANGE OF STATUS NOTIFICATION / EMPLOYEE INFORMATION**

It is very important that The Trust maintains current information regarding each employee. You must inform Human Resources immediately whenever there are any changes in your personal data regarding:

- Change of Name
- Change of Telephone Number
- Change of Address
- Change of Marital Status
- Emergency Contact Information
- Voluntary Separation of Employment

➤ **DRESS AND PERSONAL APPEARANCE**

The Children’s Trust objective in establishing a dress code is to allow our employees to work comfortably in the workplace. Yet, we still need Trust employees to project a professional image for the taxpayers, our constituents, our providers, board members, vendors, community partners, visitors and potential employees. “Business casual dress” is the standard for The Children’s Trust.

No dress code can cover all contingencies, so employees must exert a certain amount of good judgment in their choice of clothing to wear to work.

Because all casual clothing is not suitable for the office, these guidelines will help you determine what is appropriate to wear to work. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests is not appropriate for a professional appearance at work.

Clothing that has The Children’s Trust logo is encouraged. Certain days may be declared dress down days, generally Fridays. On these days, jeans and other more casual clothing, although never clothing potentially offensive to others, are allowed. Clothing should be clean, pressed and not wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable.

If you experience uncertainty about acceptable, professional business casual dress for work, please ask your supervisor or Human Resources; or simply leave that clothing choice for personal days away from the regular business hours of The Children’s Trust.

➤ **DATA INTEGRITY**

As an employee of The Children’s Trust, you may be collecting, accessing or analyzing information of a personal and sensitive nature. Individuals participating in this data collection / research have been assured their individual identities and any personally identifiable information (PII) will not be disclosed and that all the information they provide will be kept confidential on an individual level. The responsibility of fulfilling this assurance of confidentiality begins with you as an employee of The Children’s Trust.

In recognition of this responsibility, all Trust employees agree to:

1. Keep confidential the names of all respondents / participants, all information and opinions collected during the data collection process, and any information learned incidentally while collecting the data.
2. Refrain from discussing or disclosing, except privately with research and evaluation staff members, information that might in any way identify or be linked to a particular individual.
3. Terminate data collection or analysis immediately if you encounter a respondent or begin reviewing a record for an individual whom you know personally, and you will contact your supervisor for further instructions.
4. Take precautions to prevent access by others to data in your possession by: (1) keeping hard copies of data collection materials, notes, and records in locked files with limited access; (2) separating files with identifying information from other records; (3) storing electronic copies of data files on secure drives with limited access and/or password-protected; (4) using encryption on electronic files with identifying PII or sensitive information when transporting data; and (5) adhering to all aspects of The Trust's data security policy.
5. Refrain from reporting or publishing any aggregate data representing a cell size of fewer than five individuals if such data has the potential to identify the individuals.
6. Take all other actions within your power to safeguard the privacy of respondents / participants and protect the confidentiality of information you collect, manage or analyze.
7. Devote your best effort to ensure compliance with the required procedures by persons whom your supervisor, if applicable.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

➤ **EMPLOYEE PRIVACY**

The Trust intends to protect against the unauthorized removal of The Trust property and to assure its access always to The Trust property, records, documents and files.

In order to ensure access at all times to The Trust property, and because you may not always be available to produce various documents, records, files or other items of The Trust property in your possession when needed in the ordinary conduct of The Trust's business, The Trust reserves the right to conduct a routine inspection or search at any time for property of The Trust on the premises of The Trust.

➤ **EMPLOYEE WORK AREA**

Each employee is expected to keep his/her immediate work area and common areas (restrooms, kitchens, hallways, etc.) clean. It is the employee's responsibility to maintain his/her work area in a neat, organized and business-like manner. Employees may personalize their work area with items of importance such as pictures, diplomas, professional certificates, small plants, etc. With the use of headphones, employees may use a radio or device to play music at their workstation if doing so is not a distraction from work such as promptly answering the telephone.

Employees should not leave valuables, purses, wallets, money or other expensive or important items outside a secured area. The Trust is not responsible for loss or damage of personal effects and all employees should carefully safeguard these items. Any employee who does suffer a loss of any kind should immediately report the incident to his/her supervisor.

➤ **INTRODUCTORY EMPLOYMENT PERIOD**

The Trust selects new employees carefully and believes that it is hiring the best employee for each position. It is, however, to both The Trust's and the employee's advantage to have an introductory period of employment in which the employee has time to appraise The Trust and job content, and The Trust has a similar opportunity to appraise the new employee's job performance. Thus, each new employee must satisfactorily complete an introductory period of ninety (90) calendar days measured from his or her initial date of employment. At The Trust's discretion, the introductory period may be extended one or more times.

Your supervisor will normally speak with you about your performance before the end of the introductory employment period during a performance review of your first 90 days. At the completion of the 90-day introductory period, the employee will generally become a regular employee. The successful completion of the introductory period does not mean that employment is guaranteed for any specific duration or there is a change with the at-will status of regular employment. The Trust or the employee may terminate the employment relationship during the introductory period and/or any time thereafter, with or without cause and with or without prior notice.

If The Trust determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

**The Trust does not increase compensation upon the successful completion of the introductory employment period.**

➤ **INTERNAL TRANSFERS/PROMOTIONS**

The Children's Trust will assess the organizational structure and operational budget for staffing positions to determine the need to fill vacancies as they arise. Vacancies may occur because of reorganization, resignation, promotion, layoff, retirement, or termination. It should not be assumed that any or all vacant positions will automatically be filled. Workloads, job descriptions, team or organizational needs, and other factors will be considered prior to and when considering filling a vacancy.

To encourage employees to continuously develop new job skills, The Children's Trust makes available all positions below the level of director to current employees for three business days before considering external candidates. Employees will be advised of available positions through direct internal email. External candidates may be interviewed during this time; however, no offer of employment will be extended until expiration of the internal posting period. Positions will remain posted until filled or until a sufficient number of qualified candidates have been identified as viable for filling the position. The Trust maintains the right to consider external candidates at any time based on the need to fill the position. (Refer to [Job Postings Policy](#)).

➤ **LEAVING WORK PREMISES**

No employee may leave work without the permission or knowledge of his/her supervisor unless it is for a scheduled meal break or the end of the scheduled workday. If you are a nonexempt employee and need to leave work before the end of the workday, you need your supervisor's approval for your request. The time missed must be made up during the current workweek, or the



time off will be deducted from annual leave. If there is not sufficient accrual, the time will be reported as unpaid.

➤ **MAIL**

The Trust postage meters may not be used for personal, non-business mail. Similarly, employees may not use The Trust mail system to receive personal mail. Use of The Trust stationary or fax machines for non-business purposes is strictly prohibited.

➤ **MEAL PERIODS and BREAKS**

A meal period is generally provided each day and is reviewed with supervisors of nonexempt staff to ensure minimal disruption of The Trust operations. Nonexempt employees must record the time out for meal period breaks (usually 30 minutes or more) using WebClock. Based on work requirements, your supervisor may request that a meal period be taken at a time other than regularly scheduled.

The Trust does not provide specific and/or defined work breaks as part of the regular work day. Employees who may need to briefly leave the office for any reason during the day including smoking must inform their supervisor.

➤ **MEETING ATTENDANCE**

Much of the work of The Trust requires participation in meetings including with internal staff, providers, vendors and those seeking to do business with The Trust. To ensure the most efficient use of our collective time, each staff member is responsible for adhering to meeting calendars and timely reporting so that the business of the meeting can get underway on schedule.

➤ **MILEAGE**

Mileage will be reimbursed by The Trust when using an employee's personal vehicle for conducting Trust business. However, normal daily routine commuting costs to and from the employee's residence and The Trust office is not considered an allowable expense under mileage reimbursement. Mileage is reimbursed at Miami-Dade County's prevailing mileage reimbursement rate. Reimbursement for mileage and other reimbursable expenses must be submitted within a month of incurring the expense or the expense will be considered forfeited.

➤ **NURSING MOTHERS**

The Trust supports breastfeeding mothers by providing reasonable break time for an employee to express breast milk for her nursing child for up to one (1) year after the child's birth.

Upon notice, the employee's supervisor, the Office Manager or Human Resources will provide the employee with a private area for expressing milk. The Trust also provides a designated refrigerator for breast milk storage.

➤ **OUTSIDE EMPLOYMENT**

The Trust considers this as your primary place of employment and discourages outside employment. Should you obtain outside employment, you must disclose to The Trust the name of the business and your position in writing within 24 hours to your supervisor . Activities and conduct away from the job must not compete with, conflict with or compromise The Trust's interests or adversely affect job performance and the ability to fulfill all job responsibilities.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours.

The Trust will generally allow outside employment except as follows:

- The outside employment is in direct conflict with your employment with The Trust due to working hours, nature of the job or conflicts of interest as defined in the Conflicts of Interest policy/section of this handbook.
- The nature of the outside employment causes a negative reflection on The Trust or acts to The Trust's detriment.
- The outside employment would impair or limit your ability to effectively perform your duties at The Trust.

Should you accept outside employment and sustain an injury during employment that results in your being absent from work at The Trust, you will be required to use accrued and unused annual leave until exhausted. Accrued sick pay may not be used.

➤ **PROGRESSIVE COUNSELING AND RULES OF CONDUCT**

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct does not meet The Trust standards, The Trust will endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. The employee will usually first be counseled and offered to seek assistance through the Employee Assistance Program (EAP). If, however, the employee fails to make the correction, he or she will be subject to progressive counseling, up to and including termination.

The rules set forth below are intended to provide employees with fair notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of The Trust, other employees or members may also result in progressive counseling.

