



# Employee Handbook

2017 Edition



This Handbook is considered a guide for MARC employees, about MARC policies. It is not intended to replace human resource policies, and is subject to change. Union eligible employees should also refer to the current Collective Bargaining Agreement.

Please direct any questions about the content to your Program Director, or the HR Manager.



## MARC EMPLOYEE HANDBOOK

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## MARC Mission Statement

The Purpose of MARC is to enhance the quality of life for individuals with disabilities.

MARC achieves its Purpose and defines its Mission by:

- Advocating for the full inclusion of individuals with disabilities in the life of the community
- Fostering opportunities for individuals with disabilities to develop a sense of self-worth and dignity, acquire new skills, attitudes and experiences, and make choices among options for employment, recreation and social interaction
- Providing an array of support services, tailored to individual strengths, preferences and needs, including employment, adult education, training, personal care, and case management, and
- Promoting communication, cooperation and collaboration among individuals with disabilities, their families and friends, and community agencies.





Dear MARC Employee,

I'd like to personally welcome you to the MARC team! I am pleased to have you working here. You were selected for employment due to the values, compassion, and work ethic that you displayed that appears to match the qualities we look for in an employee.

I'm looking forward to seeing you grow and develop into an outstanding employee that exhibits a high level of care, concern, and compassion for others. I hope that you will find your work to be rewarding, challenging, and meaningful.

I will expect your best each day. Know that I am concerned about your development and that my door is always open. The keys to your success will be being dependable, reliable, showing openness, follow-through, attentiveness, and following the policies and procedures. While doing these things you will be successful and so will MARC. Your professional growth is important for me personally, because if you are growing our clients will grow as well.

Our organization is confronting a time of many changes during the next few years. The world of human services is an exciting area in which to work, and we'll continue working to ensure MARC remains on the cutting edge. We are very proud of where we are today and excited about where we are headed.

Before I finish, I'd just like you to know that you, as part of the MARC team, are our most important and greatest asset. We could not accomplish what we do every day without our employees. I'm very pleased to welcome you to MARC and look forward to working with you! I look forward to seeing you grow as a professional while enhancing the lives of the clients entrusted in your care.

Sincerely,

Suzanne Hanson,

MARC Executive Director  
901 Post Rd., Madison WI 53713  
608-223-9100 ext 26



## **MARC EMPLOYEE HANDBOOK**

### **INTRODUCTION**

This handbook includes general information regarding the MARC work environment that should be the most important to you during your tenure with MARC. You are responsible for reading and following these policies, procedures, and work rules. This handbook does not cover all MARC policies and procedures, does not constitute a contract between MARC and its employees, and may change at any time without prior notice.

Occasionally, the MARC, Inc. policies and the current Collective Bargaining Agreement between MARC, Inc. and AFSCME Local 412 do not agree. In these cases, information is provided to differentiate between the application of the policy for union eligible versus non-union eligible personnel. Also, please note that only the policies in effect at the time this handbook was written are included and previous benefit schedules are not listed.

Any questions you may have regarding the information contained within this handbook should be directed to your Program Director or the Human Resources Director, Stephanie Gulvik, the MARC Human Resource Director, can be reached at 223-9110 x12, [sgulvik@marc-inc.org](mailto:sgulvik@marc-inc.org), or by interoffice mail.

#### **1. EMPLOYMENT PRACTICES**

##### **A. EQUAL EMPLOYMENT, SERVICE ACCESS, AND VOLUNTEER OPPORTUNITY**

MARC employment, services and membership on the Board of Directors and its committees will be available to all citizens regardless of sex, age, race, color, religion, arrest or conviction record, marital status, student status, national origin or ancestry, physical appearance, handicap or disability, sexual orientation, political beliefs, source of income, military discharge status, or any other protected classes as defined by law.

##### **B. TERMS OF EMPLOYMENT**

MARC, Inc. is an “At Will” employer. Employment may be terminated by you or by MARC at any time.

##### **C. INTERNAL NOTICE OF VACANCY**

For any authorized union eligible positions, an internal notice of vacancy will be posted at all MARC Centers. Applicants, including current employees, must apply in writing for available positions before the hiring period closing date. All interviewed internal

applicants will be advised of selection or non-selection, and receive a brief explanation for the action.

#### D. PERSONNEL FILES

MARC personnel files contain employee information and records pertinent to your employment. Personnel files are the property of MARC, and access to the information contained in the files will be restricted due to their confidential nature. If you wish to view your personnel files, please make an appointment with Human Resources. Copies are available, at modest cost to the employee.

#### E. PERFORMANCE REVIEWS

All MARC employees may receive periodic performance reviews, occurring by three months and by six months after hire or appointment to a new position, every two years thereafter, or at intervals to meet MARC's needs. The review may include, but not be limited to, job performance, identification of training needs, and any performance objectives necessary to improve job performance. A copy of all performance reviews will be permanently placed in your personnel file.

#### F. PAYROLL

Electronic deposit is the safest and quickest way to deposit your pay. Effective July 1, 2005 all MARC employees are required to sign up for electronic deposit if they have a bank account. Electronic deposits are made at 12:00 a.m. of payday, so your money is in your bank account prior to arrival at work on payday. There is no cost for electronic deposit.

MARC has two pay periods per month, which run from the 1<sup>st</sup> through the 15<sup>th</sup>, and the 16<sup>th</sup> through the end of the month. The payday for the first pay period of the month is on the 22<sup>nd</sup> (or the working day immediately preceding the 22<sup>nd</sup> if it falls on a Saturday, Sunday or holiday). The payday for the second pay period of the month is on the 7<sup>th</sup> of the following month (except when adjusted as noted above).

Non-negotiable paper paychecks are nonetheless distributed to confirm your pay and fringe benefits, and to supply you with current information about MARC policies, events, and fundraising.

Program Directors will distribute the pay envelopes on the afternoon of payday. If you will be on leave during payday, you may make arrangements to have your check mailed to your financial institution, picked up by an authorized individual, or secured in a corporate safe. With approval from your Program Director, you may also make

arrangements to pick up your paycheck at the corporate office at 901 Post Road on the morning of payday. No paycheck may be released before payday.

#### G. PAY CORRECTIONS

MARC takes all reasonable steps to assure paychecks are prompt and accurate. You are responsible for reporting any discrepancy immediately to your Program Director or to Human Resources. All pay corrections must be made within the tax-reporting year in which they occur.

#### H. TAX WITHHOLDING

When you begin employment with MARC, you should monitor your first 3 or 4 paychecks to make sure that sufficient taxes are being withheld. If at any time, you should wish to increase or decrease the federal or state taxes withheld, please contact your center's Administrative Assistant for a new tax form, and then send it to Human Resources.

