



# Employee Manual

90 Spring Hill Road, Matawan, NJ 07747 732-316-4884  
45 Appleton Avenue, Leonardo, NJ 07737 732-291-0810  
405 Highway 36, Port Monmouth, NJ 07758 732-769-2400  
1041 Highway 36, Atlantic Highlands, NJ 07716 848-757-2123  
MindingMiracles.net MindingMiracles@aol.com

The policies and procedures in this manual are not intended to be contractual commitments by Minding Miracles, Inc. and employees shall not construe them as such. The policies and procedures are intended to be guides to management and are merely descriptive of procedures to be followed. Minding Miracles reserves the right to revoke, change or supplement guidelines at any time without notice. No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied from any statements in this manual.

## Essential Personnel Contact Information

Kathleen DeMarco, BCBA Owner/President 732-682-6646 kd1695@aol.com  
Elizabeth DeMarco Director of Operations 732-682-6645 mindingmiracles@aol.com  
Robert DeMarco Beacon Center Manager 732-682-5795 info.BeaconAchievementCenter.com  
Elise Filusch Old Bridge Center Manager 732-316-4884 Elise.mmlc@gmail.com  
Alexandra Dravis Leonardo Center Manager 732-291-0810 AllieDravis.mmlc@gmail.com  
Gina DeDonno Bookkeeping & Payroll 848-757-2123 gdd27@aol.com

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# 1. Introduction

## 1.1 Handbook Disclaimer

***The contents of this handbook serve only as guidelines and supersede any prior handbook. The title, 'Minding Miracles' in this handbook represents the Minding Miracles Learning Center, Inc., its subsidiary Beacon Achievement Center and all other entities represented by Minding Miracles Learning Center, Inc. or owned by Kathleen DeMarco, BCBA. Neither this handbook, nor any other policy or practice, creates an employment contract, or an implied or express promise of continued employment with the Organization. Employment with Minding Miracles is "AT-WILL." This means employees or Minding Miracles may terminate the employment relationship at any time, for any reason, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with Minding Miracles for any set period of time.***

***The Organization has the right, with or without notice, in an individual case or generally, to change any of the policies in this handbook, or any of its guidelines, policies, practices, working conditions or benefits at any time. No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and signed by the president and the employee.***

## 1.2 Welcome Message

Dear Valued Employee,

Welcome to *Minding Miracles*! We are pleased with your decision to join our team. *Minding Miracles* is committed to providing superior quality and unparalleled customer service in all aspects of our business. We believe each employee contributes to the success and growth of our organization.

This employee handbook contains general information on our policies, practices, and benefits. Please read it carefully. If you have questions regarding the handbook, please discuss them with your supervisor or the Director. Welcome aboard. We look forward to working with you!

Sincerely,

Kathy & Beth DeMarco

## 1.3 Commitment to Employees

Without question, the first priority of *Minding Miracles* is the health, safety and supervision of the children in our care. Subsequently, the development, ambition and satisfaction of our staff follow closely.

The work, progress and position of each employee will be held in constant review by the management. At any time, an employee can request to have his/her work reviewed formally. Employees may also be asked to review his or her own work as well. The reviews are meant to align the visions of the management and staff with the actions taken by each. Periodically, experts in the fields of child development, childcare or business relations may

Minding Miracles, Inc.

be brought in for staff development. Minding Miracles urges that each employee use these experts as coaches for their personal growth as well as for their development within the company.

The commitments of Minding Miracles specifically pertaining to our staff are as follows:

- The company's recruitment and selection of highly capable, innovative and ambitious employees;
- Management's commitment to provide a work environment and leadership which unites employees and generates enthusiasm for the company and its services;
- A commitment to maintain the highest standards of business ethics and integrity;
- An unwavering respect and reverence for each child and their family, honoring the integrity of the human spirit;
- An understanding of the importance of the employees' role in the company's success
- A commitment to provide training and opportunities for advancement; and
- An open-door policy, where each idea, grievance, or concern of employees will be heard and considered by management in a fair and objective manner.

In order to formally notify management of grievances, employees may write a letter explaining the problem, all people involved, and any relevant circumstances. The grievance may be handled in one of two ways by management; the supervisors in charge may choose to take action themselves or arrange coaching to help the employee work the problem out for themselves. Either decision will be made in a fair, objective manner, meant to improve the work environment for all employees involved while maintaining the vision of the company.

#### **1.4 Services & Mission**

Minding Miracles was founded on the principal that all people are entitled to the opportunity to learn along side their typical peers. All people, despite their strengths, challenges or abilities have something unique to offer society. Minding Miracles programs serve children from as young as six weeks old through adulthood. Our services include:

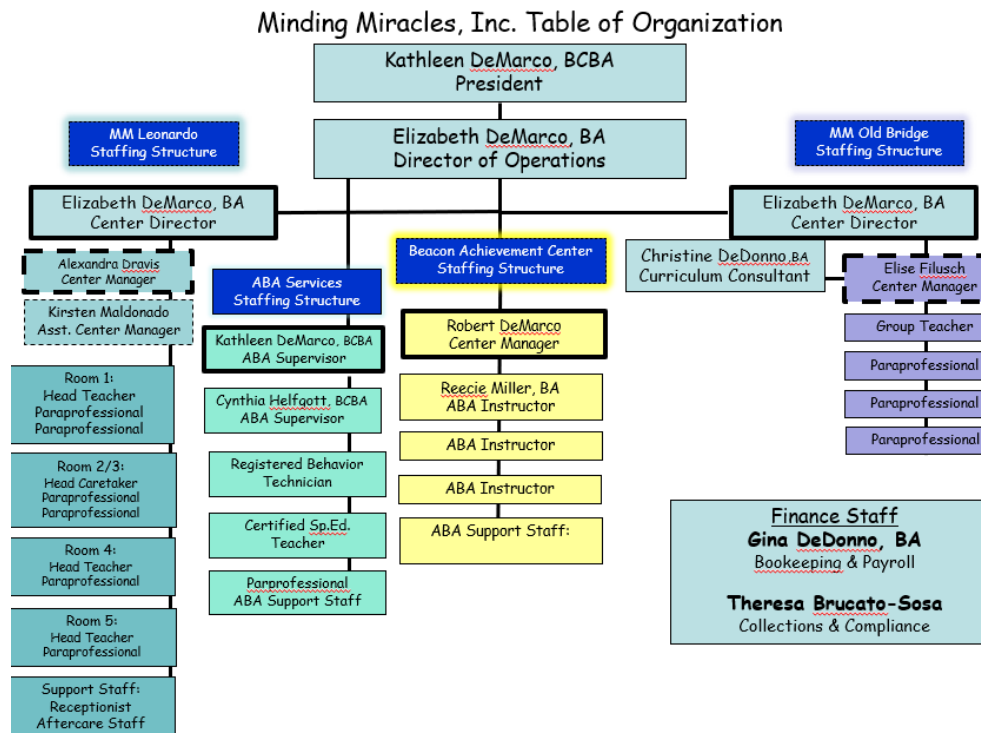
- \* A full-service daycare/preschool program for children from 6 weeks through 6 years.
- \*Private early intervention intensive developmental therapy for children diagnosed with or at risk for developmental disabilities.
- \*Applied Behavior Analysis (ABA therapy) for children with autism ages 2-21.
- \*Social skills groups for school-age children with autism.
- \*Respite care for school-age children with developmental disabilities.
- \*Respite and Day Habilitation services for adults with developmental disabilities.

#### **1.5 Company Structures**

Minding Miracles has adopted a company structure built to ensure that all branches of our organization are properly supervised and are operating within our mission. Though the staffing within each supervisory role may change from time to time, the structure of the hierarchy itself does not. When issues, grievances or requests come up, employees are encouraged to go to their direct supervisor. Your supervisor can advise you of additional steps or procedures you should take under the given circumstances. In the event that it would be inappropriate to address the issue with your direct supervisor, the Director can

be contacted via phone or email.

The table below demonstrates the organizational structure of our organization:



## 2. General Employment

### 2.1 At-Will Employment

Employment with Minding Miracles is "at-will." This means employees are free to resign at any time, with or without cause, and Minding Miracles may terminate the employment relationship at any time, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with Minding Miracles for any set period of time.

The policies set forth in this employee handbook are the policies that are in effect at the time of publication. They may be amended, modified, or terminated at any time by Minding Miracles, except for the policy on at-will employment, which may be modified only by a signed, written agreement between the President and the employee at issue. Nothing in this handbook may be construed as creating a promise of future benefits or a binding contract between Minding Miracles and any of its employees.

### 2.2 Immigration Law Compliance

Minding Miracles is committed to employing only United States citizens and aliens who are authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Minding Miracles within the past three years, or if their previous I-9 is no longer retained or valid.