**Job Performance**

Employees may be counseled for poor job performance, including but not limited to the following:

- (1) Below-average work quality or quantity;
- (2) Inappropriate behavior (for example, rudeness or lack of cooperation);
- (3) Excessive absenteeism, tardiness, or abuse of break and lunch privileges;
- (4) Failure to follow instructions or Trust procedures; or
- (5) Failure to follow established safety regulations.

**Misconduct**

Employees may be counseled for misconduct, including but not limited to the following:

- (1) Insubordination
- (2) Dishonesty;
- (3) Theft;
- (4) Discourtesy;
- (5) Misusing or destroying The Trust property or the property of another on The Trust premises;

- (6) Violating The Trust values, policies, and workplace rules including conflict of interest rules;
- (7) Disclosing or using confidential or proprietary information without authorization;
- (8) Falsifying, misrepresenting or altering The Trust records, including the application for employment or other information used by The Trust in making a hiring or other employment related decision;
- (9) Interfering with the work performance of others;
- (10) Altercations, including fighting;
- (11) Harassing, including sexually harassing, staff or providers;
- (12) Refusal to comply with reasonable instructions of supervisors or Human Resources;
- (13) Being under the influence of, manufacturing, dispensing, distributing, using or possessing alcohol or illegal or controlled substances on Trust property or while conducting The Trust business;
- (14) Gambling on Trust premises or while conducting The Trust business;
- (15) Sleeping on the job or leaving the job without authorization;
- (16) Failure to immediately notify The Trust of suspension of a state driver's license where the employee is required to operate a vehicle as part of his/her job;
- (17) Possessing a firearm or other dangerous weapon at The Trust workplace including The Trust provided parking facilities, or while conducting The Trust business, including attending The Trust-sponsored events, unless otherwise authorized pursuant to Florida Law. While not all inclusive, this includes visible and concealed weapons such as: firearms, knives, any explosive materials, or any other objects that could be used to harass, intimidate or injure another individual;
- (18) Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of The Trust, its employees, members or property;
- (19) Failing to report to The Trust, within five (5) days, any conviction under any criminal drug statute for a violation occurring in the workplace;
- (20) In accordance with Florida Statute 435.05(2), employees are required to immediately inform The Trust if arrested for any of the disqualifying offenses while employed by The Trust. The list of disqualifying offenses can be found in Florida Statute 435.04(2);
- (21) Refusing to submit to testing for drugs and/or alcohol;
- (22) Behavior considered unprofessional including inappropriate office gossip or unnecessarily sharing or revealing confidential information;
- (23) Failure to immediately notify The Trust of the suspension, revocation of professional certification and/or licensure required to perform the job.

### Attendance

In addition to the general rules stated above, employees may be counseled for failing to observe the following specific requirements relating to attendance:

- (1) Reporting to work on time, observing the time limits for meal periods and obtaining approval to leave work early; and
- (2) Notifying the supervisor in advance of anticipated tardiness or absence. If the employee is physically unable to give timely notice of the absence or tardiness, then a family member or friend is permitted to provide such notice. However, as soon as the employee is physically able, he/she should contact his/her immediate

supervisor personally to discuss his/her absence or tardiness directly with his/her supervisor.

### Progressive Counseling Procedure

Depending upon the severity of the violation counseling may be a:

- Verbal warning
- Written warning
- Probation
- Termination

A probation action may include temporary suspension with or without pay. **The Trust reserves the right to terminate for misconduct or performance deficiency without resort to prior progressive counseling steps when The Trust deems such action appropriate.**

#### ➤ REEMPLOYMENT

Former employees who return to The Trust after a break of more than 30 days will return as new employees for seniority and benefit plan purposes unless local, state or federal law requires reinstatement of a benefit with seniority regardless of the length of a break in service.

#### ➤ REFERENCES

The Trust often receives requests for information regarding current and former employees including verification of employment for credit and/or employment purposes. Any phone calls or written reference requests must be referred to Human Resources for response. **Only Human Resources is authorized to disclose information, verbal or written, regarding current and former employees.**

#### ➤ SECURITY AND CONFIDENTIAL INFORMATION

The security of employees, employee property and Trust property is of vital importance to The Trust. All employees share responsibility to ensure that proper security is maintained. Any breach of security should be reported promptly to your supervisor.

Trust property includes not only tangible property, like desks, computers and rental equipment, but also intangible property such as information. Proprietary information includes all information obtained by Trust employees during their work. Confidential information is any Trust information that is not known generally to the public. Personnel files, computer records, and certain financial information are examples of confidential information.

Employees may not disclose or use proprietary or confidential information except as their jobs require. Anyone who violates this guideline will be subject to progressive counseling action and possible legal recourse. Employees can help secure The Trust's proprietary information by:

- (1) Placing the above items inside your desk at the end of the work day,
- (2) Not mentioning, distributing or discussing any confidential information to anyone outside of The Trust.
- (3) Shredding all documents containing confidential information when no longer needed and following public records retention requirements and procedures of The Children's Trust.
- (4) Not leaving confidential information unattended on your desk or computer screen.

Upon termination of employment for any reason, each employee will be required to return all of the above items to The Trust. Furthermore, all work and/or items produced by employees during their employment with to The Trust will be considered Trust property and must also be returned to The Trust upon termination, not doing so may result in replacement charges that will be deducted from your final paycheck.

➤ **SMOKE-FREE WORK ENVIRONMENT**

In accordance with the Florida Clean Air Act to provide and promote a healthy work environment, The Children’s Trust is a smoke-free workplace. Smoking, including the use of e-cigarettes is not permitted anywhere inside Trust facilities, including balconies, stairwells and parking structures. This policy applies to all employees, providers, contractors and visitors.

Smoking is a non-work time activity. As such, smoking is limited to non-work time such as a meal period and only outside of the premises and away from entrance doors. Smoking is permitted within 20 feet of the parking garage.

➤ **SOCIAL MEDIA**

Employees may not post financial, confidential, sensitive or proprietary information about The Children’s Trust, its board members, providers, employees or applicants.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of The Trust, its board members, providers, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, “The opinions expressed on this site are my own and do not necessarily represent the views of The Children’s Trust.”

The Children’s Trust may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

➤ **SOLICITATIONS AND DISTRIBUTIONS**

In keeping with the nature of our business, we understand that there will be times when you may want to solicit your co-workers to purchase goods and services to raise money for schools and other children’s programs.

All employees are expected to comply strictly with the following rules:

1. No employee shall solicit or promote support for any cause during his or her working time or during the working time of the employee or employees at whom the activity is directed;
2. No employee shall distribute or circulate any written, printed or electronic material in work areas at any time, during his or her working time, or during the working time of the employee or employees at whom the activity is directed; and
3. Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on The Children's Trust premises.

➤ **TELEPHONES**

Telephone equipment and service is made available to employees for official Trust business only. Personal use of Trust telephones must be limited to occasions of absolute necessity. Similarly, use of personal cell phones during working hours should be limited to not distract you from your

work. Employees are requested to advise their friends and family members to call the office only in situations of importance or emergency.

All telephone communication systems ("systems"), passwords and all communications and information transmitted by, received from, or stored in these systems are the property of The Trust. The Trust retains the right to monitor its communication systems at its discretion, including, but not limited to, listening to, recording of, transcribing, copying, or otherwise storing in a separate location all voice mail, email messages, data and program files.

In the event employee uses the systems for personal matters, he/she does so at his/her own risk of loss. Employees are prohibited from using The Trust's systems for any commercial activity unrelated to The Trust's business or unrelated to the employee's compensation and benefits provided by The Trust, i.e., the systems should not be used for personal gain, advancement of individual views, or solicitation of non-The Trust business.

Employees are not permitted, without proper authorization from the IT Director, to share passwords. In addition to the foregoing prohibitions, employees are prohibited from engaging in the inappropriate use of all systems. Inappropriate use includes, but is not limited to, unauthorized access of another employee's voice mail account as well as unauthorized access to telephone systems. Employees who violate this policy are subject to progressive counseling action up to and including immediate termination.

Failure to comply with these guidelines may result in disciplinary actions.

#### ➤ **TERMINATION OF EMPLOYMENT**

##### Voluntary Termination

The Trust will consider an employee to have voluntarily terminated his or her employment if an employee does any of the following:

- (1) Elects to resign from The Trust;
- (2) Fails to return from an approved leave of absence on the date specified by The Trust; or
- (3) Fails to report for work without notice to The Trust for 24 hours.

If an employee chooses to resign from The Trust after completion of the Introductory Employment Period and gives at least two (2) weeks written notice prior to his/her last day of employment, the employee may be eligible to receive compensation for any earned and unused annual leave for which he or she is eligible at the time of termination.

Unused sick leave may not be used following a tender of resignation. Under certain circumstances related to tenure and accrual balance limits, unused sick leave may be paid. (See Paid Time Off policies for specific information on pay-out schedule for sick leave.)

Employees requesting time off following notice of resignation and prior to the last day of employment, may apply accrued and unused annual leave if the time off is approved by the supervisor. If the time off is not approved, the accrued and unused annual leave will be paid in the final pay in accordance with the pay out of annual leave.

### Involuntary Termination

An employee may be terminated involuntarily for reasons that may include poor performance, misconduct or other violations of The Trust's rules of conduct and reserves the right to discharge with or without cause and with or without prior notice.

### Termination Due to Reorganizations, Economics or Lack of Work

From time to time, The Trust may need to terminate an employee because of reorganizations, job or position eliminations, or, an economic downturn in business or lack of work. Should The Trust consider such terminations necessary, The Trust will attempt to provide all affected employees with advance notice when practical or when required by law. Layoff benefits associated with such terminations, if any, will be as specified in the notice.