#### I. GARNISHMENTS

MARC will comply with all court ordered pay garnishments. You will be notified before any deductions are taken from your paycheck. Only court authorized deductions, including MARC costs, will be deducted.

#### J. SALARY ADVANCES

Salary advances will not be allowed.

## 2. WORKING CONDITIONS

#### A. NORMAL WORK SCHEDULE

Although work schedules will be determined at the time of hire, such schedules are subject to change due to program needs, and flexibility is required of all MARC employees. The standard workweek is from 12:00 p.m. on Sunday through 11:59 a.m. on Saturday. MARC normal hours of operation are from Monday 8:00 a.m. to Friday 4:30 p.m.

#### B. OVERTIME

Any hours non-exempt employees work in excess of 40, in a standard workweek, which runs from 12:00 a.m. on Sunday through 11:59 p.m. on Saturday, will be paid at time and one-half the regular rate for non-exempt employees performing their traditional job duties. If you anticipate working in excess of 40 hours in any given week, you must

inform your supervisor so that arrangements may be made to avoid overtime pay, if possible.

#### C. WORK ASSIGNMENTS

MARC employees will be given a primary work assignment, but may be required to work in other departments or perform alternate duties to assure client coverage during staff absences due to lunches or breaks, illness, vacations, or position openings. Work assignments will be determined according to program needs by your supervisor.

#### D. TEMPORARY LIGHT DUTY ASSIGNMENTS

A medical excuse is required to request temporary light duty. MARC may assign an employee to temporary light duty to aid in recovery from illness or accident. Light duty assignments are available.

#### E. LUNCHES AND BREAKS

Employees working at least six hours per day will receive one thirty minute unpaid lunch break, and one fifteen minute paid break prior to and/or after the unpaid lunch break if the amount of work time scheduled exceeds three hours prior to and/or after the unpaid lunch break. Employees working less than six hours per day will only receive one thirty minute unpaid lunch break.

### 3. EMPLOYEE CONDUCT

#### A. HARASSMENT

MARC is committed to keeping all work sites free from all forms of harassment. This includes the prohibition of sexual, physical, emotional, mental, verbal, and/or financial harassment of all MARC employees, clients, volunteers, and the community-at-large.

#### B. SEXUAL HARASSMENT

MARC works to provide an employment atmosphere free from sexual harassment. MARC forbids all forms of sexual harassment, and this policy extends to each level of our operations. Accordingly, sexual harassment whether by supervisors, co-workers, customers, or visitors will not be tolerated. Activities of this nature are against the law, serve no legitimate purpose, and they have a disruptive effect on our employees' ability to perform their jobs properly.

In furtherance of MARC's policy, all employees are required to avoid any action or conduct which could be viewed as sexual harassment, including, but not limited to the

following: unwelcome sexual advances, unwelcome requests for sexual acts or favors, any statement or implication that submission or rejection of sexual conduct could affect an individual's employment with MARC, the displaying on MARC premises of sexually suggestive or lewd materials or photographs, and any other verbal, written, or physical conduct of a sexual nature.

MARC takes allegations of sexual harassment, as any other form of harassment, very seriously, and will investigate all harassment complaints. If it is determined that sexual harassment has occurred, Management will take appropriate disciplinary action against the offending individual.

#### C. USE OF MARC PROPERTY

Unauthorized or improper use of MARC property, including real estate, vehicles, and office machines is prohibited and may lead to disciplinary procedures.

#### D. TELECOMMUNICATION EQUIPMENT USAGE

The use of MARC telecommunication equipment for making personal long distance phone calls or faxes is prohibited unless employees charge the call to a personal phone card or call collect. Any personal long distance calls made which appear on a MARC phone bill will result in a charge to the employee in the amount of the cost of the call plus a \$5.00 administrative charge for each call placed, payable upon notification, and may result in discipline.

#### E. USE OF PERSONAL AND MARC VEHICLES

Upon offer of employment, MARC will complete a Department of Motor Vehicles record check on any employee who will be required to drive in the course of their employment. You will be notified of your eligibility status upon the completion of the record check. MARC will also periodically review the driving records of current employees to confirm continuing eligibility to drive for MARC. If your driving record does not meet the approval of the MARC liability insurance carrier, and you are required to drive as an essential function of your job, you will have your work duties associated with driving suspended. You may also have your hours reduced, or be terminated, depending on the importance of the driving function to your assigned position.

If you are required to drive your personal vehicle, you must maintain automobile insurance on any vehicle used in the course of your employment with MARC. Proof of insurance must be provided at the time of hire, and at each policy renewal date. Any lapse in your personal insurance coverage will result in the suspension of work duties associated with driving functions, and an extended lapse of coverage may result in termination, depending on the importance of the driving function for your position.

Reimbursement for employment related mileage on personal vehicles will be provided at the current maximum allowable IRS mileage reimbursement rate (\$.565 effective January 1, 2013).

F. ALCOHOL AND DRUG FREE WORK PLACE

MARC will assure, to the extent possible, the health and safety of all employees and clients, and their fitness for work duty. Employee involvement with alcohol or drugs can adversely affect the work environment, safety, and job performance, whether such use occurs on or off duty. For that reason, the use of unlawful drugs at any time, reporting for work or working while impaired by or under the influence of alcohol, controlled substances, or other drugs, and the possession on work premises of alcohol, controlled substances, or other drugs, are expressly prohibited.

Pursuant to applicable laws, MARC may require periodic drug testing. Such testing may be for cause or without cause, but will be conducted in a uniform or random basis. Refusal to submit to a request for drug testing will be considered insubordination.

G. TOBACCO USE

The use of tobacco products is restricted at each MARC center.

H. DISCIPLINE

Any infraction of the MARC Work Rules (see Appendix A) or violation of the MARC Ethical Guidelines for Professional Conduct (see Appendix B) may result in disciplinary procedures, ranging from a verbal warning to immediate discharge.

I. RESIGNATION

You may resign at any time; however, MARC requires the submission of a written two-week notice of resignation from human service, clerical, and janitorial employees in order to provide vacation and sick leave payouts, and a four-week notices from specific management employees for the same purpose. MARC also reserves the right to immediately discharge resigning employees, who, if they have given sufficient notice, may remain eligible for the payouts, unless disciplinary action is underway. The last day of employment is effective the last day of work attendance.

J. REFERENCES

A signed release of information is required for MARC Management employees to respond to reference checks and/or employment verification inquiries regarding current

or former employees. This release must be on file before MARC will provide information pertaining to job performance, attendance, salary history, etc. Without a signed release of information, only the dates of employment and position title(s) will be reported.