Minding Miracles may participate in the federal government's electronic employment verification system, known as "E-Verify." Pursuant to E-Verify, Minding Miracles provides the Social Security Administration, and if necessary, the Department of Homeland Security with information from each new employee's Form I-9 to confirm work authorization.

### **2.3 Equal Employment Opportunity**

Minding Miracles is an Equal Opportunity Employer. Employment opportunities at Minding Miracles are based upon one's qualifications and capabilities to perform the essential functions of a particular job. All employment opportunities are provided without regard to:

- Race
- Religion
- Creed
- Color
- Sex
- Pregnancy, childbirth or related medical conditions
- National origin
- Age
- Ancestry
- Veteran status
- Liability for military service
- Disability
- Atypical cellular or blood trait
- Genetic information (including the refusal to submit to genetic testing)
- Unemployment status (with respect to job advertisements)
- Affectional or sexual orientation
- Gender identity or expression
- Marital, domestic partnership, or civil union status
- Lawful activity outside the workplace during non-work hours, such as the use of tobacco products
- Any other characteristic protected by law

This Equal Employment Opportunity policy governs all aspects of employment, including, but not limited to, recruitment, hiring, selection, job assignment, promotions, transfers, compensation, discipline, termination, layoff, access to benefits and training, and all other conditions and privileges of employment.

Minding Miracles strongly urges the reporting of all instances of discrimination and harassment, and prohibits retaliation against any individual who reports discrimination, harassment or participates in an investigation of such report. Minding Miracles will take appropriate disciplinary action, up to and including immediate termination, against any employee who violates this policy.

### **2.4 Employee Grievances**

It is the policy of Minding Miracles to maintain a harmonious workplace environment. Minding Miracles encourages its employees to express concerns about work-related issues, including workplace communication, interpersonal conflict, and other working conditions.

Employees are encouraged to raise concerns with their supervisors. If not resolved at this level, an employee may submit, in writing, a signed grievance to the Director. After receiving a written grievance, Minding Miracles may hold a meeting with the employee,

the immediate supervisor, and any other individuals who may assist in the investigation or resolution of the issue. All discussions related to the grievance will be limited to those involved with, and who can assist with, resolving the issue. Employees who have a grievance with a coworker, supervisor or clientele are prohibited from discussing the grievance with other employees. All communication about the grievance must be restricted to management and those involved.

Complaints involving alleged discriminatory practices shall be processed in accordance with Minding Miracles' Sexual and other Unlawful Harassment Policy.

Minding Miracles assures that all employees filing a grievance or complaint can do so without fear of retaliation or reprisal.

## **2.5 Internal Communication**

Effective and ongoing communication within Minding Miracles is essential. As such, the Organization maintains systems through which important information can be shared among employees and management.

Notifications are posted in designated areas of the workplace to display important information and announcements. In addition, Minding Miracles uses select apps and email to facilitate communication and share access to documents. For information on appropriate email and Internet usage, employees may refer to the Computer, Email, and Internet Usage policy.

All employees are responsible for checking internal communications on a frequent and regular basis. Employees should consult their supervisor with any questions or concerns on information disseminated.

## **2.6 Outside Employment**

Employees may hold outside jobs as long as the employee meets the performance standards of their position with Minding Miracles.

Unless an alternative work schedule has been approved by Minding Miracles, employees will be subject to the Organization's scheduling demands, regardless of any existing outside work assignments; this includes availability for overtime when necessary.

Minding Miracles' property, office space, equipment, materials, trade secrets, and any other confidential information may not be used for any purposes relating to outside employment.

## **2.7 Anti-Retaliation and Whistleblower Policy**

The Conscientious Employee Protection Act prohibits an employer from taking any retaliatory action against an employee because the employee does, among others, any of the following:

- Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer, or another employer with whom there is a business relationship, that the employee reasonably believes is a violation of a law, rule or regulation;

- Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, rule, or regulation by the employer or another employer with whom there is a business relationship;
- Provides information involving the deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any government entity;
- Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity; or
- Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
  - o Is a violation of a law, rule or regulation;
  - o Is fraudulent or criminal; or
  - o Is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

The Organization has designated as the contact person to answer your questions or provide additional information regarding your rights and responsibilities under this Act.

## **2.8 Employee Selection Process**

Minding Miracles provides equal opportunity to all applicants on the basis of demonstrated ability, experience, training, and potential. Qualified persons are selected without prejudice or discrimination as stated in the company's Equal Opportunity and Affirmative Action policies (2.3).

The employment requisitions, initiated by the Director, will define the job-related tasks and qualifications necessary to assume the position. The defined tasks and stated qualifications will be the basis for screening applications. The Director will conduct structured initial interviews limited to job-related questions to assess the candidates' experience, demonstrated ability, and training. A phone call may be used for these initial interviews.

Before extending an employment offer and upon the applicant's prior agreement that inquiries may be made, at least two applicant references must be checked. Inquiries are to be made in a professional manner requesting only factually verifiable and job-related information. The reference data is used only as supplemental information for the hiring decision.

After candidate interviews, verification of employment history, and reference inquiries, the Director is responsible for the employment offer. After the verbal offer has been made and the candidate has agreed to the essential terms of the offer [typically position, employee classification, salary or rate, and starting date] all necessary paperwork, including criminal background checks must be completed and processed. The offered position is in no way to be interpreted as long-term or permanent. Employment may be terminated for any reason at the discretion of the director.

## **2.9 Disclaimer of Liability**

Because of the nature of work entailed as an employee of Minding Miracles, employees should be in good physical condition. Such condition is defined as able to perform normal physical activities that may be required when working with young children or with individuals with disabilities. Employees with a history of heart problems, asthma,



bronchitis, or other such health risks may not be denied employment, but may be restricted from certain tasks. It is the responsibility of the employee to be conscious and cautious in regard to his or her own health.

By signing the form at the end of this handbook, you release and agree to hold harmless Minding Miracles, its officers, directors, shareholders, employees, successors, and assignees from any and all liability, of any kind or nature whatsoever, which might arise out of or result from your work with the clients with whom you will come in contact.

## 3. Employment Status & Recordkeeping

### 3.1 Employment Classifications

For purposes of salary administration and eligibility for employee benefits, Minding Miracles classifies employees as either full time, part time or per diem. If you change positions during your employment with Minding Miracles or if your job responsibilities change, you will be informed by the Director of any change in your status.

*Full-Time:* Full-time employees are regularly scheduled to work greater or equal to 25 hours per week. Generally, regular full-time employees are eligible for Minding Miracles' benefits, subject to the terms, conditions, and limitations of each benefit program.

*Part-Time:* Part-time employees are regularly scheduled to work less than 25 hours per week. Regular part-time employees may be eligible for some Minding Miracles benefit programs, subject to the terms, conditions, and limitations of each benefit program.

*Per Diem:* Per Diem employees include those hired for specific function or in the completion of a specific project, patient or limited time period. Employment beyond any initially stated period does not in any way imply a change in employment status or classification. Per diem employees retain per diem status unless and until they are notified, by Minding Miracles Management, of a change.

*Temporary:* An employee hired for a period not exceeding three months and who is not entitled to regular benefits. An extension of a temporary work classification for an additional three-month period, or less, may be granted, if upon review by management, the assignment is clearly found to be necessary. A temporary employee may be full-time or part-time. In addition to the use of this classification for secretarial or clerical positions, it applies to students working part-time and those who work during the summer.

### 3.2 Job Descriptions

**Center Manager-** The center manager is responsible for maintaining the quality of each Minding Miracles Program in accordance with the vision and objectives set forth by the director; maintaining student & staff records; maintaining all DCF/DDD licensing requirements; supervision of all teaching and assisting staff; hiring of staff & maintaining staff schedules; management of building maintenance; maintaining adequate office, teaching, janitorial and first aid supplies; staff training and assistance, filing of accident reports; support of staff grievances; scheduling of students; completing new client calls and tours; processing of all new client & employee paperwork.

**Assistant Center Manager-** The Assistant Center Manager at Minding Miracles is expected to perform as the assistant to the administrator in all facets. In the center manager's absence, the ACM is responsible for the overall center operations and supervision of staff.

**Educational Mentor-** An educational mentor is a certified staff member (ECE teacher, RBT or Sp.Ed. teacher) who is responsible for working with the center manager to supervise and train staff; guide staff on effective lesson planning; determine developmentally appropriate

activities; identify opportunities/strategies for effective inclusion; and support all staff in implementing best practice across all age groups.

**Head Classroom Teacher-** The head classroom teacher is responsible for the health and safety of all students; development and assessment of student goals; maintaining classroom equipment and supplies; organization of classroom materials and student belongings; implementing behavior plans as necessary; maintain portfolio information for each student; annual parent meetings; daily parent communication; reporting incidents or concerns to supervisor on duty; lesson plans for group teaching; supervision of subsequent staff; implementation of Minding Miracles curriculum and individual program goals.