### Exit Interview

Employees who leave The Trust for any reason may be asked to participate in an exit interview. This interview is intended to permit terminating employees the opportunity to communicate their views regarding their work with The Trust, including job duties, job training, job supervision, and benefits. At the time of the interview or before, employees will be required to return all The Trust-furnished property, such as keys, ID cards, Metro passes, The Trust provided credit cards, cellular phones and computers/laptops, and handbooks and manuals. Arrangements for clearing any outstanding debts with The Trust and for receiving final pay also will be made at this time.

#### ➤ **VEHICLE INSURANCE**

Employees who use a personal vehicle to perform their jobs are required to carry not less than the minimum vehicle insurance as required by Florida law.

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## CLASSIFICATIONS

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### ➤ **EMPLOYEE CLASSIFICATIONS**

The Fair Labor Standards Act (FLSA) divides all employees into two categories, exempt and non-exempt. Employees will be advised of their classification upon hire. Job titles do not determine exemption status.

The following is intended to help employees understand employment classifications and benefits eligibility. These classifications do not guarantee employment for any specified period.

- **Nonexempt Employees**

Nonexempt employees are not exempt from the FLSA requirements concerning minimum wage and overtime. Employees placed in this classification are paid an hourly wage and are eligible for overtime in accordance with federal and wage and hour laws. Overtime is paid at 1.5 times the employee's hourly rate.

Overtime is paid using actual hours worked in a work week. Paid time off for holidays, annual leave and sick leave are not included in calculating overtime and is paid at the regular straight-time hourly rate. Pay is based on time recorded electronically using WebClock and as verified by supervisor.

When the business needs of The Trust cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime assignments will be distributed as equitably and as practical to all employees qualified to perform the required work. When possible, notice of these mandatory assignments will be provided. Prior approval is required by the Chief Financial Officer and the employee's direct supervisor prior to incurring any overtime.

**Employees are subject to disciplinary action if overtime is worked without prior approval as noted above.** Regardless of the hours employees are scheduled or expected to work, employees are required to record all hours worked. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees are not permitted to begin work before the established starting time or work after the established quitting time unless it is specifically authorized in advance and required by the supervisor. Non-exempt employees are not permitted to work while on bona fide meal breaks (a minimum of 30 minutes). This includes but is not limited to answering the telephone, reading and responding to business email or sending work related texts. While on a bona fide meal break, a non-exempt employee is "off-the-clock" and is not being paid for work.

Non-exempt employees are normally supervised and are not to take work home. Total hours to be paid bi-weekly will include only hours physically worked as approved by the supervisor.



- **Exempt Employees**

Exempt employees are not entitled to overtime pay if they work more than 40 hours in a workweek. Exempt employees may be required to work in excess of the agency's regularly scheduled hours without additional compensation. Exempt employees understand that time invested in serving The Trust that occurs outside regular operating hours are not compensable over and above their fixed salary. Accordingly, supervisors should use good judgement when requiring exempt employees to work beyond scheduled hours.

- **Full-time**

Regular, full-time employees are eligible for employer sponsored benefits subject to the provisions of each benefit plan. Full-time employees are those having a regular work schedule of forty (40) hours per week.

The normal work schedule for Trust staff to fulfill the full-time requirement is accomplished by working 8:00 a.m. to 5:00 p.m. or 9:00 a.m. to 6:00 p.m. and includes a one-hour lunch/meal break. These schedules coincide with the daily operating hours of The Children's Trust which are 8:00 a.m. to 5:30 p.m. Your supervisor may agree to modify your work schedule from the times listed above. Regardless all full-time employees are expected to work a 40-hours per week schedule.

- **Part-Time**

The Children's Trust defines part-time employment as working no more than 30 hours per week. Part-time employees are not eligible for employer sponsored benefits with the exception noted below:

The rules governing the Florida Retirement System (FRS) apply to part-time positions. For eligibility with FRS, a part-time position must be a regularly established position. That is, the position will be in existence beyond six consecutive calendar months. The expected length of the position's existence, not the length of time an employee is anticipated to fill the position, determines membership in the FRS.

- **Temporary**

Temporary employees may work full or part-time schedules but will not be eligible to receive Trust sponsored benefits, accrue any form of service credit with FRS or retention rights, or receive holiday pay. Temporary employment is generally for jobs of limited or specified duration arising out of special projects, the absence of a position incumbent, emergencies, work study/interns, or other reasons established by The Trust.

The President/CEO reserves the right to create temporary positions within a current budget year and with documented need. Should an incumbent in a position classified as temporary become classified as regular, full-time the date of the change to full-time employment will be the date of record for benefit administration purposes. In such cases, eligibility for insured benefits will be the first of the month following one full month (30 days) from the date of classification to full-time.

➤ **PAY PERIOD**

Pay is distributed every two weeks on a bi-weekly basis (26 pay periods per calendar year). Each new pay period begins on Monday and closes on the Sunday following 10 business days of the new pay period. When a payday falls on an official Trust holiday, you will normally be paid on the last working day before the holiday.

Please review your paycheck or pay stub for accuracy and report any errors immediately to your supervisor, payroll and/or Human Resources.

➤ **PAYMENT OF WAGES**

The Trust encourages you to receive pay through direct deposit to an account at the financial institution of your choice. If you prefer, however, your pay will be distributed in the form of a payroll check.

Other than deductions required by law, including garnishments, no deductions will be made from your pay unless authorized by you.

The Trust does not provide advance payment of wages under any circumstances. Upon termination of employment, the final pay will be distributed by payroll check.

In accordance with federal law, the salary of an exempt employee may be reduced for absences of a full day during the introductory employment period after all sick days have been exhausted in a plan year; and for an incomplete initial or final week of work.

➤ **PERFORMANCE MEASUREMENT**

Your supervisor will continually evaluate your job performance and will formally evaluate and discuss your performance with you not less than on an annual basis. Your supervisor will conduct a performance review upon completion of your introductory 90 days employment period. Performance reviews may also be conducted in the event of a promotion or a significant change in duties and responsibilities.

The purpose of the performance review is to evaluate your current level of performance, to examine the progress you have made since the last review and to establish goals for your next review. During the performance review, your supervisor may discuss the following:

- (1) Job performance;
- (2) Work habits;
- (3) Personal appearance;
- (4) Behavior;
- (5) Growth and future goals.

The primary reason for performance reviews is to highlight and sharpen your strengths and to identify ways to improve on your weaknesses. These reviews also help to make you aware of how your actual job performance compares to The Trust's expectations of your position. This is also a time to discuss your interests and future goals. Your supervisor is interested in helping you grow to achieve personal as well as work related goals – perhaps he or she can recommend further training or additional opportunities for you.

No merit salary increases will be given if an employee's performance review has not been completed for the review period. Managers who do not complete performance evaluations for the staff they supervise, as well as the senior and executive managers in the reporting line, also will not receive any merit salary increases, if otherwise eligible. Managers and their senior/executive managers who finalize late performance evaluations will not receive any merit increases, if recommended, retroactively to the date approved for merit increases, but rather the merit increase will become effective upon the date of the submission of the last completed performance evaluation for the staff they supervise.

### **Compensation Reviews**

The Trust generally conducts compensation reviews annually. The employee's overall performance and salary level relative to his/her position responsibilities are evaluated to determine if a salary increase is warranted. Wage and salary increases are based on merit alone, not length-of-service or the cost-of-living. A compensation or performance review does not always result in an automatic salary increase.

#### ➤ **PROFESSIONAL DEVELOPMENT**

The time when staff attends seminars, conferences or conventions related to their work performed at The Trust and paid for by The Trust is considered professional development. Such time away from the office is considered work for compensation purposes.

An integral part of employment and fulfillment of professional responsibilities in serving the mission of The Trust, employees may be required to attend conferences, training, workshops, and events for the benefit of The Trust and/or for the development of staff as requested by management including activities that may be held on weekends, weekday evenings, and/or that may require overnight and out of town travel.

#### ➤ **WORK HOURS**

Your immediate supervisor will discuss your specific working hours with you. You are expected to be ready to work at your scheduled starting time. Frequent tardiness, or being late for work, may result in disciplinary action. Actual working hours vary among the different jobs in The Trust; however, the expectation is all employees will work 40 hours a week around the core business hours of The Trust (8:00 a.m. to 5:30p.m.). This can be accomplished by working one of the following fixed schedules: 8:00a.m. to 5:00p.m. or 8:30a.m. to 5:30 p.m. or 9:00a.m. to 6:00p.m. Each schedule allows for a one-hour unpaid lunch break.

During any week in which employees are released early by management (such as may occur periodically during certain holiday weeks) and the opportunity to complete all regularly compensated hours is not provided by The Trust, employees will be paid for their customary hours.

***All employees, including nonexempt and exempt, are responsible for reporting all non-business activity absences timely and accurately using WebClock. Adherence to this policy will ensure the accuracy of payroll records.***

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## TIME OFF

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### ➤ HOLIDAYS

The Trust provides full-time employees with the following eleven paid holidays:

1. New Year's Day (January 1st)
2. Martin Luther King's Birthday (observed third Monday in January)
3. Presidents Day (observed third Monday in February)
4. Memorial Day (observed last Monday in May)
5. Independence Day (July 4<sup>th</sup>)
6. Labor Day (observed first Monday in September)
7. Columbus Day (observed second Monday in October)
8. Veteran's Day (November 11)
9. Thanksgiving (observed fourth Thursday in November)
10. Friday after Thanksgiving
11. Christmas (December 25<sup>th</sup>)

For each recognized holiday that falls on a regular work day, full-time employees will receive the day off with pay. If The Trust requires an employee to work on a scheduled holiday, the employee will be paid regular wages for the day and will be allowed to take an alternate day off with pay before the end of the calendar year.

Should a holiday fall on a weekend, The Trust may elect to celebrate the holiday on an alternate day and you will be advised accordingly. Usually, when the holiday falls on Saturday, The Trust will recognize the holiday the Friday before; if the holiday is on Sunday, The Trust will recognize the holiday the Monday after.