#### **4. FRINGE BENEFITS**

The MARC fringe benefit package includes the following:

- |   |                                    |
|---|------------------------------------|
| Health Insurance  | Dental Insurance                   |
| Life/AD&D Insurance                                       | Short & Long Term Disability       |
| Retirement Plan   | Longevity Bonus Pay                |
| Paid Vacation Leave                                       | Paid Holidays                      |
| Paid Sick Leave   | Civic Duty Leave                   |
| Bereavement Leave   | Pre-Paid Legal Services            |
| Voluntary UNUM Benefits                                   | Continuing Education Reimbursement |
| Pre-Tax Child Care, Medical and Dental Expense Deductions |                                    |

##### **A. FRINGE BENEFIT ELIGIBILITY**

Most employees working at least 25 hours per week are eligible for MARC fringe benefits. In cases where this minimum hour requirement does not apply, ALL employees will be indicated as eligible.

##### **B. LIMITED-TERM EMPLOYEES (LTE'S)**

Employees hired on a limited-term basis are not eligible for MARC fringe benefits. Limited-term employees may apply for regular term employment, and if hired, the LTE period of employment, with sufficient hours, will count towards satisfying the insurance enrollment waiting period.

##### **C. PRODUCTION ASSISTANTS**

Production assistants are not eligible for MARC fringe benefits.

##### **D. INSURANCE**

MARC employees are eligible for health, dental, life, accidental death and dismemberment, and short and long-term disability insurance coverage on the first of the month following a 75-day waiting period. MARC pays the entire premium for life, AD&D, and short and long-term disability and up to 75% of the Health and 80% Dental premiums. A chart detailing the employer and employee portions of health and dental premiums is included as Appendix C.

Information packets and enrollment forms for insurance coverage will be presented to eligible employees upon hire or at the time of eligibility. These forms, along with a Cafeteria Plan Election form, need to be completed and submitted to Human Resources no later than one month prior to the beginning of coverage to ensure that the forms may be processed by the eligibility date. If you do not wish to take one or more of the insurance plans offered, you must complete an Insurance Coverage Waiver Form for submission to Human Resources. Please keep in mind that if you choose not to take coverage when you are initially eligible for it, and you would like to have coverage at a later date, you may be subject to underwriting or refusal of coverage. This is also the case for a spouse or dependent that you do not cover when they are initially eligible.

Should you have specific questions regarding the coverage provided by your insurance, such as which treatments are covered, you should contact the customer service department of the health insurance provider.

Upon terminating employment with MARC, or reducing hours per week below the required number to be eligible for coverage, you will be covered through the end of the month. Beginning on the first day of the following month, you will be eligible for insurance continuation. This means that you can maintain your health and/or dental insurance coverage if you pay the entire premium each month. An informational notice about your right to insurance continuation is included as Appendix D. More information pertaining to insurance continuation will be presented to you at the time your eligibility for coverage terminates.

#### F. UNUM VOLUNTARY INSURANCE BENEFITS

MARC provides additional voluntary insurance coverage through UNUM. The types of coverage available through UNUM include personal accident, cancer and hospitalization insurance. The premium(s) for UNUM coverage is paid entirely by the employee, but may be deducted from the employee's semi-monthly paycheck and submitted to UNUM by MARC on the employee's behalf. An UNUM representative will arrange a brief personal meeting with new employees to review the coverage available. Current employees will also be allowed to add, cancel or change UNUM coverage selections effective January 1 of each year.

#### G. PRE-PAID LEGAL SERVICES

MARC employees are also provided with the option of purchasing a pre-paid legal service plan on a voluntary basis. The premium for this coverage is paid entirely by the employee, but may be deducted from the employee's semi-monthly paycheck and submitted to the provider by MARC on the employee's behalf. Information pertaining to this coverage will be provided to employees during orientation. This coverage may be

terminated at the end of any month. Current employees who had previously waived this coverage will be given the opportunity to sign up for this plan on January 1 of each year.

#### H. WORKERS' COMPENSATION INSURANCE

MARC provides mandated Workers' Compensation insurance for all employees from the date of hire to cover medical expenses and partial payment of lost wages incurred due to an illness or injury sustained in the course of employment. You must report any accident, and any work-related injury or illness to your Program Director or Human Resources immediately, regardless of how minor it may seem. **Failure to report work injury could result in discipline up to/and or including termination.** (Appendix E). All employees may seek medical attention at MARC's expense directly following any incident resulting in a work-related injury or illness upon notifying their supervisor and assuring client safety. Reporting non-injury causing accidents helps MARC reduce the causes of accidents.

#### I. PRE-TAX CHILD CARE, MEDICAL, AND DENTAL EXPENSE DEDUCTION

MARC offers a pre-tax deduction plan for the payment of out-of-pocket childcare, medical and dental expenses. This is often called a Section 125 Plan. The beauty of it is that you can use pre-tax dollars to pay eligible expenses. More information regarding this plan and the necessary enrollment forms may be obtained from Human Resources.

#### J. RETIREMENT

Upon two years of employment, MARC employees are eligible for 100% MARC funded monthly contributions to a retirement annuity in the amount of 10% of monthly earnings. As your eligibility date approaches, you will receive an information packet and an application for establishing the annuity. This form needs to be completed and returned to Human Resources one month prior to the eligibility date. Any questions regarding the completion of the application or about the annuity plan in general should be directed to the retirement plan carrier: TIAA-CREF. A customer service number is located within the enrollment materials. TIAA-CREF should also be contacted at resignation or termination of employment regarding the future administration of the funds in your retirement annuity.

#### K. SUPPLEMENTAL RETIREMENT ANNUITIES

MARC employees may, at any time during employment, set up and make individual contributions to a supplemental retirement annuity with TIAA-CREF. There is no waiting period to create an SRA. If you are interested, more information and the appropriate enrollment forms may be obtained from Human Resources.

**L. LONGEVITY BONUS**

All employees working or on paid leave during the last pay period of November will receive a longevity bonus in the amount of \$50 per year of employment up to \$200, or four years. For employees employed longer than four years see the chart below for the bonus amount. Any fraction of a year will be rounded up to a whole year. The bonus amount will be included in the paycheck issued for the pay period covering the second half of November (normally December 7<sup>th</sup>). Employees on an unpaid leave of absence and not receiving a paycheck on that date will receive this longevity pay in the first paycheck issued after the employee has returned to work for a full 30 days.

