

# TDC Learning Centers, Inc.

since 1963

## Personnel Policies and Procedures Handbook



TDC Learning Centers  
learnplaygrow.org

**Effective February 2023**

### **DISCLAIMER**

This handbook is a statement of policy and not a contract of employment. Nothing contained in this manual or in any other statement of agency policy, including statements made in the course of performance evaluations and wage reviews, should be taken as constituting an expression or implied promise of continuing employment.

Furthermore, to retain necessary flexibility in the administration of policies and procedures, the agency reserves the right to change, revise, or delete the plans, policies, benefits and procedures described in this manual anytime the agency determines such a change is necessary or desirable.

## Table of Contents

OVERVIEW .....	1
POLICIES .....	3
DISCRIMINATION AND HARASSMENT.....	3
SEXUAL HARASSMENT .....	3
EMPLOYEE GRIEVANCES.....	4
PROHIBITION AGAINST RETALIATION.....	5
WORKERS COMPENSATION .....	5
LICENSING AND TRAINING.....	6
CLASSROOM MANAGEMENT.....	8
TRAVEL POLICY .....	13
ALCOHOL/DRUG FREE WORKPLACE .....	16
CHILD ABUSE AND NEGLECT REPORTING.....	17
STAFF-PARENT RELATIONSHIPS.....	18
UNLAWFUL ACTIVITY .....	18
WHISTLEBLOWER POLICY.....	18
CONCEALED WEAPONS.....	19
PROCEDURES.....	20
HUMAN RESOURCES .....	20
EMPLOYEE BENEFITS .....	21
LEAVE.....	25
STAFF BEHAVIOR .....	28
TERMINATION OF EMPLOYMENT .....	32
CONFLICT OF INTEREST POLICY .....	34
AMENDMENTS TO PERSONNEL POLICIES.....	37
ADDENDUM.....	37

# INTRODUCTION AND HISTORY

## OVERVIEW

TDC Learning Centers, Inc. was formed in 1963 when a group of concerned citizens worked together to create one of the first child care centers in Topeka. We have since expanded and now operate several special programs in various locations, providing care and early education for children ages 2 weeks through 6 years.

A TDC priority is that our services are affordable. This is made possible by community support and funding from the following sources: the DCF, Child and Adult Care Food Program, fundraisers, grants, and donations.

The agency is headed by a volunteer Board of Directors. The Board sets policy and hires the Executive Director, who is responsible for the hiring and supervision of all TDC staff. The Executive Director's office is located in the central office at 3601 SW 29<sup>th</sup> Street, Suite 209, Topeka, KS 66614.

Each Center is headed by a Center Director who reports directly to the Executive Director. Center Directors supervise all staff and volunteers working in the child care centers. Any concerns or questions by an employee about the center should be directed to the Center Director. The Center Directors meet regularly with the Executive Director and are responsible for presenting staff concerns and suggestions and relaying information back to the staff.

### **Vision:**

TDC will be a recognized innovative leader in providing high quality childcare and educational services to a diverse population.

### **Mission:**

Provide early care and education to facilitate the development of children and families to their fullest potential.

### **Values:**

TDC believes that the wellbeing of the child is the first consideration in all that we do. Our decisions and actions will be ethical, nonjudgmental and compassionate. We will endeavor to foster a love of learning in the children, the staff and others. We will provide opportunities to learn grow and develop to potential. We advocate teamwork, communication and integrity.

**Philosophy:**

The TDC curriculum is based on the belief that children are continually learning, both in school and out. The center activities will provide learning in all areas of children's development: physical, cognitive, language, social, emotional, and creative. The center activities will give the children many opportunities to practice physical skills, learn problem-solving, gain knowledge of their environment, and practice interacting more effectively with others. They will have opportunities to choose their own activities as well as have teacher-directed activities. Parents are an important part of children's learning and it is believed that communication and working together are important. Staff members are expected to be positive role models for the children and provide the best environment that is possible.

**Goals:**

To provide a developmentally sound program that:

- Fosters positive self-concept.
- Develops social skills.
- Encourages children to think, reason, question, and experiment.
- Encourages language development.
- Enhances physical development and skills.
- Encourages and demonstrates sound health, safety and nutritional practices.
- Encourages creative expression and appreciation for the arts.
- Respects cultural and social diversity.

## **POLICIES**

All employees of TDC Learning Centers shall follow all applicable policies, rules and regulations. It shall be the policy of TDC Learning Centers, Inc. to set forth in written form a comprehensive program of personnel policies and practices approved by the Board of Directors in order to have mutual understanding between the Board of Directors and the staff relative to personnel policies. It is recognized that members of the Board of Directors of TDC Learning Centers, Inc. change from year to year and that the staff members may be relatively constant. So consistent practices relating to employees are carried out over the years, these policies are herewith set forth and will be periodically reviewed and revised. The term "employee" as used throughout these policies shall be all employees reporting directly or indirectly to the Executive Director.

### **DISCRIMINATORY AND HARASSING CONDUCT**

TDC Learning Centers, Inc. does not condone and will not tolerate discrimination or harassment based upon race, color, religion, national origin, alienage, sex, age, or disability. Such misconduct will subject an employee to corrective action up to and including immediate dismissal.

Any employee who believes he or she has been discriminated against or harassed is required to report the incident in a timely manner. Furthermore, any employee who has witnessed discrimination or harassment or has reason to believe that unlawful discrimination or harassment has occurred is also required to report such incidents in a timely manner.

To report an incident of discrimination or harassment, please, inform either the Executive Director or a member of the Board of Directors of TDC Learning Centers, Inc. of the situation, specifically describing the discrimination or harassment that has occurred. All reports of discrimination or harassment will be promptly investigated. Any employee who has been found to have discriminated or harassed another employee will be subject to appropriate disciplinary action.

### **SEXUAL HARASSMENT**

Sexual harassment is unlawful and contrary to the equal employment opportunity policy of TDC. Unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature constitutes sexual harassment when

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (3) such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes she or he has been the subject of sexual harassment should report the alleged act immediately to the Executive Director or a member of the Board of Directors of TDC Learning Centers, Inc. An investigation of all complaints will be conducted immediately. Any employee who has been found to have sexually harassed another employee will be subject to appropriate disciplinary action.

## **EMPLOYEE GRIEVANCES**

**Definition:** A grievance shall be defined as a statement of dissatisfaction over any condition of work which allegedly has an adverse effect on the employee.

**Policy:** Employees will be treated fairly in all respects. Employees who feel they have been treated unfairly or unjustly have the right to present their grievances to the supervisory administration for prompt consideration and fair decision. In addition, all employees have the right to file civil rights complaints with appropriate enforcement agencies.

A grievance should be presented in writing, either by the employee or by a representative of the employee. Anyone presenting a grievance will be free from reprisal, restraint, coercion, or discrimination. Whenever grievances arise, every effort will be made to resolve them at the lowest possible supervisory level.

### **Grievance Procedure:**

The first step for any employee who is dissatisfied is to go to their immediate supervisor. The following chain of command applies, supervisor, Center Director, Executive Director, Board President

- The employee should submit the grievance in writing.
- The supervisor will establish a grievance file and will respond in writing within one week.
- Please follow the chain of command if the grievance is not satisfied
- If it reaches the Board President, he or she will appoint an ad hoc Grievance Committee consisting of three Board members. This Committee will conduct an independent investigation of the complaint and/or allegations and will prepare a written recommendation for adoption by the Board. A copy of the recommendation will be given to the aggrieved party.
- Upon receipt of the recommendation from the Grievance Committee, the Board of Directors at its next regularly scheduled board meeting shall vote to adopt or reject the recommendation.
- The determination of the Board of Directors constitutes the final and binding decision.

## RETALIATION

TDC Learning Centers, Inc. strictly prohibits and will not tolerate retaliation against any individual

All reports of retaliation will be promptly investigated. If it appears that the allegations of retaliation are substantiated, the employee will be subject to appropriate disciplinary action.

## WORKERS COMPENSATION

**If an employee injures themselves while at work, they must immediately notify all supervisors and contact the Executive Director with all information pertaining to the injury. Your Center Director will have forms for you to fill out.**

If an employee is absent from work due to a work-related injury, they may use available paid leave to supplement income.

Available paid leave must be used only for this purpose until:

- (1) available paid leave benefits are exhausted;
- (2) the employee returns to work; or
- (3) employment is terminated. Leave shall be deducted on a pro-rata amount equal to the percentage of salary paid by the employer.