Subject to the provisions of this policy, when a holiday falls during paid sick leave, the day will be paid as a holiday and not charged to the employee's sick leave. When a holiday falls on an approved paid day off (vacation), the day will be paid as a holiday. Should a holiday occur while you are on an unpaid leave, you will not receive the holiday as paid leave.

### ➤ PAID TIME OFF

Regular full-time employees accrue fifteen (15) days of paid annual leave ("vacation") at an accrual rate of 4.62 hours per pay period beginning with your benefits eligibility period. This is usually the first of the month following 30 days of hire. For new hires, annual leave is not considered earned until the completion of one year of service. If you leave the employment of The Trust and you used annual leave prior to earning the full accrual, the value of the non-accrued portion of annual leave used is deducted from your final pay.

Any accrued unused vacation hours carry over indefinitely. Each year, an employee may choose up to five (5) days to be paid out annually in lieu of vacation. (See Pay in Lieu of Annual Leave below.)

In addition to paid annual leave, regular full-time employees accrue ten (10) paid days of **sick leave** annually at a rate of 3.08 hours per pay period. Sick leave accrues without limit and continues to roll-over from year to year.

**Employees are not to use sick or vacation during their initial 90-day employment period. Upon completion of the 90-day period, employees may use paid time off accrued to that point.** Should an employee leave The Children’s Trust, either voluntarily or involuntarily, and before the completion of one year of service, the employee will not be paid out for any unused accrued paid time off. Should an employee become ill during their introductory period, the time missed will be unpaid.

Employees are not allowed to go into negative balances for sick leave or vacation. If an employee exhausts all available leave, the employee will be in unpaid status. Unpaid time off is not allowed as a regular or routine practice that results in an overall work effort that is less than expected for the position, which for most Trust positions is full-time. This is to ensure The Children’s Trust operates on a regular basis at the full capacity of its staff.

➤ **ANNUAL LEAVE (“VACATION”)**

Use of annual leave is normally a planned future event that must be discussed with your supervisor prior to taking time off. Requests for time off must be reported through WebClock. Supervisors will promptly approve or deny requests. Prior to approval, your supervisor will review your paid leave accruals to ensure there is sufficient accrued time for your request. **Under no circumstances may an employee request more than 30 days of accrued annual leave at any one time.**

Because The Trust believes that time away from work is essential for the well-being of employees, employees are required to take five (5) days’ off annually. However, employees serving in Finance and Information Technology are required to take five (5) consecutive days of annual leave each calendar year for internal controls.

**Longevity Annual Leave**

In recognition of continuous years of service, employees will earn additional annual leave as noted below:

<b>Completed Length of Service</b>	<b>Additional Annual Leave (hours)</b>	<b>Total annual leave</b>
0 to 10 years	Not Applicable	15 days total (120 hours)
11 years of service	Additional 8 hours added	16 days total (128 hours)
12 years of service	Additional 8 hours added	17 days total (136 hours)
13 years of service	Additional 8 hours added	18 days total (144 hours)
14 years of service	Additional 8 hours added	19 days total (153 hours)
15+ years of service	Additional 8 hours added	20 days total (160 hours)

**Pay in Lieu of Annual Leave**

You may elect to receive pay in lieu of annual leave (up to five days) with notification to the Chief Financial Officer not later than December 15 each year. The payment will be made in the final pay period of the calendar year.

## **Annual Leave Payout**

Paid time off accrues without limit. However, the maximum payout is 500 hours. Employees will be paid for unused accrued vacation hours at the time of retirement or separation (whether voluntary or involuntary) and if you have completed at least one year of employment with The Children's Trust.

### **➤ SICK LEAVE**

Paid sick leave is available for your own illness or when you need to provide care for an immediate family member (spouse, child, parent, grandparent) who is ill, injured, hospitalized, or when a few hours are needed to visit a health services provider (i.e., doctor, dentist, physical therapy, etc.). Sick leave is reported using WebClock and should be reported timely, either for known medical appointments and for absences due to illness.

If you become sick during your work day, you must notify your supervisor to report the illness or absence as soon as possible and report sick leave through WebClock.

You must advise your supervisor every day you are absent. If you are out more than three (3) consecutive days, a doctor's note or some other documentation may be requested usually to determine if the absence meets the eligibility for family medical leave as allowed under FMLA. No diagnosis is requested; however, the documentation must indicate your ability to resume your normal work duties and work schedule.

Sick leave may not be used before accrual. If sick leave is exhausted and additional time is needed to cover your absence, your available accrued vacation hours will be used.

#### **• Conversion of Sick Leave to Vacation**

Full-time employees may convert up to half of their unused accrued sick leave to vacation. The criteria to determine the number of hours available for conversion is to deduct the number of hours used from the number of hours earned for the *calendar year* (hours are prorated for new hires at the same 50% rate). The maximum number of hours that can be converted is 40 hours.

The conversion of sick leave is at the employee's option. It is not done as an automatic conversion.

#### **• Payout of Sick Leave upon Separation of Service**

Full-time employees who retire or resign are eligible to receive payment for accrued sick leave in accordance with the following schedule:

<b><u>Service Required</u></b>	<b><u>Payout</u></b>
Less than 10 years	No pay out.
10 years but less than 11 years	25% pay out of accrued sick leave balance
11 years but less than 12 years	30% pay out of accrued sick leave balance
12 years but less than 13 years	35% pay out of accrued sick leave balance
13 years but less than 14 years	40% pay out of accrued sick leave balance
14 years but less than 15 years	45% pay out of accrued sick leave balance
15 years but less than 16 years	50% pay out of accrued sick leave balance
16 years but less than 17 years	55% pay out of accrued sick leave balance
17 years but less than 18 years	60% pay out of accrued sick leave balance
18 years but less than 19 years	65% pay out of accrued sick leave balance

19 years but less than 20 years	70% pay out of accrued sick leave balance
20 years but less than 21 years	75% pay out of accrued sick leave balance
21 years but less than 22 years	77.5% pay out of accrued sick leave balance
22 years but less than 23 years	80% pay out of accrued sick leave balance
23 years but less than 24 years	82.5% pay out of accrued sick leave balance
24 years but less than 25 years	85% pay out of accrued sick leave balance
25 years but less than 26 years	87.5% pay out of accrued sick leave balance
26 years but less than 27 years	90% pay out of accrued sick leave balance
27 years but less than 28 years	92.5 % pay out of accrued sick leave balance
28 years but less than 29 years	95% pay out of accrued sick leave balance
29 years but less than 30 years	97.5 pay out of accrued sick leave balance
30 years or more	100 % pay out to a maximum payout of 500 hours of accumulated sick leave.

➤ **OTHER LEAVE**

**Accrual of all paid time off benefits (vacation and sick Leave) is suspended while on leave for FMLA, Military Duty, Domestic Violence and personal reasons. Likewise, holidays will not be granted during periods of unpaid leave. Paid time off benefits will resume upon return to active employment.**

Employees on unpaid leave will not be entitled to accrue paid time off. This includes employees who are receiving income replacement benefits such as short-term disability, long-term disability or workers' compensation.

Employees who are on approved leave of absence are expected to report any change of status in the need for leave, as soon as such a change takes place to the immediate supervisor and human resources.

- **Bereavement**

Employees who need to take time off due to the death of an immediate family member should notify their supervisor as soon as possible. For purpose of this policy, The Trust defines "immediate family member" as the employee's spouse, parent, child, sibling, mother-in-law/father-in-law (of current spouse), grandchild and grandparent.

The Trust will allow up to three (3) paid days off if time off is needed during regular business days. Additional time off may be allowed as leave without pay and must be approved by your immediate supervisor and the Chief Financial Officer. Accrued and unused annual leave, however, will be applied prior to taking any leave without pay.

- **Domestic Violence Leave**

Employees who have worked for The Trust for 90 days or more and at least 308 hours of service may take 30 days unpaid leave within a 12-month period to obtain and receive medical assistance, legal assistance and attend court appearances associated with domestic violence or repeat violence. The leave is also available to attend counseling or support services for the employee or dependent children and for any other arrangement necessary to provide for the safety and well-being of the employee. Employees must, however, exhaust any accrued, unused annual leave they have before requesting the domestic violence leave.

Similar to leave under the FMLA, the domestic violence leave granted may be taken all at once, intermittently or in conjunction with a reduced work schedule. When the leave is taken intermittently or with a reduced work schedule, The Trust may require the employee to temporarily transfer to another position that can better accommodate the leave so long as he or she is offered the same pay and benefits. When an employee returns from domestic violence leave, The Trust will return the employee to the position held before the leave was taken, or to an equivalent position with similar benefits, terms and conditions. Employees who take intermittent leave for Domestic Violence must follow the Trust's established call-in procedures for reporting absences, unless there are unusual circumstances.

The Trust may require an employee requesting domestic violence leave to provide a certification from a health care provider, attorney of record, counselor, law enforcement agency, clergy or domestic violence agency certifying that the employee is a victim of domestic or repeat violence and needs the time off to attend to one of the matters for which the ordinance provides leave time. The Trust is obliged, to the extent permitted by law, to maintain confidentiality regarding these matters.

While an employee is on leave, The Trust may require periodic reports on the employee's status and intention to return to work. The Trust is obligated to maintain the employee's health coverage during the leave period at the level and under the conditions that would have been provided if the employee had not taken leave including the employee paying his/her share of premiums while on leave. If the employee does not return to work at the end of the leave period, the employee must then reimburse The Trust for any premiums paid by The Trust during the leave, unless the employee's failure to return is related to the domestic violence or circumstance beyond the employee's control.