Year 1	\$50	Year 10	\$430	Year 19	\$700	Year 28	\$970
Year 2	\$100	Year 11	\$460	Year 20	\$730	Year 29	\$1,000
Year 3	\$150	Year 12	\$490	Year 21	\$760	Year 30	\$1,030
Year 4	\$200	Year 13	\$520	Year 22	\$790	Year 31	\$1,060
Year 5	\$240	Year 14	\$550	Year 23	\$820	Year 32	\$1,090
Year 6	\$280	Year 15	\$580	Year 24	\$850	Year 33	\$1,120
Year 7	\$320	Year 16	\$610	Year 25	\$880	Year 34	\$1,150
Year 8	\$360	Year 17	\$640	Year 26	\$910	Year 35	\$1,180
Year 9	\$400	Year 18	\$670	Year 27	\$940	Year 36	\$1,210

**M. CONTINUING EDUCATION REIMBURSEMENT**

ALL employees may request reimbursement for courses to be taken from an accredited educational institution that are applicable to a MARC job description and beneficial to MARC. The rate of reimbursement is 50% of the cost of tuition and books, less any scholarships. The maximum calendar year reimbursement per employee is \$2,400. Reimbursement will occur 90 days after the completion of all reimbursement requirements, will count towards the maximum reimbursement in the calendar year in which payment occurs, and will be prorated for employees working less than twenty hours per week.

**N. TRAINING PROGRAMS**

You may be required to or request to attend, at MARC’s expense, job-related training programs or seminars to update, maintain, improve or expand your job skills.

**5. PAID LEAVE**

**A. VACATION LEAVE**

MARC employees earn paid vacation leave according to the following schedule:

<u>During Years of Service</u>	<u>Vacation Days</u>
0-1/2 year	0 days per year
½-4 years	12 days per year (one day per month)
5-8 years	15 days per year
9-12 years	18 days per year
13-16 years	21 days per year
17+ years	24 days per year

After successful completion of six months of employment, vacation leave to be earned through the end of the calendar year may be used in advance. Keep in mind that you must work through the end of the year and earn the leave, or your last paycheck will include a deduction for the hours already paid for vacation that had not been earned. To help you keep track of your vacation leave accrual and use; a paid leave report will be included with your paycheck on the 7<sup>th</sup> of every month.

To use vacation leave, you must submit a Vacation Leave Request form to your Program Director for prior approval. Approval will be contingent upon the availability of your vacation leave, and program needs.

Vacation leave remaining at year-end will be carried over to the following year, but must be used before Sept 1 of that following year or it will expire.

MARC does “buy back” unused vacation days. Employees may apply for a maximum of five- (5) days vacation buy back by each November 1. The Program Director shall give approval/denial by December 1. The payout occurs the next Sept.

Upon termination of employment with 2 weeks written notice, you will be paid for all remaining earned vacation leave.

## B. SICK LEAVE

MARC employees earn paid sick leave at the rate of one day per month, beginning with the first day of employment. Sick leave may only be used as it is earned. Employees hired on or after January 1, 2005 may accumulate up to ten (10) days of sick leave. Once employees have accrued 10 days of sick leave they will be prepaid for sick leave earned but unused from each six month period from January 1 to June 30, and July 1 to December 31. Payments will be in July and January of each year. A balance of ten days-accrued sick leave must be maintained to be eligible for the sick leave payout during employment.

Any request for sick leave in excess of that available will be deducted from your available vacation leave, except in the case of Family Medical Leave Act eligible illnesses. Sick leave requests in excess of available sick and vacation leave will be considered unexcused absences (unless approved in advance or in the case of an FMLA illness), and will be subject to disciplinary procedures. Information regarding your sick leave accrual and use will be included in your paid leave report issued on the 7<sup>th</sup> of every month.

Sick leave may be used for medical and dental appointments for you and immediate family members. A Sick Leave Request form must be submitted to your Program Director for prior approval.

The use of sick leave for three or more consecutive days, or any authorized unpaid leave due to illness, will require a doctor's note excusing you from work for the entire period of your absence, and indicate a return to work date. A physician's Certification form may be required if your illness is believed to be FMLA eligible. Your Program Director may also require a doctor's note if you are suspected of abusing your sick leave.

Upon termination of employment, those employees giving 2 weeks notice will be paid for 50% of the remaining earned sick leave (up to a maximum of two weeks for union eligible employees).

Employees hired prior to January 1, 2005 will maintain their sick leave accrual balance, but are eligible for the semi-annual sick leave payout so long as they maintain a ten-day balance.

## C. HOLIDAYS

MARC gives employees 10 paid holidays per calendar year. You may receive holiday pay from your first day of employment, and must work or use paid leave both the day before and the day after all paid holidays to be eligible. A list of holidays will be announced prior to the beginning of the calendar year. The current year's holiday schedule is included as Appendix F. Employees observing religious holidays that are not included in

the list will be granted leave upon giving sufficient advance notice to their Program Director to accommodate program needs.

#### D. BEREAVEMENT LEAVE

Upon request, bereavement leave may be granted for the purposes of attending the imminent death, death, or funeral service of a relative or close friend. Up to four days will be allowed for a spouse, parent, child, grandchild, or sibling. Employees will be given up to two days for a grandparent, mother-in-law, father-in-law, son-in-law or daughter-in-law. One day may be allowed for a close personal friend, any other relative, or a present or former MARC client. Also, travel in excess of 150 miles one way will result in an additional day, and in excess of 500 miles one way will result in two additional days. In the event that additional time is requested for travel purposes, you may be asked to provide proof of travel (plane ticket, obituary, etc.).

#### E. CIVIC DUTY LEAVE

Employees required to perform jury duty or attend temporary military training, and providing notice to MARC upon learning of this duty, will receive their normal pay for up to one month. In order to receive your normal pay, any compensation received in the course of performing civic duty must be signed over to MARC. Should you wish to keep any such compensation (usually in case it exceeds your potential MARC earnings) you must forego MARC pay for this period and take unpaid leave.

#### F. OTHER LEAVE

##### a. UNPAID LEAVES OF ABSENCE

Employees without access to paid leave may request, from their Program Director, an unpaid leave of absence for periods ranging from one day to twelve weeks for bereavement and hospice family duties, child care (other than FMLA), civic duty, continuing education, family support, foster care, health care, and professional development. Leaves of absence beyond 12 weeks, or for reasons other than those listed require approval by the MARC Board of Directors.

##### b. FURLOUGH/LAYOFF

Employees may be assigned to an unpaid furlough or layoff by MARC to protect client and staff health, to solve economic or budget problems, or to meet program needs. Furloughs will be for periods of not less than one work day, and no greater than twelve weeks. Layoffs are permanent, but union eligible employees may have recall rights for up to one year.

c. NOT FIT FOR DUTY

Employees who report to work not fit for duty due to health reasons may be assigned to paid or unpaid leave as appropriate, and may be required to document fitness for duty as a condition of their return to work.

d. FMLA LEAVE

Eligible employees requiring a leave guaranteed under the federal and/or state Family and Medical Leave Act will be granted leave for the amount of time allowed by law and/or certified by a doctor as medically necessary. Your Program Director or the Human Resources Manager should be notified as soon as possible regarding your need for leave due to the birth or placement of a child for adoption or foster care; the serious health condition of a child, spouse, or parent; or your own serious health condition. When scheduling medical treatment, you are required to make a reasonable effort to schedule the treatment so that it does not unduly disrupt MARC programs. More information regarding your rights and responsibilities under the federal and state Family and Medical Leave Acts will be made available to you at the time your need for FMLA leave is indicated.