In no event shall the employee be entitled to a combination of workers compensation benefits, paid disability insurance, and his or her full salary. Staff is responsible for providing written documentation from the physician of expected date to return to work. If staff does not fulfill this requirement or return to work on stated date, and they have not communicated with the Executive Director as to the reason, the employee may be terminated in accordance with the attendance policy.

### ***Worker's Compensation Procedures***

All work-related accidents or repetitive use injuries must be reported to the Executive Director immediately and in no event later than 20 calendar days from the date of the accident or injury. Failure to follow safety procedures may result in denial of claim(s).

If medical attention is needed and you cannot speak with the Executive Director immediately, please go to Tall Grass located at 601 SW Corporate VW, Topeka, KS 66615

If the employee opts to see his/her own family physician without the approval of the employer, treatment will be considered unauthorized and a maximum of \$500 will be paid.

If an incident involved vehicular damage but no employee injury, the police report will be sufficient. Police reports are required for all vehicular incidents unless otherwise designated by police department.

If it is proved that the injury to the employee results from the employee's deliberate intention to cause such injury, or from the employee's willful failure to use a guard or protection against accident required pursuant to any statute and provided for the employee, or a reasonable and proper guard and protection voluntarily furnished the employee by the employer, or substantially from the employee's intoxication, any compensation in respect to that injury shall be disallowed.

The employer shall not be liable under the Workers' Compensation Act where the injury, disability or death was substantially caused by the employee's use of drugs, chemicals or any other compounds or substances, including but not limited to, any form or type of narcotic drugs, marijuana, stimulants, depressants or hallucinogens, except such drugs or medications which are available to the public without a prescription from a physician and which are used for the treatment of an illness, or which were obtained and used by the employee pursuant to and in accordance with such a prescription.

TDC shall advise medical care providers that an injured employee is covered by Workers' Compensation and medical bills should be submitted to Executive Director.

## **LICENSING AND TRAINING**

### **State Licensing Rules & Regulations**

All staff are expected to be knowledgeable in State Licensing Rules and Regulations for Child Care, and are expected to follow all procedures as outlined in the Rules and Regulations for care of children. The "Laws and Regulations for licensing preschools and child care centers" can be found online at [www.KDHEKS.gov](http://www.KDHEKS.gov) and in each TDC center. Ask your supervisor for further information. Failure to follow these regulations may result in disciplinary action, up to and including termination.

### **KBI Central Registry Background Check**

The State Department of Health and Environment requires that every person employed or regularly volunteering in child care facilities submit all names they have ever used, current address, and date of birth to the Kansas Bureau of Investigation for a background check. New employees shall not begin working with children until the background check is completed. If TDC is notified by the State that a background investigation reveals conviction of a crime that disallows you, by Kansas law, from employment in a child care facility, your employment will immediately be terminated

### **Staff In-Service Training**

The "Annual Staff Training Record" is to be kept in the center's staff files throughout the year. At the end of the year the Center Director places it in your personnel file at the central office.

TDC requires that center based employees obtain 16 hours of in-service training per licensing year. Those hours include keeping current first aid and pediatric CPR certifications. In-services must be pre-approved by the employee's supervisor in order for TDC to pay for the cost of the training and to compensate staff for their time. Staff



will be compensated for the 16 hours that are required. TDC will pay any costs incurred for the 16 hours of required pre-approved trainings. Employees who do not complete a class successfully or do not attend a class that has been paid for, will be required to reimburse TDC Learning Centers for the class expense if a refund cannot be arranged. If staff request additional training above the 16 required hours, the request should be made pursuant to the procedure outlined in **Educational Expense Assistance** section of this manual or staff may pay the training cost themselves.

## **CLASSROOM MANAGEMENT**

### **Discipline**

Staff are not to use derogatory or slang names in reference to, or in the presence of the children. Even when used in a good-natured way, such references sound unpleasant to parents and visitors and may detract from the children's self-esteem.

Physical punishment of the children will not be tolerated and will result in ***immediate dismissal without notice***. Physical punishment of any type is prohibited by state licensing regulations, and by TDC policy.

### **Confidentiality**

It is **never** acceptable to discuss individual children in front of other children. It is important that you maintain a positive attitude toward all the children. Discussing the unfavorable aspects of any child at times other than staff meetings tends to make you and possibly others, dislike the child rather than the behavior.

You are required to maintain strict confidentiality regarding the lives of the children and their families. **Disclosing confidential information to anyone but your immediate supervisor, the Center Director and Executive Director may result in your dismissal.**

### **Child Safety**

Young children's limbs are easily dislocated. Never jerk, lift, swing, or throw a child by the hands or arms. A child should be picked up by the shoulders or under both arms.

**While on duty, you are expected to give your undivided attention to the children.**

Any potentially dangerous objects, such as matches, scissors, medications, etc. are to be in locked cabinets. Teachers' personal belongings are also to be kept in a locked cabinet.

### **Supervision**

All children upon arrival or departure must be signed into the ProCare system by a parent or guardian and present a ticket to staff. All children must be marked in or out on the daily attendance sheet, indicating time of arrival or departure. This must be done at the time when the child is released from the parent/guardian to the receiving staff upon arrival or from the staff to the parent/guardian upon departure. Children will not be

admitted or released without the ProCare ticket. If the system is down, parents should sign in and out children.

If a ticket is not available, and you do not know the person attempting to pick up, it is required that they present an appropriate picture ID and that you check that against the child's pick up list. Failure to do so is cause for dismissal.

Daily attendance sheets must record all children that are absent, on vacation or absent due to illness.

Attendance clipboards are to be kept with each group of children at all times.

Staff/child ratios as required by licensing shall be maintained at ALL times.

Teaching staff must supervise infants and toddler/twos by sight and sound at ALL times.

Teaching staff must supervise children primarily by sight. (For 3's and up. See above criterion for infants and toddlers/twos). Supervision for short intervals by sound is permissible, as long as teachers check frequently on children who are out of sight (e.g., those who can use the toilet independently, napping, etc.).

Head counts of children are to be completed on a frequent basis throughout the day, minimally 2 to 3 times per hour. Head counts are to be checked against the attendance clipboard.

Name to face counts of children must be completed before and after any transition with a group of children from one activity to another and documented appropriately. (i.e. Classroom to playground).

In addition to names to face counts, when a group of children are in transition from one activity area to another, staff must retain close visual supervision of the children at all times during the transition (i.e. Children should not run ahead of the group).

Staff will be aware of where every child is at all times.

Staff will position themselves (do not sit with back to children) and will arrange equipment, furniture and activities appropriately to ensure supervision of all children at all times.

Staff will discuss best position points of supervision (especially in the playground) to avoid clustering in one spot. Supervision should be active and interacting with the children (not just standing and watching).

Staff will adhere to adopted Safe Sleep Policy.

In some cases, special considerations/procedures are put in place to ensure supervision that is specific to children, event or a certain location. The Center Director will outline any special considerations/procedures for their location.

### **Safe Sleep Policy**

1. All child care staff working in the Infant room, or child care staff who may potentially work in this room, will receive training on the Safe Sleep Policy and SIDS risk reduction.
2. Infants will always be placed on their backs to sleep.
3. When an infant is able to turn over independently, the infant shall be placed on the infant's back, but then shall be allowed to remain in a position preferred by the infant. Wedges or infant positions shall not be used.
4. Caregivers will supervise infants by sight and sound at all times. When infants are sleeping, mirrors, video, or sound monitors may be relied on in lieu of direct visual and auditory supervision, but infants will still be visually checked on every 5 minutes. **We will check to see if the infant's skin color is normal, watch the rise and fall of the chest to observe breathing and look to see if the infant is sleeping soundly. We will check the infant for signs of overheating including flushed skin color, body temperature by touch and restlessness.**
5. Room temperature will not exceed 75 degrees F.
6. If an infant falls asleep on a surface other than a crib, the infant shall be moved to a crib.
7. If a lightweight blanket is used, the blanket shall be tucked along the sides and foot of the mattress. The blanket shall not be placed higher than the infant's chest. The head of the infant shall remain uncovered. **Any infant may nap or sleep in sleep clothing, including sleepers and sleep sacks, in place of a lightweight blanket.**
8. The infant's head shall remain uncovered during sleep.
9. Each infant shall sleep in a crib or playpen that is free of any soft items, which may include pillows, heavy blankets, heavy quilts, bumper pads or toys. **Pacifiers will be allowed in infants' cribs while they sleep.**
10. Each infant shall nap or sleep in a crib and only one infant shall be in a crib at a one time.
11. No smoking is permitted in the child care facility, or in vehicles when transporting infants.
12. Infants will be provided appropriate "tummy time" when awake.