**Developmental Therapist-** Developmental therapists are responsible for implementation of ABA programming as prescribed by the BCBA; maintenance of student programming books; completion of data and recording graphs; develop opportunities for socialization and generalization in the natural environment; daily communication with parents concerning child's progress; maintaining a clean and sanitary environment for children and clients.

**Paraprofessional-** Paraprofessionals are experienced in child development & center operations first handedly responsible for the safety of all children in their care; required to report any hazardous or inappropriate situations to supervising staff; take specific instruction from their supervising teacher; maintain a clean, sanitary environment for all staff and clientele; support the classroom teacher in implementing curriculum activities; implement prompting techniques to support students within the classroom; take behavior data when necessary.

**Classroom Assistant-** Classroom assistants supervised at all times by Paraprofessional or professional staff members. Classroom assistants are responsible for carrying through tasks and objectives as instructed by the supervising staff.

**Reception Staff-** The reception staff is responsible for administration of center operations including answering and returning phone calls; processing & organizing student paperwork; maintaining personnel files; following through on organizational structures as prescribed by the center manager; completing tasks to support classroom staff and the center manager; keeping the front entrance and reception areas clean; updating the Jackrabbit system; inputting new clients/employees into the security system; completing customer service tasks that lead to the efficient administration of center operations.

### **3.3 Personnel Data Changes**

It is the responsibility of each employee to promptly notify their supervisor or the Director of any changes in personnel data. Such changes may affect your eligibility for benefits, the amount you pay for benefit premiums, and your receipt of important company information.

If any of the following have changed or will change in the coming future, contact your supervisor or the Director as soon as possible:

- Legal name
- Mailing address
- Telephone number(s)
- Change of beneficiary
- Exemptions on your tax forms
- Emergency contact(s)
- Training certificates
- Professional licenses

### **3.4 Expense Reimbursement**

Minding Miracles reimburses employees for necessary expenditures and reasonable costs incurred in the course of doing their jobs. Expenses incurred by an employee **must be approved in advance by the Director**.

Some expenses that may warrant reimbursement include, but are not limited, to the following: teaching materials, job-specific trainings, classroom/therapy equipment and any other reimbursable expenses as required by law. Employees are expected to make a reasonable effort to limit business expenses to economical options.

To be reimbursed, employees must submit receipts to the Director for approval. Questions regarding this policy should be directed to your supervisor.

### **3.5 Termination of Employment**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Common circumstances under which employment is terminated include the following:

- Resignation - Voluntary employment termination initiated by an employee.
- Termination - Involuntary employment termination initiated by Minding Miracles. In most cases, Minding Miracles will use progressive disciplinary actions before dismissing an employee. However, certain actions warrant immediate termination.
- Layoff - Involuntary employment termination initiated by Minding Miracles for non-disciplinary reasons.
- Retirement - Voluntary employee termination upon eligibility for retirement.

Employees who intend to terminate employment with Minding Miracles, shall provide Minding Miracles with at least two weeks of written notice. Such notice is intended to allow the Organization time to adjust to the employee's departure without placing undue burden on those employees who may be required to fill in before a replacement can be found.

Since employment with Minding Miracles is based on mutual consent, both the employee and Minding Miracles have the right to terminate employment at-will, with or without cause, at any time.

In the case of employee termination, the employee will receive their accrued pay in accordance with all federal, state and local laws.

Any employee who terminates employment with Minding Miracles shall return all files, records, keys, uniforms and any other materials that are the property of Minding Miracles. Employee benefits will be affected by employment termination in the following manner:

- All accrued vested benefits that are due and payable at termination will be paid in accordance with applicable federal, state and local laws.
- Some benefits may be continued at the employee's expense, if the employee elects to do so, such as healthcare coverage.
- The employee will be notified of the benefits that may be continued and of the terms, conditions, and limitations of such continuation.

If you have any questions or concerns regarding this policy, address them to the Director.

### **3.6 Anniversary Date**

An employee's anniversary date is defined as his or her first day on the job with the company.

### 3.7 Reinstatement

Employees who are reinstated into the company will maintain their original anniversary date for seniority purposes as well as for those benefit programs governed by the anniversary date. The policy will be as follows:

**Layoff** — Employees who terminate because of reduction in work force will maintain their original anniversary date for seniority purposes, if they are re-employed by Minding Miracles within one year after date of termination.

**Voluntary Resignation** — Employees who voluntarily terminate their employment with Minding Miracles may maintain their original anniversary date, subject to management approval, if they are re-employed by the company within six months after date of termination. The company is under no obligation to rehire any such employee and may not maintain the original anniversary date if deemed inappropriate by the director.

### 3.8 Relatives

Minding Miracles occasionally permits the hiring of relatives of current employees, if the applicant is qualified and selected by the hiring manager/supervisor. Only in extraordinary circumstances, with management approval, should a relative directly or indirectly supervise an employee. A relative is defined as any person related to the employee by blood, marriage, or adoption.

### 3.9 Return to Work after Serious Injury or Illness

As a joint protection to the employee and the company, employees who have been absent from work because of serious illness or injury are required to obtain a doctor's release specifically stating that the employee is capable of performing his or her normal duties or assignments. A serious injury or illness is defined as one that results in the employee being absent from work for more than two consecutive weeks or one which may limit the employee's future performance of regular duties or assignments. Minding Miracles management shall require assurance that employees who return to work after a serious injury or illness are physically capable of performing their duties or assignments without risk of re-injury or relapse.

If the cause of the employee's illness or injury was job-related, the employee's supervisor/manager will make every reasonable effort to assign the returning employee to assignments consistent with the instructions of the employee's doctor until the employee is fully recovered. A doctor's written release is required before recovery can be assumed. Because of the nature of our work, even accepting a lighter workload may be detrimental to an employee recovering from an injury. Therefore, any employee who has direct contact with children should be sure to carefully explain his/her duties to their physician in depth before returning to work.

## 4. Working Conditions & Hours

### 4.1 Company Hours

Minding Miracles of **Matawan** is open for business from

- Monday - Friday 07:00 AM to 6:00 PM
- Saturday 9 AM to 1 PM
- Sunday 10 AM to 2 PM

Minding Miracles of **Leonardo** is open for business from

- Monday - Friday 06:30 AM to 6:00 PM

**Beacon Achievement Center** is open for business from

- Monday - Friday 09:00 AM to 6:00 PM
- Saturday 9 AM to 1 PM

Home Instruction scheduling is developed collaboratively between the family, therapist and the BCBA.

Hours of operation are subject to change and will affect employee scheduling. This excludes holidays recognized by Minding Miracles.

Supervisors will advise employees of their scheduled shift, including starting and ending times. Business needs may necessitate a variation in your starting and ending times as well as in the total hours you may be scheduled to work each day and each week.

## **4.2 Emergency Closing**

Minding Miracles recognizes that circumstances beyond its control, such as inclement weather, national crisis, or other emergencies, do occur. On such occasions, the company may close for all or part of a regularly scheduled workday. In such event, the company will endeavor to notify all personnel. Employees may also call the center and listen to the recorded outgoing message. Any closing longer than one full day can be assessed against employee's sick leave or vacation time, whichever may be applicable and, if none, the closing shall be regarded as unpaid personal leave.

## **4.3 Parking**

MINDING MIRACLES provides parking for employees in the center's parking lot. Parking for each center varies based on the construct of the lot. Employees should ask their center manager for details on the center parking policy. At all centers, employees may not park in spaces designated for student drop off. Any employee who chooses to park on the street or in public parking must do so in accordance with local ordinances. Minding Miracles will not be held responsible for damages incurred as a result of on-street parking or parking at a client's home.

# **5 Workplace Safety**

## **5.1 Physical Safety**

Minding Miracles is committed to providing a clean, safe, and healthful work environment for its employees. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. Minding Miracles and all employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act and state and local regulations. In addition, all employees are expected to obey safety rules and exercise caution and common sense in all work activities.

### *Complaint and Reporting Procedure:*

Employees should immediately report any unsafe conditions to their supervisor without fear of reprisal. In the case of an accident that results in injury, regardless of how seemingly insignificant the injury may appear, employees must notify their supervisor. If you believe it would be inappropriate to report the matter to your supervisor, you can report it directly to: Elizabeth DeMarco; 732-682-6645  
45 Appleton Ave, Leonardo, NJ 07737

Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.

#### Retaliation Prohibited:

Minding Miracles expressly prohibits retaliation against anyone who reports unsafe working conditions or work-related accidents, injuries or illnesses. Any form of retaliation will be subject to disciplinary action, up to and including termination of employment.

Questions or concerns regarding this policy should be directed to your supervisor or the Director.