## APPENDIX A

### MARC, INC. EMPLOYEE WORK RULES

2011 Version - Please Discard Previous Versions

MARC issues the following work rules, as part of its responsibility to inform all employees of conduct considered unacceptable as a MARC employee. These rules are intended to be reasonable and are established so that MARC can pursue its mission and purpose in an orderly and efficient manner. They are not intended to unreasonably restrict the freedom of employees, but rather to advise employees of prohibited conduct. They supplement duties and obligations otherwise described by the job descriptions, policies, procedures, agreements or law.

Engaging in one or more of the following forms of prohibited conduct or similar conduct detrimental to MARC's purpose, may result in disciplinary action ranging from a warning to immediate discharge.

Violations of the work rules in bold type will result in a final warning or discharge.

#### I. Work Performance

- A. **Falsifying records, resume or job application information, or giving false information to other agencies or to MARC employees.**
- B. **Conduct that is detrimental to the health, safety, or well being of MARC clients, staff or volunteers.**
- C. Unauthorized disclosure of confidential information or records.
- D. Conducting unauthorized tours, or permitting unauthorized persons to observe, photograph, or record MARC operations or facilities.
- E. Insubordination, including disobedience, or failure or refusal to carry out assignments or instructions.
- F. Providing inaccurate, incomplete, prejudicial, or misrepresentative information whenever adequate and objective information is available and required by MARC, an authorized person, the public or another agency.
- G. Failure to comply with health, safety and sanitation requirements, rules and regulations.

- H. Conduct detrimental to the interests of the employer, fellow employees or clients.
- I. Negligence in performance of assigned duties.
- J. Failure to report to management facts indicating the possibility of client neglect or abuse, whether verbal, emotional, sexual, financial or physical.
- K. Loafing, loitering, work slow down or stoppage, sleeping or engaging in unauthorized business.
- L. Failure to perform the essential elements of the assigned job.
- M. Employees recovering from work-related illnesses/injuries are expected to observe their medical restrictions and limitations at all times, both on and off the job. Any employee who disregards his /her restrictions or engages in conduct inconsistent with those restrictions will be subject to discipline, up to and including discharge, regardless of where or when such conduct occurs, particularly where such conduct may operate to aggravate the employee's condition and/or prolong his/her recovery, eligibility for restriction duty or absence from work.**

## II. Attendance and Punctuality

- A. Submitting a false Worker's Compensation, sick leave, FMLA, bereavement, jury duty, military duty, casualty loss, short-term disability, or any other false request or claim.**
- B. Unexcused or excessive absenteeism. Using or attempting to use leave inconsistent with eligibility criteria or the normal approval process. The use of unpaid leave without prior approval of no later than the previous working day will be considered an unexcused absence.
- C. Failure to observe the time limits and scheduling of lunch or break periods.
- D. Failure to notify the supervisor of absence or tardiness before the start of the scheduled work day, or as soon as reasonably possible in the case of an unforeseeable or emergency situation.
- E. Failure to return to work at the end of a valid sick leave. Conduct while on paid sick leave contrary to medical advice or restrictions, normal rest and recuperation, or MARC's interests.
- F. Failure to cooperate in MARC's efforts to confirm the need for paid sick leave or the expected return to work time.

- G. Failure to provide a written medical excuse from a health care provider for extended sick leave use of three days or more, or in any instance when unpaid leave is requested due to illness.
- H. Failure to be present and ready for work at the starting time of a work day, or leaving before the scheduled quitting time or a work day without the specific approval of the supervisor.
- I. Repeated failure to maintain sufficient paid leave balances to meet leave needs, excluding FMLA leaves.

### III. Use of Property

- A. Theft of MARC, MARC Foundation of Dane County, Inc., MARC/Portal Foster Center, Inc. Joint Venture, or client funds. Falsification of financial or payroll records. (Appendix G -Anti-Fraud policy)**
- B. Unauthorized use, lending, borrowing or duplicating of MARC keys or safe combinations.**
- C. Unauthorized possession, removal, or destruction of MARC or another person's property, vehicle or funds.
- D. Unauthorized posting or removing notices or signs from bulletin boards.
- E. Unauthorized or improper use of MARC property or equipment including real estate, vehicles, telephone, fax, copier, shredder, audio visual equipment or mail service.
- F. Unauthorized entry to MARC property, including unauthorized entry outside of assigned hours of work or entry to restricted areas at any time.

### IV. Personal Actions and Appearance

- A. Threatening or doing bodily harm to another person on MARC property or during MARC services in the community.**
- B. Making false, misleading or malicious statements concerning MARC, MARC programs and services, other employees, supervisors, clients or volunteers.**
- C. Use or possession of alcoholic beverages or illegal drugs (controlled substances) on MARC property at any time.**

- D. Reporting to work under the influence of alcohol or illegal drugs.
- E. Unauthorized or improper use or possession of MARC charge cards, purchase orders, accounts payable and expense vouchers, charge accounts, bank drafts, checks, any other means of creating an unauthorized liability for MARC, Southern Wisconsin Food Bank cards, disabled parking permits, identification cards, or other permits.**
- F. Possession of weapons, including guns or knives, on MARC property at any time.**
- G. Threatening, intimidating, interfering with, verbally or physically abusing, or harassing others.**
- H. Inappropriate dress or lack of personal hygiene that adversely affects proper performance of duties or constitutes a health or safety hazard.
- I. Use of foul language, threatening body language, silence, non-communication, or other intentional conduct tending to create a hostile, and stressful or intimidating work environment.
- J. Failure to exercise good judgment, unprofessional or discourteous behavior, in dealing with fellow employees, or others.
- K. Unauthorized solicitation or sale of any goods or services for any purpose on MARC property at any time.
- L. Conducting Union or personal business during work time without permission.
- M. Any other form of misconduct. Misconduct is a deliberate and substantial disregard of the employer's interests, or a violation of those standards of behavior that an employer has a right to expect of every employee.

MARC reserves the right to change or modify these work rules without notice.

## **APPENDIX B**

### **ETHICAL GUIDELINES FOR THE PROFESSIONAL CONDUCT OF THE EMPLOYEES AND VOLUNTEERS OF MADISON AREA REHABILITATION CENTERS, INC.**

Employees and volunteers of the Madison Area Rehabilitation Centers, Inc. (MARC) will adhere to these guidelines in fulfilling the MARC mission. These guidelines are not all inclusive; however, they do supplement existing policies, procedures, job descriptions, and work rules to provide staff with further direction to enhance professional performance.