All parents/guardians of infants cared for at TDC Learning Center's will receive a written copy of this facility's Infant Safe Sleep Policy and SIDS risk reduction information before enrollment.

### **Classroom Records**

Teachers are responsible for classroom records.

Daily attendance must be recorded accurately so that parents and DCF can be billed appropriately. ***Teachers must see that parents clock their child(ren) in and out each day.***

Meal counts must be recorded at each meal and snack time.

Signs of illness or injury are to be recorded on the health form. If a child comes in with any sign of injury, record how and where the child says it happened.

### **Newsletters**

Each center is expected to publish newsletters monthly. Staff are encouraged to submit information concerning their classroom activities and any other items of interest to parents to the Center Director for inclusion in the Center newsletter.

### **Religion**

Our children and staff come from a variety of religious backgrounds. As teachers, we must teach the children to respect the beliefs of others and refrain from imposing our beliefs on them.

### **Authorized Child Escorts**

At the time of enrollment parents indicate the individuals who are authorized escorts to pick up their children from the Center. This information is kept on the enrollment form and in the emergency card file at the Center. The individuals listed for contact in case of emergency or illnesses are authorized escorts when parents cannot be reached to pick up a child who is ill or needs medical attention. ***Children may not be released to anyone who is not an authorized escort without prior written notice from the child's parent. Staff is required to ask escorts for identification before releasing children. The authorized escorts must be at least 18 years of age.***

In the event someone **not authorized** as an escort, attempts to take a child from the center, staff are first to verbally refuse to let the person take the child. If the person still attempts to take the child, ask the person to wait while you call the custodial parent. If the person threatens staff in any way or if he/she is physically or verbally assaultive, call the police (call 911). Then immediately inform the center and the executive directors of the situation.

## **Authorized Escorts Who Appear to be Intoxicated**

*(Under the influence of drugs or alcohol)*

**Staff does not have the right to refuse to release a child to a custodial parent, regardless** of the parent's condition. If you think the parent should not be driving, immediately call another staff member to be with you in the classroom and suggest to the parent that alternative transportation be arranged. Offer the parent the use of the phone or offer to make calls to another family member, a friend or for a taxi. If the parent insists on driving, follow them to the car. Record the license tag number, make, model and color of the car. Immediately call the police (call 911) and inform them of the situation. Inform the center and the executive directors of the situation, immediately.

If the person believed to be under the influence of drugs or alcohol is not a parent, verbally refuse to allow the person to take the child. Ask them to wait while you attempt to call the custodial parent or another authorized escort. If the person threatens you in any way or if he/she is physically or verbally assaultive call the police immediately (*call 911*). Then inform the center and the executive directors of the situation.

## **Field Trips**

Field trips should be planned in cooperation with the Center Director. The Directors will schedule use of the vans. Parents must give written permission for each trip. All children will ride in car seats.

## **TDC Vehicles**

TDC vehicles are to be used for the transport of Children. Staff that drives TDC vehicles must have current driver's license information on file at their center and in the central office. It is the responsibility of the individual staff and the Center Director to see that the information is on file, current and correct. Drivers must be 25 years of age or older to drive the van.

## **Personal Vehicles**

Personal vehicles are to be insured as required by law if/when used for business purposes. **NOTE: If children are transported in your personal vehicle, the law requires a rider to your automobile insurance. See your personal auto insurance agent for the details for your own insurance policy.** All individuals who drive on TDC business activities must have drivers license information on file in the central office.

## **Mileage Reimbursement**

If you use your personal vehicle for center purposes, with the prior consent of your supervisor, you will be reimbursed for mileage. To be reimbursed for mileage you must complete a TDC Daily Travel Expense Statement and have it signed by your supervisor. The form is sent to the central office to be processed for payment.

## **Supplies**

Each center has limited funds for purchase of classroom supplies. Teachers are encouraged to use materials available at the center. Grocery shopping is done periodically. Special food items for classroom projects must be requested at least one week prior to planned use. The Center Directors purchase other supplies approximately six times during the year. Planning is essential.

## **EMPLOYEE TRAVEL POLICY**

The Company may reimburse employees for reasonable, out-of-pocket expenses incurred in the conduct of the Company's business.

No written policy can possibly contemplate all potential business circumstances. Accordingly, this policy must also be governed by the exercise of good judgment of employees and supervisors, all of whom are expected to be good stewards of the Company's resources. The reasonableness of a particular expense can depend upon given circumstances. For example, the reasonable cost of lodging and meal expenses in either New York City or Washington, DC would almost always be unreasonable any place in Kansas.

Just because this policy does not specifically prohibit the reimbursement of certain expenditures, it does not mean that such expenditures will necessarily be reimbursed. Given this uncertainty, and the possibility that some claims for reimbursement may be rejected, employees may wish to err on the side of caution and conservatism so they don't find themselves with unexpected expenditures out of their own pockets. Questions to ask with respect to any request for reimbursement are: How would I feel if the Board of Directors reviewed this expense? Would I spend this much if I were on personal business and knew that I had to pay for it myself? If the answer to any of these questions were that you would feel uneasy, then you should not seek reimbursement.

The best time to question the appropriateness of an activity or expense is in advance. If you have doubts that you cannot resolve, consult with your supervisor.

This policy is intended to be a guide to help employees and supervisors determine what is and is not a reasonable expense to be reimbursed. It is not intended to be a set of inflexible rules. The Company recognizes that all situations may not always be treated in an identical fashion. If circumstances arise which an employee or his or her supervisor believes warrant an exception to these guidelines, if at all possible, the employee should seek advance authorization for such expenses. Anytime an exception is made, it must be fully explained and documented on the expense report.

### ***General Guidelines:***

Itemized receipts for all reimbursable expenditures due to travel along with the reimbursement form regardless of the amount. Receipts should include the amount, date, place (name and location) and list of item(s) purchased. Documentation is

required to show proof the expense was paid by the employee (e.g. the front and back copy of a cancelled personal check) or a receipt authorized by the business that received the funds.

All expenses must include a detailed description of the business purpose for the expense, names, titles or business, relationship of attendees and place/venue. Request for personal mileage must include the beginning and ending destination and the business purpose of the trip.

The employee's direct supervisor is required to approve employee travel expense accounts within the limits of the budget. The approving supervisor shall review and understand the contents of any expenses he or she approves. The Executive Director's expense account shall be approved by the Chairman of the Board.

***Specific Policy in regards to:***

***Airline Travel***

The Executive Director will make all air travel arrangements. Domestic air travel will normally be by coach class by commercial airline. Airline fees for services such as checked bags (one bag limit) are reimbursable while traveling on Company business.

***Automobile Travel/Mileage***

The Company may reimburse reasonable parking costs, actual tolls incurred and actual mileage driven at the approved mileage rate when it is necessary or reasonable to travel by personal vehicle for Company business purposes. When several employees are traveling to the same location, and where practical, employees should carpool.

The Company may reimburse the cost of mileage incurred by the employee when the employee is traveling by airline and chooses to have a friend or family member transport them to and from the airport rather than parking for an extended period at the airport. Mileage reimbursement will be calculated based upon currently approved mileage reimbursement rate.

***Lodging***

Executive Director will make lodging arrangements including payment. Hotel and room type should be reasonable in cost and appropriate to the business location. Lodging, meals, and any other business expenses on the hotel bill should be separately itemized. Itemized receipts are required for all lodging. Requests for reimbursement of hotel expenses require a receipt.

***Meals***

Employees may be reimbursed for personal meals when traveling away from Topeka as approved by the direct supervisor. Meals will be reimbursed per receipts up to \$11 for breakfast, \$14 for lunch and \$25 for supper.

## **Rental Car**

The Executive Director will make any rental car arrangements that are required.

*Personal Use:* Car rental suppliers have certain restrictions for vehicles rented for business and part business and for vehicles rented for 100 percent personal use. Non-employee drivers (i.e. associates, spouses, other family members) may not be covered for business or part business use. Each employee should understand the car rental supplier's personal use restrictions and any coverage that may be available through the employee's personal insurance when renting vehicles. Obviously, all cost of cars rented for personal use, are personal expenses. If a car is rented for combined business and personal use, the total cost of the rental should be allocated between reimbursable business and non-incident, non-reimbursable personal expense.

*Permissible Car Types:* Employees renting vehicles for Company business should rent a vehicle type and with equipment necessary and suitable to the occasion (e.g. road conditions and number of passengers) with an objective of minimizing business expense.