## 5.2 Child Safety

First consideration during any activity, task, or situation is the health and safety of the children present. The following safety objectives have been outlined to ensure an optimally safe environment for the children in our care to play, learn, and excel:

- At no time should a fire exit be blocked by any equipment, furniture or toys. Be sure that there is always a clear path to each exit.
- Small, ingestible toys or objects should be kept in a high or locked place, away from the reach of children to prevent choking.
- Instructions for the heimlich maneuver will be hung in a conspicuous place in each classroom and all employees should make themselves familiar with the procedure in case of emergency.
- All employees are required to attain and maintain CPR and first aid certification.
- No child may be left alone **at any time**. If for some reason, a child requires assistance, requiring the employee to leave the area, and another adult is not available to cover, all children in the area must be brought with the assisting adult.
- Whenever more than five children are to be present at any time during the day, at least two instructors must be scheduled for their care.
- Every staff member must keep an accurate and updated count of the total number of children in their care at any given time.
- When using edible reinforcers, use caution as to the size, solubility, and storage of the food.
- All food should be kept out of the reach of children in order to prevent allergic reactions, choking, or violations in dietary restrictions. Because of serious allergic reactions, at no time are peanuts, peanut butter, or other peanut products to be brought into Minding Miracles centers.
- Before giving a child any food that has not been provided by the parent, the child's records must be checked for dietary restrictions or allergies.
- No child may be given medication (either prescription or over-the-counter), remedies or vitamin supplements at the center without a signed consent form.
- All medication must be kept in a locked storage container and be administered within the parameters of the Minding Miracles Medication Administration Policy. The key for the medication container must be kept inaccessible to children.
- Any child exhibiting signs of illness must be immediately removed from the group and the child's parents must be called immediately. Children must be symptom-free for at least 24 hours to return to school after most illnesses. Some illnesses require a longer absence or doctor's notice before the child can attend the center. A complete list of illnesses and symptoms is available in the Minding Miracles' Communicable Illness Policy.
- In the event that any child enrolled at the center is diagnosed with a communicable illness within 14 days of attendance, all parents must be made aware in writing of the illness, it's symptoms, and any other relevant information.

- When notifying any parent, visitor, or professional of the illness, diagnosis, or behavior of another child, that child's name and identity are to remain undisclosed for reasons of privacy.
- All toys, equipment, furniture, and bathroom fixtures must be sanitized according to the posted sanitation schedule.
- All accidents must be reported to the supervisor in charge at the time the accident occurred, and an accident report must be complete & provided to the parent. Injuries that result in the need for medical care, or that involve injury to the individual's head must be reported to the parent/guardian immediately.
- Children may only be released to people who have been authorized by their custodial parents and for whom Minding Miracles has a signature/consent on record.
- In the event that a caretaker arrives at the center seemingly intoxicated or impaired, the child may not be released into their care. Contact a supervisor immediately for further instructions.
- In the event that any suspicious or unfamiliar people are seen lurking or loitering in the proximity of Minding Miracles, a supervisor must be notified immediately.
- Any visitors must be scheduled ahead of time and must sign in before entering the building.

### **5.3 Security**

The purpose of Minding Miracles' security policy is to protect Organization assets and to maintain a safe working environment for all employees.

#### **Facility Access:**

All regular Minding Miracles employees will be issued a key/code to gain access to Minding Miracles facilities. Employees who are issued keys are responsible for their safekeeping. All lost or stolen keys must be reported to your supervisor as soon as possible.

Upon separation from Minding Miracles, and at any other time upon Minding Miracles' request, all keys must be returned to your supervisor.

#### **Closing Procedures:**

The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that: all doors are securely locked; the alarm system is armed; thermostats are set on appropriate evening and/or weekend setting; and all appliances and lights are turned off with the exception of the lights normally left on for security purposes. Employees are not permitted on company property after hours without prior written authorization from the Director.

## **6. Breaks, Workday, Compensation & Attendance**

### **6.1 Schedule and days off**

Daily work schedules are arranged according to employee availability at the time of hire, student:staff ratio requirements and special developmental considerations of the clientele. Employees who change their availability for any reason must do so in writing with at least two weeks' notice. Schedule changes may only be made with the approval of the center director. Changes in an employee's availability may affect the number of work hours available to the employee. Except for active full-time employees, no guarantee will be made concerning number of hours or specific days off.

Day-off requests must be made in writing and are subject to center manager approval. Vacation requests (3 or more consecutive days off) must be approved by both the center manager and director. In the event that a day-off or vacation request is denied, the center manager may work with the employee to find dates that are more suitable for center operations. In the event that an employee request has been denied, the employee must fulfill their regularly scheduled obligations to the center. Failure to do so may result in termination.

There are instances in which Minding Miracles management will not deny a request for leave. These instances are listed in section 7 under the heading 'Employee leave.'

## **6.2 Meal & Break Periods**

In accordance with State laws, employees under the age of 18 must take a 30-minute work break after 5 hours of work. Such breaks are unpaid, and employees must clock-out during the break. When working six or more hours, employees under the age of 18 may take a paid 15-minute break in addition to the 30-minute unpaid break.

All other employees may take a 15-minute paid break for every 4 hours of work. When working an eight-hour shift, employees must take their 2 allotted breaks at separate times (not consecutively). Breaks can be combined only with supervisor approval. Employees who choose to take a break lasting more than 15 minutes may do so, however (1) supervisor approval is required and (2) breaks lasting 20 or more minutes will be unpaid. Employees must be fully relieved of their job responsibilities and are not permitted to work during **unpaid** break and meal periods of more than 20 minutes. Employees choosing to take an unpaid break must clock-out for the duration of their break; failure to do so will result in termination.

Minding Miracles will schedule meal and break periods in order to accommodate Organization Operating Requirements. In most cases, coordination of break periods will be the responsibility of the classroom staff. However, if student safety and program organization is sacrificed in any way, management may impose slatted break times that are optimal for program continuity.

## **6.3 Break Time for Nursing Mothers**

Minding Miracles accommodates employees who wish to express breast milk during the workday by providing reasonable break times to do so. The Organization will provide a designated area, other than a bathroom, that is shielded from view and is in compliance with all other applicable laws for this purpose. Employees who use regularly scheduled rest breaks to express breast milk will be paid for the break time. For questions related to this policy, please contact the Director.

## **6.4 Payday & Reporting**

Our employees are paid every two weeks, every other Thursday. In the event that the scheduled payday falls on a scheduled closing or holiday, checks will be issued the preceding business day.

Employees who are responsible to report hours for payroll must do so by 5:00 pm on the Wednesday before the pay period ends. For a copy of the payroll schedule, contact the center manager. Home instruction of therapy staff must submit an **accurate** accounting of the hours completed and documentation citing the client for which the hours occurred. Reporting can occur through submission of a home instruction sign-in sheet or the



timesheet digital application. In the event that an employee knowingly submits incorrect billing information, the employee will be terminated immediately and may be subject to legal ramifications.

Each employee should keep track of his/her own hours and check their pay stubs accordingly. In the event that an error has been made, the employee should contact the bookkeeper directly to resolve any discrepancies. Minding Miracles offers direct deposit to all employees who choose to enroll. Paper checks will be submitted to employees who opt-out of direct deposit. Minding Miracles currently contracts the payroll services of ADP. Check stubs, tax forms and hours paid can be accessed through the ADP secure website. For instructions on how to enroll in direct deposit or to access ADP's employee portal, contact the bookkeeper.

## **6.5 Pay deductions**

The following mandatory deductions will be made from every employee's gross wages: federal income tax, Social Security FICA tax, and applicable city and state taxes. Every employee must fill out and sign a federal withholding allowance certificate, IRS Form W-4, on or before his or her first day on the job. This form must be completed in accordance with federal regulations. The employee may fill out a new W-4 at any time when his or her circumstances change. Employees are expected to comply with the instructions on Form W-4. Questions regarding the propriety of claimed deductions may be referred to the IRS in certain circumstances.

Other optional deductions include the portion of group health insurance not paid by the company, which is deducted from each payroll check. Other voluntary contributions, such as credit union and pension plan, are also deducted each pay period. Additional circumstances in which deductions may be applied to an employee's wages include: money owed to Minding Miracles for any reason and amounts ordered to be deducted because of collections judgements by State, Local or Federal courts (including child support/alimony judgments).

Every employee will receive an annual Wage and Tax Statement, IRS Form W-2, for the preceding year on or before January 31. Any employee who believes that his or her deductions are incorrect for any pay period, or on Form W-2, should check with the bookkeeper immediately. Your supervisor/manager will give you time to do this during the workday. Minding Miracles is not responsible for incorrectly filled W-4 forms.

## **6.6 Attendance & Tardiness**

Consistent employee attendance is critical to efficient management of the center and the success of our clients. Employee absences, although an inevitable outcome of working with children creates safety and administrative complications. Therefore, consistent employee attendance is a stipulation for continued employment. Employees who are absent more than once in a six-week period will be asked to provide a doctor's note to verify illness and demonstrate to management that any underlying health issues have been addressed. It is equally critical for employees to prevent the spread of communicable illness by being proactive in their own health care.

