

SECTION I - INTRODUCTION

This manual contains statements of personnel policies and procedures to be followed by all employees of the Housing Authority of Fort Mill. It is to serve as a reference and working guide for supervisors in administration of our personnel policies, procedures and practices.

The Housing Authority of Fort Mill is organized under the South Carolina Code of Laws. Management of the Authority is overseen by a Board of Commissioners appointed for five-year terms by the Fort Mill's local unit of government. The Executive Director is appointed by the Board of Commissioners. All aspects of the day-to-day operations of the Housing Authority to include personnel actions shall be vested in the Executive Director, except that any personnel actions shall be vested in the Board of Commissioners insofar as they pertain to the Executive Director. The ultimate responsibility and goal of the Housing Authority of Fort Mill is to provide decent, safe and sanitary housing to low-income and very low income residents in the most efficient and effective manner.

Policies herein should increase understanding, eliminate the need for personal decisions on matters of agency-wide policy, help to assure uniformity throughout our organization, create a systematic application of good procedures in personnel administration, and to provide uniform policies for all employees, with all the benefits such a program ensures without regard to race, sex, age, sexual orientation, veteran's status, national origin, creed, disability status and/or political affiliation. It is the responsibility of each supervisor to administer these policies in a consistent and impartial manner making sure the manual is kept current and that these policies are understood by all employees. Employees should be encouraged to read policies of interest in detail for a more complete understanding.

Each supervisor can also assist in keeping our personnel program up to date by notifying the Executive Director whenever problems are encountered or improvements can be made in the administration of our personnel policies.

The fundamental objectives of good personnel administration to be achieved by these policies are:

1. To promote and increase efficiency and economy among employees of the Housing Authority of Fort Mill.
2. To provide fair and equal opportunity to all qualified citizens on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection.
3. To develop a program of recruitment, advancement and evaluation which will make employment with the Housing Authority of Fort Mill attractive as a career and encourage each employee to render the best service possible.
4. To establish and promote high morale among the employees by providing good working relationships, a uniform personnel policy, opportunity for advancement, and consideration for employee needs and desires.

These policies do not constitute a contract, expressed or implied, guaranteeing employment

for any specific duration. Although we hope that your employment relationship with the Housing Authority of Fort Mill will be long term, either you or the Housing Authority of Fort Mill may terminate this relationship at any time for any reason. Further, these policies are subject to change at the sole discretion of the Housing Authority of Fort Mill, and your continued employment constitutes acceptance of such changes or updated information.

This policy shall be publicized throughout the Housing Authority's operational and employment areas including all officials and employees of the Authority, employment agencies and other appropriate organizations. Each employee will receive an informational copy along with copies of all amendments, changes or corrections. The Executive Director shall also ensure that all employees have access to Department of Labor Posters stating adherence to the Age Discrimination in Employment Act, Americans with Disabilities Act, Drug-Free Workplace Act of 1988, Equal Pay Act of 1963, the Fair Labor Standards Act, Family and Medical Leave Act, HIPAA and subsequent mandated enactments. After reviewing these personnel policies in detail, please sign the Receipt on the last page, and present it to your supervisor for inclusion in your personnel file.

L. Thomas Rowe, Executive Director
Housing Authority of Fort Mill, SC

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SECTION II

GENERAL PROVISIONS

A. BASIC PRINCIPLES

1. **Authority** – In accordance with applicable State and Federal Laws and regulations, and by resolution of the Housing Authority of Fort Mill Board of Commissioners, the following rules and regulations are established to guide all administrative personnel actions.
2. **Purpose** – These rules and regulations are issued to provide for the equal, uniform, and fair treatment of all employees in the organization regardless of position or work location, and to promote understanding, cooperation, and efficiency in the Housing Authority’s work force.
3. **Revision and Amendment** – These rules and regulations may be revised or amended subsequent to approval by the Executive Director and the Board of Commissioners. A master copy of the Personnel Policy will be kept in the office of the Executive Director. In the event of a discrepancy between any copies, the master copy will be considered the correct copy.
4. **Equal Employment Opportunity** – The Housing Authority of Fort Mill employment practices, including terms and conditions of employment, are based on the merit principle without regard to race, color, religion, familial status, sexual orientation, veterans status, disability (except where physical or mental requirements are a bona fide occupation qualification), sex, age, or political affiliation. It is and shall be the policy of the Housing Authority of Fort Mill to assure equal employment opportunity for all employees. Specifically:
 - a. Employment opportunities shall be open to all qualified applicants solely on the basis of their knowledge, skills, and abilities.
 - b. Advancement shall be based entirely on an individual’s achievement, performance, ability, attitude, and potential. If any two individuals have equal qualifications, length of employment would then be the determining factor.
 - c. Equal employment opportunity applies to all personnel actions including, but not limited to recruitment, hiring, upgrading, promotion, demotion, transfer, layoff and/or termination.
 - d. The Housing Authority shall insert in all employment announcements, a statement that all qualified applicants will receive due consideration for employment without regard to race, age, religion, sex, color, national origin or disability.
5. **Selection of Applicants** – When a vacancy occurs persons desiring employment shall

file written applications or resumes setting forth their qualifications, experience, references, and other information as may be required. Applications will be reviewed for job-related information and experience and selections will be made for further consideration which may consist of private interviews and tests and shall remain in an active status for a period of six (6) months from date of receipt. Applicants will be required to supply the names, addresses and phone numbers of personal and job related references for contact prior to a hiring decision and will agree to sign a “hold harmless” clause for each reference provided. Applicants will be required to provide information to determine whether they can perform a specific job related function(s) including whether or not the applicant is able to physically perform the tasks essential to the job with or without reasonable accommodation.

6. Eligibility - Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well qualified applicants for the various types of employment positions. Recruitment, therefore, shall not be limited to residents of the City of Fort Mill or surrounding counties.

7. Notification/Advertising –

1. The Executive Director, or designee, shall prepare recruiting notices to publicize vacancies and to secure applicants for vacant positions. Various means of publicity may be used as might be expected to bring notice of vacancies to as many qualified persons as possible. The Executive Director shall advise the Board of Commissioners when vacancies exist, and shall provide announcements advertising positions if necessary. Position announcements shall be clearly stated to ensure civil rights compliance.
2. Vacancies for new positions shall first be advertised to present Housing Authority employees and posted on the bulletin board in the Housing Authority’s main office for notification to current employees and/or residents. Interested employees and/or residents must submit an application or resume to the Executive Director. Local advertising may follow. Regional or national advertising may be conducted as appropriate for the position.
3. Minimum qualifications as required by the nature of the work to be performed will be included in all notices.

8. Initial Period of Employment – The initial period of employment is an integral part of the examination process, and shall be utilized for the following reasons:

1. to closely observe the employee’s work;
2. to secure the most effective adjustment of a new or newly promoted employee to a higher position; and
3. to reject any employee whose performance does not meet work standards.

The initial period of employment for all regular appointments shall be for a period of ninety (90) days. Program supervisors may request an extension of any employee’s initial period of employment for an additional ninety (90) days.

During the initial period of employment, the Executive Director shall require the Program Supervisor to report the observations of the employee's work and his/her judgment of the employee's willingness and ability to perform the duties assigned. During the initial period of employment, the supervisor will inform the employee when his/her performance is unsatisfactory and not meeting job requirements. There will be a written job evaluation of the employee for movement from initial employment status to regular employment status.

9. Re-Hiring of Former Employees – Generally, former employees will not be considered for re-employment. Exceptions may be made on a case-by-case basis if the former employee's performance was above average, and he/she left voluntarily with notice or through no fault of his/her own.

10. Politics – Federal statute 5 U.S.C. 1501 et. sec. restricts political activity of PHA officers and employees of their principal employment is in connection with an activity financed in whole or in part by Federal funds. Persons exempt from regulation would include, in general, individuals if substantially more than half of the time is devoted to other employment and substantially more than half of their income is derived from other employment. In addition, all employees of the Housing Authority of Fort Mill shall be subject to the provisions of the Hatch Act, Public Law 252, 76th Congress pertaining to allowed and disallowed political activities. Prohibited political activity includes: a) use of official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office, b) directly or indirectly coercing, attempting to coerce, commanding or advising a state or local officer or employee to pay, lend or contribute anything of value to any party, committee, organization, agency or person for political purposes, c) being a candidate for elective office in a partisan election, d) soliciting political contributions from co-workers or subordinates, e) soliciting political support for a party faction or candidate from co-workers or subordinates, and f) becoming a candidate for nomination or election to any public office which is to be filled in an election in which party candidates are involved.

11. Nepotism – The Housing Authority of Fort Mill intends to specifically avoid the potential of family members supervising one another and the potential of family members working in the same department. Therefore two or more members of an immediate family shall not be employed within the same department if such employment would result in an employee supervising a member of his or her family, or occupying a position of influence over another family member's employment, promotion, salary adjustment or other related personnel consideration. Any exceptions to this requirement must be approved by the Executive Director and Board of Commissioners. If two employees in the same department become related, creating any of the situations herein described, the Executive Director will determine which employee must resign. Immediate family shall include father, mother, mother-in-law, father-in-law, brother, sister, natural or adopted child, domestic partners and/or other relative living in the same domicile with the employee.

B. ORGANIZATION

1. Organization Plan – All positions shall be established in accordance with an

organizational plan clearly setting forth areas of responsibility and authority. The organizational plan places primary responsibility for the operation of the Housing Authority on the Executive Director. The Executive Director shall prepare an organizational chart showing lines of authority and decision making responsibility. An organizational chart is posted at the central administrative office of the Housing Authority. Each employee shall be given a job description when he/she assumes his/her position. Job descriptions shall be reviewed and updated as needed. This shall be done in consultation with the employee in each position. Authority to approve job descriptions, employ, promote, transfer, demote, and terminate personnel shall be vested in the Executive Director and/or other individuals formally designated in writing to act for him/her. Each employee shall be given the authority necessary to perform his/her assigned duties.

C. CODE OF ETHICS

- 1. Purpose** - The Housing Authority of Fort Mill finds that the proper operation of democratic representative government requires that commissioners and employees be independent, impartial, and responsible to the people; that Agency decisions be made in the proper channels of the Agency's structure; that public office not be used for private gain; and that the public have confidence in the integrity of its housing agency.
- 2. Ethical Standards and Prohibited Practices** – In order to avoid becoming involved or implicated in a conflict of interest or impropriety or, just as important, an appearance of conflict of interest or impropriety, all Housing Authority employees and all persons having business with the Housing Authority shall adhere to the following practices:
 - a. No employee of the Housing Authority shall, except for compensation as provided by the Housing Authority, use his or her office or confidential information received thereby for any private purpose, including, without limitation: commercial purposes, financial gain, present or future employment or gain for himself or herself, a member of his or her immediate family, or business with which he or she is associated.
 - b. No employee shall solicit or accept anything of value based on any agreement, understanding, or implication that the official action of any Housing Authority employee would be influenced or determined thereby.
 - c. No person shall offer or give anything of value to Housing Authority employees, members of their immediate families, or businesses with which they are associated, based on any understanding, agreement, or implication that the official action of any employee would be influenced or determined thereby.
 - d. No Housing Authority employee or Board Member, in their relationships with any person, shall use the power or authority of their office or position in a manner intended to induce or coerce another person to provide, directly or indirectly, anything of value which will accrue to the private advantage, benefit, or economic gain of the official, employee, or any other person. As used in this subsection, the term “private advantage, benefit, or economic gain” shall mean advantage, benefit, or economic gain distinct from that of the general public or not resulting naturally from lawful and proper performance of duties.

- e. No employee shall use their official influence to assist any person for compensation, other than in the course of assigned duties and responsibilities, before a governmental body, public official, or public employee.
- f. No Housing Authority employee or board member shall render or agree to render any personal, nonofficial services in connection with the acquisition by any governmental body of an interest in real or personal property in any county which the Housing Authority operates.
- g. No Housing Authority employee or board member shall share in any way in the compensation or in anything of value received by another person in respect to any transaction in which Housing Authority employees and public officials are prohibited from engaging.
- h. No former Housing Authority employee or board member official shall:
 - 1. Within one (1) year after his or her employment has ceased or term ended, knowingly act as agent, consultant, or attorney for anyone other than the Housing Authority in connection with any particular matter in which the Housing Authority is a party, if the employee participated personally and substantially in that particular matter while so employed.
 - 2. The term “particular matter” as used above is restricted to mean any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation or arrest involving a specific party or parties and which has a substantial impact upon the parties and/or the Housing Authority.
 - 3. The term “participated personally and substantially” as used above is restricted to mean a greater than minimal involvement by way of participation as a public official, Housing Authority employee or public official through decision, approval, disapproval, recommendation, investigation, or rendering advice, and by any reason thereof, acquired information, special knowledge, or other specific advantages not generally available to the general public or experts in the field.
- i. No person nor any Housing Authority employee or public official shall engage in or aid and abet any act of reprisal against any person as a consequence of that person’s having made a report of violation; provided, that this shall not prohibit the extreme of lawful remedies available to such person to redress wrongs.
- j. No person and no Housing Authority employee or Housing Authority official shall knowingly and intentionally induce or coerce or attempt to induce or coerce anyone to violate any provision of these personnel rules and regulations.
- k. No person, Housing Authority employee, or Housing Authority official shall knowingly file a false charge or report of violation of these personnel rules and regulations with the Executive Director or the Board of Commissioners. Each unsupported statement of which one does not know of his or her own knowledge to be true will be equivalent to a false statement.

- l. No Housing Authority employee shall intentionally engage in any act, in addition to those listed above, which is in conflict with the performance of his or her official duties.
- m. Unless specifically authorized by the Executive Director in writing, solicitation of funds, conducting private or personal business of any nature or distribution of literature by employees is prohibited. Such activities are considered to be an interference to work related activities and failure to adhere to this policy may lead to disciplinary action(s).

D. ENFORCEMENT

In all instances of complaints or reports of allegations of impropriety involving the Housing Authority, the reports shall be referred to the Executive Director for a proper investigation and appropriate disciplinary action consistent with the provision of HUD Personnel Guidelines and these rules and regulations.

E. PHYSICAL EXAMINATION & DRUG TEST

Every prospective full-time employee must take a physical examination by a licensed physician designated by the Executive Director after a conditional offer of employment is made but prior to the time he/she is to begin work, to determine if he/she meets the necessary physical requirements of the job. This physical examination will include screening for the use of illegal drugs. The cost of this physical examination and drug screen shall be borne by the Housing Authority of Fort Mill. Applicants determined to be unable to perform the essential functions of their specific employment position may not be considered for further employment as consistent with business necessity. All employees of the Housing Authority may, during the period of their employment, be required by the Executive Director to undergo a periodic examination to determine their ability to perform the essential functions of the position in which they are employed. This periodic medical examination shall be at no expense to the employee. Determination of the employee's ability to perform the essential functions of the position will be by a physician designated by the Executive Director consistent with business necessity.