*Refueling and Other Miscellaneous Charges:* Rental car companies charge excessively for refueling the car upon return. Employees should waive the refueling options and make every reasonable effort to refuel the car before returning it. Such reasonable refueling charges are reimbursable, when associated with a business related vehicle rental.

## **Taxi/Car Service**

Out of town: Customary, cost-effective transportation is reimbursable for transportation to and from airport to hotel and to and from meetings for company business only.

## **Travel Advances**

Travel advances may be issued to an employee for use on overnight business travel when the employee is expected to incur significant out-of-pocket expenses and not in possession of a company owned credit card.

The amount of the travel advance is to be included on the expense report completed by the employee upon returning from his or her business trip.

Receipts for travel advances must be cleared within two weeks following completion of the meeting or trip.

If the travel advance exceeds the amount of expenses, the employee's personal check, money order or signed agreement to deduct the balance from the employee's next payroll is to accompany the Expense Report. If the business



expenses exceed the travel advance, the employee will be reimbursed the difference.

***Examples of expenses not reimbursable. This list is not exhaustive.***

- In-room hotel movies or video games
- Family expenses incurred when travelling with employee.
- Traffic/parking tickets (including company vehicles), car washes, oil changes, and other maintenance or repair services for personal or rental cars
- Alcoholic beverages
- Personal phone calls

## **ALCOHOL / DRUG ABUSE POLICY**

TDC is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any TDC Learning Centers employee illegally uses drugs or alcohol on the job, comes to work under their influence, or possesses, distributes, or sells drugs in the workplace. Therefore, TDC has established the following policy:

All of the TDC Learning Centers are nonsmoking entities. There is to be no smoking in **any** facility occupied by TDC. Additionally, there is no smoking when you are working with children OUTSIDE of the facility.

It is a violation of TDC policy for any employee to possess, sell, trade, or offer for sale illegal drugs or otherwise engage in the illegal use of drugs on the job.

It is a violation of TDC policy for anyone to report to work under the influence of illegal drugs or alcohol.

It is a violation of TDC policy for anyone to use prescription drugs illegally. *However, nothing in this policy precludes the appropriate use of legally prescribed medications.*

In the event of an accident resulting in injury to an employee or child, or observations by management that an employee may be in possession of or under the influence of drugs or alcohol in the workplace, TDC reserves the right to require a drug or alcohol test and may, in the Executive Director's discretion, place the employee on administrative leave pending results of any such testing. Violations of this policy, including positive drug or alcohol tests or refusal to submit to drug or alcohol testing, are subject to disciplinary action up to and including termination of employment.

It is the responsibility of the center directors to counsel employees whenever they see changes in performance or behaviors that suggest an employee has a drug or alcohol problem. Although it is not the center directors' job to diagnose personal problems, the center director should encourage such employees to seek help, and advise them about

available resources for getting help. Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who may have a drug or alcohol problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, drug-free and alcohol-free environment.

As a condition of employment, TDC Learning Centers, Inc. employees must abide by the terms of this policy. The Executive Director shall be notified in writing, of any conviction or violation of a criminal drug statute no later than five calendar days after such conviction.

## **CHILD ABUSE AND NEGLECT REPORTING POLICY**

**All employees of TDC Learning Center, Inc. are State Mandated Reporters and are required to report any suspicion or knowledge of child abuse and/or neglect.**

### ***Procedures and Practices, including responsible person(s):***

All observations or suspicions of child abuse or neglect will be immediately reported to the Child/Adult Abuse Kansas Protection Report Center: 1-800-922-5330, no matter where the abuse might have occurred. Staff should notify their Center Director that a report has been made. Center Directors are responsible to ensure that the Executive Director is notified immediately when a report has been made.

All staff involved in the reported incident will follow the direction of DCF regarding completion of written reports. If the parent or legal guardian of the child is suspected of abuse, staff will follow the guidance of Child Protective Services regarding notification of the child's parent or legal guardian. Reporters of suspected child abuse will not be discharged for making a report, unless it is proven that a false report was knowingly made.

Signs of suspected child abuse or neglect will be recorded on the Suspected Abuse/Neglect Report Form, which will be kept in a confidential file located in the Center file, Central Office file and in the child's confidential file.

Staff who are accused of child abuse may be suspended or given leave (with or without pay, pending investigation of the accusation. Such staff may also be removed from the classroom and given a job that does not require interaction with children. However, no accusation or affirmation of guilt will be made until the SRS investigation is complete. Caregivers found guilty of child abuse will be immediately dismissed.

***When this policy applies:*** Whenever any staff member has reason to suspect that any child on the premises of TDC's child care facility may have been abused or neglected by anyone.

### ***Communication plan for staff and parents:***

Staff and volunteers will receive a written copy of this policy in their Orientation Packets before beginning work and will be required to sign that they have read and understood the policy. All parents will receive a written copy of this policy in their enrollment packet upon their child's enrollment.

## **STAFF-PARENT RELATIONS**

Staff members shall maintain professional relationships with children, parents and others associated with the recipients of TDC services. Staff members shall not submit any recipient of TDC services to any type of discrimination or harassment, nor shall staff members give preferential treatment to any recipient of TDC services.

Any potential conflict of interest, including a personal or romantic relationship between staff and a parent or between staff should be immediately disclosed to the Executive Director. The Executive Director has discretion to make any appropriate changes to address any conflicts of interest.

## **UNLAWFUL ACTIVITY**

If a staff member is arrested or charged with a crime of any nature, it is the responsibility of the staff member or his/her designee to notify the Executive Director of such arrest within 24 hours of arrest or notice of the charge. Depending on the reason for the arrest or charge, and at the discretion of the Executive Director, the staff member may be placed on administrative leave until investigation is complete. If proven guilty of a felony, or if the punishment affects the staff member's ability to do their job (ex. loss of driving privileges) the staff member may be dismissed.

## **WHISTLEBLOWING POLICY**

TDC Learning Centers, Inc. requires all staff, board members, and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of TDC Learning Centers, Inc. we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. Set forth is TDC Learning Centers, Inc.'s policy with respect to reporting good-faith concerns about the legality or propriety of TDC Learning Centers, Inc. actions or plans.

It is the responsibility of all staff, board members, and volunteers to comply with applicable law and to report violations or suspected violations in accordance with this Whistleblower Policy.

TDC Learning Centers, Inc. will treat all communications under this policy in a confidential manner, except to the extent necessary 1) to conduct a complete and fair investigation, or 2) for review of TDC Learning Centers, Inc.'s. operations by TDC

Learning Centers, Inc.'s board, TDC Learning Centers, Inc.'s independent public accountants and TDC Learning Centers, Inc.'s legal counsel.

TDC Learning Centers, Inc. will not permit any negative or adverse actions to be taken against any employee or individual for making a good-faith report of a possible violation of applicable law, even if the report is mistaken, or against any employee or individual who assists in the investigation of a reported violation. Retaliation in any form will not be tolerated. Any act of alleged retaliation should be reported immediately and will be promptly investigated. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within TDC Learning Centers, Inc. prior to seeking resolution outside the organization.

Employees and others may communicate suspected violations of its applicable law, or other wrongdoing or alleged retaliation by contacting TDC Learning Centers, Inc.'s Executive Director. In the event that an employee or other person feels unable to discuss the violations with the Executive Director, he/she should contact the President of the Board of Directors. If you wish to remain anonymous, it is not necessary that you give your name or position in any notification.

Whether or not you identify yourself, for a proper investigation to be conducted, please provide TDC Learning Centers, Inc. with as much information as you can, sufficient to do a proper investigation, including where and when the incident occurred, names and titles of the individuals involved, and as much other detail as you can provide.

## **PROHIBITION AGAINST CONCEALED WEAPONS**

TDC Learning Centers, Inc. is committed to providing a safe work environment for all employees. As such, all employees are absolutely prohibited from carrying guns, knives or any other concealed weapon in the offices of TDC Learning Centers, Inc. This includes handguns that may otherwise be legally carried under state law, but does not include such items as mace or pepper spray, which may be used exclusively for self-defense purposes.

Employees are further prohibited from carrying guns, knives or other concealed weapons while conducting company business outside of the offices of TDC Learning Centers, Inc. This prohibition includes handguns that may otherwise be legally carried under state law, but does not include mace or pepper spray, which may be used exclusively for self-defense purposes.

While TDC Learning Centers, Inc. does not intend to prohibit or otherwise restrict in any way an employee from obtaining a permit to carry a concealed weapon from the State of Kansas, TDC Learning Centers, Inc. requires any employee who obtains a permit to carry a concealed weapon to promptly report the same to the Executive Director.