Employees are expected to be clocked in and ready to begin working at their scheduled time. This may mean having to arrive at your work location several minutes early to tend to personal matters. Employees who are not at their work location, performing their assigned tasks at their scheduled times will be considered late, despite 'clock-in' time; unless otherwise instructed or assigned by the center manager or director. Tardiness of 20 or

more minutes, without communication with a supervisor will be considered truancy and the employee risks losing their entire shift. More than one occurrence of this conduct will lead to termination.

Excessive absence without doctor verification, questionable patterns of absences, confirmed malingering and superfluous tardiness are grounds for suspension and may lead to termination. Details regarding suspension and termination can be found in the employee discipline code in section 16 of this manual.

## **7 Employee Leave**

### **7.1 Personal Leave**

Leave of absence is time off in a non-pay status. An employee must submit a request for leave of absence in writing to his or her supervisor. The employee is expected to request leave of absence with as much advance notice as possible. Leaves of absence will not be granted for periods less than two weeks in duration.

The employee has the responsibility to keep the director advised of the leave situation and to contact his or her supervisor at least two weeks before the expiration of the approved leave to discuss return to work. The company will make a reasonable effort, consistent with good business practices and company needs, to reinstate an employee to the same position he or she previously occupied, or to a similar position, following a leave of absence.

However, in the case of leaves over one month the company cannot guarantee that the same or a similar position will be available at the time an employee desires to return to work, or thereafter. If this situation occurs, the company reserves the right to offer the employee a lower-level position, if one is available at the appropriate salary for such a position.

An exception to this rule occurs when an employee is guaranteed re-employment rights under federal or state laws.

Information about employee paid sick and personal days can be found in the Employee Benefit portion of this manual, under section 18.

Time for routine doctor or dentist appointments is not to be charged to sick leave. Employees are encouraged to make such appointments before arriving for work or after leaving work for the day, whenever possible. If time off is required for such appointments, arrangements should be made in advance with the employee's supervisor. Sick leave not used by the end of the year is forfeited.

### **7.2 Medical Leave**

Upon written application by an employee Minding Miracles will grant to the employee for an appropriate period of time, a leave of absence without pay for illness or pregnancy subject to the requirements set forth below. The company reserves the right to request a certificate or statement from the employee's physician establishing the employee's physical need for the leave of absence. An employee returning to work from a leave of absence in the case of illness or pregnancy will present a certificate or statement from the employee's physician indicating that the employee is able to return to work.

An employee need not apply for an illness or pregnancy leave of absence if the absence will not exceed five working days. The following requirements will be applicable to

employees on all types of leaves of absence:

- An employee on any leave of absence shall not return to work prior to the expiration of his or her leave without the prior written consent of their physician.
- An employee who does not return to work at the end of his or her leave of absence will be considered to have voluntarily resigned from employment with Minding Miracles.
- If an employee returns to work within four weeks after the leave of absence begins, the company will return the employee to employee's previous job, if the job exists and if the employee remains qualified and able to perform the work in such job.
- If an employee returns to work more than four weeks after the leave of absence begins, the company shall not be required to return the employee to any job within the company.
- An employee who accepts other employment while on any leave will be deemed to have voluntarily resigned his or her employment with the company.
- Group insurance participation for employees on a leave of absence will continue during the leave but will terminate the first day after the day on which the leave of absence ends, but in no event later than eight weeks following the date of commencement of the leave, if the employee has not returned to full time employment by that date.
- The time that an employee is on leave of absence will be counted as time worked for determining whether or not the employee is entitled to other company benefits, subject, of course, to the specific provisions of any health insurance policy, retirement plan or other benefit package. Similarly, an employee's length of service will continue to increase while the employee is on leave of absence.

### **7.3 Family Leave**

The company provides unpaid family medical leave for up to twelve weeks within a two-year period subject to the following terms and conditions. For purposes of this policy, a "year" is determined by looking back twelve months from the date the leave is requested to determine how much leave has been taken in that period. Employees taking a family medical leave of absence shall make a reasonable effort to schedule medical treatment or supervision so as to minimize any disruption to company operations. If a serious health condition is anticipated, the employee shall provide as much notice as possible, prior to taking leave, explaining the reason for the leave.

Pregnant employees may also take a leave of absence on account of pregnancy for a reasonable period of time if the leave is reasonably necessary, the employee requests the leave in writing, and the company can reasonably accommodate the request. Pregnant employees may also use any accrued vacation time or other compensatory time off. Maternity/paternity leave is also subject to the requirements listed in section 6.2.

### **7.4 Bereavement**

Minding Miracles will provide time off for employees to attend the funerals of family members and friends. Your supervisor will approve whatever period of time is necessary and appropriate under the circumstances. Typically, three days leave will be granted, except in the event of the death of an immediate family member, including a spouse, grandparent, parent, mother/father-in-law, sibling, child or stepchild, and grandchild. Bereavement leave is unpaid; however, the employee can use any remaining paid time off days.

## 7.5 Jury Duty

Minding Miracles will grant employees time off for mandatory jury duty or court appearances as a witness when the employee must serve or is required to appear as a result of a court order or subpoena. A copy of the court order or subpoena must be supplied to the employee's supervisor/manager when requesting time off.

However, time off for jury duty or court appearances shall not be compensated, and the employee must arrange for time off without pay or use accrued vacation or personal leave for such appearances.

## 8 Child Care

It is the policy of Minding Miracles to provide childcare to the children/stepchildren of employees under the following conditions:

- A discount of 30% will be applied to the tuition of employee's children or children of whom they are the custodial guardian.
- Employee's children can only be enrolled if there is schedule availability for the age group/days that the employee requests.
- Children of employee cannot be placed in the direct care of the employee.
- Employees who are eligible for State childcare subsidy benefits must complete/file all required paperwork and follow all of the rules & regulations of the subsidy organization. Failure to do so will result in the employee being responsible for all payments.

## 9 Conflict of Interest

### 9.1 Employment by clientele

Often, employees of Minding Miracles are approached by clients to provide services such as after-hours child care, transporting children to recreational activities, house sitting, or shadowing children in services not offered by Minding Miracles (for instance, a gymnastics or dance class). It is Minding Miracles' policy that our employees **may not** engage in such activities. At times, special permission may be granted for such activity under certain circumstances. A request must be made to the director, in writing, for permission. In the event that permission is granted, the family and employee making the request must sign a waiver holding Minding Miracles harmless for any liability that may come from the activities listed. *Violation of this policy will result in immediate dismissal.*

### 9.2 Family relationships

A hallmark of Minding Miracles customer service is our ability to form trusting, personable relationships with our families. That being said, it is our expectation that our staff members maintain a professional & respectable relationship with our clients. Personal relationships that form outside of work have a tendency to blur objectivity and create tension between families and staff. Staff members are prohibited from seeking out personal relationships with parents outside of the workplace. We acknowledge that some relationships exist before a family becomes a client, and do not expect employees to sever ties. However, the following guidelines must be adhered to at all times:

- Employees are expected to maintain a respectable demeanor when in the presence of Minding Miracles' clients, both in and out of the workplace.

- Relationships with families of children who are in your direct care that are personal in nature must be reported to your supervisor.
- No information about other clients or staff members may be shared with families. This creates a HIPAA violation and is grounds for termination.
- ALL communication about the child(ren) in our care must be reported following usual protocol in a professional and procedural manner.

## 10 Reporting abuse

In New Jersey, any person having reasonable cause to believe that a child has been subjected to abuse or acts of abuse should immediately report this information to the State Central Registry (SCR). If the child is in immediate danger, call 911 as well as **1-877 NJ ABUSE (1-877-652-2873)**. A concerned caller does not need proof to report an allegation of child abuse and can make the report anonymously.

Additional information can be found on the Division of Children & Families website at: <http://www.nj.gov/dcf/reporting/how/>

## 11 Performance Review and Pay Merit Increases

Minding Miracles allocates pay increases based on merit. Employees who show exceptional customer service, continuously develop their skill sets for their current position, demonstrate integrity and consistency with their job performance and strive toward program improvement will be considered first and foremost for pay increases. Any employee who feels that they are deserving of a pay increase can request a performance review. During the review, employees will have the opportunity to set career goals, assess their own performance, develop objectives for performance improvement and meet with their supervisor for review.

After review, an employee may be awarded an immediate pay-rate increase, a pay-increase to begin on a specific date, a contingent increase based on specific actions or a continuance. Contingent increases provide the employee a specific amount of time (usually 3 months) in which the manager describes specific actions/behaviors that would need improvement in order for the employee to receive the rate increase. A continuance occurs when an employee does not currently qualify for a pay increase; however, a future date for additional review is set for consideration (usually 3-6 months).

Minding Miracles believes that pay increases should be related to an employee's performance and his or her relative level of contribution to the company. Merit increases in pay are neither automatic nor periodic. They are reserved for employees who show skills improvement and higher than average performance. Additional factors that may affect an employee's payrate include newly attained certification/licensure, undergraduate or post-graduate credits earned from an accredited college or university, completion of independent training courses offered by organizations that have been approved by Minding Miracles or an increase in leadership roles within the company.