When an employee of the Housing Authority is reported by the examining physician to be physically or mentally unfit to perform work in the position for which he/she is employed, the employee may, within five days (5 working days from the date of his/her notification of such determination), indicate in writing to the Executive Director his/her intention to submit the questions of his/her physical or mental unfitness to a physician of his/her own choice.

In the event there is a difference of opinion between the examining physician and the physician chosen by the employee, a physician shall be mutually agreed upon and designated by the examining physician and the physician chosen by the employee. The Housing Authority shall pay its physician; the employee shall pay his/her physician. The third physician shall be paid by the party whose contentions have not been upheld.

An employee determined to be not capable of performing the essential duties of the position in which he/she is employed may be demoted in accordance with these rules

or separated from the Housing Authority's service. However, the provisions of the Americans with Disabilities Act (ADA) require that a "qualified individual with a disability" be given the same consideration for employment that individuals without disabilities are given. The Housing Authority of Fort Mill will in good faith investigate any requests for accommodation by employees who claim entitlement under the Act, and will provide reasonable accommodation for such individuals in accordance with these laws if possible.

F. DRUG FREE WORKPLACE POLICY

It is a condition of employment at the Housing Authority of Fort Mill for all employees to refrain from reporting to work or working with the presence of illegal drugs or alcohol in his or her body, and, if an employee refuses to submit to a test for drugs or alcohol, the employee forfeits eligibility for worker's compensation medical and indemnity benefits.

An employee may be asked to undergo drug testing should there be sufficient evidence to conclude that the use of illegal drugs/alcohol, drug/alcohol dependence, and drug/alcohol abuse could or are seriously impairing an employee's performance and general physical and mental health. In addition, employees are subject to random drug testing as a condition of employment. The illegal possession and use of drugs, alcohol and/or narcotics by employees of the Housing Authority of Fort Mill while on the job is a crime in this jurisdiction and clearly unacceptable.

Therefore, the Housing Authority of Fort Mill has adopted this written policy to ensure an employee's fitness for duty as a condition of employment; to ensure drug tests are ordered as the result of reasonable suspicion by supervisory personnel and based on observed behavior or work performance, and to notify employees and applicants that testing for the illegal use of drugs will be a requirement of employment.

1. GENERAL RULES

- a. Housing Authority employees shall not take or be under the influence of any narcotics or dangerous substances unless prescribed by the employee's licensed physician. Employees who are required to take prescription medicine which may affect that employee's job performance or safety shall, prior to the start of the work shift, notify his/her immediate supervisor of the medication prescribed and any possible adverse affects of the medication which could affect job performance or safety. All information provided by employees regarding prescription medication shall be kept confidential to ensure compliance with HIPAA regulations.
- b. Housing Authority employees are prohibited from the use, possession, transfer, and sale of drugs, alcohol or any other controlled substance on Housing Authority property or in Housing Authority vehicles.
- c. All property belonging to the Housing Authority of Fort Mill is subject to inspection at any time without notice as there should be no expectation of privacy by employees. Property includes, but is not limited to, vehicles, desks, containers, files, and storage lockers.

- d. Housing Authority employees who have reason to believe another employee is illegally using drugs or narcotics shall report the facts and circumstances immediately to their supervisor. Employees who are convicted of any criminal drug statute violation must advise their immediate supervisor within five (5) working days after such convictions.
- e. Failure to comply with the intent or provisions of this general order may be used as grounds for disciplinary action up to and including dismissal.

2. DRUG TEST

When drug and alcohol screening is required under the provisions of this policy, a urinalysis test and/or breath alcohol test will be given to detect the presence of drugs.

3. CONSENT

Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to those Housing Authority officials with a need to know. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the Housing Authority's drug testing policy and to indicate current or recent use of prescription or over-the-counter medication.

The consent form shall also set forth the following information:

- a. The procedure for confirming an initial positive test result;
- b. The consequences of a confirmed positive test result;
- c. The right to explain a confirmed positive test result and the appeal procedure available; and
- d. The consequences of refusing to undergo a drug and alcohol test.

4. JOB APPLICANT TESTING: GENERAL STANDARD

Applicants for all classes of employment with the Housing Authority of Fort Mill will be required to undergo a drug and alcohol test after a conditional offer of employment and prior to their final appointment.

5. CURRENT EMPLOYEE TESTING: GENERAL STANDARD

The Housing Authority of Fort Mill may require a current employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during working hours or if a department wide testing program is initiated due to the nature of the employees' job. Drug and alcohol tests may also be required at any time for safety sensitive situations.

“Reasonable suspicion” means an articulated belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances that constitute a basis for determining “reasonable suspicion” may include, but are not limited to:

- a. A pattern of abnormal or erratic behavior;
- b. Information provided by a reliable and credible source;
- c. A work-related accident;
- d. Direct observation of drug and alcohol use; or
- e. Presence of the physical symptoms of drug or alcohol use (i.e. glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and or reflexes.)

Supervisors are required to detail in writing the specific facts, symptoms, or observations that formed the basis for their determination that “reasonable suspicion” existed to be forwarded to the appropriate program supervisor and the executive director or his/her designee.

A mandatory drug screening will be required for any work related accident.

6. REFUSAL TO CONSENT: APPLICANT

A job applicant who refuses to consent to a drug and alcohol test will be denied employment with the Housing Authority of Fort Mill.

7. REFUSAL TO CONSENT: EMPLOYEES

An employee who refuses to consent to a drug and alcohol test when reasonable suspicion of drug or alcohol use has been identified or as part of a routine on-going program, is subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action.

8. CONFIRMATION OF TEST RESULTS

An employee or job applicant whose drug test yields a positive result shall be given a second test using a gas chromatography/mass spectrometry (gc/ms) test. The second test shall use a portion of the same test sample withdrawn from the employee or applicant for use in the first test.

If the second test confirms the positive test result, the employee or applicant shall be notified of the results in writing by the appropriate program supervisor or designated alternate. The letter of notification shall identify the particular substance found and its concentration level.

An employee whose second test contradicts the original positive test results may, at

the employee's own expense, have a third test conducted on the same sample at a laboratory selected by the Housing Authority.

9. CONSEQUENCES OF A CONFIRMING POSITIVE TEST RESULT: JOB APPLICANTS

Job applicants will be denied employment with the Housing Authority of Fort Mill if their initial positive test results have been confirmed.

10. CONSEQUENCES OF A CONFIRMING POSITIVE TEST RESULT: CURRENT EMPLOYEES

If a current employee's positive test result has been confirmed, the employee is subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of employment, current job performance, and existence of past disciplinary actions. No disciplinary action may be taken against employees who voluntarily identify themselves as drug users, obtain counseling and rehabilitation sanctioned by the Housing Authority of Fort Mill and thereafter refrain from violating the Housing Authority's policy on drug and alcohol abuse.

11. CONFIDENTIALITY OF TEST RESULTS

To the extent allowed under the Federal and South Carolina Open Records Law, all information from an employee or applicant's drug and alcohol test is confidential and only those individuals with a need to know are to be informed of test results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee or applicant. The results of a positive drug test shall not be released until the results are confirmed.

12. LABORATORY TESTING REQUIREMENTS

All drug and alcohol testing of employees and applicants shall be conducted at medical facilities or laboratories selected by the Housing Authority of Fort Mill in compliance with its current procurement policy. To be considered as a testing site, a medical facility or laboratory must submit in writing a description of the procedures that will be used to maintain test samples and the written description shall be maintained by the Executive Director. Factors to be considered by the Housing Authority in selecting a testing facility include:

- a. Testing procedures that ensure privacy to employees and applicants consistent with the prevention of tampering;
- b. Methods of analysis that ensure reliable test results, including the use of gas chromatography/mass spectrometry to confirm positive test results;
- c. Chain-of-Custody procedures that ensure proper identification, labeling, and handling of test samples; and

- d. Retention and storage procedures that ensure reliable results on confirmatory tests of original samples.

G. MANAGEMENT PHILOSOPHY STATEMENT REGARDING UNIONS

The Housing Authority's success as a public agency is founded on the skills and effort of our employees. It is the stated policy of the agency to deal with all employees fairly and honestly and to respect and recognize each as an individual. It is the Housing Authority's policy to adhere to the principles of individual recognition and direct communication with our employees. We greatly value our ability to work with employees individually without their being subjected to burdensome union costs, complicated rules, and costly work stoppages. The Housing Authority of Fort Mill is committed to maintaining an employee relations climate which promotes maximum personal development and achievements. We are dedicated to treating our employees fairly and providing good working conditions, competitive wages and benefits, and above all, the respect that each employee deserves. We also believe in open and direct communications that permit resolution of employee problems in an atmosphere of mutual trust and are responsive to individual circumstances. The Housing Authority shall continue its efforts to enhance these objectives. Therefore, we do not believe that unionization is necessary, and we will oppose any attempt to destroy the relationship that now exists within the agency. We oppose representation of our employees by labor unions as being against their best interests and ours.

SECTION III

Position Classification and Compensation

A. CLASSIFICATION

1. Service Classification – All employees of the Housing Authority of Fort Mill are divided into the classified service and the non-classified service. The classified service shall include all regular full-time and regular part-time positions in the Housing Authority's service. Persons placed in the non-classified service are as follows:

- a. Consultants, advisers and legal counsel rendering temporary professional service.

- b. Agency Attorney.
- c. Independent contractors.
- d. Persons employed by the Housing Authority of Fort Mill for not more than three (3) months during a fiscal year.
- e. Part-time employees paid by the hour or the day.

2. Purpose – The classification plan shall provide a complete inventory of all authorized positions and an accurate description of each class of positions. The plan shall standardize job titles, each of which is indicative of a specific range of duties and responsibilities and has the same meaning throughout the organization.

3. Composition of the Pay Plan – The classification plan shall consist of:

- a. Class Titles – Class titles used shall be descriptive in nature of each class. Class titles are to be used on all official agency records. However, other titles may be used as “working titles” in the course of departmental routine to indicate authority, status in the department or administrative rank.
- b. Class Specifications – Written specifications for each class of positions shall be maintained. The specifications are meant to be descriptive of the kind of work performed and not necessarily inclusive of all duties performed. Specifications are to be interpreted in their entirety and in relation to others in the classification plan. Particular examples or phrases are not to be isolated and treated as a full definition of the class.
- c. Skill level – Classifications which are equal when evaluated with regard to the nature of work, knowledge and ability required, supervision exercised, scope of responsibility, scope and effect of decisions, problem solving and complexity, nature and extent of guidelines, application of authority, purpose and nature of work contacts, and physical demands or hazards will be grouped according to skill levels.
- d. Authority – The Executive Director, or his/her designee, is charged with maintaining the classification plan of the Housing Authority of Fort Mill so that it will reflect the duties performed by each employee in the service of the Housing Authority and the class to which each position is allocated. It is the duty of the Executive Director, or his/her designee, to examine the nature of the classes of positions, to make such changes in the classification plan as are deemed necessary by changes in the duties and responsibilities of existing positions; and periodically to review the entire classification plan and recommend appropriate changes in allocations or in the classification plan itself.

4. Appointments – The following type of employees shall be appointed to the Housing Authority of Fort Mill service in conformity with established rules: Regular Full Time, Regular Part Time, Part-time, Temporary and Student.

- a. **Regular Full-Time** – an employee who works a forty-hour work week on a continuing basis. All persons employed for full-time positions will serve an initial period of employment for ninety (90) days. The employee will have all responsibilities and privileges of a full-time regular employee except that during the initial period of employment the employee may be dismissed without prejudice by the Executive Director, and likewise, the employee may resign without prejudice during this period.
- b. **Regular Part-Time** – an employee who generally works less than the normal workweek, but on a continuing basis. Such employees are not eligible for benefits except as specifically stated herein.
- c. **Temporary** – anyone employed for a specific period (such as the summer) or for a specific purpose (to fill in for a sick or injured employee) shall be considered temporary. In no case shall a temporary appointment exceed six months.
- d. **Student** – student appointments serve the purpose of affording students of public administration or other professional areas an opportunity to gain actual work experience. Such appointments shall be for a specific periods of time not to exceed twelve months.

5. Promotion – a promotion is an assignment of employee from one position to another, which has a higher rate of pay, rank and responsibility. Vacancies in positions above the lowest rank in any category shall be filled as far as practical by the promotion of current employees. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.

6. Demotion – A demotion is an assignment of an employee from one position to another that has a lower rate of pay, rank and responsibility. An employee may be demoted for any of the following reasons:

- a. Because his/her position is being abolished and he/she would otherwise be laid off;
- b. Because his/her position is being reclassified and the employee lacks the necessary skill to successfully perform the job;
- c. Because there is a lack of work;
- d. Because there is a lack of funds;
- e. Because another employee, returning from authorized leave granted in accordance with the rules on leave, will occupy the position to which the employee is currently temporarily assigned;
- f. Because the employee does not possess the necessary qualifications to render satisfactory service to the position he/she holds;
- g. Because the employee voluntarily requests such a demotion and it is available.

When an employee in one classification is demoted to a position in a lower classification and the employee rate of pay is higher than the rate for the new position, the employee's salary shall be determined by experience and job qualifications for the lower classification.

- 7. Personnel Records** – The Executive Director shall be responsible for maintaining employee personnel records in a confidential and secure manner in accordance with the regulations set forth in the Public Records Act. Medical records shall be maintained separately from personnel records. A personnel file on each employee is to be maintained to include an application or resume, personnel actions, performance evaluations, commendations, disciplinary actions, and training certificates. Each employee is required to keep his/her personal information (such as current address, telephone number, and person to notify in case of emergency) up to date. Each employee will have the right upon request to examine his/her own personnel file. Any departmental personnel record keeping shall be coordinated with the Executive Director.
- 8. Immigration Papers** – Upon initial employment all employees are required to attest that they are lawfully eligible to work in the United States. Employees are further required to supply the Housing Authority of Fort Mill copies of documents proving this eligibility.