All employees will conduct themselves in a manner to enhance their performance, improve MARC services, and promote consumer<sup>1</sup> opportunity. Employee conduct will assist family members<sup>2</sup>, guardians, and other advocates in supporting MARC consumers. Situations not specifically covered by these guidelines should be discussed with management employees. Each employee is accountable for his/her own behavior.

Employees will act in the best interest<sup>3</sup> of consumers, their family members, guardians, and MARC business customers<sup>4</sup>.

Employees will practice tolerance and equal opportunity.

Employees will protect consumers from any activity or environment that is physically, financially, emotionally or verbally abusive. The reporting of any form of suspected neglect or abuse is mandatory.

Employees will avoid, and protect consumers from, any activity that might violate their legal and/or civil rights.

Employees will not recommend participation in any activity that is not beneficial or is not legal

Employees may receive feedback about their professional performance from others. Employees will keep their supervisor informed of such feedback, which may be included in employee evaluations, training plans, recognition, or efforts toward continuous improvement.

Employees are authorized to receive and acknowledge recognition, and to receive formal awards, cash awards, certificates of appreciation, and other recognition for professional performance. Employees will keep MARC informed of such recognition.

Employees will act to avoid conflicts of interest<sup>5</sup>. Employees will not misuse their professional relationship with any person. This includes, but is not limited to:

Receiving gifts, attention, or favors for other than professional recognition. Failing to report awards gifts, etc.

Giving gifts, attention or favors for other than professional reasons.

Selling of goods or services by the employee for personal gain or having a material interest in the sale of goods or services offered by another person.

Buying goods or services for personal gain.

Employees will allow the case management process to maximize consumer choices and determine individual plans. Employees will recommend program goals, objectives, methods and activities that protect and promote consumer health and welfare.

Employees will objectively create informed choice when describing options to consumers.

Employees will provide more than one choice, if possible, when referring consumers for service outside MARC.

Employees will involve consumers and their authorized representatives in Individual Support Plan development, assure informed choice about plan options, and assure informed consent for all services.

Employees will use professional judgement in releasing confidential information in accordance with applicable rules and regulations.

Employees will fulfill their assignments in achieving the goals and objectives written in the Individual Support Plan.

Employees will refrain from encouraging the transfer or referral of MARC consumers, subcontract work, community job sites, donors, or customers to a business or private practice in which the employee has a financial or personal interest. Confidential information shall not be used when an employee leaves the employment of MARC to influence MARC consumers or business customers.

Employees will act with the greatest professional reserve in establishing any social relationships with consumers, their family members or guardians, or MARC business customers. Employees may accept invitations to spend personal (non-work) time with consumers, families, or MARC customers. Employees will only pursue these social relationships during their personal (non-work) time. Any such social relationships must not cause a conflict of interest with their MARC duties.

Employees will not engage in sexual relations with MARC consumers under any circumstances.

The appearance of, or actual, sexual relations with any other person must not create a conflict of interest. Employees will only pursue any such relationship during their personal (non-work) time.

Employees will represent accurately their education, training and experience.

Employees will only conduct, permit, participate, or recommend participation in research authorized by the MARC Board of Directors.

Employees will confidentially report any knowledge of unethical, unprofessional, or illegal actions affecting consumer health or welfare.

Employees will confidentially report any ethical or work rule violations.

Employees will maintain confidentiality about such actions and allow MARC to conduct any necessary investigation and action.

Employees will refrain from retribution toward consumers or colleagues for good faith reports of alleged unethical or unprofessional conduct, illegal activity, or work rule violations. Employees may use conflict resolution skills, or ask their supervisor to assist with same, if they feel they are the subject of an investigation and wish to resolve a perceived conflict with others.

Employees will maintain the standards of any board or accrediting organization by which they are licensed and/or hold membership.

MARC is an at-will employer, except as otherwise provided for in any collective bargaining agreement that MARC is subject to, and compliance with these guidelines does not constitute an employment contract. A violation of these ethical guidelines, or MARC work rules, may result in disciplinary action, up to and including the termination of employment.

- 1 Consumers mean any current MARC consumer.
- 2 Family members means any person in the immediate family (normally a parent or sibling) of a consumer.
- 3 Customers mean any person or organization in a service or business relationship with MARC.
- 4 Best interest means that everything said or done is intended to benefit a consumer, or a group of consumers.
- 5 Conflict of interest means any action that creates an improper personal gain, or places employee self interest above the interests of the consumer.

## APPENDIX C

### HEALTH AND DENTAL INSURANCE CONTINUATION

On April 7, 1986, a Federal law was enacted (Public Law 99-272, Title X) requiring that most employers sponsoring group health and dental plans offer employees and their families the opportunity for a temporary extension of health and dental coverage (called “continuation coverage”) at group rates (to be 100% paid by the employee) in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the new law. (Both you and your spouse should take the time to read this notice carefully.)

If you are an employee of MARC, Inc. covered by any of our health and/or dental insurance plans, you have a right to choose this continuation coverage if you lose your group health or dental coverage because of a reduction in your hours of employment, or the termination of your employment (for reasons other than gross misconduct on your part).

If you are the spouse of an employee covered by any of our health and/or dental insurance plans, you have the right to choose continuation coverage for yourself if you lose group coverage under any of our health and/or dental plans for any of the following four reasons:

- The death of your spouse
- A termination of your spouse’s employment (for reasons other than gross misconduct) or reduction in your spouse’s hours of employment
- Divorce or legal separation from your spouse
- Your spouse becomes eligible for Medicare.
- In the case of a dependent child of an employee covered by any of our health and/or dental insurance plans, he or she has the right to continuation coverage if group health and/or dental coverage under any of our health and/or dental plans is lost for any of the following five reasons:
  1. The death of a parent
  2. The termination of a parent’s employment (for reasons other than gross misconduct) or reduction in parent’s hours of employment with MARC, Inc.
  3. Parent’s divorce or legal separation
  4. A parent becomes eligible for Medicare
- The dependent ceases to be a “dependent child” under any of our health and/or dental insurance plans.

Under the law, the employee or a family member has the responsibility to inform the Human Resource Department of MARC, inc. of a divorce, legal separation, or a child losing dependent status. MARC, Inc. Management personnel have the responsibility to notify the



Human Resource Department of MARC of an employee's death, termination of employment or reduction in hours or Medicare eligibility.

The Human Resource Department of MARC will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days after the date you receive notification to inform MARC, Inc. that you want continuation coverage.

If you do not choose continuation coverage, your group health and/or dental insurance coverage will end on the date you would have lost coverage.