## 12 Confidentiality & HIPAA

### 12.1 Proprietary information

In consideration of your employment with Minding Miracles, you will be exposed to information and materials which are confidential and proprietary and of vital importance to the company. Employees may not at any time disclose or use, either during or subsequent

to employment, any information, knowledge, or data which is received or developed during employment which is considered proprietary by Minding Miracles or which relates to the business practices of Minding Miracles.

Such information, knowledge or data includes the following which is by example only: business structures, data sheets & collection tools, programming information, accounting or financial data, pricing or salary data, training information, ABA structures & strategies, scheduling, marketing data, business plans, client or employee lists, literature, and videos.

The proprietary information and trade secrets are created at a substantial cost and expense to Minding Miracles and unauthorized use or disclosure would cause irreparable injury to the company. Employees who violate this policy either during or after employment will be subject to legal proceedings.

## **12.2 Health Insurance Portability and Accountability Act**

All employees of Minding Miracles are required to comply with the Health Insurance Portability & Accountability Act. This act (HIPAA) protects the personal health information (PHI) of our clients and their families. Personal health information includes, but is not limited to:

- Demographic information (last name, birthday, address, etc)
- Diagnostic information/functioning level
- Behavioral profile
- Services being received
- Anecdotal information
- Programming information

Compliance with HIPAA Laws are mandatory for all Minding Miracles employees. Failure to comply with the safeguards contained within the HIPAA guidelines will result in immediate dismissal. Compliance entails:

- Avoiding discussing a child's PHI with anyone other than parents, supervisors and staff related to the child's direct care.
- Keeping all sensitive paperwork in a secure location.
- Not answering questions from other parents or professionals about a child's PHI.
- Sharing information with others at the parent's request **ONLY** after signed consent has been attained.
- Refraining from any 'outside' (off-duty) conversation about clients in public places or in the presence of non-employees.

This policy applies to **ALL** Minding Miracles clients (with or without a diagnosis).

## **12.3 Sharing information with licensing representatives**

As a State licensed childcare center & provider of insurance/State related services, Minding Miracles is subject to random and consistent inspections. Inspections may be performed by a representative of the Division of Children & Families office of licensing, the township health/fire departments, insurance auditors and the Department of Developmental Disabilities. It is important for all staff to understand what information can and cannot be shared with inspectors. The following guidelines must be followed when sharing information or allowing file access to these individuals:

- No inspector (who is able to show identification/credentials) may ever be denied access to our buildings or classrooms.
- Unless a signed consent form is presented, children's last names & birthdays may not be shared (DCF inspectors will ask for age ranges).

- Inspectors from DCF or DDD may have access to children’s files.
- If you are uncomfortable with an inspector’s request for information, and are unsure of the appropriate parameters, politely explain your dilemma to the inspector and immediately contact your supervisor. Most inspectors understand the need for confidentiality and are happy to wait a moment for you to be sure you are in compliance.

## 13 Employee Conduct

### 13.1 Dress Code

Staff members are expected to observe the 3 C’s for appropriate attire at work as follows:

**COMFORTABLE** – Staff is expected to play with the children and be down at their level whenever it is appropriate. To do this, staff must be dressed in comfortable clothes that allow free movement and activity. Staff members are expected to participate alongside the children during all daily activities clothing choices must make it possible to do so.

**CLEAN** - All clothing should be clean with no stains, rips or tears, and must smell appropriate. This also applies to personal hygiene.

**COURTEOUS** - Staff members interact with children and parents on a daily basis and should dress professionally. Clothing may not contain alcohol, drug, or cigarette references. Vulgar sayings or suggestions are forbidden. Certain articles of clothing are never appropriate for the work environment, including: halter tops, strapless “tube” tops, short skirts/shorts, baggy sweatpants, excessively torn jeans/shorts, and low-rise jeans/shorts which expose undergarments.

When choosing to wear jewelry, staff members should remember that our client base consists of young children & adolescents/adults with special needs. Employees who wear jewelry run the risk of it being torn off or damaged. Minding Miracles is not responsible for personal items that are damaged. It is expected that all staff members will present themselves and Minding Miracles in a professional, respectable manner. Any staff member not adhering to the dress code may be asked to leave and return dressed appropriately and will not be paid for the time it takes to do so.

### 13.2 Personal Belongings

Coats, backpacks, purses, etc. must be safely out of the reach of children. Minding Miracles is not responsible for lost or stolen items. We highly recommend that employees not bring valuables into the workplace unnecessarily.

### 13.3 Cell Phones

Use of cell phones while students are present is strictly prohibited at Minding Miracles. Cell phones are a distraction and can create a safety risk.

Permitted Uses:

- A critical family emergency that requires constant contact. **Use must first be approved by the center manager and must not interfere with the classroom dynamic.**
- Application use for classroom management/student benefit (ex- timers, SeeSaw, Youtube, Spotify). This stipulation applies only to the head classroom teacher and must be approved by the center manager. ***In most cases, the classroom iPad should mainly be used for this purpose.***
- Use in the office or outside the building during staff breaks.

In the event that a staff member violates this policy, the following consequences will be enforced:

- 1<sup>st</sup> offence: Warning
- 2<sup>nd</sup> offence: 1 Day suspension without pay
- 3<sup>rd</sup> offence: 2 Day suspension without pay and meeting with management
- 4<sup>th</sup> offence: Dismissal

### **13.4 Smoking**

No smoking is allowed in the building at any time. This policy is for the health and safety of all employees and children. Smoking will be allowed only in designated areas outside the building, away from the playground, parking lot, and other areas where children may be present or may see the employee. Employees must dispose of their cigarette butts in a safe, non-visible location. *THIS POLICY ALSO APPLIES TO ELECTRONIC CIGARETTES & VAPING.*

Employees who smoke must be sensitive to the health hazards and hygiene issues that can be passed onto our clients. Therefore, any employee who chooses to smoke during a scheduled break must eliminate any smell of smoke from their clothes, hair, breathe or hands before returning to work.

The following consequences will be enforced in the event of a breach of this policy:

-An employee who is found to be smoking in the building will be immediately terminated.

-An employee who smokes in the view of children, disposes of cigarette butts improperly or smokes in restricted areas of Minding Miracles property will be suspended for 1 day after the first offence, suspended for 2 days after the second offense and will be terminated after the third offense.

### **13.5 Substance Abuse**

Minding Miracles recognizes that individuals use substances such as alcohol and drugs, sometimes to an extent that impairs their abilities and senses. Our position regarding substance abuse is the same whether alcohol, marijuana, illegal drugs, prescription drugs, or controlled substances are involved.

This policy is implemented because we believe that the impairment of any Minding Miracles employee due to his or her use of substances is likely to result in the risk of injury to other employees, the impaired employee, the children present, their parents, or guests. Moreover, substance abuse adversely affects an employee's decision-making ability, reflexes and productivity.

"Impairment" or "being impaired" means that an employee's normal physical or mental abilities, or faculties, while at work have been detrimentally affected by the use of substances. Any employee who attends work while impaired is guilty of a major violation of company rules and is subject to immediate dismissal. Likewise, the use, possession, transfer, or sale of any substance on company premises or in any Minding Miracles parking lot, storage area, or job site is prohibited. Violations are subject to suspension & dismissal. Additionally, in the event that illegal substances have been consumed on Minding Miracles property, legal authorities will be notified.

Employees who are taking prescription drugs are encouraged to report this to their supervisor/manager. This is for the protection of the employee and for safety purposes in case of an adverse reaction to the drug while at work.

### **13.6 Gossip & Hearsay**

Gossip is considered to be the act of discussing information or incidence with individuals



who are not involved in the situation. Though gossip is often thought of as inevitable in any workplace, it is prohibited from Minding Miracles. Gossip creates a stigmatic, counterproductive and defensive work environment; making it impossible to fulfill on our commitment to our clients. Minding Miracles has adopted a procedural protocol for reporting grievances which can be found in section 15.

### **13.7 Social Media**

Minding Miracles understands that employees access social media accounts. While social media creates opportunities for communication and collaboration, it also creates responsibilities for our employees. This policy sets forth appropriate social media use.

For purposes of this policy, social media includes technology that enables individuals to communicate over the Internet and share information. While new forms of social media emerge frequently, some examples include, but are not limited to, websites such as LinkedIn, Facebook, Twitter, Snap Chat, Instagram, YouTube, and blogs you write or blogs on which you comment.