B. COMPENSATION PLAN

1. Purpose – The basic purpose of a pay plan is to enable an organization to recruit and retain competent employees. Major goals of the pay plan are as follows:
 - a. Provide compensation that is internally equitable;
 - b. Provide compensation that is consistent with pay in the surrounding market area; and
 - c. Allow for flexibility and adjustments in response to changing economic and employment conditions in the local job market.
2. Authority – The Executive Director is responsible for developing, maintaining, and monitoring the Pay Plan.
3. Composition of the Pay Plan – The Pay Plan consists of a system of eight (8) salary grades and a recommended pay range for each classification. There is a 50% spread between the minimum and maximum of each range with an established mid-point.
4. Maintenance of the Pay Plan – The Executive Director shall monitor factors that are relevant to sound compensation practices such as changes in cost of living, labor market conditions, recruitment problems, turnover experience, and related factors. In addition, a salary and benefits survey shall be conducted periodically to ensure that the pay plan remains competitive. The Executive Director shall recommend to the Board of Commissioners revisions in the Pay Plan which are necessary and appropriate in view of the factors discussed above.

5. Administration of the Pay Plan – Salary ranges are intended to furnish flexibility in recognizing individual differences among positions allocated to the same class, to provide incentives, and in rewarding employees for meritorious service. The following provisions shall govern the granting of within-range pay increases for employees:
- a. Starting Rate of Pay – The minimum compensation of the pay range for each classification shall be the normal entry rate of pay. When unusual circumstances warrant, an employee may be offered a rate higher than entry level. Situations that may justify hiring above entry-level may include the following: appointment of an applicant whose qualifications greatly exceed minimum requirements for the position, a shortage of qualified applicants available at the minimum entry rate, or the most qualified applicants have declined employment at the entry rate. Hiring above the minimum entry rate up to midpoint of the salary range shall be justified in writing by the hiring supervisor and approved by the Executive Director. Hiring rates above midpoint shall be justified in writing by the Executive Director and approved by the Board of Commissioners.
 - b. Maximum Rate of Pay – An employee's rate of pay must be within the salary range for his/her classification. No employee shall receive a pay increase that exceeds the maximum rate of pay established for the class he/she occupies.
 - c. End of Initial Hire Period – Employees who successfully complete the initial period of employment will be placed on a regular, full-time status and will thereby become entitled to all available benefits. The amount of the pay increase shall be subject to availability of funds and the employee's performance evaluation.
 - d. Cost-of-Living Adjustment – Annually the Housing Authority of Fort Mill will determine the changes in the cost of living as indicated by the National Consumer Price Index (CPI) and local data. When it is determined that the cost of living has increased in any one year, an across the board increase may be given to all eligible (regular, full time) employees. All cost of living adjustments are intended to be implemented in conjunction with performance based increases and are subject to the Board of Commissioners' approval and the availability of funds.
 - e. Overtime – Overtime will not be authorized except by prior approval of the Executive Director except in cases of emergency. Overtime compensation must be paid for any nonexempt employee at the rate of one and one-half times the employee's regular rate of pay for each hour worked over forty (40) hours in any seven (7) day work period. The agency's normal workweek begins on Friday at midnight. Employees who are considered exempt under FLSA regulations who are required to work overtime may be given compensatory time off at the discretion of the Executive Director, or his/her designee. Compensatory time for nonexempt employees may be provided if the employee and the supervisor agree to the use of compensatory time prior to overtime being worked. A signed authorization by the Executive Director or his/her designee is required and compensatory time must be used within the next month.
 - f. Callout – When a nonexempt employee, after departing from his or her scheduled work period, is officially called to and does report back to work for emergency

service, that employee shall be compensated for all hours worked at one and one-half times his or her regular hourly rate. Work time shall commence when the employee leaves his or her residence, and shall end when the employee returns home. The employee shall be paid a minimum of one (1) hour at this rate. All maintenance employees will serve on-call duty and must have a home telephone as a condition of employment and/or continued employment.

- g. Holiday Pay – Regular, full time employees who are required to work on an official holiday shall receive holiday pay (regular straight time) in addition to receiving time and a half for hours actually worked on the holiday. Should an employee be on authorized unpaid leave but was on pay status for at least fifteen days prior to the official holiday observance, the employee will receive holiday pay. In the event an employee is on authorized paid leave during a period of time that an official holiday is observed, the employee will not be required to use general leave for the holiday.
- h. Pay Adjustments in Promotions, Demotions, and Transfers- When an employee is promoted, demoted, or transferred, his/her rate of pay in the new position shall be established in accordance with the following:
 - 1. Promotion – When an employee is promoted to a position in a higher skill level, a pay increase will be granted at that time. The amount of increase will be determined by the location of the employee’s current salary in the salary range for the new position. If the employee’s salary is below the minimum of the new range, the increase will be 10% or to the minimum of the new range, which ever is greater. If the employee’s current salary is in the lower half of the new range, the increase will be 7%. If the employee’s current salary is in the upper half of the new range, the increase will be 5%.
 - 2. Reclassification – When an employee is reclassified to a class in a higher skill level, the employee’s salary will be increased by 5% or to the minimum of the new range, which ever is greater.
 - 3. Transfer – When an employee is transferred from a position to another position in the same class, his/her salary will remain the same.
 - 4. Demotion – When an employee is demoted for cause or as the result of a voluntary request, his/her salary shall be set at a rate within the new range. The Executive Director will set the pay rate at an appropriate level within the range for the lower class that is equal to or less than the employee’s current salary.

C. SEPARATIONS

- 1. **Resignations** – A regular employee who desires to terminate his/her employment shall submit a signed written resignation at least two (2) weeks in advance.
- 2. **Suspensions** – An employee may be suspended from duty with or without pay:
 - a. for a period not to exceed three (3) working days for disciplinary reasons as outlined in Section V.

b. pending investigation of charges where the presence of the employee at work constitutes a hazard either to the agency or to himself / herself. If investigation does not bear out the charges and the employee is retained, he/she shall be paid for the period of suspension .

3. Dismissals – An employee who gives unsatisfactory service or who is guilty of any substantial violation of the Housing Authority’s rules and regulations shall be subject to dismissal. In such cases, the employee, upon written notice, shall be allowed the opportunity to discuss their dismissal with the Executive Director whose decision shall be final.

4. Reduction in Force – If it is necessary to reduce personnel, the selection of employees to be retained shall be based on their relative efficiency and the necessity of the job entailed. Other things being equal, length of service shall be given consideration. At least two (2) weeks notice prior to dismissal shall be given an employee except for persons employed for a specified period.

D. BOARD OF COMMISSIONERS

Pursuant to the rules and regulations promulgated by the State of South Carolina, the Housing Authority of Fort Mill shall have five (5) commissioners appointed by the applicable local governmental body. They shall serve staggered five (5) year terms. A majority of the commissioners of the board shall constitute a quorum.

A commissioner shall hold office until his/her successor has been appointed and qualified. Vacancies shall be filled for the un-expired term. A commissioner shall receive no compensation for his/her services but he/she shall be entitled to the necessary expenses, including traveling expenses incurred in the discharge of his/her duties unless otherwise authorized by local ordinance. No commissioner may be a city official. Section 2 of the U.S. Housing Act of 1937, as amended, states “no person should be barred from serving on the board of directors or similar governing body of a local PHA because of his/her tenancy in a lower-income housing project.”

Such participation shall not be construed to constitute a conflict of interest, provided such resident-commissioner shall not act upon any issue dealing with his/her personal circumstances of occupancy.

1. Officers

The Housing Authority of Fort Mill Board of Commissioners shall have a Chair, a Vice-Chair and a Secretary who shall be the Executive Director.

2. Compensation

Allowable costs for board members shall not include compensation (salary) for the service of its members, unless required by state law and approved by DHUD. In no case shall compensation be paid from Federal Funds.

3. Employment of Commissioners

The employment of a PHA Commissioner during his/her tenure or for one (1) year thereafter in a salaried position within the PHA constitutes a conflict of interest under the Annual Contributions Contract. A HUD waiver of the ACC requirement would be required from the HUD Field Office to authorize an exception to this policy. Before granting a waiver, the Field Office must ensure that approval of such a waiver is clearly in the best interest of the PHA and that the following criteria is included in consideration for granting a waiver:

- a. Availability of other candidates.
- b. Qualifications of other candidates as well as the qualifications of the commissioner.

4. Commissioner Training

Commissioners are encouraged to attend PHA related training events. Travel costs, lodging and meal costs and registration fees are the responsibility of the Housing Authority of Fort Mill.

Section IV

Performance Evaluation and Training

A. PERFORMANCE EVALUATION

1. Policy – Employee performance evaluations will be conducted on all employees (except Temporary and Student appointments) at the end of their initial period of employment and then at least annually. Promotions, pay increases and continued employment are based upon performance – not upon length of service or any other factor.

2. Purpose -

- a. To serve as a basis for salary adjustments, promotions, transfers, lay-offs and dismissals.
- b. To improve job performance by pinpointing and correcting bad work habits.
- c. To help maintain and improve job satisfaction and morale by letting an employee know exactly where he or she stands.
- d. To provide an opportunity for each employee to discuss job problems and interests

with his/her supervisor.

e. To help identify employee training needs.

3. Procedure for Performance Reviews

The immediate supervisor shall complete the performance evaluation instrument specific to the job classification held by the employee, fill in the Performance Profile at the end of the instrument and make a recommendation pertaining to the employee's performance during the year. This recommendation may include Much Less Than Expected, Less Than Expected, Expected, More Than Expected (Merit I) or Much More Than Expected (Merit II). All written performance reviews will be based on the employee's overall performance in relation to their job responsibilities and will also take into account the employee's conduct, demeanor, and record of attendance and tardiness.

The completed evaluation form shall then be forwarded through the appropriate management staff to the Executive Director for review and comments and to ensure that all management staff agree with the recommendations of the immediate supervisor.

After review by the Executive Director, the supervisor and the employee shall discuss the evaluation and sign the evaluation form. An employee's signature does not indicate agreement or disagreement with the rating, but shall indicate that the employee has had an opportunity to see and discuss the evaluation with his or her supervisor. Employees are entitled to provide comments regarding their perception of their performance evaluation by attaching a memorandum to the performance evaluation form. The evaluation form shall then be forwarded to the Executive Director and placed in the employee's file.

The employee will then receive a salary adjustment consistent with the amounts determined for each rating (i.e. Expected, More Than Expected, etc.) during the budgetary process for the fiscal year. Employees receiving a Less Than Expected rating or Much Less Than Expected Rating shall not receive any salary adjustment. They will either receive ongoing coaching and counseling until their performance improves to an Expected level or be terminated from employment in the event such action is warranted. Employees receiving an Expected rating on their annual evaluation may be granted a pay increase consistent with the annual cost of living increase for the prior year (refer to Section II, B (d) above). Employees receiving a More Than Expected (Merit I) or Much More Than Expected (Merit II) may receive an additional one time lump sum payment as determined during the annual budgetary process. All such pay increases are dependent upon the availability of funds and approval by the Board of Commissioners.

To help employees perform their job to the best of their abilities, it is important that they receive appropriate suggestions for improvement when necessary. Consistent with this goal, the Housing Authority will attempt, subject to business demands, to evaluate employee's performance on an ongoing basis and provide them with

periodic written evaluations of their performance. In addition to the regular performance evaluations described above, supervisors may conduct special written performance evaluations at any time to advise employees of performance and/or disciplinary problems.

B. TRAINING AND EDUCATION

All current and new employees will be provided with a copy of the Personnel Policies and Procedures and any revisions thereof. An orientation session will be conducted and each employee must sign a statement that they received and read the policies or any revisions thereof. Supervisors will stress the importance of specific areas of the policies such as the Housing Authority's right to terminate employment with any worker at any time or for any reason which is not prohibited under federal or state law.

The Housing Authority of Fort Mill encourages staff development through both training and education. In-service training shall be provided to aid employees in gaining efficiency in their work. Training shall generally mean short-term workshops, seminars, conventions, etc. If approved, the Housing Authority will cover all costs for the training plus travel costs as defined by the travel policy. In addition, employee training shall be a function of every supervisor.

It shall be the Authority's policy to encourage employee education by paying for tuition, fees, books, materials, etc. if it can be determined to benefit the employee's skills and performance in his/her present job. Requests initiated by the employee for training and educational benefits must be made in writing to the Executive Director. The request should give all pertinent details and state how the proposed course, workshop, etc. relates to improving the employee's performance on their current job. The Executive Director shall respond in writing regarding approval or disapproval of the request.

Employees must be able to acquire and maintain any certification, license or permit as a condition of hiring and/or continued employment that is indicated in the job description as a position requirement. Employees who are unable to pass examinations, acquire and/or maintain any certification, license or permit will be given reasonable notification of the Housing Authority's inability to continue their employment. Any required certification, license or permit will be maintained in the employee's personnel file. The Executive Director may require an employee to sign a Memorandum of Understanding (MOU) with the Housing Authority indicating that in the event the Housing Authority does contribute to the cost of an employee attending training to obtain any certification, license or permit, the employee will be required to reimburse the Housing Authority in the event of failure to complete the course or separation of employment from the Housing Authority within one year after the course is taken.

SECTION V

Employee Conduct

A. PURPOSE

The maintenance of high standards of honesty, integrity, impartiality and conduct by Housing Authority employees is essential to ensure the proper performance of official business and to maintain citizen confidence in the Housing Authority of Fort Mill and government agencies at large. Violation of any of these regulations may be cause for appropriate disciplinary action, which may be in addition to any penalty prescribed by law.

B. WORKING HOURS

Normal working hours shall be from 8:00 a.m. until 5:00 p.m., Monday through Friday with the exception of maintenance employees whose normal working hours will be from 7:30 a.m. until 4:30 p.m. Employees are expected to be at their work site during these hours unless on official leave. Schedule variations may be approved by the Executive Director. Variations in hours may be necessary because of a work reduction, seasonal needs, a change in operating procedures or special production needs. Anyone that is tardy after 8:30 a.m. will be dismissed from employment after 3 occurrences in a six month time period.

The office will be open from 8:00 A.M. until 5:00 P.M. Monday, Tuesday, Thursday, and Friday. The office will be closed to the public on Wednesday. Office personnel

may clock in as early as 7:30 A.M. and clock out as late as 5:30 P.M. Office personnel will not be considered tardy for work until 8:30 A.M. A 30 minute lunch is required, however up to an hour and 1 half maybe used. Office employees are required to clock in and clock out at all times using the software available unless qualified as exempt. Maintenance employees normal working hours will be from 7:30 A.M. to 4:00 P.M. with a 30 minute lunch break required, unless otherwise specified by the Maintenance Director. Maintenance employees are only required to clock in and clock out at the beginning of their shift and the end, due to software availability.

No allowance will be made for making up time using a lunch break, with the flexibility of hours already included. All employees will take a minimum 30 minute lunch break.