- **[Family and Medical Leave Act \(FMLA\)](#)**

The Children's Trust will comply with the Family and Medical Leave Act as amended. In accordance with Department of Labor rules, The Children's Trust has an obligation to designate leave as FMLA-qualifying as soon as the absence becomes an FMLA-qualifying event.

The purpose of this section is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law(s), employees will be afforded all rights required by law. Employees with questions about FMLA are encouraged to consult with Human Resources.

FMLA covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Calling in sick will not be treated as a request for FMLA leave. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, The Trust may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.



**Eligible Employees:** Employees who have been employed for at least twelve (12) months and have worked at least 1,250 hours during the preceding twelve (12) month period and who are in good standing (not subject to progressive counseling) at the time the leave would begin are eligible for unpaid family or medical leave.

For employees who are not eligible for FMLA leave, The Trust will review business considerations and the individual's circumstances involved. Any leave granted under these special conditions and circumstances is non-FMLA leave and does not afford the protections granted to eligible employees by the Family and Medical Leave Act.

**Leave Period:** An eligible employee is entitled to take up to 12 weeks of unpaid family or medical leave in any "rolling" 12-month period, measured backward from the date of the most recent family or medical leave. Therefore, no more than 12 weeks may be used in any 12-month period.

**Reasons for Leave:** An employee who meets the applicable eligibility requirements will be granted a total of up to 12 weeks unpaid leave for the following reasons:

1. For the birth of a child, to care for a newly-born child.
2. For placement of a child with the employee for adoption or foster care.
3. To care for an immediate family member (spouse, child or employee's parent) with a serious health condition.
4. The employee's own serious health condition that makes the employee unable to perform the functions of the employee's job.

In addition to the above, FMLA may also be requested as follows:

- **Family Leave Due to a Call to Active Duty:** This benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation.
- **Caregiver Leave for an Injured Service member:** This benefit provides 26 weeks of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member's office, grade, rank or rating.

**Application for Leave:** An employee requesting family or medical leave will be provided with the appropriate form (federal form WH-381, Notice of Eligibility and Rights & Responsibilities) documenting the reason for the request and the duration of the leave. You should inform supervisor as soon as you are aware of your need for leave under this policy, however, at least thirty (30) days in advance if the need is not an emergency.

***Intermittent or Reduced Leave:*** Employees may take intermittent leave or work on a reduced work schedule in the case of birth or placement for adoption or foster care. (See also [Paid Parental Leave Policy](#).) In the case of serious health conditions, leave may be taken intermittently, or employees may work a reduced work schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent leave so as not to disrupt the operations of The Trust. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Further, The Trust may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment including recovery from a serious health condition, or to care for a child after birth, or placement for adoption or foster care.

Exempt Employees: During a period in which intermittent or reduced schedule FMLA leave is to be taken, the employee will be compensated on an hourly basis and paid only the hours worked.

***Medical Certification of Leave:*** The application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must be accompanied by a Medical Certification Statement completed by the health care provider. The certification must state the date on which the serious health condition commenced, probable duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse, child or parent with a serious health condition, the medical certification must state an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the medical certification must state that the employee cannot perform the functions of his/her job.

The Trust will require medical certification to be submitted prior to the commencement of the leave or, within fifteen (15) days after the leave starting date in the event of an emergency. In addition, re-certification of medical necessity will be required every 30 days.

If medical certification forms are incomplete, The Trust will notify the employee in writing, stating what information is needed. The employee will have seven calendar days to correct the deficiency. If the deficiency is not provided the FMLA request can be denied.

***Notification of Leave Assignments:*** After providing form WH-381 to the employee and receiving the Medical Certification form from the employee (if applicable), Human Resources will discuss the leave requirements with the employee and will issue federal form WH-382, Designation Notice to the employee outlining the status of the leave request.

***Benefits Coverage During Leave:*** During a family or medical leave, the employee will be retained on The Trust's insured benefit plans, and under the same conditions that applied before the leave began. To continue health and other coverage, the employee must continue to make any contributions that he/she made for group insurance prior to the leave. Failure of the employee to pay his or her share of the health insurance premium may result in the loss of coverage.

An employee who takes family or medical leave will not lose any previously accrued seniority or employment benefits, but those benefits will not continue to accrue during the leave.

If an employee fails to return to work after the expiration of the leave, the employee will be required to reimburse The Trust for payment of health insurance premiums during the family or medical leave. Reimbursement will not be required if the employee does not return to work because of a serious health condition or other circumstances beyond the employee's control.

**Compensation During FMLA:** Employees on FMLA leave will have all accrued and unused sick and annual leave applied, in that order, until exhausted or until eligible for short term disability benefits. Paid time off runs concurrently with FMLA. Time off for FMLA leave including both paid and unpaid time off generally will not exceed 12 weeks (480 hours) during a rolling 12- month period.

**Restoration to Employment:** An employee who completes a family or medical leave will be returned to the same position held when the leave began, if available, or to a position equivalent in pay, benefits and other terms of employment if the leave does not exceed 12 weeks. However, certain "key" employees are not guaranteed reinstatement. In such cases, The Trust will notify the employee as soon as it determines that reinstatement is not available. All "key" employees will be notified in writing as to whether they are "key" employees before their leave is approved. The Trust cannot guarantee that an employee will be returned to his/her same former job.

**Return from Leave:** The Trust will require an employee taking a family or medical leave to report every thirty (30) days on his/her status and intent to return to work upon completion of the leave. Employees returning from a medical leave must submit written notification to The Trust two work days prior to the return date. Certification from a health care provider indicating that the employee can resume normal work duties must be submitted to The Trust immediately upon return from a leave of absence if the leave was for his/her own personal health condition.

Employees who do not return to work upon the expiration of a family or medical leave will be treated as having voluntarily terminated their employment without notice retroactive to the date the leave commenced. An employee who requests an extension of family or medical leave must submit his or her request for an extension in a writing that includes the reason for the requested extension.

**Other Employment:** The Trust prohibits any outside or supplemental employment during the employee's family or medical leave. Accordingly, any outside employment during the employee's leave period may result in disciplinary action up to and including immediate termination of employment with The Trust.

**Non-Contractual Nature of this Policy:** No express or implied contractual rights should be inferred from this policy. The Trust reserves the right to modify this or any other policy, at any time, as necessary, in its sole discretion.

- **Paid Parental Leave Policy**

The Children's Trust will provide six weeks of paid parental leave to employees (first 4 weeks at 100% and final two weeks at 75%) following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy runs concurrently with Family and Medical Leave Act (FMLA) leave.

- **Jury Duty**

The Trust will grant leave for jury duty when employees are summoned to serve on any jury. In addition, The Trust will not dismiss an employee from employment with The Trust because of the nature or length of the employee's jury service. Compensation for time spent in jury service will be in accordance with local laws where the jury duty is being served.

Where The Trust is required to pay the employee's regular wages for jury service, the employee may also keep all fees payable by the court. Employees are required to return to work on any day when released early from jury duty service unless there is less than two hours in the remaining regular workday.

Staff members are required to obtain a "certificate of completion" form from the court where the jury duty was served and provide the certificate to payroll immediately upon return from jury duty service.

- **Military Duty**

Employees serving in United States armed forces reserves will be granted time off each year to attend an annual two-week encampment upon presentation of military orders. The Trust will pay the employee the difference, if any, between the military pay and regular wages earned from The Children's Trust.

In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), a military leave will be granted to employees who are absent from work because of service in the United States uniformed services. Notice of military service is required unless military necessity prevents such notice, or it is otherwise impossible to provide advance notice. Military service is unpaid. However, employees may use accrued and unused annual leave. Service members must, at their request, be permitted to use accrued, unused annual leave before the beginning of their military service prior to going into unpaid status. However, it continues to be the law that service members cannot be forced to use annual leave for military service.

Benefit accumulation including accruing annual leave, sick leave, and holiday pay will be suspended during the military service and will resume upon the employee's return to active employment.

Employees on military leave for up to thirty days (30) are required to return to work immediately following the end of service, allowing for reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA rules.

Employees returning from military leave will be placed in a position they would have attained had they remained continuously employed or a comparable position depending on the length of

military service in accordance with USERRA. For benefits purposes based on length of employment, such employees will be treated as if continuously employed.

- **Leave of Absence**

The Trust may approve an unpaid leave of absence not to exceed thirty (30) days upon an employee's written request. An employee requesting leave must inform their supervisor and CEO/President in writing at least thirty (30) days prior to the date the requested leave is to begin. In those instances when thirty (30) days' notice is not possible, the employee is required to give immediate notice to his/her supervisor or as soon as the necessity for the leave arises. Generally, a leave of absence may only be requested after all other appropriate leave balances have been exhausted.

If the leave is not approved, employment will terminate on employee's last day worked.

If the leave is approved, the employee will be required to pay in advance the employee's share of insured benefit premiums and The Trust will continue to pay the employer's share. Approval of the leave does not guarantee employment upon the employee's availability to return to work. Employees must contact his/her supervisor and Human Resources five business days prior to the return date to discuss return-to-work status.

Employees who do not return to work upon the expiration of a personal leave of absence will be treated as having voluntarily terminated their employment without notice retroactive to the date the leave commenced.

Employees returning to work following a leave for a personal health matter must provide human resources with a medical certificate to resume normal duties.

Performance evaluations due for employees on a personal leave of absence will be completed in the month following return from the leave. Changes in compensation, if any, will not be retroactive.

➤ **VOTING**

All employees are encouraged to vote in all appropriate elections. Florida voting laws offers convenient ways to exercise your right to vote, therefore, no additional paid time off will be granted to vote during Trust business hours.