Use of social media is subject to the following rules:

- For performance, privacy and security reasons, personal use of social media on Minding Miracles-owned devices and while employees are on working time is prohibited.
- Whenever you use social media, Minding Miracles expects that you will do so in a professional and responsible manner, in accordance with all Minding Miracles policies and procedures.
- In accordance with Minding Miracle's Confidentiality Policy, employees are prohibited from disseminating the company's confidential or non-public, proprietary information. *Wages and other conditions of employment are not considered confidential information.*
- Employees are prohibited from the use of social media to post comments about co-workers that violate the company's policy against discrimination and harassment.
- When using social media for business-related purposes, employees are prohibited from using slurs, personal insults or obscenities or engaging in any conduct that that violates the 's policy against discrimination or harassment.
- Respect all copyright and other intellectual property laws. Show respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the 's own copyrights, trademarks and brands.
- Employees are forbidden from posting pictures, videos or names of clients on personal social media.
- Do not disclose confidential or proprietary information of customers or individuals with whom the company does business without their prior written consent.
- If, through a social media outlet, you are contacted by a member of the media seeking the company's official position on a matter, contact the director before responding.

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations Act.

Violation of this policy may result in disciplinary action, up to and including termination of employment. Questions regarding this policy should be directed to the director.

### **13.8 Parent Communication**

Parent communication should be professional and positive in nature. Employees should refrain from using vulgar or demeaning language in any way when speaking to parents. When notifying parents of a behavior problem, critical incident or problem that included their child, refrain from using derogatory language or imposing judgement. This type of communication should be as neutral and factual as possible. Minding Miracles expects employees to be honest and transparent with clients; however, parents should never be left to feel that their child is an imposition. In the event that you require coaching on how to present feedback to parents, contact your supervisor for assistance.

Parents should be notified of any extraordinary circumstances experienced by their child during the school day including: accidents/injuries (head and neck injuries must be reported immediately), unusual incidents, acts of aggression/bullying, feeding/food issues, allergic reactions/potential health issues. Issues that require immediate attention (such as allergic reactions or the need for medical treatment) should be reported immediately. Non-urgent issues can be reported at pick-up time. Any incident requiring parent notification must be documented in an incident/accident report and must also be reported to a supervisor. Additionally, any parent concerns, altercations, or potential issues must also be communicated to the supervisor.

### **13.9 Use of Company Property**

Company property refers to anything owned by the company: physical, electronic, intellectual, or otherwise.

Minding Miracles has carefully selected and maintains the furniture, teaching materials, equipment and supplies necessary to carry out the duties for each employee's job. These items are the property of Minding Miracles and can be moved, re-assigned or replaced at any time. It is the employee's responsibility to assure that all items are kept organized, clean, used properly and are free from safety hazards.

All staff members are responsible for maintaining a neat, organized and sanitary learning environment. Broken or worn out equipment should be reported to the center manager. Common areas such as the employee bathroom and kitchen are provided for the benefit of all employees. Each employee shall be responsible for the general clean-up of the area, including the washing of personal dishes and utensils, disposal of trash, and wiping down counter areas after use. Employees are welcome to keep a small amount of their own food in the center refrigerator; however, the items should be labeled, be disposed of before expiration and must be cleared out at the end of each week.

Company property is not permitted to be taken from the premises without proper authority from company management. For home instruction teams, a library of teaching materials is available in our main office. Items can be signed out for use in a client's home, but must be returned in good repair. Items purchased and paid for by employees for use at the center should be labeled with the owner's first initial and last name. Material needed for business use, for which an employee expects reimbursement, must first be approved by the director. A copy of the receipt of purchase must be submitted for reimbursement.

Any action in contradiction to the guidelines set herein may result in disciplinary action, up to and including termination of employment.

## **13.10 Insubordination**

Supervisors and employees should interact with mutual respect and common courtesy. Employees are expected to take instruction from supervisors or other persons of authority. Failure to comply with instructions or unreasonably delaying compliance is considered insubordination. Acts of insubordination are subject to disciplinary action, up to and including termination. If an employee disagrees with a supervisor, the employee should first try to mediate the situation by explaining their position. If possible, a compromise might be met and accusations of insubordination avoided.

## **14 Harassment**

### **14.1 Harassment & Bullying Statement**

Minding Miracles is committed to a work environment in which all individuals are treated with respect. Minding Miracles expressly prohibits discrimination and all forms of employee harassment based on race, color, religion, sex, national origin, age, disability, military or veteran status, or status in any group protected by state or local law.

Any incident in which an employee knowingly attempts to physically, emotionally or socially intimidate the well-being of another employee (in any way) must be reported below. Mediation may be mandated as well as disciplinary action.

### **14.2 Sexual Harassment**

Sexual harassment is a form of discrimination and is prohibited by law. For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual and unlawful harassment may include a range of behaviors and may involve individuals of the same or different gender. These behaviors include, but are not limited to:

- Unwanted sexual advances or requests for sexual favors.
- Sexual or derogatory jokes, comments, or innuendo
- Unwelcomed physical interaction
- Insulting or obscene comments or gestures
- Offensive email, voicemail, or text messages
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- Verbal sexual advances or propositions
- Physical conduct that includes touching, assaulting, or impeding or blocking movements
- Abusive or malicious conduct that a reasonable person would find hostile, offensive, and unrelated to the 's legitimate business interests
- Any other visual, verbal, or physical conduct or behavior deemed inappropriate by

the company.  
Harassment on the basis of any other protected characteristic is also strictly prohibited.

### **14.3 Complaint Procedure:**

Minding Miracles strongly encourages the reporting of all instances of discrimination, harassment, or retaliation. If you believe you have experienced or witnessed harassment or discrimination based on sex, race, national origin, disability, or another factor, promptly report the incident to your supervisor. If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it directly to Beth or Kathy DeMarco.

Any reported allegations of harassment or discrimination will be investigated promptly, thoroughly, and impartially.

Any employee found to be engaged in any form of sexual or other unlawful harassment may be subject to disciplinary action, up to and including termination of employment.

### **14.4 Retaliation Prohibited**

Minding Miracles expressly prohibits retaliation against any individual who reports discrimination or harassment or assists in investigating such charges. Any form of retaliation is considered a direct violation of this policy and, like discrimination or harassment itself, will be subject to disciplinary action, up to and including termination of employment.

## **15 Grievance Procedure**

As professionals, all staff members are expected to make reasonable attempts to resolve conflicts directly with the individual(s) concerned. If a solution cannot be reached, staff members should then seek assistance from the Center Manager and/or Director in resolving the conflict. Once a supervisor has been notified, one or more of the following actions may be taken:

- Face to face mediation between supervisor and all parties.
- Coaching from supervisor to assist employees in resolving the grievance without intervention.
- Managerial intervention through schedule/procedural changes.
- Determination of potential disciplinary action.

Confidentiality is expected and required when grievances arise. Staff members who discuss issues with other staff members not directly related to the situation may be subject to the Disciplinary Procedure. This policy applies both during paid hours as well as on a staff member's personal time.

## **16 Employee Performance Improvement & Disciplinary Policy**

### **16.1 Performance Improvement**

**Performance improvement:** Performance improvement may be suggested whenever company management believes that an employee's performance is less than satisfactory and can be resolved through adequate counseling. Corrective counseling is completely at the discretion of company management. The company desires to protect its investment of

time and expense devoted to employee orientation and training whenever that goal is in the company's best interests. *The company expressly reserves the right to discharge "at will." Even if corrective counseling is implemented, it may be terminated at any step at the discretion of management. Management, in its sole discretion, may warn, reassign, suspend, or discharge any employee at will, whichever it chooses and at any time. The supervisor/manager, with assistance of the Director will determine the course of action best suited to the circumstances.*

The steps in performance improvement are as follows:

**Verbal coaching**— As the first step in correcting unacceptable performance or behavior, the supervisor/manager will review pertinent job requirements with the employee to ensure his or her understanding of them. The supervisor/manager will consider the severity of the problem, the employee's previous performance appraisals and all of the circumstances surrounding the particular case. Stating that a written warning, probation, or possible termination could result if the problem is not resolved should indicate the seriousness of the performance or misconduct.

**Written counseling** — If the unacceptable performance or behavior continues, the next step is a written warning. Certain circumstances, such as violation of a widely known policy or safety requirement, may justify a written warning without first using verbal counseling. The written warning defines the problem and how it may be corrected. The seriousness of the problem is again emphasized, and the written warning shall indicate that probation or termination or both may result if improvement is not observed. Written counseling becomes part of the employee's personnel file, although the supervisor/manager may direct that the written warning be removed after a period of time, under appropriate circumstances.

**Probation** — If the problem has not been resolved through performance improvement action or the circumstances warrant it, or both, the individual will be placed on probation. Probation is a serious action in which the employee is advised that termination will occur if improvement in performance or conduct is not achieved within the probationary period. The Director and the employee's supervisor/manager, after review of the employee's corrective counseling documentation, will determine the length of probation. Typically, the probation period should be at least two weeks and no longer than 60 days, depending on the circumstances. A written probationary notice to the employee is prepared by the supervisor.