All employees must clock themselves in, unless a supervisor does it for them. Any abuse of this will not be tolerated and may be used for grounds for dismissal.

Maintenance employees that are on call for one week are paid for 5 hours of overtime unless the actual overtime work exceeds 5 hours. Any time in excess of 5 hours will be tracked with GPS reporting.

C. OUTSIDE EMPLOYMENT

No staff member may accept outside employment without specific permission of the Executive Director. Under no circumstances will permission be granted unless such employment is not in conflict with regular working hours, will in no way reflect adversely upon the Housing Authority, its established policies, procedures, and principles, or adversely affect the performance of the employee's assigned duties with the Housing Authority. Employees must not engage in any activity, either in private or official capacity, where a conflict of interest may exist. No employee shall engage in Disaster Relief or similar service without prior consent of the Board of Commissioners. Employees who wish to engage in outside employment or other business endeavor must submit a request in writing to the Executive Director. Such requests must include a description of the outside employment or business endeavor including an estimate of time requirements.

D. SEXUAL HARASSMENT

Sexual harassment shall be defined as: unwelcome sexual advances such as requests for sexual favors and other verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, propositioning, making either explicit or implied job threats or promises in return for submission to sexual favors; making inappropriate sex-oriented comments on appearance; telling embarrassing sex-oriented stories; displaying sexually explicit or pornographic material, no matter how it is displayed; or sexual assault on the job by supervisors, fellow employees, or on occasion, non-employees when any of the foregoing unwelcome conduct affects employment decisions, makes the job environment hostile, distracting, or unreasonably interferes with work performance. Any employee conduct as defined above is an unlawful employment practice and is absolutely prohibited by the Housing Authority of Fort Mill.

The Housing Authority may be held liable for the actions of all employees with regard to sexual harassment and therefore will not tolerate the sexual harassment of its employees. The Housing Authority of Fort Mill will take immediate, positive steps to stop it when it occurs.

Prevention is the best tool for the elimination of sexual harassment. Therefore, the following rules shall be strictly enforced. An employee who feels he/she is being subjected to sexual harassment should immediately contact one of the persons below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

- a. the employee's immediate Supervisor
- b. the Executive Director
- c. one or more members of the Board of Commissioners

Employees have the right to circumvent the employee chain of command in selecting which person to whom a complaint of sexual harassment may be made. Regardless of which of the above persons the employee makes a complaint of sexual harassment to, the employee should be prepared to provide the following information:

- a. Victim's name, department, and position title.
- b. The name of the person or persons committing the sexual harassment, including their title(s), if known.
- c. The specific nature of the sexual harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer etc.) taken against the employee as a result of the harassment or any other threats made against the employee as result of the harassment.
- d. Witnesses to the harassment.
- e. Whether the employee has previously reported the harassment and, if so, when and to whom.

The Executive Director will designate an independent investigator knowledgeable of these personnel policies and procedures and current employment law to be the investigator of the complaints of sexual harassment against employees. The individual selected to conduct the investigation will be mutually agreeable to both the Executive Director and the employee(s) alleging sexual harassment.

When an allegation of sexual harassment is made by any employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the Executive Director and/or Board of Commissioners.

The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made, and any other person contacted by the investigator in connection with the investigation. The notes shall be made at the time the verbal interview is in progress.

Upon conclusion of the investigation, the investigator shall prepare a report of the findings and present them to the Executive Director and/or Board of Commissioners. The report shall include the written statement for the person complaining of sexual harassment, the written statement of witnesses, the written statement of the person against whom the complaint of sexual harassment was made and all the investigator's notes connected to the investigation.

Upon receipt of a report of the investigation of a complaint of sexual harassment the Executive Director and/or Board of Commissioners shall immediately review the report. If the Executive Director and/or Board determines that the report is not complete in some respect, they may question the person complaining of sexual harassment, the person against whom the complaint has been made, witnesses to the conduct in question or any other person who may have knowledge about the harassment.

Based upon the report and their own investigation, where one is made, the Executive Director and/or Board of Commissioners shall, within a reasonable time, determine whether the conduct of the person against whom a complaint of harassment has been made constitutes sexual harassment. In making the determination, the Executive Director and/or Board shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred, and the conduct of the person complaining. The determination of whether sexual harassment occurred will be made on a case-by-case basis.

If the Executive Director and/or Board of Commissioners determines that the complaint of harassment is founded, they shall take immediate and appropriate disciplinary action against the employee guilty of sexual harassment, consistent with resolutions, rules or regulations governing the Housing Authority's authority to discipline employees.

The disciplinary action shall be consistent with the nature and severity of the offense, the rank of the employee, and any other factors the governing body believes relate to fair and efficient administration of the Housing Authority of Fort Mill, including, but not limited to, the effect of the offense on employee morale and public perception of the offense, and the light in which it casts the Housing Authority of Fort Mill. The disciplinary action may include demotion, suspension, dismissal, warning, or reprimand. A determination of the level of disciplinary action shall be made on a case-by-case basis.

A written record of disciplinary actions taken shall be kept, including verbal reprimands. In all events, any employee alleged to be guilty of sexual harassment shall be warned not to retaliate in any way against the person making the complaint of sexual harassment, witnesses or any other person connected with the investigation of the complaint of sexual harassment.

In instances where the sexual harassment is committed by a non-employee against a Housing Authority employee in the workplace, the Board shall take whatever lawful action against the non-employee which is necessary to bring the sexual harassment to an immediate end.

Employees are not only encouraged to report instances of sexual harassment, they are obligated to report them and employees are obligated to cooperate in every investigation of harassment. The obligation includes, but is not necessarily limited to, coming forward with evidence, both favorable and unfavorable, of a person accused of such conduct; fully and truthfully making written reports or verbally answering questions when required to do so by an investigator. Employees are also obligated to refrain from making bad faith accusations of sexual harassment.

Disciplinary action may also be taken against any employee who fails to report instances of sexual harassment, or who fails or refuses to cooperate in the investigation of a complaint of sexual harassment, or who files a complaint of sexual harassment in bad faith.

E. WORKPLACE VIOLENCE POLICY

1. Definitions When Used In This Policy -

- a. Crime of Violence or Violence - Includes any degree of murder, voluntary manslaughter, aggravated rape, rape, mayhem, especially aggravated robbery, aggravated robbery, burglary, aggravated assault, assault and battery.
- b. Weapon - Includes an explosive or an explosive weapon, a device principally designed, made or adapted for delivery or shooting an explosive weapon, a machine gun, a short-barrel rifle, or shotgun, a handgun, a firearm silencer, a switchblade knife or any other type of knife, or knuckles, or any other implement for infliction of bodily injury, serious bodily injury or death which has no common lawful purpose.
- c. On the Worksite - Includes all property owned or occupied by the Housing Authority of Fort Mill (including Housing Authority job sites) or in Housing Authority vehicles.
- d. Possession - Shall include, but is not limited to, the presence of weapon on the employee, in his/her motor vehicle, lunch box, tool kit, bag, purse, cabinets, office, etc.

This policy covers all employees of the Housing Authority of Fort Mill, including independent contractors or their employees hired or used by the Housing Authority.

2. Policy on Workplace Violence

The Housing Authority of Fort Mill has a strong commitment to its employees to provide a safe, healthy and secure work environment. The Housing Authority also expects its employees to maintain a high level of productivity and efficiency. The

presence of weapons and/or the occurrence of violence in the workplace during working hours or otherwise are inconsistent with these objectives. While the Housing Authority has no intention of intruding into the private lives of its present or potential employees, it expects all employees to report on the worksite without possessing weapons and to perform their job without violence towards any other individual. The Housing Authority of Fort Mill expects all of its employees to work in a manner so that they can perform their duties in a safe and productive manner. Therefore, the Housing Authority of Fort Mill has adopted and maintains this Policy on Workplace Violence.

All applicants considered for employment with the Housing Authority will be required to sign an acknowledgement that they have received this Policy and understand its contents and intent. Likewise, all current employees will be required to sign an acknowledgement that they have received this Policy and understand its contents and intent. Any applicant or employee who refuses to sign said acknowledgement will be subject to disciplinary action, up to and including discharge.

The Housing Authority of Fort Mill has the right to search any areas on Housing Authority premises for weapons including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, briefcases, personal bags, personal toolboxes or tool kits, parking lots, Housing Authority vehicles and personal vehicles parked on the Housing Authority premises.

If an employee is injured while participating in a fight or after instigating a fight, then entitlement to workers' compensation benefits may be denied.

3. Prohibited Activities of Current Employees

The Housing Authority of Fort Mill specifically prohibits the following and will routinely discipline an employee up to and including discharge for any of the following:

- a. Use, possession, or sale of any weapon as described above.
- b. Storing any weapon in a desk, vehicles, lunch box, tool kit, bag, purse or other repository on the worksite or other Housing Authority premises.
- c. Illegal possession, use, or sale of a weapon off of Housing Authority property that adversely affects his/her own or other's safety at work, or indicates a propensity for same.
- d. Refusing to submit to an inspection for the presence of a weapon that is requested by the Housing Authority.
- e. Conviction under any criminal statute for the illegal possession of a weapon or for committing a violent act against the person or property of another.
- f. Refusing to sign a statement to comply with the Housing Authority's Policy on Workplace Violence.

g. Refusing to participate in an investigation pertaining to allegations or suspicion that violence has or is likely to occur, or an investigation pertaining to the carrying of a weapon by the employee or a co-employee.

The Housing Authority of Fort Mill, in its discretion, may from time to time modify this policy. In the event the Housing Authority's Workplace Violence Policy is revised, a copy of the revised policy will be provided to each employee and to the extent that the employee acknowledgement of the Policy may need to be updated or revised, each employee will be required to sign an updated version. An employee who violates this Policy by bringing onto the worksite a weapon and whose employment is not terminated by the Housing Authority of Fort Mill will be subject to searches from time to time, for an indefinite period of time not to exceed one (1) year from the date of the violation. An employee's consent to submit to such a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal or any subsequent refusal.

F. USE OF ELECTRONIC DEVICES

Telephones, **cell phones**, voice mail and computer equipment are assets of the Housing Authority of Fort Mill. Because the Housing Authority has legitimate business reasons for insuring that phones, computer equipment, voice mail and e-mail are not used for personal reasons and are not used to harass other employees or non-employees, or to commit any wrongful acts against others, for any reasons, but specifically on the basis of sex, age, race, religion, disability or other protected category, the Housing Authority of Fort Mill has adopted the following policy.

All telephone, **cell phones**, voice mail, and computer equipment provided by the Housing Authority of Fort Mill is the property of the Housing Authority, and any information or communication stored on any part of these systems is subject to monitoring and review by the Executive Director or his/her designee. More specifically, all employees of the Housing Authority of Fort Mill should be aware that phone calls, voice mail messages and e-mail messages are subject to monitoring to determine if they are being used for personal reasons, and to assure that employees are following proper business procedures. All employees waive any right to privacy concerning telephone, computer, voice mail and e-mail equipment provided by the Housing Authority. No e-mail, voice mail or other information placed on the Housing Authority's telephone or computer systems should be considered "confidential" even if the material is password protected by the employee. On the other hand, it is recognized that telephones, computers, voice mail and e-mail are often used to convey confidential business information. For this reason, the interception of any communications intended for another employee, absent authorization from the Executive Director, is grounds for discipline, up to and including termination.

Employees will refrain from using the Housing Authority's telephone, **cell phones**, computer, voice mail or e-mail equipment to send messages concerning or to participate

in conversations using vulgarities, obscenities, sexual, ethnic, or other epithets or improprieties. In addition, employees will not use the Housing Authority's telephone, computer, voice mail or e-mail equipment to distribute copyrighted material or commercial messages (other than information pertaining to Housing Authority's business), or messages of a religious nature.

All maintenance staff will have a cell phone during working hours. One phone is designated as the on call for the on call employee to keep with them at that time..

All telephone, computer, voice mail and e-mail equipment is intended for business use only, and employees are prohibited from using this equipment for personal, non-business related reasons, absent authorization from the Executive Director.

Internet access shall be used for legitimate business purposes only and not for personal use. Only authorized software is permitted on the Housing Authority's computers.

Personal cell phones are to be used in the case of emergency only or at the discretion of the immediate supervisor. It is a privilege to use a personal cell phone during working hours and should be done sparingly, otherwise the privilege may be revoked.

Employees should report all violations of this policy to the Executive Director. Any violation of this policy may constitute grounds for discipline, up to and including termination.

G. ATTENDANCE POLICY

It is management's expectation that employees come to work each day on time. There may be occasions in an employee's life when they develop legitimate problems that result in them missing time from work. General Leave cannot be used unless requested in advance unless there is an emergency situation. The Executive Director must approve all general leave slips in these instances. When employees develop problems with respect to their attendance, these problems will be addressed promptly with the employee. It is important to note however that if employees demonstrate that they cannot or are not willing to come to work on a regular basis, then they will be subject to discharge from employment. When an employee is absent for any reason that has not been previously approved by their supervisor, they must personally call in and speak to their immediate supervisor prior to the time they are scheduled to report to work. If their supervisor is not available they must contact the Executive Director no later than 8:00 a.m. An immediate supervisor may receive a text message from an employee if that is the supervisor's choice, but there must be a response received from the supervisor.

H. VISITORS AND NON-EMPLOYEES ON HOUSING AUTHORITY PROPERTY

Visitors, vendors, and other non-housing authority employees are to be escorted by a housing authority employee at all times during regular working hours when they are in non-public spaces and private offices. Under no circumstances are visitors, vendors, and other non-housing authority employees to be allowed access to offices containing sensitive and/or confidential information without the presence of a properly designated housing authority employee. Visitors, vendors, and other non-housing authority

employees are not to be on housing authority property or in private offices during non-working hours.

I. VEHICLE USE POLICY AND GUIDELINES

Policy

It is the policy of the Housing Authority of Fort Mill to provide vehicles necessary for the performance of Housing Authority business and to control all aspects of vehicle ownership and usage to ensure safe, effective, and cost efficient operations.

As fiscal agent, the Executive Director has legal authority and control over all vehicles purchased, maintained, repaired and used by all housing authority employees. The guidelines which follow are intended as general requirements and revisions may be made to this policy when deemed by the Executive Director to be in the best interest of the housing authority. It is the responsibility of the Executive Director and other supervisory personnel to assure their employees comply with vehicle operating guidelines and to assure that all decisions relating to the operation of Housing Authority owned vehicles are in the best interest of the taxpayer. This includes the determination of which employees and tasks require the assignment of a housing authority vehicle; selecting proper vehicle types and equipment; ensuring that all vehicles are maintained and used properly; and fiscal budgeting for acquisition, maintenance and use.