**Absentee Voting** allows all qualified voters to request an absentee ballot. Please contact your Supervisor of Elections to request an absentee ballot. <http://www.miamidade.gov/elections/contact.asp>

**Early Voting** Voters may vote in person by casting a ballot prior to Election Day. Early voting begins 10 days prior to an election and ends on the 3<sup>rd</sup> day before any election in which there is a state or federal office race. The hours for each day for each early voting site are set at the Supervisor's discretion. Contact the Supervisor of Elections for dates, times and locations; or refer to the webpage on Early Voting for more details.

**Voting at the Polls/Election Day** Aside from the early voting period, polls are open on Election Day from 7 a.m. until 7 p.m.

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## EMPLOYEE BENEFITS

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Employee eligibility for Trust sponsored benefit plans is based on employment classification or as required by law. The Trust reserves the right to change benefits at any time with or without notice unless the law requires notice.

If there are discrepancies between a policy described in this Employee Handbook and an official plan document, the official document plan(s) and/or applicable law(s) prevails.

Specific information on The Children's Trust sponsored benefit plans is available through Human Resources.

### **Patient Protection and Affordable Care Act of 2010 ("ACA")**

Landmark legislation making major changes to health care insurance practices in the United States was enacted in March 2010. The act reforms the health care system by expanding the availability of health insurance, regulating health insurance coverage, and restructuring health care delivery, including how it is paid for. This notice is intended to inform, in summary fashion, of employee rights and obligations under the continuation coverage provisions of the law.

As required by law, The Children's Trust provides insurance to regular full-time employees. The Trust defines full-time employees as those who regularly work 40 per week. The Trust offers group health insurance to its employees and their eligible dependents/domestic partners paying 90% of the cost of health insurance premiums. Under the ACA, the coverage extends to non-dependent children up to age 26 who do not have an employer offer of coverage.

- **Medical Insurance**

All regularly scheduled full-time employees and retirees from The Children's Trust are eligible to participate in The Trust's group medical insurance plan. New employees may enroll in the plan with benefits coverage effective the first of the month following 30 days of employment. Plan enrollment is limited to the annual open enrollment period or if there is a qualified life event (such as marriage, divorce, birth of a child).

The amount The Trust pays on your behalf may change each year. However, retirees pay the full cost of the premium and once they (or their dependents) become Medicare eligible, Medicare becomes the primary plan for health insurance purposes. Retirees are responsible for full payment of premiums or risk losing coverage.

- **Dental Insurance**

The Trust offers a dental plan with premiums shared by the employee and The Trust. Similar to enrollment for health insurance, employees enroll in the plan for coverage effective the first of the month following 30 days of employment. Retirees may continue with their dental coverage under the provisions of COBRA.

Retirees of The Children's Trust may continue medical and dental coverage with The Trust's group coverage. To participate, the retiree is responsible for paying the full cost of premiums for

medical and dental insurance up to age 65 when they or their dependents become eligible for Medicare. Retirees are responsible for payment of the premiums or risk losing coverage.

- **COBRA**

In accordance with applicable federal laws governing healthcare, most employers sponsoring group health and dental plans are required to offer employees and their families the opportunity for temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform, in a summary fashion, of the rights and obligations for terminated employees (voluntary or involuntary) under the continuation coverage provisions of the law.

Employees of The Trust covered by The Trust's medical and/or dental insurance plans have the right to choose continuation coverage if they lose their group medical and/or dental coverage because of a reduction in hours of employment or the termination of employment (for reasons other than gross misconduct on the employee's part) or they may purchase coverage through the Health Insurance Marketplace. Eligible dependents may also have the right to elect and pay for continuation coverage for a temporary period in certain circumstances where their coverage under The Trust's plan would otherwise end. For questions concerning employee rights under COBRA, please contact Human Resources.

- **Education Assistance/Tuition Reimbursement Policy**

The Children's Trust realizes the importance of employees' desire to further their education to develop knowledge and skills for their work at The Trust. To assist, The Trust has an education assistance/tuition reimbursement policy.

**Eligible Courses**

Courses must be related to the employee's current position and the employee's supervisor(s) must agree that the course work will develop the employee's performance in their current positions (or future position) with the Children's Trust. Courses not related to the employee's current position may be considered if they are part of a professional development plan developed and approved by The Trust. However, such requests shall be considered on a case-by-case basis by the immediate supervisor and/or executive management. All education assistance requests must be pre-approved by the president/Chief Executive Officer and Chief Finance Officer.

Further, college courses must be taken at an accredited college or university with the goal to attain a degree. The intended degree program must be a discipline directly related to the employee's work at The Trust. On-line college courses must be accredited. Exams and courses must be taken outside of the employee's normal work schedule. Upon completion of the degree, the employee must submit a transcript, certificate of completion or other documentation confirming such to human resources (HR) for placement in employee's personnel file.

To be eligible for tuition reimbursement, the employee must be a regular full-time employee, have completed a minimum of six months of employment and have a satisfactory or higher-level performance appraisal(s) during their employment at The Trust. Performance history and years-of-service are factors that may be considered in approving degree program courses.

Requests for reimbursement must be discussed in advance with the employee's supervisor before the written request is made to ensure courses are relevant to the employee's employment or professional development at The Children's Trust.

Please direct any questions regarding educational assistance to the Chief Financial Officer.

Note: An employee who is approved to participate in The Trust's educational reimbursement program will remain employed at will, and the employee's employment may be terminated by the employee or The Trust at any time with or without cause or prior notice. This policy does not create a contractual relationship between The Children's Trust and any employee participating in The Trust's educational reimbursement program; and it does not create a guarantee of employment for a definite time period or for any purpose.

**Non-College Credit Courses:**

The Trust will pay up to \$500 per calendar year for any full-time, regular employee who must take courses or attend seminars in fulfillment of licensing requirements or job enhancement where such license is a condition of employment with The Trust. Upon presentation of registration for the class, seminar or workshop, The Trust will pay the fees directly to the school or training entity.

- **Employee Assistance Program (EAP)**

The employee assistance program (EAP) is strictly confidential and at no additional cost to access professional counseling for all employees and their immediate family. The EAP offers problem assessment, short-term counseling and referral to appropriate community and private services. It is designed to safeguard an employee's privacy and rights.

If further counseling is needed, EAP will outline other community and private services available, and if there are any costs associated with private services. Some costs may qualify to be covered by health insurance. Costs that are not covered are the responsibility of the employee.

- **Flexible Spending and Dependent Care Accounts (FSA)**

Employees may elect to participate in flexible spending accounts to cover out-of-pocket health/medical/dental expenses. FSAs use pre-tax dollars to pay for non-reimbursed out-of-pocket health/medical/dental expenses and dependent child care expenses. The FSAs are set up via payroll deduction and are based on calendar year expenses. Expenses are capped at annual federal law levels.

Plan participants elect an annual amount of flexible dollars to pay for eligible health care expenses including medical or dental insurance deductibles, copayments, and out-of-pocket costs for vision care and other types of care. If eligible medical or dental expenses are less than the elected annual amount up to \$500 will carry over for the new calendar year with the remaining balance forfeited.

- **Florida Retirement System (FRS)**

The Children's Trust is a participating agency of the Florida Retirement System (FRS). Any employee who fills a regularly established position is a compulsory member of the FRS. New employees are eligible for membership commencing their first day of employment (date of hire). As required by Florida law, employees contribute 3% of their gross wages to FRS. The Children's Trust also contributes with a contribution rate established by the state legislature.



Employees new to FRS have the first eight months of employment to decide between staying in the investment plan (a defined contribution) or elect to join the pension plan (a defined benefit). If no decision is made after the initial eight months, the employee's plan will default to the investment plan. An employee is considered vested in the investment plan with one year of completed service. An employee becomes vested with the pension plan with eight years of service. For more information on the FRS, call 1-866-377-2121 or visit [www.MyFRS.com](http://www.MyFRS.com)

- **457 (b) Plan**

This is an IRS-sanctioned, tax qualified investment plan similar to 401 (k) plan. The 457(b) is fully funded by employee contributions through payroll deductions. It is deferred compensation, meaning that the dollar amount is funded with pre-tax dollars and taxes are deferred until the amounts are withdrawn and/or distributed. Funds in this account may be rolled over to another qualified plan or vice-versa, funds from another qualified plan maybe added. This option is available through AXA Equitable/EquiVest and the Florida Deferred Compensation Plan.

- **Life Insurance**

At no additional cost, employees receive life insurance equal to two times annual salary plus an equal benefit in the event of an accidental death.

- **Short-Term Disability**

At no additional cost, employees are provided with short-term disability (STD) insurance. The plan benefit is at 60% of pre-disability income. There is a 14-day elimination period and payments are taxable income.

- **Long-Term Disability**

At no additional cost, employees are provided with long-term disability insurance (LTD). The plan benefit is also 60% of pre-disability income to a maximum benefit of \$10,000 per month. There is a 90-day elimination period and payments are taxable income.

- **Parking and Alternative Transportation**

The Children's Trust provides all staff members with their choice of garage parking or a transit pass with the full cost paid by The Trust. Based on both current Internal Revenue Service rules and actual costs, this is a tax-free benefit to the employee.

Parking: Employees who drive to work are provided with a parking hang tag for garage parking.

Alternative Transportation: The Trust provides access to alternative transportation through the Miami-Dade Transit systems (MetroRail, MetroBus, PeopleMover) and the Tri-Rail system.

Employees participating in one of the transit systems must notify Human Resources not later than the first of the month to be effective the first of the following month.

Employees who participate in the Miami-Dade Transit (MDT) system receive a parking pass that may be used at any MDT parking facility. Therefore, employees participating in this program will not be reimbursed for parking expenses should the drive to work on any day.

Employees participating in the Tri-Rail program will be reimbursed up to the current daily cost for parking at an MDT parking facility. Reimbursement is through the regular expense reimbursement process for any day the employee was required to drive into work by his/her supervisor or due to work-related needs of that day.