At the completion of the probationary period, the director and the supervisor/manager will meet to determine whether the employee has achieved the required level of performance and to consider removing the employee from probation, extending the period of probation, or taking further action. The employee is to be advised in writing of the decision. Should probation be completed successfully, the employee should be commended, though cautioned that any future recurrence may result in further disciplinary action.

## **16.2 Disciplinary Action**

**Verbal warning**- An employee who engages in a breach of policy or procedures which is not harmful to others may receive a verbal warning, reminding them of the consequences of such actions. Employees who engage in a breach repetitively may receive a written warning.

**Written warning**- An employee who has received a verbal warning and continues to display the actions in question or who violates a policy that poses potential harm to others will be issued a written warning. The written warning will include an exact description of

the violation and will be kept in the employee's personnel file. Depending on the offence, an employee may be dismissed after receiving more than one written warning about the same behavior.

**Suspension** — Violation of a specific policy or procedure may warrant suspension. Suspension can be for as few as one or as many as 7 days and will be scheduled at the director's discretion. Suspension is unpaid leave. Vacation, sick or personal days cannot be applied to suspension days. In the event that an employee is suspended, for any amount of time, and continues to display the behavior which warranted the suspension upon reinstatement, the employee will be terminated.

**Involuntary Termination** —If all other disciplinary actions have failed, and the employee's performance has not improved, the employee will be terminated. Upon termination, all previously worked hours will be paid on the regular pay schedule. Violation of any policy that sacrifices the health & safety of a Minding Miracles student or employee, violates confidentiality, disrupts the operations of Minding Miracles or breaks Federal/State/Local laws will result in immediate termination, without the benefit of the remedial actions listed above. Furthermore, any action taken outside of working hours that leads management to believe that the employee's presence will be of harm to the health/safety of students or normal operations of the company may lead to immediate termination.

### **16.3 Employment Disputes**

Any dispute or claim that arises out of or that relates to employment with Minding Miracles, or that arises out of or that is based on the employment relationship [including any wage claim, any claim for wrongful termination, or any claim based on any employment discrimination or civil rights statute, regulation or law], including tort or harassment claims [except a tort that is a "compensable injury" under workers' compensation law], shall be resolved by arbitration in accordance with the then effective commercial arbitration rules of the American Arbitration Association by filing a claim in accordance with the filing rules of the American Arbitration Association, and judgment on the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

## **17 Training and staff development**

### **17.1 Required trainings**

All Minding Miracles employees are required to obtain and maintain CPR and First Aid certifications. The training for these certifications is offered annually at Minding Miracles, free of charge. Any staff member who cannot make it to the Minding Miracles sponsored training will have to seek out and complete a separate certification course.

Every employee must complete a minimum number of training hours from agencies that have been approved by Minding Miracles and on topics that relate directly to the employee's position. Management staff must complete a minimum of 20 hours/year of continuing education. All other employees must complete a minimum of 12 hours/year of continuing education. Because Minding Miracles provides different services at each location, there may be mandatory trainings that apply specifically to your position. Ask your supervisor for information regarding mandatory trainings.

Staff meetings and emergency preparedness trainings are mandatory for all staff members, despite how many hours have been complete during the year.

### **17.2 Elective training**

Employees who are interested in seeking out higher degrees or certifications are strongly encouraged to do so. Minding Miracles will make every effort to support our employees in such a pursuit, as long as it does not interfere with the employee's ability to effectively and efficiently fulfill on the obligations of their employment. Courses taken as a part of certification/higher education can be counted as part of the mandatory training hours mentioned in section 16.1. In order to have such courses added to your personnel file, supply a copy of the transcript of certificate to your supervisor.

## **18 Employee Benefits**

### **18.1 Health Insurance**

Minding Miracles offers group health insurance through Horizon Blue Cross Blue Shield of NJ. The coverage includes medical, dental, prescription and mental health services. For specific benefit information, including monthly premiums, please contact the director.

Employees become eligible for coverage after 90 days of full time (25+ hours/week) employment with Minding Miracles. When an employee enrolls in the company's group health coverage, Minding Miracles covers 20% of the total monthly premium. The remaining 80% of cost is deducted from the employee's biweekly pay. The employer coverage amount increases on the following schedule (year is based on the anniversary of the policy):

Year 1: Employer 20% Employee 80%  
Year 2: Employer 30% Employee 70%  
Year 3: Employer 40% Employee 60%  
Year 4: Employer 50% Employee 50%  
Year 5: Employer 100% Employee 0%

### **18.2 Waiver of Coverage**

Employees who choose to waive coverage must complete a waiver of coverage form. If the employee is waiving coverage because of other coverage, a copy of the employee's current insurance card should be attached to the form.

### **18.3 Retirement plan- 401k**

Employees who have completed 12 months of continuous, full-time employment (25+ hours/week) are eligible to enroll in the company's 401k retirement plan. Employees can choose to have a monetary amount or percentage (up to 5%) of their biweekly pay deducted to contribute to the retirement plan. For additional information about enrollment, employees can contact Dan Ballister at 908-304-5143.

### **18.4 Sick Pay for Hourly Employees**

Effective October 29, 2018, employees who work in New Jersey are entitled to paid sick leave under state law.

#### *Accrual and Carryover:*

Employees accrue paid sick leave at a rate of one hour for every 30 hours worked, up to 40 hours per year. Employees are generally entitled to carryover up to 40 hours of accrued, unused sick leave to the following year. However, Minding Miracles reserves the right to offer employees the option of receiving a payment for unused paid sick leave at the end of the year in accordance with state law.

*Basic Leave Entitlement:*

Eligible employees may use up to 40 hours of accrued paid sick leave for the following reasons:

- The diagnosis, care, or treatment of, or recovery from, an employee's or their family member's mental or physical illness, injury or other adverse health condition, or for preventive medical care;
- Circumstances resulting from the employee or a family member being a victim of domestic or sexual violence;
- Closure of the employee's workplace, or the school or place of care of the employee's child, by order of a public official due to an epidemic or other public health emergency, or because of a public health authority's determination that the employee's or family member's presence in the community would jeopardize the health of others; or
- A school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.
- Employees must work for Minding Miracles Learning Center for 120 calendar days before they can use sick leave accrued under the state's sick leave law.

*Notice:*

If the need for leave is foreseeable, employees must provide seven days' advance notice. Otherwise, employees must generally follow Minding Miracle's regular reporting procedures for unscheduled absences. When possible, employees should make a reasonable effort to schedule sick leave so it does not unduly disrupt Minding Miracles operations.

When an employee uses sick leave for three or more consecutive days, they may be asked to provide reasonable documentation of their need for leave. If an employee uses foreseeable leave on certain dates where Minding Miracles has restricted time off, Minding Miracles may require reasonable documentation to demonstrate the need for leave during that time.

*Paid Leave:*

The sick leave provided under this policy is paid. Employees will be paid the same rate of pay with the same benefits as they normally earn.

*Unused Sick Leave at Termination:*

Employees are not entitled to payment of unused sick leave upon separation from employment.

*Retaliation Prohibited:*

Minding Miracles will not retaliate against, or interfere with, employees exercising their rights under the law.

## **18.5 Paid Time Off (Personal and Vacation Days)**

Paid time off (PTO) combines vacation and personal time into a single bank of days for employees to use to take paid time off from work. Our PTO policy creates a pool of days that an employee may use at his or her discretion. Paid time off is only awarded to full-time employees (25+ hours per week). The amount of time off applied is based on the



employee's anniversary date. PTO is awarded as follows:

<b>Number of years complete</b>	<b>PTO Days</b>
<b>2 years</b>	2
<b>3 years</b>	3
<b>4 years</b>	5
<b>5 years</b>	10
<b>6 years</b>	12
<b>7+ years</b>	15

PTO days are awarded separately from the accumulated sick pay as per the policy in section 18.4. In order to utilize PTO, employees must contact the bookkeeper in the main office for scheduling and payroll purposes. PTO dates are scheduled on a first-come-first-serve basis and not according to seniority; therefore, employees should request dates to use their PTO as early as possible by sending a written request to the bookkeeper in the main office. PTO dates can be requested as early as three months in advance and no later than one week before the date of request. Employees must use their earned time prior to December 31 of the calendar year; otherwise the time will be forfeited.

Paid time off is paid at your base pay rate at the time of the absence. It does not include overtime or any special forms of compensation such as secondary position rates, bonuses, or shift differential.

Work-related accidents and illness are covered by Workers' Compensation Insurance, pursuant to the requirements of the laws in New Jersey. The PTO policy outlined above does not apply to those illnesses or injuries that are covered by an applicable Workers' Compensation policy.

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I have received a copy of the Minding Miracles Policy Manual, specifying policies, practices, and regulations, which I agree to observe and follow during my employment with the company. I understand that it is my responsibility to be familiar with its contents and to ask questions on any matters I don't understand.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Employee Name

\_\_\_\_\_  
Position