Use of a Housing Authority vehicle is a revocable privilege which accrues to a job position and not to a specific employee. Employees may lose the use of a vehicle when their supervisor, together with the Executive Director, decides this is in the best interest of the Housing Authority. This may result from abuse or failure to maintain a vehicle properly; violations of vehicle use guidelines; unsafe operation and/or occurrence of preventable accidents; change in job position or duties, etc.

General Guidelines

Vehicle Use: The primary purpose for the ownership and operation of vehicles by the Housing Authority of Fort Mill is to enable the performance of job duties by its employees; and vehicles may be used only for legitimate housing authority business purposes.

Acquisition and Disposal of Vehicles: All Housing Authority vehicles shall be purchased through established procurement policies after the fiscal budgeting and review process. The Executive Director will purchase vehicles based on specifications provided by the Maintenance Supervisor and/or other appropriate personnel and approved by the Board of Commissioners. Disposition of housing authority vehicles will be accomplished by the Executive Director in accordance with established Housing Authority policies and procedures.

Operator Responsibilities: All operators of housing authority vehicles must have a valid South Carolina or North Carolina Driver's License, appropriate to their vehicle usage classification. If at any time the license is revoked, suspended, cancelled, restricted or otherwise invalidated, the employee must immediately notify the Executive Director and must be suspended from operating any Housing Authority vehicle. It is the responsibility of the Executive Director to perform periodic license and driving record checks for their employees who operate Housing Authority vehicles and check these before hiring a new employee who will be driving a Housing Authority vehicle.

Seat Belts and Safety Devices: The vehicle operator (driver) is responsible for ensuring that all vehicle safety procedures and devices are utilized in full compliance with all applicable State and Federal laws. Use of seat belts and other required safety devices is mandatory for both the operator and any passengers. The operator may refuse to transport any passengers who fail to comply. Removal or disabling of vehicle safety devices is prohibited. Employees should understand also that under South Carolina Workers' Compensation Law, willful failure to use provided safety devices may affect their rights to workers' compensation benefits.

Operation: Employees driving Housing Authority vehicles shall operate them in a safe, lawful, efficient and courteous manner and shall obey all traffic laws, parking regulations and rules of the road. Traffic and parking violations are the operator's responsibility and may result in disciplinary action when warranted. Common sense security precautions and good driving habits shall be observed.

Preventive Maintenance: It is the responsibility of the operator to ensure that vehicles are properly maintained. This is important for both safety and economy reasons. It has been proven that preventive maintenance can extend the life of a vehicle on the average of 25%. Housing Authority vehicles shall be serviced at regular intervals of 5,000 miles. Service at these intervals includes oil and filter change and lubrication plus a general safety inspection which includes a tire wear check. Operators should make mechanics aware of any operating problems as they occur. It is the responsibility of the operator to ensure that all preventive maintenance is scheduled and performed. Failure to maintain a vehicle properly also may result in action being taken by the Executive Director which may include denial of the privilege of using a Housing Authority vehicle.

Service Problems: The operator is responsible for notifying the Executive Director of any service problems encountered while operating the vehicle. The Executive Director or his/her designee shall determine warranty status if any and also shall coordinate all warranty, extended warranty, and recall work. All service work except emergency repairs should be scheduled in advance. Service work will be reported monthly to the Executive Director.

Accident Damage Repair: All accidents must be properly reported as is described in the section entitled "Vehicle Accidents and Damage to Housing Authority Vehicles." The Executive Director is responsible for determining whether repairs will be done in-house or contracted out. Vehicles that may still be driven will be scheduled for body damage repair as soon as possible. The Executive Director must make a decision on the safety of any damaged vehicle if it is to be used until repaired.

Vehicle Accidents and Damage to Housing Authority Vehicles

In the event of accidents involving housing authority vehicles or other damage to housing authority vehicles the following reporting procedure applies. It is the supervisor's responsibility to see that each driver is properly trained in these procedures. The procedure list shall be kept in the glove box of each housing authority vehicle.

VEHICLE ACCIDENT REPORTING PROCEDURES

1. It is important to get all necessary information while at the accident scene to properly complete the accident report (WRITE IT DOWN!). The following information is important!
 - a. Location of accident – names of the streets
 - b. Name, address, phone # (home & work) of other driver(s).
 - c. Name, address, phone # of other drivers insurance company
 - d. INJURIES: Get name, address, phone # (home & work) of all injured persons, describe the injury, and where the injured was taken, if known.
 - e. WITNESSES: Get name, address, phone # (home & work) of all witnesses
 - f. SCENE DESCRIPTION: Observe the accident scene for length and location of skid marks, debris, scuff or gouge marks on pavement, slick spots, etc. (measure or step-off length of skid marks).
 - g. Get make, year model, and describe damage to all involved autos and where taken.
 - h. Do NOT admit liability.
Do NOT say you could have avoided the accident

Do NOT discuss what you did in the accident with anyone at the accident scene except the investigating officer or your supervisor.
 - i. Call the appropriate LAW ENFORCEMENT AGENCY.
2. Report promptly to your supervisor.
3. Bring the Accident Report Forms to the Executive Director as soon as possible.

IRS Regulations

W-2 forms for the expense of the commuting mileage (to and from residence) will be given to employees for IRS income purposes for vehicles that are authorized to be driven to and from residences. Commuting mileage for on-call duty will not be included in the calculations for W-2 forms.

GPS Regulations

All maintenance vehicles except for the directors designated vehicles have a GPS tracking device. This device may be used to locate employees if their phone is not heard or not in service. This device is used for tracking of overtime for on call employees. This device may be used to track an employee location if necessary. The reporting is only available to the Executive Director and Maintenance Director/

J. TIMESHEETS AND PAYROLL CHECKS

Regular payroll is done by direct deposit only except for any type of specialty payment. All employees must provide depository information. Payroll is processed on a bi-weekly basis. Direct deposits are done on Tuesday morning of the pay week.

All employees that are not exempt are required to use the time entry software system.. In addition if an employee fails to submit the time sheet that designate what entity work was performed as required, their payroll deposit will not be issued until the next scheduled pay period. Employees that are traveling, their time will be written in or clocked in by the Executive Director.

Should there be any questions or concerns regarding pay, contact must be done with the Executive Director or an accountant. If there is a correction of more than \$50.00 a manual check will be done immediately if required by the employee. Otherwise, it will be processed on the next business day.

K. PERSONAL DRESS

All employees are expected to come to work with a neat, well-groomed, appearance and workplace appropriate clothing. Dress requirements may vary by work location; however, certain rules apply across the board to all employees. All clothes should be clean and neat in appearance. Tight fitting clothing, tank tops, bare midriff (half) shirts, shirts with bare backs, inappropriate shorts (daisy dukes) are not considered workplace appropriate clothing. Exceptions to the personnel dress policy may be made for inclement weather and for certain work tasks. Dress down days may be permitted at the discretion of the Executive Director. All non-exempt maintenance staff must wear uniforms that may be supplied by the Housing Authority.

If an employee is not dressed or groomed appropriately for work, the employee may be sent home to change. This time will be unpaid.

[No dress code](#) can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear when traveling and visiting customers, you are representing the Housing Authority of Fort Mill.

If you experience uncertainty about acceptable attire for work, please ask your supervisor or the Executive Director.

SECTION VI

Disciplinary Action

A. POLICY

Regulations for the acceptable conduct of employees are necessary for the orderly operation of the agency's business and for the benefit and protection of the rights and safety of all employees. Certain regulations, and others that may be established from time to time, and the procedures for disciplinary actions are published to promote understanding of what is considered unacceptable conduct and to provide for consistent action in the event of violations.

B. DISCIPLINARY ACTION

Whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level, supervisors shall inform employees promptly and specifically of such lapses and shall give them counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, a specific incident in and of itself may justify severe initial disciplinary action up to and including termination, however; the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past performance and conduct. The types of disciplinary actions are:

1. OR - Oral Reprimand
2. WR - Written Reprimand depending on the nature of the offense
3. S - Suspension without pay for 1, 2, or 3 days
4. D - Dismissal

1. Oral Reprimand

Whenever an employee's performance, attitude, work habits, or professional conduct fall below a desirable level, the supervisor and/or Executive Director shall inform the employee promptly and specifically of such lapses and shall give him/her counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary actions. The supervisor will place a memo in the employee's file stating the date of the oral reprimand, what was said to the employee, and the employee's response. Such written evidence of the oral reprimand in the employee's personnel records shall be removed in one (1) year if no further violations occur.

2. Written Reprimand

In situations where an oral warning has not resulted in the expected improvement, or when more severe initial action is warranted, a written reprimand will be issued to the employee, and a copy be placed in the employee's personnel folder.

3. Suspension

An employee may be suspended for up to three (3) days with or without pay by the Executive Director, not to exceed a total of fifteen (15) days in any twelve (12) month period. A written statement of the reason for suspension shall be submitted to the employee affected at least twenty-four (24) hours prior to the time the suspension becomes effective. The employee will be granted a hearing with the Executive Director. An employee determined to be innocent of the charges shall be returned to duty with full pay for the period of suspension. All records associated with a suspension shall become a permanent part of the employee's personnel file. Under certain circumstances an employee may be suspended without twenty-four (24) hours notice, if in the best interest of the Housing Authority of Fort Mill.

The employee shall be furnished an advance written notice containing the nature of the proposed action, the reasons therefore, and his/her right to appeal the charges orally and/or in writing.

If the employee fails to respond to the advance notice pursuant to the appeal process, the proposed action shall be effective on the date specified with no need for further action.

4. Discharge

An employee is subject to immediate discharge for certain egregious violations of work rules and regulations. The following list provides an indication of the types of violations that would result in the immediate termination of employment.

C. RULES AND PENALTIES

Listed below are some of the Housing Authority of Fort Mill work rules. Obviously, rules to cover every work situation cannot be listed; therefore, the agency's right to discipline or dismiss employees for other just causes shall not be limited by the following list. As examples, the following work rules and subsequent penalties for violation of the work rules are stated.

1. Reporting to work intoxicated; D
2. Possession or use of alcohol or drugs on Housing Authority property during working hours; D
3. False statements on employment application; D
4. Stealing from fellow employees or theft, destruction, carelessness, or negligence in the use of the property of the Housing Authority of Fort Mill; D
5. Violation of any lawful and reasonable regulation, order, or direction made or given by a superior, or insubordination that constitutes a serious breach of discipline; D

6. Intentionally reporting incorrect work schedules or falsifying records; D
7. Absence for one (1) workday without reporting to the immediate supervisor; D / S
8. Responsible for instigating a fight on Housing Authority property; D
9. Being habitually tardy without reasonable cause as determined by the immediate supervisor. (More than four times during a six (6) month period); D
10. Sexual Harassment; D
11. Incompetence or inefficiency in the performance of duties; D
12. Conviction of a criminal offense or malfeasance involving moral turpitude; D
13. Falsification of records or use of official position for personal advantage; D
14. Loss of an employee's drivers license and driving privileges by due process of law when the employee's position makes the operation of a motor vehicle necessary in the performance of his/her duties; D
15. Leaving work during working hours without authorization from immediate supervisor (except during lunch period); D
16. Abusive or threatening language to any supervisor or employee; D
17. Theft from residents; D
18. Being absent from work without notifying immediate supervisor for less than three (3) days; D
19. Failure to report to the immediate supervisor any work-related accidents or injuries within 24 hours; S/D
20. Moving violation of State/Local traffic laws or regulations while operating Housing Authority vehicles; WR
21. Violations of agency policy as outlined in various sections of this manual; WR
22. Maintenance employees who enter occupied apartments without a work order (except in emergencies); WR/S/D
23. Sleeping during working hours; WR
24. Violating a safety rule or safety practice; WR/S
25. Posting, removing, and/or tampering with official bulletin boards without proper authorization; WR

25. Horseplay;

OR/WR

26. Acting in an insubordinate manner toward any supervisor or directing abusive or threatening language at any supervisor, employee or acting in disregard of any directive of the Housing Authority or HUD.

WR/S/D

D. SOCIAL NETWORKING AND BLOG POSTINGS

Postings on social networking sites such as Twitter, Facebook and MySpace, just to name a few, as well as on blogs has become a common activity of many individuals. The Housing Authority of Fort Mill prohibits any employees from any such postings, viewing or in any way participating in such sites while on work time or using any of the resources or equipment of the company unless the information is work related. There is an exception when an employee is specifically authorized for a direct business purpose, such as investigations, or using social media as a tool to communicate office business. The Housing Authority's internet resources are only to be used in accordance with the office rules and policies on confidentiality, harassment, use of the internet and use of office equipment.

The Housing Authority of Fort Mill neither encourages nor discourages any of its employees from posting on social networking sites or blogging on their own time, using their own equipment. However, employees should be aware that these postings are public, even if access to them is restricted they may be forwarded out of the restricted group by those who have rightful access, and live on virtually forever. And, even if a posting is taken down it never truly disappears but rather continues to exist somewhere in cyberspace. As a result, employees need to be mindful that social networking postings (whether images or comments), even though done on personal time and using personal equipment, can cause damage to not only their own reputation and interests but also the reputation and interests of the Housing Authority, co-workers, and the public that we serve.

Should you choose to blog or participate in any social networking site on your own time, using your own resources and equipment, you are request to follow the following guidelines:

1. You must never disclose any confidential information of the Housing Authority of Fort Mill
2. Your postings must not violate any laws, or policies of the Housing Authority of Fort Mill including but not limited to harassment, violence, or confidentiality of other employees or residents. This is to include discrimination based on race, color, religion, sex, familial status, national origin, or disability.
3. Should you reference the Housing Authority of Fort Mill in any way you must state that the views, opinions, ideas or information belong to you personally and are not in any way attributable to the Housing Authority of Fort Mill.

Employees should report violations of this policy to the Executive Director. It is the Responsibility of all employees to help the Housing Authority of Fort Mill ensure compliance with this policy.

Violation of any aspect of this policy is subject to disciplinary action, up to and including termination of employment, regardless of whether such conduct occurred away from work on on non-work time.

E. CONFLICT OF INTEREST AND ETHICS

The Housing Authority of Fort Mill expects its employees and officials to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create an actual conflict or the appearance of a conflict of interest. Employment with the Housing Authority carries with it a responsibility to be constantly aware of the importance of ethical conduct. Employees must refrain from taking part in, or exerting influence in, any transaction in which their own interests may conflict with the best interests of the Housing Authority. Each employee is individually responsible for adhering to the policy and for reporting violations to his or her immediate supervisor.