If you choose continuation coverage, MARC is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that your spouse and/or dependent(s) be afforded the opportunity to maintain continuation coverage for 36 months unless you lost group health and/or dental coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is 18 months. The law also provides that your continuation coverage may be cut short for any of the following five reasons:

1. MARC, Inc. no longer provides group health and/or dental coverage to any of its employees
2. You do not pay the premium for your continuation coverage prior to the month to which coverage applies
3. You become an employee covered under another group health and/or dental plan
4. You become eligible for Medicare
5. You were divorced from a covered employee and subsequently remarry and are covered under your new spouse's group health and/or dental plan.

You do not have to show that you are insurable to choose continuation coverage. However, under the law, you will be responsible for paying the entire premium for your continuation coverage. At the end of the 18-month or 36-month continuation coverage period, you are allowed to enroll in an individual conversion health plan provided under our health insurance plans.

## Appendix D

### Incident Reporting and Investigation Procedure

The following procedure is to be followed without exception for reporting incidents involving potential work-related injuries or illnesses. **Failure to follow this procedure may result in disciplinary action.**

1. Immediately following the incident, report it to your Program Director or other designated supervisor.
2. Immediately following the incident, complete an Employee Work-Related Incident Report and submit to Program Director or designated supervisor for accident investigation. The Program Director or designated supervisor will fax forms to HR Manager. (Fax #: 223-9112). **It is important that a call be placed to HR at 223-9110, ext. 12 to provide notification of the incident and that you will be faxing an Employee Incident Report immediately. This call should be placed by the Program Director or designated supervisor.** At this time, also provide HR with a telephone/pager number where you can be reached for follow-up.
3. In the event that the incident occurs after the end of the normal working day away from a MARC facility (i.e. at a community job site after 4:30 p.m.), you must leave a message for both your Program Director/supervisor and HR regarding the incident immediately. The Employee Work-Related Incident Report must be completed and submitted/faxed to HR no later than 9:00 a.m. the following working day.
4. An Employer First Report of Injury will be completed by HR and submitted to the MARC Workers' Compensation carrier no later than one working day after the incident occurs.
5. A Supervisor Work-Related Incident Report will be completed immediately (same working day) following the incident by your Program Director/supervisor or HR.
6. Witness Work-Related Incident Reports will be completed immediately (same working day) following the incident by any MARC employees present at the time of the incident.
7. If you will be seeking medical attention resulting from a work-related incident, you must obtain a copy of MARC's current **Attending Physician's Return to work Recommendations Record (WB 531)** form from HR or your Program Director/supervisor prior to receiving treatment whenever possible. This document should be presented to the physician/medical provider upon receiving treatment and must be returned to HR immediately.
8. The completed current **Attending Physician's Return to work Recommendations Record (WB 531)** form must be returned to HR or your Program Director/supervisor within one working day of receiving medical treatment. Without this information, your Workers' Compensation benefits MAY be delayed and/or questioned.

## Appendix E

### MARC 2017- HOLIDAY AND INSERVICE SCHEDULE

Supported employees, please talk to your employer and MARC staff to confirm your individual work schedule. Many supported employees choose to work in response to employer needs during in-service or holidays. It is MARC policy to support individual choice of work schedule.

MARC is an Equal Opportunity Employer and makes every effort to recognize a diversity of secular and religious holiday staff schedules consistent with program needs. **All MARC programs are closed on the following days:**

New Year's Day	Monday	January 2
In-service (MLK)	Monday	January 16
Good Friday	Friday	April 14
Memorial Day	Monday	May 29
4 <sup>th</sup> of July	Tuesday	July 4
Labor Day	Monday	September 4
In-service	Friday	October 13
Thanksgiving Holiday	Thursday	November 23
Thanksgiving Holiday	Friday	November 24
Christmas Holiday	Friday	December 22
Christmas Day	Monday	December 25
New Year's (pre-eve)	Friday	December 29

Please note that Monday, January 1, 2018 is the 2018 New Year's Holiday

\*MARC'S policy on entire day closure due to weather is as follows:

MARC East, West, South, RES, RAC will only close if the Madison School District closes.

MARC Mount Horeb will only close if Mount Horeb School District closes.

MARC Stoughton will only close if the Stoughton School District closes.

Sauk Prairie Project SEARCH will only close if the Sauk Prairie School District closes.

Kalahari Project SEARCH will only close if the Baraboo School District closes.

\*MARC Inc. will determine whether to remain open or close early in extreme weather conditions when schools elect to offer later starts, early dismissals, and on days when the school districts are closed. MARC will notify media and transportation providers of the decision to close and work with care providers in instances of early closure.

For clients transported that are transported by MARC STAFF from home to MARC, if their school district closes we will cancel transportation that day. An example of this would be that if Sun Prairie were to close, but the Madison center remained open, we would not be providing transportation to the district that closes on that day. In this circumstance the resident has the option to bring a client in and pick them up at their regularly scheduled time.

## **Appendix F**

### MARC POLICY ON PREVENTION AND INVESTIGATION OF FINANCIAL FRAUD AND DISHONESTY

#### ***Introduction***

We all read in the newspaper about employee and volunteer dishonesty in what we would expect to be the least likely places: charities, nursing homes, churches, day care centers, union offices, and government. Like these organizations, MARC wants to prevent wrongdoing, misconduct, dishonesty and fraud. Consistent with managing any business exposure, we must prevent the opportunity to harm MARC, manage these risks, and, if prevention fails, minimize the potential impact in a professional manner.

The impact of fraud and dishonesty may include:

- the actual financial loss incurred
- loss of donor and volunteer confidence
- loss of funder confidence
- damage to the reputation of MARC and our employees
- negative publicity
- the cost of investigation
- loss of employees
- loss of clients and future referrals
- damaged relationships with our contractors, suppliers, families, funders
- cost of litigation and collection
- cost of insurance claims
- damaged employee morale

Our goal is to establish and maintain a business environment of fairness, ethics and honesty for our employees, clients, families, volunteers, donors, contractors, funders, suppliers and anyone else with whom we have a relationship. To maintain such an environment requires the daily active assistance of every employee.

MARC is committed to the prevention, deterrence, detection and correction of fraud, misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

#### ***Purpose***

The purpose of this document is to describe MARC policy regarding the deterrence and investigation of suspected fraud, misconduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

### ***Definition of Misconduct and Dishonesty***

For purposes of this policy, fraud, misconduct and dishonesty include but is not limited to:

- acts which violate MARC's work rules
- theft or other misappropriation of assets, including MARC, client, suppliers or others' assets with whom we have a business relationship
- misstatements and other irregularities in company records, including the intentional misstatement of records
- Identity theft or record theft, including the misuse, theft, alteration or destruction of any form of identity or fiscal records
- wrongdoing
- forgery or other alteration of documents
- fraud and other unlawful acts
- any similar acts

MARC specifically prohibits these and any other illegal activities in the actions of its employees, managers, and others responsible for carrying out the organization's activities.