An employee who violates this policy may be subject to disciplinary action, up to and including termination of his/her employment. An employee does not have a reasonable expectation of privacy while in the offices of TDC Learning Centers, Inc. or while conducting business on behalf of TDC Learning Centers, Inc.

TDC Learning Centers, Inc. prohibits all visitors, clients, independent contractors, delivery personnel, or other persons entering any TDC site from carrying guns, knives or other concealed weapons while conducting business with TDC Learning Centers, Inc. If an employee becomes aware of an individual who is carrying a concealed weapon while in the offices of TDC Learning Centers, Inc. the employee should promptly report this to the Center Director or the Executive Director.

## **PROCEDURES**

### **HUMAN RESOURCES**

#### **Recruitment**

Every effort will be made to obtain qualified applicants for employment with this agency. Job openings will be publicized in the Topeka Capital-Journal and will be listed with the Child Care Aware of Northeast Kansas and other agencies when appropriate. Staff will be notified of openings within the Agency. Normal recruitment procedures will include non-traditional methods of recruitment, for example: posting job notices at attendance areas, and distribution of notices to local and State universities when appropriate.

#### **Equal Opportunity Employer**

This agency is an Equal Opportunity, Affirmative Action Employer, and forbids discrimination on the basis of race, color, sex, age, veteran status, ancestry, national origin, disability, religion, sexual orientation or political affiliation in all aspects of its policies, procedures, and operation. This prohibition of discrimination applies to recruitment, employment selection, promotion, compensation, training, dismissal, and any other personnel actions.

#### **Overtime**

Employees who are asked by their Center Directors to work more than eight hours in a day, due to staff shortage or some special circumstance, may have their work schedules rearranged during that work week. If the Center Director is unable to reschedule the work time within that week, the employee will be paid at time and one half for more than 40 hours worked. Time not worked such as Paid Time Off and Holiday is not counted as hours worked for the purposes of calculating overtime. **The center directors retain the right to rearrange schedules to avoid overtime liability.**

#### **Evaluation**

All employees will be evaluated after their first sixty days and annually thereafter or at the discretion of the Center Director. Each evaluation report must be signed by the employee showing that the employee has seen the evaluation. The evaluation will be

filed in the employee's file in the central office. The employee may request a copy of the evaluation.

### **Policy Concerning Employee Indebtedness**

It shall be the policy of TDC Learning Centers, Inc. that at such a time as an employee becomes indebted to TDC; the employee will sign an agreement authorizing payroll deduction for any indebtedness to the Agency.

### **Full-Time Employee Definition**

A full-time employee will be available for any shift between 7:00 am and 6:00 pm at any location. Most full-time employees will be scheduled for at least 40 hours per week and accrue benefits according to this policy.

### **Part-Time Employee Definition**

A part-time employee has limited available hours, but will be required to work as assigned, including any and all locations. Part-time employees are not eligible for additional company benefits not required by law. These include: Retirement Plan, Aflac, Combined, and PTO.

### **Hourly Employees**

Hourly employees will be paid for the hours on their timesheet. Full-time employees are required to notify their supervisor in advance according to this policy when PTO, Mental Health, Discretionary Day, Funeral Leave, or any other paid time off specific to them is to be used. Holidays, Inclement Weather, Staff-Ed days, or any other company wide paid time off will be recorded by your center director. Timesheets are to be reviewed and signed according to this policy.

### **Salaried Employees**

Salaried employees are required to clock 80 hours per pay period. Time worked can be rearranged within a pay period to stay within the required 80 hours. Any time short of 80 hours will require PTO to be used to accommodate your salary. If a salaried employee does not have PTO to accommodate 80 hours TDC reserves the right to deduct the amount at the employees' hourly rate from their paycheck. Timesheets are to be reviewed and signed according to this policy.

## **EMPLOYEE BENEFITS**

### **Social Security**

As required by law, all employees are covered by Old Age Survivors Insurance, which provides for retirement and medical benefits.

### **Employment Security**

As required by law, all employees will be covered by Unemployment Compensation Insurance which provides temporary income for employees who have been terminated. Eligibility for this compensation will be determined by the local unemployment office. The Agency pays the entire cost of this insurance.

### **Workers' Compensation**

All employees are covered by Workers' Compensation, which provides protection to employees for injuries or illness caused by their work. The agency pays the entire cost of this insurance. In the event of any injury or work related illness, employees are to **immediately** notify their supervisor and complete an Accident Report. The Accident Report is delivered to the Executive Director who will see that the appropriate claim form is filed. See the Worker's Compensation Policy for more information.

### **Teacher Liability Insurance**

Center staff are insured by the agency for acts or omissions by Teachers, including bodily injury and property damage.

### **Retirement Plan**

Employees are offered the option of voluntary payroll deduction contributions to a Simple IRA retirement savings plan. Employees who earned at least \$5,000 in the immediately preceding calendar year are eligible to enroll in the plan on January 1. TDC will match the employee's contribution up to 3% of the employee's annual salary. Enrollment occurs once each year on the first day of the plan year (January).

### **Holidays\***

TDC Learning Centers offices and child care centers will be closed on the following holidays: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the following day, Christmas Eve (the day before Christmas), and Christmas Day. If a scheduled holiday falls on a weekend, the prior Friday or the following Monday will be observed as the holiday.

Part-time staff who would not regularly be scheduled on the holiday are not eligible for holiday pay. Part-time staff who would regularly be scheduled on a holiday are eligible for pro-rated holiday pay, to be capped at 8 hours per day. For purposes of this policy, anything less than thirty (30) hours per week is considered part-time.

Staff who calls in sick the work day before or after a TDC holiday must provide a doctor's note upon returning to work to excuse the absence. If a doctor's note is not presented, the absence is considered unexcused and the employee forfeits the holiday pay.

In addition to the closed holidays, a Discretionary Day holiday will be granted each January. This day is available to be scheduled as the employee wishes, anytime during the year. The Discretionary Holiday may not be carried from one year to the next. If not scheduled and taken as a day off in the year it is granted, it is forfeited.

The Center Directors will notify the staff of any additional holidays approved by the Board of Directors. Closing of the centers on days other than holidays, i.e., inclement weather, etc. is an administrative decision made by the Executive Director in conjunction with the Center Directors. If this occurs, the employee will be paid for the closed days. ***\*This provision does not apply to first year contract employees.***

## **Paid Time Off**

- New Employees will not be allowed to access PTO until after 90 days of employment. If time off is necessitated by illness in the first 90 days, the employee will be allowed up to 5 days of unpaid leave during those 90 days if a doctor's note is provided. If the employee exceeds 5 days of unpaid leave, employment may be terminated. Special circumstances will certainly be considered by the Executive Director.
- PTO will be awarded as follows:.

### Accumulation Rate:

Years of Service	Days/Year	At a rate equivalent to
1 year	16.25	5 hrs./pay period-1.35 days/month (130 hours)
2-5 years	19.5	6 hrs./pay period-1.62 days/month (156 hours)
6-10 years	22.75	7 hrs./pay period-1.90 days/month (182 hours)
11-15 years	26	8 hrs./pay period-2.16 days/month (208 hours)
16+ years	29.25	9 hrs./pay period-2.44 days/month (234 hours)

- PTO accruals are based upon each check. Accrual rate shown is for a full-time employee at 40 hours/week.
- PTO should be scheduled 2 weeks in advance when possible. Requests are approved per personnel policy.
- For extended illness absences, 3 PTO days must be used first. Then, accrued bank time will be used for the remaining days of the absence, but a doctor's note will be required.
- PTO hours can be accumulated and carried over from one year to the next, however, the maximum carry over is 5 days / 40 hours. Any hours at the end of calendar year, in excess of 40 hours, will be converted to the Bank.
- Cap for PTO is 234 hours and Cap for Bank is 480 hours.
- Accrued/remaining PTO will be paid upon employment separation according to policy (if employed for at least 6 months) and if the employee chooses voluntary termination. Employee must give a 2-week notice, and not miss any time during those 2 weeks in order to be paid PTO benefits. Accrued/remaining Bank has no monetary value. Center Directors must give 30-day notice for employment separation and not use any time during the 30-day period in order to be paid PTO benefits. Accrued/remaining Bank has no monetary value.

***\*This provision does not apply to first year contract employees.***



## **Mental Health**

In recognition of the fact that child care is at times stressful and child care workers who are fatigued may benefit from an extra day off. This day must be requested and arranged one week in advance with the center director.