The Housing Authority recognizes and respects the individual employee's right to engage in activities outside of his or her employment which are private in nature and do not in any way conflict with or reflect poorly on the Housing Authority. Management does reserve the right, however, to determine when an employee's activity represent a conflict with the Town's interst and to take whatever action is necessary to resolve the situation including, but not limited to, suspension, demotion and termination.

SECTION VII

Employee Leave

A. POLICY

The Housing Authority of Fort Mill recognizes certain days of historic importance as official holidays and recognizes a need for a period of rest and relaxation during the year. A stated amount of vacation leave, based upon length of continuous service, is earned and credited each month to each regular full-time employee.

The following holidays are established:

HOLIDAYS

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25

When a holiday falls on Saturday or Sunday, it will be observed on the nearest regular working day, preceding or following the holiday or as specified by the Executive Director. Special holiday provisions may be designated by the Board of Commissioners.

All regular full time employees are eligible for holiday pay. Temporary and student employees are not eligible for holiday pay.

Any employee on leave of absence without pay or on Worker's Compensation is not eligible for holiday pay.

B. GENERAL LEAVE PROGRAM

The Housing Authority of Fort Mill utilizes a General Leave program for all full-time employees whereby an employee assumes full responsibility for directing and controlling their own leave to meet personal needs. General Leave may be used to cover the following types of leave:

- Employee's vacation leave
- Employee's personal medical leave
- Personal leave for other reasons
- Funeral leave

A new employee will be eligible to earn General Leave beginning the first full pay period following their date of employment. In the event an employee does not work

or is paid for a minimum of 50 hours in a pay period, no hours will be earned towards General Leave.

The Division and/or Department Manager is responsible for approving all General Leave requests. General Leave may be taken in not less than sixty (60) minute increments. If an employee becomes sick in conjunction with a holiday and is absent from work the day before and/or the day after, he may charge the entire absence including the holiday to General Leave if he/she presents acceptable verification of said illness, otherwise the entire absence will be unexcused without pay. While on authorized General Leave with pay, an employee continues to accrue General Leave.

General Leave must be approved in writing, in advance by the employee's Department Head / Executive Director for absences which can be scheduled in advance giving a minimum eight (8) working hours notice. This naturally excludes employee's illness, funerals, etc. An illness call in excess of two days consecutively must provide a doctor's statement, otherwise disciplinary action may result. Vacations (one week or more) must be scheduled at least thirty (30) days in advance. Whenever possible, employees will be allowed to take their vacations at times convenient for them. However, in order to ensure continued smooth operations and the maintenance of a high level of quality in the delivery of services to the community, the Housing Authority reserves the right to limit the number of employees who may be absent from a given department at any one time.

Only those employees who are terminated for other than disciplinary reasons (i.e. reduction-in-force, resignation, retirement, termination at end of one year following commencement of disability or personal leave, termination due to inability to do the job, etc.) will be paid for accrued but unused General Leave where proper notice has been given. General Leave pay shall be calculated at the employee's prevailing rate at the time of termination. In the event of death, payment for unused General Leave will be paid to the surviving spouse or heirs.

The use of approved General Leave in advance as per the personnel policy will not be monitored in accordance with the performance evaluation. However, any called in absences in excess of two (2) over a twelve month period will be monitored in accordance with performance evaluations.

Basic Schedule for Earning General Leave

<u>Service Time</u>	<u>Annualized Earnings</u>
0-12 Months	12 days
1 year – 5 years	19 days
5 years – 10 years	22 days
10 years – 15 years	27 days
15 years – 20 years	30 days
20 years +	33 days

When an employee progresses into a higher service time period, the earnings schedule will be automatically adjusted. Accruals will be established on a payroll

period. The accrual schedule has been implemented in accordance with the hours worked per week.

40 hours/week

2080 hours/year

Regardless of the work schedule, all leave has been developed using a common percent variable:

<u>Service Time</u>	<u>Percent</u>	<u>Annual Earnings</u>
0-12 Months	4.615%	12 days
1 year – 5 years	7.31%	19 days
5 years – 10 years	8.46%	22 days
10 years – 15 years	10.38%	27 days
15 years – 20 years	11.54%	30 days
20 years +	12.74%	33 days

Breakdown of Accruals by Payroll:

Bi-weekly payroll

<u>Service Time</u>	<u>Accrual Rate</u>	<u>Hours Accrued</u>
0-12 Months	(12x8) / 26	3.70 hours
1 year – 5 years	(19x8) / 26	5.85 hours
5 years – 10 years	(22x8) / 26	6.77 hours
10 years – 15 years	(27x8) / 26	8.31 hours
15 years – 20 years	(30x8) / 26	9.23 hours
20 years +	(33x8) / 26	10.16 hours

Monthly payroll:

<u>Service Time</u>	<u>Accrual Rate</u>	<u>Hours Accrued</u>
0-12 Months	(12x8) / 12	8.00 hours
1 year – 5 years	(19x8) / 12	12.67 hours
5 years – 10 years	(22x8) / 12	14.67 hours
10 years – 15 years	(27x8) / 12	18.00 hours
15 years – 20 years	(30x8) / 12	20.00 hours
20 years +	(33x8) / 12	22.00 hours

Maximum Earnings Schedule for General Leave:

<u>Class</u>	<u>Hrs. Accrued in Sick Leave</u>	<u>Bank Yrs. Service</u>	<u>Max General Leave</u>
A	0 – 480	0 – 5	1 ½ x Annual Earnings
B	481 – 960	5 – 10	2 x Annual Earnings
C	961 – 1440	10 – 15	2 ½ x Annual Earnings

leave and/or pay classification will be maintained by the Executive Director or his/her designee.

C. BEREAVEMENT LEAVE

An employee bereaved by the death of an immediate family member shall be given leave with pay to attend the funeral and assist in making any necessary arrangements. Immediate family is defined to include husband, wife, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandfather, grandmother, grandson, granddaughter, great grandmother, great grandfather, step-mother, step-father, step-brother, step sister, step-children, domestic partners and legal guardian.

1. Eligibility – All regular, full-time employees are covered by this policy upon hire.

2. Maximum amount of Leave – A maximum of three days bereavement leave shall be granted. Bereavement leave shall not be charged to an employee's general leave. All requests for bereavement leave must be approved by the Executive Director.

D. MATERNITY LEAVE

A female employee, who has been employed full-time at least one (1) year with the Housing Authority of Fort Mill and who gives at last three (3) months advance notice of her anticipated date of departure, length of maternity leave and intentions to return to full-time employment, may be granted maternity leave for a period not to exceed four (4) months for the purpose of pregnancy, childbirth, and the nursing of an infant. Return to duty must be accompanied by a release statement from the employee's attending physician. Accrued sick leave and vacation time may be used if additional time is needed.

Upon return to full-time employment, the employee shall be restored to her previous, or similar, position with the same status, pay, length of service credit, seniority, vacation time, sick leave, bonuses, advancement, or other benefits, if any, for which she was eligible on the date of her leave.

As the purpose of this provision is to promote and encourage bonding between a female employee and her newly born baby or adopted child, if the Housing Authority finds that the female employee has utilized maternity leave to actively pursue other employment opportunities, or if the Housing Authority finds that the employee has worked part-time or full-time for another employer during the maternity leave period, then the Housing Authority of Fort Mill shall not be liable under these provisions for failure to reinstate the employee at the end of her maternity leave.

Maternity leave shall be without pay. The employee may, at her discretion, use all or none of her accrued general leave prior to taking maternity leave. The Housing Authority is not required to provide for the cost of any benefits, plans, or programs during the period of maternity leave unless it provides the cost of such benefits to all employees on leaves of absence without pay.

A female employee who is prevented from giving three (3) months advance notice because of medical emergency which requires that maternity leave begins earlier than originally anticipated, shall not forfeit her rights and benefits under these provisions solely because of her failure to give three (3) months advance notice.

E. MILITARY LEAVE

Any regular employee who has completed six (6) months of satisfactory employment, and who enters the Armed Forces of the United States, will be placed on Military Leave. The Executive Director shall approve military leave without pay when the employee presents his/her official orders. **An employee may use their General Leave if they choose to do so.** The employee must apply for reinstatement within ninety (90) days after release from active military duty. The U.S. Supreme Court in *King vs. St. Vincent's Hospital* (90-889) (December 16, 1992) determined that there is no limit on the amount of time an employee can be away from his/her job for military reservists duty and then return and invoke his/her rights to reemployment.

Any full-time employee who is a member of the United States Military Reserve Forces, National Guard, or any of the Armed Forces of the United States, will be granted military leave for any field training or active duty required (excluding extended active duty) pursuant to provisions in TCA 8-33-109. Such leave will be granted upon presentation of the employee's official order to the Executive Director. Compensation for such leave will be for a period not exceeding fifteen (15) working days in any one (1) calendar year, plus additional days as may result from any call to active state duty pursuant to TCA 58-106. Military leave with pay shall not be charged against the employee's accrued general leave or compensatory credits.

F. LEAVE WITHOUT PAY

1. Absence without proper authorization shall be considered leave without pay and may be considered sufficient cause for suspension or dismissal of the employee at the discretion of the Executive Director or the Board of Commissioners.
2. Leave without pay, where necessary, may be granted at the discretion of the Executive Director or the Board of Commissioners. A full time employee with at least one year of continuous service may request an unpaid leave of absence for a period not to exceed 180 days for personal reasons as deemed permissible by the Executive Director with approval by the Board of Commissioners.

G. LEAVE FOR JURY AND ELECTION DUTY

It shall be the policy of the Housing Authority of Fort Mill to encourage employees to serve on a jury when called. The notice for jury duty must be provided to the Housing Authority. Regular salary will be paid to employees when serving on a jury.

Also, if the employee's services are not required by the court and the employee is dismissed by the court for the remainder of the day, then said employee will report to work as scheduled unless the employee's jury service exceeds three (3) hours during that day. When necessary, an employee may be granted up to three (3) hours to vote on election days. No charge will be made to any type of leave for this absence. Under the

provisions of the Hatch Act, an employee may not be employed at the polls or otherwise take an active part in an election.

H. COURT WITNESS

If an employee is subpoenaed to court as a witness on a Housing Authority of Fort Mill matter no leave time will be charged. If subpoenaed as a witness in a private matter, the employee must use general leave or take time off without pay.

I. EMERGENCY LEAVE

The Executive Director and the Board of Commissioners may authorize short leaves of absence under emergency conditions. If the employee has the general leave to cover such leave it may be charged to the employee's general leave. The Board of Commissioners or Executive Director may, if they deem it advisable, advance sufficient general leave to the employee to retain him in pay status, provided the employee remains on duty a sufficient length of time to earn the leave so advanced. In the event his employment should be terminated prior to his earning the advance, then the unearned amount shall be deducted from his final check. Emergency conditions normally will consist of, but will not be limited to, death in the family, or accident or injury to a family member expected to result in immediate death. In any event, the Executive Director and/or the Board of Commissioners will determine whether or not an emergency exists on an individual case basis. For emergency absences with respect to the Executive Director, the Board of Commissioners will rule. Leave benefits may be adjusted in an appropriate situation at the discretion of the Board of Commissioners.

J. INCLEMENT WEATHER LEAVE

In the event severe weather conditions warrant such action, the Executive Director has sole discretion to close the Housing Authority offices. The Executive Director will notify each supervisor of a decision to close the Housing Authority offices who must in turn notify each employee. Radio announcements may also be used to announce any closing of Housing Authority offices. Unless employees are notified individually of a closing they are expected and required to report to work. When weather conditions appear to be so severe that an employee fears for his/her safety in traveling to or from the work site, he/she may be absent with leave if the following conditions are met.

- a. The employee informs their immediate supervisor of his/her absence and the reason for it as soon as possible.
- b. The employee reports to work immediately should weather conditions change allowing safe transportation to the work site.
- c. If an employee makes a personal choice because of his/her isolated situation due to inclement weather, they must request accumulated general leave for the time missed on the day of their return to work.

This policy is meant for those who are in immediate danger due to weather conditions only. Should any employee be found to be abusing this policy, they shall be subject to

disciplinary action. The Executive Director shall make the final determination as to whether or not the office shall be closed for inclement weather.

K. TERMINAL LEAVE

1. General Policies and Procedures

a. Converting Annual Leave to Terminal Leave

Upon separation from the Housing Authority of Fort Mill, an employee may be eligible to convert terminal leave and receive pay for the unused portion of his/her general leave accumulation **unless he was involuntarily terminated from service.** When an employee is on terminal leave, he/she does not accrue additional leave of any type. At the discretion of the Executive Director, the employee may be paid in a lump sum for accrued leave or allowed to receive their accrued leave in accordance with established pay periods.

b. Accounting for Terminal Leave

1. Official Holidays - In establishing an employee's terminal leave period and in computing payment for same, credit is not allowed during the terminal leave period for official Housing Authority holidays. The employee will not be paid for any holidays falling within the terminal leave period, and the employee will be charged with leave on dates holidays occur.
2. Excused Absences - In establishing an employee's terminal leave period and in computing payment for same, credit will not be allowed during the terminal leave period for excused absences such as a date on which employees are excused from work because of extreme inclement weather; dates on which employee are excused in order to vote; and similar situations.
3. Beginning of Terminal Leave Period - In the event of termination or death of employee, the terminal leave period begins following the last full or fractional workday.
4. Determining Separation Date - When an employee is terminated, that last day of terminal leave shall be the official date of separation. If terminal leave balance does not extend through a full eight (8) hours on the official separation date, the employee will be paid for exact number of terminal hours due.
5. Payment to Estate in Case of Death - Any terminal leave entitlement due an employee shall, upon death, be paid to the employee's estate.

L. FAMILY AND MEDICAL LEAVE

Housing Authority of Fort Mill employees are eligible to request a personal leave of absence of up to twelve (12) weeks without pay after having completed one year of continuous service and worked at least 1,250 hours during the twelve months prior to your request for the leave of absence. Under the Family and Medical Leave Act

(FMLA), you are entitled up to 12 weeks of unpaid leave during each 12-month period. The Housing Authority will calculate each 12-month period by a rolling method, which means that the 12-month period will be measured backward from the date an employee uses or requests any FMLA leave. This leave will be granted for one or more of the following reasons:

1. To care for your child after birth, or after placement of adoption or for foster care;
2. To care for your spouse, son or daughter, or parent who has a serious health condition; or
3. For a serious health condition that makes you unable to perform the functions of your job.