- **Section 125 Plan**

Section 125 cafeteria plans refer to the specific section of the Internal Revenue Service Code that permits The Trust to not include as income the premiums employees pay for health insurance. This means these dollars are not subject to FICA (social security) or federal income taxes and therefore, increases net take-home pay.

- **Worker's Compensation**

Every employee is protected by Workers' Compensation insurance. However, to assure consideration under Workers' Compensation insurance, you must immediately report all injuries and accidents (beyond those needing basic first aid) to your supervisor and Human Resources. Your incident report must contain details of the accident or injury, including where, when and how the incident happened. Failure to report an accident, injury or illness could result in loss of benefits and increased out-of-pocket costs to you. Human Resources or your supervisor will instruct you where to go for prompt medical attention and at which designated workers' comp medical panel for initial treatment. In the event of a life-threatening emergency, go directly to the nearest medical facility capable of providing the necessary treatment.

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## APPENDIX

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### ➤ **Acceptable use of Information Technology Resources Policy**

#### **I. Preamble**

The Children's Trust's information technology (IT) resources are critical to The Trust's mission of partnering with the community to plan, advocate for and fund strategic investments that improve the lives of all children and families in Miami-Dade County. To ensure a robust, continuously available, fair, and effective technology environment that serves The Trust's digital needs, institutional standards for acceptable use must be applied. Each individual user must therefore comply with these standards for acceptable use of these shared resources. Although limited personal use of Trust-supplied technology resources is allowed, these resources should be used primarily for Trust related business, research, and administrative purposes. By using Trust IT facilities, resources, and data, users agree to abide by all related Trust policies and procedures, as well as applicable federal, state, and local law. Violations may result in disciplinary action or referral to appropriate external authorities.

The use of Trust IT resources – like the use of any other Trust-provided resource and/or Trust-related activity – is subject to the normal requirements of legal and ethical behavior within the community the Trust operates. Although some limitations are built into computer operating systems and networks, those limitations shall not be viewed as the sole restrictions on what is permissible use of Trust resources. Users must abide by all applicable restrictions, whether or not those restrictions are built into the operating system or network and whether or not they can be circumvented in any way.

#### **II. Scope of Policy**

This acceptable use policy applies to all uses of IT resources. This includes the resources under the management or control of the Information Technology Department, resources operated by third parties on behalf of The Trust, or under the control of other departments of The Children's Trust, such as SAMIS, Trust Central, Great Plains, Core Integrator, etc.

A "user" is defined as any individual who uses, logs into, or attempts to use or log into, a system; or who connects to, or attempts to connect to or traverse, a network, whether by hardware or software or both, whether on the Trust headquarters or from remote locations. The term "user" includes employees, non-employees such as temporary staff, contractors, consultants, volunteers, auditors, and others.

"Information technology resources" are those facilities, technologies, and information assets required to process, store, and communicate information, whether individually controlled or shared, stand-alone or networked. Included in this definition are the Network and Server rooms at the Trust headquarters, electronic resources, and computing and electronic communication devices and services, such as, but not limited to, computers, printers, storage devices, mobile devices, e-mail, fax, programs specific, financial, research, and administrative systems.

Personal equipment connected to the Trust network is also subject to this policy.

#### **III. Security and Privacy**

The Children's Trust employs various measures to protect the security of information technology (IT) resources and individual user accounts. Users should be aware, however, that there is no guarantee of absolute security in connected systems. Users should therefore engage in safe use practices by safeguarding their accounts, regularly changing and never sharing their passwords, and by following all the recommendations contained in this document as well as the requirements

and practices outlined in the Trust's Information Security and Privacy Program and accompanying policy and guidelines documents.

Users should be aware that their uses of Trust IT resources are not completely private as the information contained within these resources is considered the property of The Children's Trust, and as such it is subject to Public Records requests under the Florida Sunshine Law and other Federal, State, and Local statutes. The Public Records statute contains no general exception for personal documents generated by staff in the course of their employment. As a result, the Trust recommends that staff refrain from keeping personal information on Trust systems, and utilize a personal email account for their personal communications. The Trust is not responsible for any personal data loss as a result of using a Trust-issued device for personal use. Additionally, users should be aware that Trust records that are otherwise subject to public records requests do not become confidential if they are created or stored on personally owned devices or in personal accounts. Disputes over the applicability of any confidentiality exceptions may ultimately be decided by a court of law, not by The Children's Trust.

The IT department routinely monitors individual usage of its IT resources, the normal operation and maintenance of these resources require the backup of data and communication records, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary to maintain a reliable service. The IT department may also inspect account contents and electronic files or monitor usage for a limited time upon request from management, or when there is cause to believe a user has violated this or other Trust policies. Individual account inspections or monitoring related to violations of policy or law must be authorized in advance by the Chief Operating Officer or a designee. Routine usage inspections do not require special authorization as they are standard business practices for IT departments.

#### **IV. Security Standards and Recommended Practices**

To minimize the risk of information security breaches and other security incidents that can adversely affect The Children's Trust, all users should follow these security practices:

##### **Prevent the damage, theft or loss of computers and laptops, portable electronic devices, electronic media, and paper files:**

- Ensure proper physical security of electronic and physical restricted data wherever it lives. Lock down workstations and laptops as a deterrent. Secure your work area, files and portable equipment before leaving them unattended.
- Do not leave papers, computers or other electronic devices visible in an empty car or house, shred sensitive paper records before disposing of them.
- Do not leave sensitive information lying around unprotected, including on printers, fax machines, copiers, or in storage.
- All devices, including laptops, cell phones and mi-fis, should be secured at all times. Keep devices with you or lock them up securely before stepping away. Ensure that if you leave your laptop in an open environment it is locked to a structure that can't be easily moved.
- Hourly employees should not take devices out of the office. All devices should be locked securely before leaving the office daily.
- Keep drinks, food, lotions and other harmful materials away from all devices.

- Inspect and clean the air vents of the laptop before storing.
- Operate the laptop on a hard surface, preferably one that allows ventilation.
- Securely delete all personal identifiable information (PII) and other restricted data when it is no longer needed for business purposes. Minimizing the amount of sensitive data stored reduces the risk in case of theft.

**Secure all personal identifiable information (PII) and other sensitive information:**

- Keep confidential the names of all respondents / participants, all information and opinions collected during the data collection process, and any information learned incidentally while collecting the data. Preferably entering the information directly into the system of record instead of writing it down on paper.
- Refrain from discussing or disclosing, except privately with research and evaluation staff members, information that might in any way identify or be linked to a particular individual.
- Terminate data collection or analysis immediately if you encounter a respondent or begin reviewing a record for an individual whom you know personally, and contact your supervisor for further instructions.
- Take precautions to prevent access by others to data in your possession by: (1) keeping hard copies of data collection materials, notes, and records in locked files with limited access; (2) separating files with identifying information from other records; (3) storing electronic copies of data files on secure drives with limited access and/or password-protected; (4) using encryption on electronic files with identifying PII or sensitive information when transporting data; and (5) adhering to all aspects of this policy.
- Refrain from reporting or publishing any aggregate data representing a cell size of fewer than five individuals if such data has the potential to identify the individuals.
- Verify who has access to shared folders and media before saving restricted data. The IT department can provide this information.
- Do not place sensitive information or documents in locations that are publicly accessible from the Internet. Use of share-file services like non-Trust SharePoint, non-Trust Box, iCloud, or others for Trust sensitive information is prohibited. The use of Trust owned or operated secure share-file systems and services should be used at all times.
- Always transmit restricted data securely. This includes remote access and client/server transmissions.
- Do not use open/unencrypted wireless networks when working with or sending this data.
- Do not email or IM (instant message) unencrypted restricted data. Restricted data in attachments, screen shots, test data, etc. need to be sent securely, as well.
- Do not send paper mail or fax documents that display personal or sensitive information.

**Protect your access credentials to minimize the risk of breach or compromise to all Trust systems:**

- Never reveal or share your passwords. When required, the IT department or individual system administrators can reset a lost or forgotten password
- Do not reply to phishing emails. Be aware that emails can be spoofed and do not share any account or password information.

- Use good, cryptic passwords that are difficult to guess, and keep them secure. Passwords must contain: (1) at least seven characters; (2) a combination of upper and lower-case letters; and (3) at least one number or symbol.
- Use different passwords for accounts that provide access to restricted data than for your less-sensitive accounts.
- Change initial and temporary passwords, and password resets, as soon as possible whenever possible. These tend to be less secure.

**Apply missing "patches" and updates:**

- Apply all pending security patches and updates to personal equipment before accessing Trust systems.
- Apply security updates to Trust equipment when asked to do so by IT staff.

**Avoid virus and other malware infections:**

- Computers are designed to auto-update the anti-virus software triggered by Windows automatic updates. It is expected that staff will not interrupt or disable these automatic updates.
- Install an anti-virus and other anti-malware software on your personal computers before accessing Trust systems. Computers that are not protected with a proper firewall, anti-virus and anti-spyware software are vulnerable. Out-of-date security products give a false sense of security.
- Do not click on unknown or unexpected links or attachments. These can infect your computer.
- Do not open files sent via IM (instant message) or P2P (point to point) software.
- Do not install unknown or suspicious programs on your computer. These can harbor behind-the-scenes computer viruses or open a "back door" giving others access to your computer without your knowledge.
- If you receive a virus warning on your device, cease using the device and send an email to the IT Help Desk immediately.

### **Avoid security breaches via compromised contractor computers or systems:**

- Verify that all contractors and other third parties have current, functional firewall, and anti-malware products installed before you send or download sensitive information on their computers.
- Do not access Trust sensitive or private information from insecure or unknown computers.
- Ensure proper contract language is in place and that contractors understand their obligation for protecting sensitive Trust information before they are granted access to sensitive systems or information.