A maximum of two (2) mental health days can be scheduled per calendar year.

***\*This provision does not apply to contract employees.***

## **Supplemental Insurance**

TDC realizes the need to protect yourself and those you love. We have partnered with two supplemental insurance companies to help you get the right coverage based on income and situation. A representative from each company will contact you within 30 days of hire.

Aflac offers the following policies for your consideration, and these are paid as graduated installments through payroll deduction.

Dental, Vision, Life, Short Term Disability, Critical Illness, Cancer, Accident, and Hospitalization

Combined Insurance offers similar coverages and a few different options. These policies can be paid through payroll deduction or you can be billed by the insurance company should you choose to make personal payments. Combined policies can follow you should your employment at TDC end for any reason.

Sickness, SickPay Plus, Family Life, Short Term Disability, Critical Care, Cancer Care, Cancer Protector, and Accident

## **Educational Expense Assistance**

All employees may request financial assistance from the agency for formal educational expenses. Requests for assistance must be made in writing to the Executive Director. Assistance will be granted ***only*** if agency funds are available at the time of request **and** the following criteria are met:

(1) The employee has been a full-time employee of TDC for a minimum of six (6) months.

(2) The proposed course work is job related, and the cost attributable to maintaining or improving skills required by the employee's present position for TDC Learning Centers, Inc.

(3) Recommendation of the employee's immediate supervisor.

When granted, financial assistance will be considered a loan to the employee until the employee has worked for the agency for one month for each \$30.00 loaned to the employee. If the employee should leave the agency before completing the work-repayment of the educational expense assistance, the employee will be responsible for paying TDC the balance of the loan. This balance will be immediately due and payable

on the date of the employee's termination and may be deducted from the employee's final pay check. If the employee fails to satisfactorily complete the course of study, the employee will be required to reimburse TDC for the loan. Reimbursement may be waived if good cause can be shown for failure to satisfactorily complete the course. Satisfactory completion of course work will be verified by receipt of a grade card.

Employees receiving Educational Expense Assistance will sign an agreement with TDC Learning Centers, agreeing to the terms of the repayment as outlined above.

### **Child Care**

Employees who utilize TDC child care centers for the care of their children, are eligible for a discount based on income and household members. Employee enrollments shall be capped at five percent (5%) of available enrollment wait list as necessary. In order to avoid distraction or disruption in the Centers, children of employees who attend TDC Centers may not be enrolled at the same center where the parent employee works.

## **LEAVE**

### **Funeral Leave**

TDC offers all full-time employees who have been employed by TDC for at least 90 days three (3) days of paid leave to provide a time of mourning following the loss of an immediate family member. The three days do not have to be used consecutively. However, they should be used within a two (2) week period unless otherwise approved by the Executive Director.

For the purpose of this policy, "immediate" family member is defined as a: spouse/partner, child, brother, sister, parent, aunt, uncle, first cousin, grandparent, grandchild, step family member, foster family member, and in-law equivalents of the foregoing.

Additional days for travel and/or funeral-related activities may be approved by the Executive Director. This time off would be granted with, or combination of PTO time, time off without pay or an employee's discretionary day. These same options for time may be utilized by part-time employees who find themselves needing time away to grieve or attend the funeral of a loved one.

All use of bereavement time must be discussed and noted by your supervisor and Executive Director. Documentation, such as an obituary or other notice, may be requested. Any employee who submits false requests for funeral leave may be subject to disciplinary action, up to and including termination.

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

TDC will provide to eligible employees up to (12) twelve weeks of unpaid leave per year for birth, adoption or foster placement of a child, to care for a spouse or an immediate family member with a serious illness or for the employee's own illness.

#### **A. Definitions**

1. Eligible Employees. To be eligible for coverage, an employee must:
  - a. have been employed by TDC for at least 12 months before the leave request; and
  - b. have worked at least 1,250 hours during that time.
2. Immediate Family. Son or daughter-any person who is under 18 years old or any person 18 years old or older who is incapable of self-care because of a mental or physical disability. This would include:
  - a. a biological, adopted, or foster child,
  - b. a stepchild,
  - c. a legal ward, or
  - d. a child of a person who serves as parent.
  - e. parent-the biological parent of an employee or a spouse who served as parent.
3. Serious Health Condition. A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:
  - a. inpatient care in a hospital, hospice, or residential medical care facility; or
  - b. continuing treatment by a health care provider.
4. Plan Year - January 1 through December 31.

#### B. Leave Provisions

1. Qualifying Events. Eligible employees are entitled to a total of 12 work weeks of leave during any calendar year when leave is taken for one or more of the following circumstances:
  - a. the birth of a son or daughter of an employee, and to care for the child;
  - b. the placement of a son or daughter of an employee, and to care for the child;
  - c. the care for the spouse, son, daughter, or parent of an employee, if the family member has a serious health condition;
  - d. if an employee is unable to perform the functions of the position because of the employee's own serious health condition.

(Note: The leave for the birth or placement of a son or daughter expires 12 months after the birth or placement with the employee.)
2. Intermittent or Reduced Schedule Leave
  - a. Employees seeking intermittent or reduced schedule leave based on planned medical treatment will be required to produce medical certification outlining the dates on which treatment is expected and the duration of the treatment.
  - b. Employees must also provide 30 days' notice, or as much notice as is practicable, of their intentions.
3. Paid Leave
  - a. All employees will be required to use all accrued and unused PTO and Extended Bank for the initial weeks of the FMLA leave. Unpaid leave will commence for the period of remaining time off under FMLA.
4. Notice Requirement  
Employees are required in the case of foreseeable events (expected birth or placement of a child or planned medical treatment) to provide 30 days notice to the Executive Director.

#### C. Certification

1. Certification issued by a health care provider is required to support an employee's request for leave due to a serious health condition. "Certification of Physician or Practitioner" forms are available from the Central Office.
2. TDC may require the employee to obtain the opinion of a second health care provider designated or approved and paid by TDC. In the event of a conflict between the first and second opinions, TDC may, again at its own expense, obtain a third opinion from a health care provider approved jointly by TDC and the employee. This third opinion would be final and binding.
3. TDC may require that the eligible employee obtain subsequent recertification on a reasonable basis.

### **Leave of Absence**

A leave of absence without pay *for other than Family Medical Leave* may be granted by the Executive Director in conjunction with the Center Director. All requests for leave of absence without pay must be requested in writing and indicate a definite return to work date. When a leave of absence without pay is granted, the agency agrees to reserve a comparable position for the employee at the end of the leave in the manner set forth below. A leave of absence will be granted only in special circumstances. The maximum leave of absence is one year, and is subject to the following:

- Accumulated PTO and Extended Bank leave must be used before a leave of absence without pay will be granted.
- If a staff member will be on leave two months or less (including any combination of paid and unpaid leave), the current position will be reserved.
- If a staff member will be on leave for more than two months, but no more than one year, (any part of which is unpaid leave), the next comparable position to become available after the end of the leave will be reserved for the employee. After one year a position will not be reserved, and employment will be terminated.
- While on leave of absence, employees retain all benefits and salary increases earned prior to the beginning of the leave period, but **will not accrue** additional benefits during the leave period.

### **Administrative Leave**

Administrative leave with pay may be granted by the Executive Director for special and unusual events and circumstances, such as attendance at conferences, meetings, institutes, training seminars, or in-service training courses.

### **Jury Duty**

All employees called for jury duty must contact their supervisor as soon as possible after receiving the notice. All employees will be paid their regular salary while on jury duty, provided documentation attesting to the time served on jury duty is provided TDC. All employees are required to reimburse TDC any payment by the courts for serving jury duty.

## **STAFF BEHAVIOR**

### **Employee Conduct**

The success of the TDC depends to a great degree on its reputation for honesty, integrity, and professionalism. To earn the confidence and respect of the community as a whole, each employee must avoid any personal or professional conduct which might conflict with the interest of TDC Learning Centers, Inc. You are expected to cooperate with ongoing projects at the Center.

It is your responsibility to help maintain a quality program by sharing your concerns about any aspect of the program (including the conduct of other staff) with the Center Director. The Director cannot attempt to solve problems if not informed of your problems or concerns. Your job satisfaction is important to all of us. Employees are encouraged to make efforts to resolve any conflicts within the chain of command.

### **Attendance**

Regular daily attendance is expected. It is mandatory for each staff member to be on time or inform the Center Director *personally* if she or he must be late. (This includes returning from breaks, lunch or appointments).