For purposes of the FMLA, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from), or any subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - a. Any period of incapacity (i.e. inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from) of more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - b. Treatment two (2) or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - c. Treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - d. Any period of incapacity due to pregnancy, or for prenatal care.
 - e. Any period of incapacity or treatment for such incapacity due to a chronic serious condition. A chronic serious health condition is one which:
 1. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

2. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 3. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- f. Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
- g. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations. A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave. Further, conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headache other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Absence because of an employee's substance abuse does not qualify for FMLA leave. However, leave taken for treatment of substance abuse by a health care provider or by a provider of health care services on referral of a health care provider may qualify if all requirements for a serious health condition are met.

Time away from work for work-related injuries (i.e., under workers' compensation) or for maternity leave will apply toward an employee's FMLA leave entitlement.

Absences falling under the FMLA are excused absences and do not effect seniority or vacation pay. Whenever work is scheduled on Saturday and/or Sunday while an employee is out on FMLA leave, this time away from work will not be charged for attendance purposes. FMLA applies to the normal workweek only, Monday through Friday, for a total of sixty (60) days (twelve (12) workweeks).

Employees may use any accumulated sick leave first, then any accumulated general leave, prior to taking unpaid leave under the Family and Medical Leave Act. Please be advised, however, that any leave, paid or unpaid, which qualifies as FMLA leave will count against an employee's FMLA leave entitlement, including but not limited to leave taken under workers' compensation or for maternity leave.

Ordinarily, you will be required to provide at least thirty (30) days notice of your intent to take a leave of absence when the need for the leave is foreseeable. Failure to do so may result in your being denied a leave of absence. As soon as you know you are going to be away from work due to an illness you have or due to sickness in your family (this applies to spouse, children, and parents only), you need to notify the Housing Authority. The Housing Authority of Fort Mill specifically reserves the right to require any employee who requests a leave of absence because of his or her own serious health condition, or the serious health condition of a spouse, child, or parent, to provide adequate medical certification substantiating the need for the leave. The Housing Authority further reserves the right to require a second or third opinion from a qualified health care physician to substantiate the need for a leave of absence when the leave is taken because of a serious health condition. An employee who takes FMLA leave for personal illness may also be required to submit a fitness for duty report from his or her treating physician when they return to work.

At the end of a qualified leave taken pursuant to this policy, you will be restored to your position, or an equivalent position with equivalent pay and benefits. However, this does not apply to all employees and you will need to contact the Housing Authority of Fort Mill to determine if you are qualified for reinstatement. During the leave, the Housing Authority will maintain your health benefits to the same extent that it would have if you had not taken a leave of absence. However, if the employee is on leave without pay status, the Housing Authority will **require** the portion of **premiums each month in advance**. The Housing Authority shall also seek reimbursement if you fail to return to work after the leave of absence has expired. While on FMLA leave, you will be required to continue your payment of premiums for health benefits for which you are responsible prior to taking leave.

An employee may not hold other gainful employment while taking FMLA leave from the Housing Authority of Fort Mill. If an employee is employed elsewhere while on FMLA leave, the Housing Authority reserves the right to designate the leave as non-qualifying under the FMLA and take appropriate action.

This leave of absence is being provided to you in compliance with the Family and Medical Leave Act of 1993. The Housing Authority of Fort Mill will comply with all of the requirements of this Act. To determine if you are eligible for the leave of absence or if you need additional information, please contact the Housing Authority.

SECTION VIII

Health and Safety Benefits

A. WORKING CONDITIONS

Employees shall be provided safe, sanitary and healthy working conditions.

B. WORKERS' COMPENSATION

Employees shall immediately report any injury incurred in the course of their employment, however minor, to their supervisor or the Executive Director and take such first aid or medical treatment as may be necessary. Any employee determined to have been able, but who fails, to make such a report within twenty-four (24) hours shall not be eligible for occupational disability or injury leave.

When an employee is injured on the job, the supervisor shall immediately notify the Executive Director, or his/her designee, who shall submit an accident report to the designated insurance agent and retain a copy in the proper file. Where an accident causes serious bodily injury or death to an employee, the supervisor shall immediately notify the Executive Director, or his/her designee.

Employees shall be covered by Workers' Compensation Benefits as follows:

A loss of time injury incurred by an employee as a direct result of employment with the Housing Authority of Fort Mill shall not be charged to the employee's sick leave account during the Worker's Compensation exclusion period of seven (7) calendar days.

Beginning the eighth (8th) calendar day, Worker's Compensation will begin payment not to exceed 66 2/3% of salary. However, sick leave usage for on the job injury is permitted.

Accident reports will be filled out by the employee and submitted according to established procedures.

C. BENEFITS

The following additional benefits will be provided to regular full time employees following successful completion of their initial period of employment:

1. Retirement Plan - The Housing Authority of Fort Mill is enrolled in the South Carolina State Retirement System for employees. Employees are referred to the retirement benefits literature that is provided when hired for plan details. Participation in the South Carolina Retirement System is mandatory for all eligible employees.
2. Social Security - The Authority participates in the Federal Social Security Program, the cost of which is shared by the Authority. Participation is mandatory.
3. Health Insurance, Dental Insurance & Life Insurance – Full-time employees are provided medical, dental and life insurance by and at the cost of the Housing Authority. Employees may elect to extend coverage to members of their immediate families at their own cost. Full-time employees become eligible for the insurance on the first day of the month following thirty days of employment. Should an employee elect not to cover eligible dependents at the time of hiring, proof of insurability must be obtained. If an employee uses FMLA, Sick Leave, or Military Leave for qualifying reasons and there are not enough funds to cover their elective insurance, they must pay at the beginning of each month. Due to the ever increasing cost of insurance there could be a maximum amount paid per employee set by the Board of Commissioners due to budget constraints.
4. COBRA – The Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”) provides eligible employees and their eligible dependents with the opportunity to continue medical and dental insurance for a period of time, at their

own expense, if they would otherwise lose coverage due to certain qualifying reasons. Please see the Executive Director for more information on COBRA.

D. INFECTIOUS DESEASE CONTROL

It is important that all employees are protected from the transmission of diseases just as it is equally important that none are discriminated against because of misconceptions about various diseases and illnesses.

Precaution should be taken when there is a potential exposure to any infectious disease. All employees shall take precaution to prevent injuries caused by pointed an/or sharp instruments.

All employees will be instructed in safety prevention of infectious diseases, such as Hepatitis B Virus (HBV), Human Immunodeficiency Virus (HIV), and Tuberculosis (TB).

Housing Authority of Fort Mill employees will be provided appropriate protective equipment and supplies to be used when there is potential contact with any infectious materials (Bacteria-Viruses).

The Housing Authority shall offer the appropriate Hepatitis B Vaccination to employees at risk of exposure free of charge and in amounts and at times prescribed by standard medical practices.

E. SMOKE-FREE WORKPLACE POLICY

Due to the adverse health effects of second-hand smoke, all facilities owned and operated by the Housing Authority of Fort Mill are designated as smoke-free environments. Employees are prohibited from smoking in offices, lobbies maintenance shops and all common areas of Housing Authority facilities.

SECTION IX

Miscellaneous

A. SERVICE RECORDS

A service record on file shall be maintained for every employee and shall contain complete information pertinent to his/her employment, including dates of employment, pay changes, etc. A detailed and accurate leave record shall be maintained for each employee by the properly designed supervisor.

B. BULLETIN BOARDS

The Housing Authority of Fort Mill maintains bulletin boards at all its office locations. These bulletin boards are an official method of communication between the Housing Authority and its employees and residents.

All employees are expected to read posted notices, policies, rules, memos, etc. Each employee will be held responsible for knowledge of all posted information.

Unauthorized use of these bulletin boards is prohibited.

C. RISK MANAGEMENT

An effective risk management program is essential to the health, safety, and general well being of the community and Housing Authority employees. The Housing Authority of Fort Mill is striving to provide each employee a safe working environment. Each employee, however, is expected to do his or her part and be safety conscious while on the job. Supervisors are responsible for providing employees with the appropriate safety equipment and to see that it is properly used. Each employee is required to wear appropriate safety equipment. **THERE ARE NO EXCEPTIONS!!!**

The following safety rules are to be followed by all Housing Authority of Fort Mill employees. They are designed to provide a safe and healthy work environment for all employees:

1. Accidents and injuries, no matter how minor, and the existence of any unsafe conditions, **MUST IMMEDIATELY** be reported to the employee's supervisor or the Executive Director.
2. Safety goggles shall be worn when sledging, hammering, and sawing on metal or concrete, chipping, welding, grinding, working in dusty places, handling of chemicals, acids, blowing off equipment, or other operations where eye injuries may result.
3. Ear protection in the form of earmuffs or approved earplugs will be worn on all high noise level jobs as directed. Cotton will not be used as plugs.
4. Approved respirators are to be used when conditions warrant. They must be kept clean and sanitary and will be inspected often by the supervisor.
5. Shoes which provide adequate protection relative to the work performed are required. Supervisors are required to specify the type of safety shoes necessary for the work performed. Tennis shoes will not be worn by maintenance personnel, or by administrative personnel when in an area of potential hazard.
6. Gloves with palms made of leather or other serviceable material should be worn when handling materials or objects that tend to injure hands.
7. Employees required to work around moving equipment or machinery are required to wear safe clothing. Employees are cautioned about the danger of loose clothing, rings, bracelets, and jewelry around moving equipment. No dresses, shorts, or tank tops are allowed.

8. The use of gasoline for the purpose of cleaning equipment or tools, or for starting fires is prohibited. Small quantities of gasoline may be transported only in approved safety containers. Gasoline engines must be shut off when refueling.
9. Tampering with or unauthorized removal of fire extinguishers from assigned locations is prohibited.
10. Compressed air is not to be used for dusting off clothes or equipment.
11. No employee, other than the operator, shall ride on any piece of equipment unless specifically authorized to do so. Operation of any Housing Authority equipment without proper authorization is prohibited.
12. No employee shall operate any machinery, equipment, or tools unless properly instructed in its use and thoroughly familiar with all details of its operation.
13. All switches and drives on machinery and tools must be shut off before cleaning, greasing, oiling, or making adjustments or repairs.
14. All machinery guards shall be kept in place while machinery is in operation. Tampering with machine guards is prohibited, and any removal requires prior approval of a responsible supervisor. All guards are to be promptly replaced after any repair or maintenance work is completed.
15. Hand tools are not to be used except for the use intended. All damaged tools or worn out parts should be reported to the supervisor for replacement or repair.
16. No employee shall remove a cover or guard rail from any floor or street opening without specific authority.
17. Tools, equipment, machinery, and work areas are to be maintained in a clean and safe manner and any defects should be reported immediately to a supervisor.
18. Common sense health and sanitation rules must be observed for the welfare and consideration of other employees.
19. Proper lifting procedures (back as straight as possible and with knees bent) shall be practiced. The Housing Authority provides support belts that are to be used while lifting heavy items. If the load is too heavy to lift safely, get help.
20. Electric power operated tools shall be properly grounded before being put into operation.
21. Storage and warehouse areas will be kept in a clean and safe condition.
22. **NOTE:** Any employee who has never used a certain chemical before, should first familiarize themselves with the Material Safety Data Sheet (MSDS). The MSDS will be found in the **BLACK MSDS NOTEBOOK**, which contains all MSDS's for the Housing Authority of Fort Mill. The notebook is located in the **Maintenance Shop**.

D. GRIEVANCES

Employees will have the right to present to management any condition of employment that is felt to be unjust or inequitable in the manner and form set by this policy. Employees must present an oral grievance to the immediate supervisor. In the event the grievance cannot be settled by the immediate supervisor, it may be presented in written form to the Executive Director. The Executive Director will conduct an investigation into the matter and meet with all interested parties to determine a final disposition. These procedures do not deny the employee's right to pursue the matter legally. Grievances must be initiated within ten (10) working days of the incident or the right to a grievance is waived. Should the grievance concern any action or inaction by the Executive Director, the grievance may be submitted to the Chairperson of the Board of Commissioners for disposition. The following actions are not considered grievable: 1) setting of wages or other compensation, 2) any class action matters, or 3) any Housing Authority policies and/or procedures. No employee or any other interested person may file a grievance for another employee. The employee filing the grievance must have been personally aggrieved.

E. FREEDOM OF INFORMATION REQUESTS

In accordance with South Carolina Code Section 30-4-30 and the Federal regulations regarding FOI requests and the Federal Privacy Act, all requests for public records, other than those normally made within the ordinary course of business, shall be made in writing to the Executive Director of the Housing Authority of Fort Mill. FOI requests must be in writing (ink only) and must be signed by the requesting person or his/her duly authorized agent or attorney. Written notification of the Housing Authority's determination on FOI requests will be made within fifteen (15) days of the FOI request. If the request is denied, the reasons for the denial will be indicated. If the request is granted, the notification shall state the time and place when the requested public record will be made available for inspection and deposit amount required for the record search. If copies are requested of any public records, the notification will include the cost per copy. The determination of the Housing Authority of Fort Mill shall constitute the final opinion as to the availability of the requested public record. The hourly rate of pay of the employee that conducts the record search plus 26.7% for benefits will be charged. Should overtime wages be necessary, the overtime rate of pay will also be charged. If copies are made of any records by employees or the requesting party, \$.50 per page will be charged. Deposits may be required by the Housing Authority for such expenses. No public record held by the Housing Authority may be removed from the Housing Authority's premises. The Housing Authority shall only allow the inspection and/or copying of public records in its possession which are not exempt pursuant to the South Carolina Code Section 30-4-40, and it shall not otherwise be required to generate records either by creation, subpoena and contract demand. Requests for search of, permission to inspect records, or for copies of records will be dealt with on a case-by-case request. The Executive Director will, in considering such requests, have to consider the availability of staff time to fulfill such requests in regard to work responsibilities and other public duties.

F. REFERENCES FOR FORMER EMPLOYEES

It shall be the policy of the Housing Authority of Fort Mill, when contacted as a reference source regarding past employees and their employment, to provide only the name of the employee and their dates of employment. No other aspect of the employee's work history is authorized for release. This information is to be provided only after a signed reference release complete with a "hold harmless clause" is received by the housing authority.

G. TRAVEL AND TRAVEL EXPENSE REIMBURSEMENT

The Housing Authority of Fort Mill will reimburse employees for all reasonable and necessary expenses incurred during the performance of their assigned duties or while on travel status that has been authorized by the Executive Director. Expenses for spouses or other family members, entertainment, alcoholic beverages, and/or non-business related expense should not be submitted and will not be reimbursed.

Use of Housing Authority vehicles is encouraged to the extent practicable in the performance of job duties. In the event the Housing Authority vehicles are unavailable, employees will be reimbursed for local travel at the rate identical to the allowable IRS rate. Written mileage logs must be submitted monthly (indicating the date, beginning odometer reading, ending odometer reading, and destination) in order to receive reimbursement.