### **Minimize production data exposure on development or test environments:**

- Do not use actual sensitive data in test or development systems, or for training purposes. If sensitive data is used on these systems, security for the application, test results (including screenshots), log files containing personal data, etc., must be equal to a comparable production system or data, including access controls.
- Truncate, de-identify or mask restricted data in these systems whenever possible.

### **Security Breach Obligation:**

In the event of a security breach, staff shall:

- Immediately upon observation, report confirmed or suspected security events and incidents to their supervisor, department executive and CIO by sending an email indicating a security breach has occurred.
- The email shall include, at a minimum: (1) the date, estimated date, or estimated date range of the security breach; and (2) a description of the highly sensitive PII that was accessed or reasonably believed to have been accessed.
- Unless asked otherwise by IT, lock down or shut down the computers and laptops involved in the incident.
- If necessary, secure your work area, files and portable equipment until the incident has been addressed.

Failure to report may result in disciplinary action up to and including dismissal, as well as possible legal action.

Upon receipt of the security breach notice, The Trust will:

- Determine whether notice of security breach is to be provided to any individuals, regulators, law enforcement agencies, consumer reporting agencies or others as required by law or regulation, or otherwise.
- Determine whether any type of remediation may be offered to affected persons, and the nature and extent of any such remediation.
- Take steps to immediately remedy the security breach and prevent any further breach.

## **V. Individual Responsibilities**

Use resources appropriately. Uses that interfere with the proper functioning of the Trust's information technology (IT) resources are prohibited. Such inappropriate uses include but are not limited to insertions of viruses into computer systems, tapping a network or running sniffer programs, sending e-mail spam or phishing attacks, destruction of files or records, use of software tools that attack IT resources, violation of security standards, etc.

Respect the rights of others. Interference with the ability of other users to make appropriate use of resources is prohibited. Such inappropriate uses include, without limitation, gaining unauthorized access to systems or the files, launching denial of service attacks, misrepresentation, forgery, password compromise, or the use of resources that affects the rights of others in violation of Trust policies.

Respect copyright and intellectual property rights. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution.

Adhere to data access restrictions. Accessing restricted data without permission or need to know is prohibited. Where access to restricted data is permitted, use of such data shall be limited to the purpose for which access was authorized. Secondary uses of Trust data subject to access restriction without authorization is also prohibited. Information that carries specific access restrictions, as defined by state or federal law, statute, or other requirements, shall be held confidential as needed to comply with such restrictions. Examples include but are not limited to access of personal information, education, and financial records as defined by the Federal Education Rights and Privacy Act (FERPA), Payment Card Industry Data Security Standards (PCIDSS), and the Florida Information Protection Act of 2014 (FIPA).

Adhere to software licenses. Installation of software on any Trust computer by non-IT staff is prohibited. Software loaded on any Trust computer or device must adhere to licensing requirements for the software. Except where allowed by Trust volume or site licenses, unauthorized copying of software licensed to the Trust is a violation of this policy. Users are responsible for adhering to agreements for external databases and systems licensed by the Trust. The IT department is charged with ensuring that licensing requirements are met and for guiding the installation of software on computers and other Trust owned devices.

Avoid excessive personal use. Personal use of IT resources should be kept to a minimum. Personal use may be deemed excessive if it takes place during regularly scheduled work time, if it adversely affects productivity, if it overburdens a network, if it results in substantial use of system capacity, if it subjects the organization to increased operating costs, or if it is otherwise detrimental to The Children's Trust organization, or the community. Some uses will be plainly excessive in all environments, but the extent to which other uses become excessive may vary. In all instances, supervisors should provide guidance to individual users on what constitutes excessive personal use in consultation with the IT department.

Refrain from prohibited personal uses. Information technology resources, including the Trust's electronic addresses (e-mail, web sites), shall not be used for personal commercial gain, for charitable solicitations unless these are authorized by the appropriate officer, or for personal political activities.

Obey the law. Information technology resources shall not be used in a manner that violates federal, state, or local law.

## **VI. Administration and Enforcement**

The Children's Trust's Chief Information Officer (CIO) is charged with communicating this policy to the user community through partnering with Human Resources and all other Trust departments. Requests for interpretation of the policy as applied to particular situations may be directed to the CIO.



The Children's Trust employees are expected, and strongly encouraged to report violations of this policy to any one of the following: the CIO and to the employee's supervisor.

Violations of criminal law may result in criminal prosecution. Violations of Trust policy may result in informal or formal sanctions including, but not limited to, loss of user privileges for a definite or indefinite period and discipline up to and including termination of employment.

It is expected that staff maintain control of all Trust-issued devices. Staff members are responsible for the cost of replacement in the event devices are lost or stolen and devices remain the property of The Trust. Additionally, if unauthorized software is installed and results in damage to a device, staff is required to reimburse The Trust for any repair or replacement costs.

Upon hiring and prior to utilizing Trust IT devices, staff will sign the Data Confidentiality Agreement and abide by the minimum requirements specified therein and in this policy. Staff will retain a copy of the agreement and submit the original to the Human Resources Manager to be placed in the employee's personnel folder.

After separation from The Trust, staff must return all devices in good working condition. Additionally, the Human Resources Manager will work with the IT Manager to ensure that all access previously authorized for the employee is removed.

#### **VII. Other Policies and Rules**

Other written policies, rules, and procedures may provide additional detail, guidelines or restrictions to the use and security of IT resources under The Children's Trust control.

In addition, users are advised that network traffic entering or exiting The Children's Trust networks is subject to the acceptable use policies of our Internet Service Provider and might be covered under additional Federal, State, and Local regulations.

➤ **INFORMATION TECHNOLOGY GLOSSARY OF TERMS:**

**Antivirus Software:** A utility used for scanning and removing viruses from computers.

**Bandwidth:** A measurement of the ability of electronic communications devices or systems (such as a computer network) to send and receive information, the maximum data transfer rate of the system.

**Computer Virus:** Small programs or scripts that can negatively affect the health of the computer. These malicious little programs can create, move, and erase files; consume the computer's memory, and cause the computer not to function correctly.

**Copyright infringement:** Unauthorized or prohibited use of copyright protected work. Violation of the copyright holder's exclusive rights such as the right to reproduce or perform the copyrighted work.

**Encryption:** Coding or scrambling information so that it can only be decoded and read by someone who has the correct decoding key. Encryption is used in secure Web sites as well as other mediums of data transfer.

**Extranet:** A computer network, like an intranet, that also allows access by certain others (as customers or suppliers)

**File Transfer Protocol (FTP):** One of the common methods of transferring files over the Internet. A typical method used for uploading files (pages) to a hosting server for viewing on the Internet.

**Freeware:** Free software that can be downloaded and distributed. Examples are minor program updates and some games. Though freeware does not cost anything, it is copyrighted; therefore, users or others cannot market the software as their own.

**Internet:** an electronic communications network that connects computer networks and organizational computer facilities around the world

**Intranet:** a network operating like the World Wide Web but having access restricted to a limited group of authorized users (as employees of a company)

**Malware:** termed used for malicious software: software programs designed to damage or do other unwanted actions on a computer system. Malware refers to software programs designed to damage or do other unwanted actions on a computer system. Common examples of malware include viruses, worms, Trojans and spyware. Viruses can cause havoc on a computer's hard drive by deleting files or directory information. Spyware can gather data from a user's system without the user knowing it. This can include anything from the Web pages a user visits to personal information, such as credit card numbers.

**MP3:** A compressed audio file format used for digital music downloads.

**Open Source software:** is computer software that is available in source code form for which the source code and certain other rights normally reserved for copyright holders are provided under a software license that permits users to study, change, improve and at times also to distribute the software.

**Operating System (OS):** Software, consisting of programs and data that runs on computers and manages computer hardware resources and provides common services for efficient execution of various application software. Operating systems are found on almost any device that contains a computer—from cellular phones and video game consoles to supercomputers and web servers.

Examples of popular modern operating systems for personal computers are Microsoft Windows, Mac OS X, Linux and Unix.

**Sensitive Information:** Privileged or priority information which if compromised, through alteration, corruption, loss, misuse or unauthorized disclosure could do harm to the organization owning it.

**Shareware:** Software products that can be used for a trial period and then, if the user decides to keep the software after the trial period is complete, the user must register the product and pay the shareware fee.

**SPAM:** Junk e-mail or irrelevant postings to a newsgroup or bulletin board, unsolicited e-mail messages.

**Spyware:** Software that "spies" on your computer. Spyware can capture information such as Web browsing habits, e-mail messages, usernames and passwords, and credit card information. If left unchecked, the software can transmit this data to another person's computer over the Internet. One-way Spyware can be installed is through opening an e-mail attachment containing the malicious software.

**Storage media:** Data storage device is a device for recording (storing) information (data), like Hard Drives, Flash memory, Magnetic Tape, etc.

**TCP/IP: Transmission Control Protocol/Internet Protocol:** Transmission Control Protocol complements Internet Protocol and therefore the entire suite is commonly referred to as *TCP/IP*. TCP provides reliable, ordered delivery of a stream of bytes from a program on one computer to another program on another computer. TCP is the protocol that major Internet applications rely on, applications such as the World Wide Web, e-mail, and file transfer.

**Terminal Services (Remote Desktop Service):** A component of Microsoft Windows (both server and client versions) that allows a user to access applications and data on a remote computer over

a network, using the Remote Desktop Protocol (RDP). Terminal Services is Microsoft's implementation of thin-client terminal server computing, where Windows applications, even the entire desktop of the computer running terminal services, are made accessible to a remote client machine.

**Trojan:** Software programs that masquerade as regular programs, such as games and antivirus programs. When run, these programs can do malicious damage to your computer.

**World Wide Web (www):** The part of the Internet that can be accessed through a browser and is made up of many documents which are linked together. Also called the Web.