Good attendance by everyone is an essential job function to the effective operation of TDC Learning Centers, Inc. Employees are an integral part of TDC and everyone depends on one another. Giving Directors as much advance notice of planned absences as possible will help Directors accommodate leave requests and maintain a positive work relationship. The notice shall include the reason for the absence or tardiness and an indication of when the employee expected to report to work.

FAMILY & MEDICAL LEAVE ACT: Absences due to illnesses or injuries which qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA will be required in these instances. To apply for FMLA, please make an appointment with the Executive Director.

### **Absences and Tardiness**

Prescheduled times away from work using accrued PTO days are not considered occurrences for the purpose of this policy. Employees will give 10 working days notice when possible. Unscheduled leave is an occurrence. This is also applicable to scheduled staff meetings or other required events, which is considered ½ of an occurrence if you don't attend

An absence occurs when an employee misses three (3) hours of work or more within a normal work day.

An absence of multiple days due to the same illness, injury or other incident will be counted as one occurrence for the purpose of this policy.

A tardy arrival, early departure or other shift interruption, without prior authorization from the Director is considered one-half occurrence. An early departure is one in which the employee leaves before the scheduled end of his or her shift. This includes scheduled

breaks. Absences and tardiness or early departure will be counted together, but are assigned different levels of severity. Absences are each considered one occurrence; tardiness/early departures are each one-half an occurrence. Occurrences are counted in a rolling twelve-month period. Occurrences expire twelve months from the date of the incident.

<p>STEP ONE 6<sup>TH</sup> OCCURRENCE ABSENCES &amp; TARDINESS COMBINED</p>	<p>Six occurrences in a 12 month period will be the basis for a coaching discussion between the employee and direct supervisor. The purpose of the coaching session is to make the employee aware that he/she has been absent or tardy frequently enough to draw attention and to be certain that the employee understands this policy and the consequences of the violation. The coaching session will be documented and filed in the appropriate employee record.</p>
<p>STEP TWO 7<sup>TH</sup> OCCURRENCE</p>	<p>Any additional unscheduled absence or tardiness in the same 12 month period is cause for verbal warning with documentation. The verbal warning, delivered by the employee's direct supervisor, serves to notify the employee that he/she is in violation of this company policy and that additional occurrences will result in further disciplinary action.</p>
<p>STEP THREE 8<sup>TH</sup> OCCURRENCE</p>	<p>The next unscheduled absence or tardiness in the same 12 month period will trigger a written warning putting the employee on formal notice of violation as mentioned above.</p>
<p>STEP FOUR 9<sup>th</sup> OCCURRENCE <i>(continued on next page)</i> STEP FOUR 9<sup>th</sup> OCCURRENCE <i>(cont.)</i></p>	<p>An additional unscheduled absence or tardiness to the above in the same 12 month period is cause for a final written warning. This is considered the final step in the disciplinary process regarding attendance and punctuality.</p>
<p>STEP FIVE (FINAL) 10<sup>th</sup> OCCURRENCE</p>	<p>An additional unscheduled absence or tardy to the above steps in the same 12 period is cause for termination of employment.</p>

Unscheduled or emergency absences including illnesses shall be reported to the Director prior to the start of business on the day of the absence. Failure to call in or report to work for two consecutive days will result in termination, unless otherwise directed by the Director.

The Executive Director reserves the right to use the discretion in applying this policy under special or unique circumstances. Although occurrences will roll off an employee's records after 12 months, habitual offenders (Those who have established a pattern of absences, such as consistently having 9 or more occurrences in any given 12 month period or routinely calling off on Mondays and/or Fridays) may trigger step discipline even though 12 month old infractions have fallen off, if he or she continues to incur occurrences.

### **Professional Appearance**

Dress appropriately to the job. Staff members need to practice good personal hygiene. Your clothing and hair must be kept neat and clean. Sweat pants, clothing with holes and rips, spaghetti strap tank tops, short shorts, low cut or revealing tops are not acceptable. Open toed shoes are not permissible for staff working with children. Center Directors reserve the right to send you home to change if you are not dressed appropriately. Remember, you are seen by the public and you represent TDC.

### **Staff Meetings**

There will be regularly scheduled staff meetings at each center. There may be an occasional Center event which you will be required to attend. Periodically, staff meetings are conducted for all TDC employees. Employees are expected to attend.

### **Visitors**

Your friends and family are welcome and may visit when you are **not** on duty. You cannot leave your duties at unscheduled times to entertain or consult with friends or family. You also cannot allow your family or friends to come into the classrooms, center or playgrounds unescorted or while you are on duty. This would be unsafe for the children and unfair to the other staff.

### **Personal Phone Calls--Including Cell phones and text messaging.**

Personal phone calls at work distract your attention and interrupt your class activities and should be limited. However, we understand that it is necessary to sometimes receive calls at work. Instruct your family to call the center phone in case of emergency, and go to the office for those calls. Cell phones are to be set to quiet mode and put away while you are on company time. You may check your messages and use your phone when you are on a scheduled break or if you have received prior permission from your Center Director for special circumstances.

Taking photos with your cell phone is strictly prohibited. These photos breach the TDC confidentiality policies. Failure to follow the rules for cell phone use may subject you to disciplinary action that may result in termination of your employment.

## **Social Media**

Accessing personal social media on the internet (Facebook, Twitter, blogs, etc.) is strictly prohibited during business hours. All events, discussions and/or situations occurring during business hours are proprietary information belonging to TDC and subject to confidentiality and/or conflict of interest restrictions. They should never be discussed on any social media at any time. Violation of this policy is subject to disciplinary action up to and including termination.

## **Right of Privacy**

An employee of TDC Learning Centers, Inc. shall have no right or expectation of privacy in any electronic communication, e-mail message, voice message, or computer file, which is stored, sent, received or drafted on or with business equipment owned or paid for by TDC Learning Centers, Inc. TDC Learning Centers, Inc., specifically reserves the right to access and read any and all information contained in any computers, computer files, e-mail messages, voice messages, or which was stored, sent received or drafted on business equipment of TDC Learning Centers, Inc.

TDC Learning Centers, Inc. recognizes the value of the internet and encourages its employees to make full use of the internet to assist in work related projects. Employees of TDC Learning Centers, Inc. may utilize the internet during breaks and lunch periods for the employee's personal use. However, employees may not utilize the internet to access or view internet sites which are pornographic in nature or would constitute a violation of the sexual harassment or discrimination policies. It should be noted that TDC Learning Centers, Inc., has the ability to review an employee's use of the internet and what internet sites an employee has accessed. Moreover, TDC Learning Centers, Inc., specifically reserves the right to access and read any and all information regarding any internet sites viewed by its employees.

If TDC Learning Centers, Inc. determines that an employee has utilized the company's business equipment for purposes of storing, sending, receiving or drafting any electronic communication, e-mail message, voice message, computer file, or has accessed the internet in an inappropriate manner or in violation of the firm's policies against sexual harassment and discrimination, the company may issue discipline against the employee, up to and including termination.

## **Timekeeping Requirements**

It is a job requirement that all non-exempt employees must "clock in" in the morning and "clock out" at the end of the workday at their place of work. This is also applicable to breaks. Under certain conditions, (such as off-site training), employees should report time worked to the Main Office using the appropriate form so that their time can be manually entered.

Employees are expected to clock in and out at their scheduled times.

Employees are to clock out and back in for lunch and/or other breaks, with the exception of Kansas Employment Law regarding breaks.



Supervisors recording time not worked will be an occurrence. The time will be adjusted accordingly. Please refer back to Occurrences on pages 28 and 29.

If an employee is unable to clock in/out, the Main Office must be notified immediately so the problem can be corrected, and your time can be recorded. The Main Office is open Monday – Thursday from 7:00 am to 3:00 pm and may be contacted via phone at (785) 272-5051. If there is no answer or it is after hours, please send an email to [tdc@learnplaygrow.org](mailto:tdc@learnplaygrow.org) with your hours.

Printed timesheets should be signed by the employee at the completion of the pay period (every other Monday morning). Your signature verifies the timesheets are correct. If for some reason your timesheet is not correct you must notify your Center Director and/or the Main Office immediately so your hours can be corrected.

### **Illness and Medical Appointments**

Employees who are ill must notify the Center Director (according to center policy) as soon as possible **or at least one hour in advance of the time due to report to work.** Center Directors who are ill are to notify their centers and the Executive Director.