Out of town travel by employees or the Commissioners of the Housing Authority authorized to travel on official business of the Housing Authority shall be reimbursed as follows:

- a. Transportation: Housing Authority vehicles, if available, must be utilized. **If personal automobile use is approved by the Executive Director for employees, reimbursement will be made for gasoline only that is reasonable based on the destination. If a commissioner uses their personal vehicle, the paid IRS rate includes all operating expense (gas, oil, maintenance, towing, insurance or incidental repairs).** The amount paid cannot exceed the cost of a common air carrier at coach fair (if destination is in excess of 250 miles). Actual personal expenditures for oil, gas, etc. will be reimbursed upon submission of receipts for Housing Authority vehicles.
- b. Parking / Tolls: Reimbursement will be made based on receipts for such expenses.
- c. Air Fare: Reservations for travel by air (coach accommodations only).
- d. Lodging: Actual expense for the single occupancy rate (for the employee / Commissioner only) will be reimbursed upon submission of receipts.
- e. Meals: Only meal expenses for travel outside of the County of York can be reimbursed. **If overnight accommodations are required, the actual rate, plus gratuities, will be reimbursed (receipts are required) for commissioners. If overnight accommodations are required, the per diem rate set by the US. General Services Administration will be paid in advance to employees at their prior request.** Local meal reimbursements will only be made for "working sessions".

Extraordinary expenses may be reviewed by the Executive Director in regard to the per diem rate for employees.

f. Telephone calls: Long distance charges for actual cost will be reimbursed for Housing Authority related business only. One personal telephone call per day (maximum allowable time is five minutes) will be reimbursed. Explanation of any reimbursable calls must be made on receipts. No reimbursement will be made for local call charges except a flat rate per day charge by the motel, if applicable.

g. Cash advances: Requests for cash advances must be submitted on the appropriate form, in sufficient time prior to the date of departure, to be processed with the standard accounts payable time frame. Expense summaries must be prepared indicating all expenses. Any overage must be reimbursed to the Housing Authority or expenses beyond the cash advance will be reimbursed.

h. Expense Report: Expense reports must be submitted to Accounting within three (3) working days of the employee or commissioner's return. Future cash advance requests and/or travel requests may be denied for failure to submit timely travel expense reports.

H. COLLECTIONS / PETTY CASH HANDLING POLICY

Rent collections will be made at the banking institution designated by the Housing Authority of Fort Mill and/or Central Administrative Office at specifically posted times. Arrangements can only be made by the Public Housing Manager or the Executive Director for variations from the collection policy. Computer generated receipts must be issued for all collections received and initialed by the person receiving the payment. The original receipt will be given to the resident and copies of all receipts will be attached to the daily statement of operations.

All checks must be made payable to the Housing Authority of Fort Mill. Personnel accepting these checks must immediately endorse each check "for deposit only" upon receipt. All collections will be reconciled daily with the collection receipts. Funds received must be kept in the individual's assigned drawer until the end of the day. Each person will count the funds on hand and the receipts in their assigned drawer. Any discrepancies must be reported immediately to the Executive Director who will conduct an investigation of the shortage to determine whether the employee should be held accountable for the missing funds. It is the responsibility of any person receiving collections to keep their assigned drawer locked at all times.

Collections will be combined into one deposit and bank deposits will be made daily, preferably at the beginning of each day. Should a deposit be prepared prior to its transmittal to the bank, the deposit will be locked in the safe. Any theft of collections or petty cash must be reported to the Executive Director immediately. The Executive Director will conduct an investigation and notify the police if necessary. In the event the Executive Director determines that a shortage is the responsibility of an employee, arrangements will be made for reimbursement by the employee. If the decision is made that the shortage is not the responsibility of an employee and is under \$25.00,

the shortage may be written off by a journal voucher. If the amount exceeds \$25.00, a written report and recommendation must be submitted to the Board of Commissioners by the Executive Director. Appropriate disciplinary action may result if the circumstances surrounding a shortage are deemed appropriate by the Executive Director and/or Board of Commissioners.

I. USE OF HOUSING AUTHORITY CREDIT CARDS

Employees may be given a credit card which is in the name of and guaranteed by the Housing Authority of Fort Mill. These credit cards are for Housing Authority business transactions only. Credit cards should only be used for business purchases such as allowable travel expense and material purchases. Receipts for all use of the credit cards must be turned in to the Accountant. These receipts will be matched with the statements prior to payment of the bills.

J. REIMBURSEMENT FOR INTERVIEW / MOVING EXPENSES

Travel and subsistence expenses incurred by applicants in the interview process or moving expenses of new employees are not normally paid or reimbursed by the Housing Authority of Fort Mill. However, the Board of Commissioners may approve exceptions to this policy where circumstances warrant, in order to assist in effective filling of key vacancies. The Board of Commissioner's authorization must precede any commitment to an applicant concerning such reimbursement for expenses.

K. SEVERABILITY

Each section, subsection, paragraph, sentence, and clause of this Policy document is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other portion of these rules, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted.

SECTION X - DEFINITIONS

For the purposes of this manual, the following words and phrases shall have the meanings respectively ascribed to them by this chapter:

Actual Service – The time engaged in the performance of the duties of a position or positions including absences with pay.

Allocation – The assignment of a position to its appropriate class in relation to the duties performed.

Anniversary Date – Effective date of hiring.

Anything of Value – Includes, without limitations, a gift, loan, political contribution, award, or promise of future employment or personal benefit.

Appeal – An application for review of a disciplinary action submitted or instituted by an employee to a high authority.

Applicant – An individual who has completed and submitted an application for employment with the Housing Authority of Fort Mill.

Appointing Authority – The Executive Director shall be responsible for the appointment of qualified applicants to full-time, part-time, seasonal, temporary, or emergency positions in the Housing Authority of Fort Mill.

Appointment – The offer to and acceptance by a person of a position either on a regular or temporary basis.

Break-in-Service – Any separation from the service of the Housing Authority, whether by resignation, layoff, dismissal, unsatisfactory service, disability, retirement, or absences without leave of three (3) days or more. Authorized leave with or without pay shall not be considered as constituting a “break-in-service”.

Business – Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, individual, consultant, holding company, Joint Stock Company, receivership, trust, or any legal entity organized for profit or public gain.

Business with which he/she is associated – means the following:

1. Any business in which the person or a member of the person’s immediate family (as defined below) is a director, officer, employee, or holder of stock worth one percent (1%) or more at a fair market value; or
2. Any business which is a client or customer of the person.

Call-Out – Situations arise which certain employees are required to report to work at other than normal duty hours, usually in response to any emergency situation.

Class – A group of positions that are sufficiently alike in general duties and responsibilities to warrant the use of the same title, specifications, and pay range.

Classification – The act of grouping positions into classes with regard to: (1) duties and responsibilities; (2) educational requirements, skills, knowledge, experience, and ability; (3) test of fitness; and (4) ranges of pay.

Classified Service – All full-time and part-time positions in the Housing Authority Service unless specifically placed in the non-classified service.

Compensation – The standard rates of pay that have been established for the prospective classes of work.

Compensatory Leave – Time off from work in lieu of monetary payment for overtime worked in accordance with the rules of the Fair Labor Standards Act, and in recognition of additional hours worked by those employees not covered by the Fair Labor Standards Act.

Compensatory Time – May be provided for non-exempt employees at the rate of one and one-half hours for each hour of overtime if the employee and the supervisor agree to the use of compensatory time prior to overtime being worked.

Continuous Service – Employment without interruption, except for absences on approved leaves or absences to serve in the Armed Forces of the United States.

Demotion – Assignment of an employee from one position to another which has a lower maximum rate of pay and/or rank.

Disability Leave – Leave that may be granted to an eligible employee who is unable to pursue the duties of his/her position because of physical or mental impairment.

Dismissal – A type of disciplinary action resulting in the separation from employment from the Housing Authority of Fort Mill for cause.

Eligible – A person who has successfully met requirements for a particular job.

Emergency Appointment – An appointment made when an emergency arises and time will not permit compliance with the personnel appointment procedures. No such emergency appointment shall continue for a period exceeding four (4) months and no such emergency employee shall be entitled to any benefits.

Employee – (Synonymous with “incumbent”) The person employed to perform the work of a position. An individual who is legally employed by the Housing Authority of Fort Mill and is compensated through the Housing Authority payroll for services. Individuals or groups compensated on a fee basis are not included.

Examination – The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.

Exempt Employee – An employee determined by review of Fair Labor Standards Act regulations to be exempt from payment of overtime compensation. These employees are usually those involved in the administration of the Housing Authority’s services, and determination must be made based upon an analysis of job duties and functions.

FLSA – Fair Labor Standards Act.

Full-Time Employee – An individual who works in a budgeted position within the classified service.

General Leave – Paid leave that is granted to each eligible employee for vacation, sick or other personal uses.

Honorarium – Reimbursement for expenses in connection with speeches, lectures, etc., that could not reasonably be construed as given to influence the conduct of the official with relation to official matters.

Initial Period of Employment – A ninety (90) day period of time after an applicant is appointed, or an employee is promoted or transferred, in which the employee is required to demonstrate fitness for the position by actual performance. This ninety (90) day period may be extended an additional ninety (90) day period at the request of the immediate supervisor with the approval of the Executive Director.

Immediate Family – Includes spouse, mother and/or stepmother, father and/or stepfather, children, stepchildren, foster children, sister, brother, grandparents, current mother-in-law, current father-in-law, brother-in-law, sister-in-law, step-grandparents, grandparents-in-law, and grandchildren. Proof of these relationships may be required.

Job Description – A written description of the job consisting of work title, a general statement of the level of work and the distinguishing features of work, examples of duties and desirable qualification for the position, and any special requirements such as certification, physical requirements, etc.

Layoff – The involuntary non-disciplinary separation of an employee from a position for reasons of shortage of funds or work, the abolition of a position, or other material changes in the duties or organization, or for related reasons which are outside the employee’s control and which do not reflect discredit upon service of the employee.

Leave – An authorized absence during regularly scheduled work hours that has been approved by proper authority. Leave may be authorized with or without pay as provided for by these rules.

Nepotism – Favoritism shown to relatives by reason of relationship rather than merit.

Non-classified Service – Those individuals who serve at the pleasure of the Board of Commissioners who appointed them to their position, such as the Executive Director and persons employed as consultant or counsel rendering temporary professional services.

Nonexempt Employee – An employee covered by the Fair Labor Standards Act and its accompanying regulations.

Overtime – Authorized time worked by a non-exempt employee in excess of normal working hours or work period. Overtime is paid for all hours worked in excess of forty (40) hours during the workweek.

Overtime Pay – Compensation paid to a non-exempt employee for overtime work performed in accordance with the Fair Labor Standard Act.

Part-Time Employee – An individual appointed to fill a position which may or may not be temporary who will work less than forty (40) hours a week. This employee is not entitled to benefits.

Part-Time Position – A budgeted position which required less than forty (40) hours work per week and/or is of very limited duration, with no rights to benefits.

Pay Rate – A specific dollar amount, expressed as either an annual, monthly, bi-weekly, or hourly rate.

Position – A group of duties, skills, and responsibilities to be executed by an employee. A position can be vacant or occupied.

Promotion – Assignment of an employee from one job to another which has a higher rate of pay and/or rank.

Public Official – Any official appointed to serve on the Board of Commissioners of the Housing Authority of Fort Mill.

Qualifications – The minimum skills, education, experience, and personal requirements which must be fulfilled by a person prior to an appointment, transfer, or promotion.

Reclassification – The process of reviewing the duties and responsibilities of an existing position or positions in order to revise the job classification to which the position or positions are assigned; or moving a job classification from one pay grade to another pay grade.

Reprimand – A type of disciplinary action, oral or written, denoting a violation of personnel or departmental regulations which, once documented, becomes part of the employee's personnel record.

Review Date – The date on which a regular employee is evaluated, normally ninety (90) days and twelve (12) months after employment, and each twelve (12) months thereafter. This date may be changed only by securing a new position within the organization requiring a new initial period of employment.

Separation – The removal of an individual from a position either through resignation, dismissal, layoff, disability, retirement, or death.

Suspension – An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee.

Temporary Position – A position which, due to the nature of the work and the anticipated term of employment, shall be on a week-to-week basis with no rights to benefits.

Terminal Leave – Leave paid for any accrued annual leave upon separation from employment with the Housing Authority of Fort Mill. The accrued annual leave may be paid in a lump sum or in accordance with established pay periods at the discretion of the Executive Director. No additional leave is accrued during the pay out of Terminal Leave and employees discharged for gross misconduct (immediate discharge) are not entitled to Terminal Leave.

Transfer – The assignment of an employee from one position to another position. Transfer shall be subject to a probationary period.

Work Day – The scheduled number of hours an employee is required to work within a twenty-four (24) hour period.

Employee Receipt of the Housing Authority of Fort Mill

Statement of Personnel Policies

I have received my copy of the Housing Authority of Fort Mill Statement of Personnel Policies. I agree to read and keep my copy for future reference. I understand that this Statement of Policies is a summary of the policies and rules which guide the Housing Authority of Fort Mill in its relationship with its employees. It is not a contract of employment and I do not construe it as such. I understand that employment is terminable at the will of either the employee or the company. The policies and procedures contained in this Statement of Policies are not conditions of employment. I understand that the Housing Authority of Fort Mill may review and update the policies and procedures in the Statement of Policies, in whole or in part, at any time, with or without notice. I further understand that no representative of the Housing Authority of Fort Mill other than the Executive Director has any authority to make any contrary agreement and any such agreement must be in writing.

I also acknowledge receipt of the Housing Authority of Fort Mill Workplace Violence Policy contained within the Housing Authority of Fort Mill Statement of Personnel Policies.

In consideration of Housing Authority's provision of its facilities for my convenience, I agree that I will not use them for any purpose that would constitute a violation of any Housing Authority of Fort Mill rule or local, state or federal law.

I hereby acknowledge that the Housing Authority of Fort Mill has provided me with locker, furniture, containers, drawers, equipment, or other facilities, for my use and convenience, and that they belong to the Housing Authority of Fort Mill, and I consent to the search of any lockers, furniture, containers, drawers, equipment, or other facilities, lunch boxes, brief cases, personal bags, parking lots and automobiles at any time by the Housing Authority of Fort Mill.

I also understand that the purpose of the Housing Authority of Fort Mill Workplace Violence Policy and Sexual Harassment Policy are intended to provide a safe working environment for all