### ***Policy and Responsibilities***

#### **Reporting**

It is the responsibility of every employee (union and management) to immediately report **suspected** fraud, misconduct or dishonesty to the Program Director or HR Manager. Program Directors when made aware of such potential acts by employees, must immediately report such acts to the HR Manager, must not initiate an investigation, and must maintain confidentiality for the reporter. Any reprisal by anyone against any employee or other individual who in good faith reports a suspected violation is strictly forbidden.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical. All relevant topics, including suspected but unproven allegations, should be referred immediately to the HR Manager who will facilitate a properly designed investigation.

To facilitate reporting of suspected violations, especially in those situations where the reporting individual wishes to remain anonymous, the HR Manager and Program Directors are pledged to confidentiality, and have access to the Executive Director or the Board legal counsel to design an investigation.

## **Additional Responsibilities of Program Directors**

Program Directors have supervisory, awareness, prevention, and detection responsibilities. Program Directors have three distinct responsibilities.

1. They must become aware of what can go wrong in your area of responsibility. Look for potential lapses in security, or opportunities for wrongdoing.
2. They must put into place and maintain monitoring, review and control procedures to prevent acts of wrongdoing. Minimize opportunity and maximize security.
3. They must put into place and maintain monitoring, review and control procedures to detect acts of wrongdoing promptly should prevention efforts fail. Prompt detection reduces impact.

Authority to carry out these three additional responsibilities is shared with the Assistant Program Directors. However, accountability for their effectiveness remains with the Program Directors.

Assistance in effectively carrying out these responsibilities is available through Administration and other sources as necessary.

## **Responsibility and Authority for Investigation and Analysis**

The HR Manager has the primary responsibility for all investigations. The HR Manager may request the assistance of the Executive Director, MARC Treasurer, or MARC legal counsel.

Properly designated members of the investigative team will have:

- free and unrestricted access to all company records and premises
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic, paper or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and MARC procedures.

## ***Reported Incident Procedures***

MARC advises all employees that care must be taken in the investigation and analysis of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported

accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect MARC, an employee, or others.

The general procedures for investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details. To withhold information will subject employees to discipline.
2. The HR Manager has the responsibility for information gathering and analysis, and, if appropriate, a complete investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside. Do not destroy records.
4. Do not talk about allegations or investigations with the suspected individuals or anyone else.
5. As necessary and appropriate the HR Manager will notify the Executive Director and MARC legal counsel of findings and recommendations.
6. The HR Manager will also notify the Treasurer of all reported incidents so that it may be determined whether this matter should be brought to the attention of the Finance Committee and Board.
7. The HR Manager may obtain the advice of legal counsel at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
8. The existence and findings of investigations will be confidential, and shall not be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively. Any confirmed fraud must be reported to the affected public funding source.
9. All inquiries from an attorney or any other contacts from outside of the company, including those from law enforcement agencies or from the employee under investigation, should be referred to the HR Manager.

Investigative or other follow up activity will be carried out without regard to the suspected individuals, position or level, or relationship with MARC.

## **APPENDIX G**

### **FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY GENERAL NOTICE**

MARC complies with all applicable state and federal laws relating to family and medical leave, and will not discriminate against or interfere with the rights of an employee to take such leave. Employees should work with the Human Resources Department to coordinate FMLA leave.

#### **Eligibility Requirements**

Employees are eligible for Federal FMLA leave if they have worked for MARC for at least 12 months at any time within the last seven years, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by MARC within 75 miles of their worksite.

Employees who have been on the payroll for 52 consecutive weeks, and have been paid for least 1000 hours in the previous 52-week period are eligible for Wisconsin Family and Medical leave.

#### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees in a 12-month period for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Wisconsin law requires covered employers to provide:

- Up to 2 weeks of leave in a calendar year for the employee's own serious health condition
- Up to 2 weeks of leave in a calendar year for the serious health condition of an employee's spouse, dependent child, parent or parent-in-law; and
- Up to 6 weeks of leave in a calendar year for the birth or adoption of the employee's child.

MARC administers its 12-month period for purposes of federal law on a calendar year basis. Wisconsin leave is always administered on a calendar year basis. Leaves that qualify under both federal and Wisconsin law will run concurrently when possible.

#### **Military Family Leave Entitlements (Federal leave only)**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use

their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### **Benefits and Protections**

During FMLA leave, MARC will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. The employee must continue to pay the required employee premium contribution, if any. If a required employee contribution is more than 30 days late, the employee's health care coverage will terminate at the discretion of MARC. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt MARC's operations. Leave due to qualifying exigencies may also be taken on

an intermittent basis. MARC may transfer an employee on intermittent or reduced-schedule leave to a different position that would better accommodate the employee's leave.

### **Substitution of Paid Leave for Unpaid Leave**

FMLA leave is generally unpaid leave. Employees using Wisconsin leave (including Wisconsin leave taken concurrently with federal leave) may choose to use any of the employee's accrued paid leave while taking FMLA leave. Employees using federal leave only will be required to use accrued paid leave while taking FMLA leave. Unless approved by Executive Director, in order to use paid leave for FMLA leave, employees must comply with MARC's normal paid leave policies.

### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

If an employee wishes to return to work before the leave was to end, the employee must notify the Human Resource Department at least two days prior to the desired return date. If an employee, without approval from the Human Resource Department, does not return from FMLA leave on the day indicated on the original application (or any approved change of that date), or within three days of release by the employee's health care provider if such release is required, the employee will be considered to have voluntarily resigned from employment with MARC as of the day on which the employee's FMLA was to end. In the event this occurs, MARC reserves the right to collect from the employee any employer-paid benefits payments made while employee was on leave, unless the employee's failure to return to work is due to circumstances outside of the employee's control (e.g., the continued serious health condition prevents returning to work).

If an employee fails to meet any employer requirements for federal or Wisconsin leave, the request for leave may be denied or delayed until the requirements are met.

### **Employer Responsibilities**

MARC will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, MARC will provide a reason for the ineligibility.

MARC will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If MARC determines that the leave is not FMLA-protected, MARC must notify the employee.

### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

FMLA does not affect any federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.



***Questions or Clarifications Related to This Policy***

All questions or other clarifications of this policy and its related responsibilities should be addressed to the Executive Director, who shall be responsible for the administration, revision, interpretation, and application of this policy.

***Approval by MARC Board of Directors on \_\_\_\_\_***

***Prepared for distribution to all staff by:***

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date