Staff is to follow the same illness policy as for the children. The Center Director has the authority to send a staff member home (or require a doctor's permit to return to work). Doctor and dental appointments should be scheduled, before work, during break, or after work. If it is necessary to take time off from work, please notify the Center Director at least 48 hours in advance (if possible) and schedule appointments to allow for the smooth operation of your classroom. PTO can be used for doctor and dental appointments if desired. (See *Paid Time Off policy* for more information.)

### **Disciplinary Action**

If it is determined that inappropriate conduct has been committed by an employee, TDC will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as deemed appropriate under the circumstances. Disciplinary action ranging from verbal warnings to suspensions will be documented, discussed with the employee and a copy provided to the employee and one maintained in the employee's file.

### **TERMINATION OF EMPLOYMENT**

Terminations are treated in a confidential and professional manner. All employees of TDC Learning Centers, Inc. are employed at will. This means that TDC may terminate the employment of any employee with or without cause, at any time, without advance notice and without liability for wages or salary not yet earned. An employee will be terminated for matters such as, but not limited to the following:

- Illegal use or possession of drugs or use of alcohol while at work.
- Use of corporal punishment or physical abuse of children.

This list is meant for guidance purposes only. It is not meant to be exhaustive or to suggest that these are the only reasons for which discipline may be imposed. Discipline, including terminations, may occur at the sole discretion of TDC. Neither the employee manual (presently titled Personnel Handbook), nor any statement contained within it, nor any future modifications of the policies contained in the manual, is to be construed as either an expressed or implied contract of employment for any specified time period or as creating any relationship other than employment-at-will.

### **Voluntary Termination**

Employees may terminate their employment with the agency anytime. To terminate or resign in good standing, Center Directors, Program Directors, Office Manager/Bookkeeper and the Executive Director must give one month notice and all other staff must give a two-week notice, or such period of time as indicated in the terms of an individual contract. Employees who provide proper notice and complete the final two weeks of their employment (or one month for Center Directors, Program Directors, Office Manager/Bookkeeper and Executive Director) without absence will receive payment for accrued PTO leave. Employees not providing proper notice will not receive PTO pay. Payment will not be made for accrued unused Extended Bank leave.

### **Final Paycheck**

The final paycheck will be available on the next pay date following the termination.

### **References**

TDC Directors may, at their discretion, provide written references regarding work performance in response to a written request. A copy of the written request and the response is to be filed in the employee's personnel file at the central office.

TDC staff may provide written personal references for others on their own stationary. These references are personal references and are not to be taken as statements from the agency.

Telephone callers requesting information regarding employees or former employees are to be referred to the Central Office. Central office staff will verify dates of employment but will not provide other information. A notation of the date, person calling and information provided is to be added to the employee file.

### **Conflict of Interest Policy**

It is in the best interest of TDC Learning Centers, Inc. to be aware of and properly manage all conflicts of interest and appearances of a conflict of interest. This conflict-of-interest policy is designed to help directors, employees, and volunteers of the TDC Learning Centers, Inc. identify situations that present potential conflicts of interest and to provide TDC Learning Centers, Inc. with a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in TDC Learning Centers operations.

1. Conflict of Interest Defined. In this policy, a person with a conflict of interest is referred to as an “interested person.” For purposes of this policy, the following circumstances shall be deemed to create a Conflict of Interest:

a. A director, employee, or volunteer, including a board member (or family member of any of the foregoing) is a party to a contract, or involved in a transaction with TDC Learning Centers, Inc. for goods or services.

b. A director, employee, or volunteer, (or a family member of any of the foregoing) has a material financial interest in a transaction between TDC Learning Center’s Inc. and an entity in which the director, employee or volunteer, or a family member of the foregoing, is a director, officer, agent, partner, associate, employee, trustee, personal representative, receiver, guardian, custodian, or other legal representative.

c. A director, employee, or volunteer, (or a family member of the foregoing) is engaged in some capacity or has a material financial interest in a business or enterprise that competes with TDC Learning Centers, Inc.

Gifts, Gratuities and Entertainment. Accepting gifts, entertainment or other favors from individuals or entities can also result in a conflict or duality of interest when the party providing the gift/entertainment/favor does so under circumstances where it might be inferred that such action was intended to influence or possibly would influence the interested person in the performance of his or her duties. This does not preclude the acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value which are not related to any particular transaction or activity of TDC Learning Centers, Inc.

## **2. Definitions**

a. A “Conflict of Interest” is any circumstance described in Part 1 of this Policy.

b. An “Interested Person” is any person serving as an employee or member of the Board of Directors of TDC Learning Centers, Inc. or a major donor to TDC Learning Centers, Inc. or anyone else who is in a position of control over TDC Learning Centers, Inc who has a personal interest that is in conflict with the interests of TDC Learning Centers, Inc.

c. A “Family Member” is a spouse, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister, of an interested person.

d. A “Material Financial Interest” in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect an Interested Person’s or Family Member’s judgment with respect to transactions to which the entity is a party.

e. A “Contract or Transaction” is any agreement or relationship involving the sale or purchase of goods or services, the providing or receipt of a loan or grant, the establishment of any other type of financial relationship, or the exercise of control over

another organization. The making of a gift to TDC Learning Centers, Inc is not a Contract or Transaction.

### **3. Procedures**

a. Prior to board or committee action on a Contract or Transaction involving a Conflict of Interest, a director or committee member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be reflected in the minutes of the meeting. If board members are aware that staff or other volunteers have a conflict of interest, relevant facts should be disclosed by the board member or by the interested person him/herself if invited to the board meeting as a guest for purposes of disclosure.

b. A director or committee member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the chair of the meeting all facts material to the Conflict of Interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.

c. A person who has a Conflict of Interest shall not participate in or be permitted to hear the board's or committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.

d. A person who has a Conflict of Interest with respect to a Contract or Transaction that will be voted on at a meeting shall not be counted in determining the presence of a quorum for purposes of the vote. Such person's ineligibility to vote shall be reflected in the minutes of the meeting. For purposes of this paragraph, a member of the Board of Directors of TDC Learning Centers, Inc has a Conflict of Interest when he or she stands for election as an officer or for re-election as a member of the Board of Directors.

e. Interested Persons who are not members of the Board of Directors of TDC Learning Centers, Inc or who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of Board or committee action, shall disclose to their supervisor, or the Chair or the Chair's designee any Conflict of Interest that such Interested Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Interested Person. The Interested Person shall refrain from any action that may affect TDC Learning Centers, Inc participation in such Contract or Transaction.

In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to his or her supervisor or the Chair or the Chair's designee, who shall determine whether full board discussion is warranted or whether there exists a Conflict of Interest that is subject to this policy.

### **4. Confidentiality**

Each director, employee, and volunteer shall exercise care not to disclose confidential information acquired in connection with disclosures of conflicts of interest or potential

conflicts, which might be adverse to the interests of TDC Learning Centers, Inc. Furthermore, directors, employees, and volunteers shall not disclose or use information relating to the business of TDC Learning Centers, Inc for their personal profit or advantage or the personal profit or advantage of their Family Member(s).

## **5. Review of policy**

a. Each director, employee and volunteer shall be provided with and asked to review a copy of this Policy and to acknowledge in writing that he or she has done so.

b. Annually each director, employee and volunteer shall complete a disclosure form identifying any relationships, positions, or circumstances in which s/he is involved that he or she believes could contribute to a Conflict of Interest. Such relationships, positions or circumstances might include service as a director of or consultant to another nonprofit organization, or ownership of a business that might provide goods or services to TDC Learning Centers, Inc .Any such information regarding the business interests of a director, officer, employee or volunteer, or a Family Member thereof, shall be treated as confidential and shall generally be made available only to the Chair, the Executive Director, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.

c. This policy shall be reviewed annually by each member of the Board of Directors. Any changes to the policy shall be communicated to all staff and volunteers

## **AMENDMENTS TO THE PERSONNEL POLICIES**

These Personnel Policies may be amended at any time upon recommendation by the Internal Affairs Committee, subject to approval by the Board of Directors. The policies will become effective after the employees have received written notice.

### ***ADDENDUM***

All revisions to the Personnel Policies from May 1984, March 1985, January 1986, May 1989, May 1990, December 1994, August 1995, January 1996, September 1996, April 1997, February 1998, September 2000, May 2002, June 2003, November 6, 2003, November 4, 2004, April 6, 2006, July 6, 2006, March 5, 2009, January 27, 2011, January 2014, November 2015, January 2016, March 2018, January 2019, and January 2020, January 2021, January 2022, February 2023 are contained within this document as approved by the Board of Directors of TDC Learning Centers, Inc.