



# *Employee Handbook*

*July 2011*

## **Welcome to Imagine!**

*We are glad you are joining our dynamic company!*

*We are proud of the services and supports that our competent and dedicated employees provide to individuals and their families, and motivated by the highly esteemed reputation we have developed and sustained since 1963.*

*We strive for respect and dignity for all people involved with Imagine!.*

*We foster partnerships throughout our communities in Boulder and Broomfield Counties.*

*We encourage creativity, humor, and initiative; and value kindness, honesty, and trust.*

*We welcome you as you join us in our efforts to continually strive to be the best we can be as individuals and as Imagine!.*

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## **About the Employee Handbook**

**THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE COMPANY AND SOME INFORMATION ABOUT WORKING AT IMAGINE!. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE COMPANY'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS.**

**NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES WHO HAVE QUESTIONS SHOULD TALK WITH THEIR SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE COMPANY THEREFORE RESERVE'S THE RIGHT TO INTERPRET THEM OR CHANGE THEM WITHOUT PRIOR NOTICE.**

**EMPLOYMENT WITH IMAGINE! IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE COMPANY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE COMPANY HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF IMAGINE!, OTHER THAN THE CHIEF EXECUTIVE OFFICER OF THE COMPANY, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE CHIEF EXECUTIVE OFFICER AND THE EMPLOYEE.**

## **Standards of Conduct**

### **Equal Employment Opportunity (EEO)/Harassment Policy**

Imagine! is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law.

### **ADA and Religious Accommodation**

Imagine! will make reasonable accommodation for qualified employees with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the Company or a direct threat. Employees needing such accommodation are instructed to contact their supervisor or Human Resources immediately.

### **EEO Harassment**

Imagine! strives to maintain a work environment free of unlawful harassment. In doing so, the company prohibits unlawful harassment because of age over 40, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law.

Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age over 40, race, sex, color, religion, national origin, disability, genetic information, or any other applicable status protected by state or local law will not be tolerated. Prohibited behavior may include but is not limited to:

- Written form such as cartoons, e-mail, posters, drawings, photographs, or other media.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, vendors, consultants, as well as to individuals who receive services and his/her family members and other stakeholders, etc.

### **Sexual Harassment**

Sexual harassment raises issues that are to some extent unique in comparison to other harassment; therefore, Imagine! believes it warrants separate emphasis.

Imagine! strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal

or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

### **Complaint Procedure for EEO and Harassment Concerns**

If you believe there has been a violation of the EEO/harassment policy based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. Imagine! expects employees to make a timely complaint to enable the Company to investigate and correct any behavior that may be in violation of this policy.

Report the incident to your supervisor and the Human Resource Director who will investigate the matter and recommend corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to make a report to either of these individuals with your complaint, you should report the incident to the [EthicsPoint Reporting System](#) or call the toll free hotline at 1-888-258-0151.

### **Whistleblower Activities**

It is the intent of Imagine! to adhere to all laws and regulations that apply to the organization, and in particular those that apply to the protection of our employees. Imagine! employees shall be protected from employment retaliation for legitimate whistleblower activities. Please review the [Whistleblower Activities Policy](#) for further details.

### **Problem Solving and Complaint Resolution**

Employees who disagree or are dissatisfied with an Imagine! practice should promptly discuss the matter with their immediate supervisor, where appropriate. Normally this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while it is fresh in everyone's mind.

The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to the department manager or director.

Employees may submit a written complaint to the Human Resource Director for review and final decision about the situation if the problem still cannot be resolved. Also see EEO/Harassment Complaint Procedure on Page 7.

If an employee has a complaint or concern regarding another employee, it is encouraged that the employee should at least attempt to communicate with the other person directly, and then involve the supervisor as appropriate. If an employee has a complaint or concern regarding their own supervisor/manager it is also encouraged that the employee speak directly to the supervisor/manager to try to solve the issue before seeking assistance to resolve the issue. If the employee does not feel comfortable in communicating with the other person directly, or if the issue is not resolved, the department director can be called upon for assistance/direction.

### **Expectations for Professional Conduct and Communication**

All Imagine! employees will conduct themselves in a professional manner in keeping with Imagine!'s purpose, mission, values, and ethics, as well as policies and procedures.

Employees are role models and representatives of the company. Employee behavior will be safe, and appropriate to the work being done. Paid time is to be spent for the benefit of the individuals whom Imagine! serves and related business interests.

Imagine! celebrates the diversity of the people we serve and employees are expected to be sensitive to, and respectful of, uniqueness among the Imagine! community. All communication with, and treatment of, others will be clear, honest and respectful.

Specific laws apply to organizations with "not for profit" status. Imagine! cannot support, recommend, or allow advertisement for any particular political candidate. Other campaign subjects must be cleared by the Chief Executive Officer before communication or endorsement of any kind on Imagine! time or property can occur.

Unsolicited media, legal or other official contact will be referred to a department director who will channel the information to the appropriate executive staff.

### **Separation from Employment**

We request that employees who wish to resign their positions notify Imagine! of their anticipated departure date and go over the "check out" procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resource Department. Exiting employees will also have the opportunity to provide feedback about their Imagine! work experience.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with Imagine! maintained satisfactory performance and attendance.

## **Employment Requirements**

### **Background Checks**

To ensure protection for the people we serve, Imagine! is required to conduct thorough background checks on all applicants hired to work at Imagine!. Once hired, Imagine! will run a criminal background check once every 3 years during employment. Motor vehicle checks are conducted annually on employees who are required to drive on Imagine! business.

*During employment it is the responsibility of each employee to report any subsequent criminal charges or moving traffic violations to his or her supervisor and the Human Resources office promptly.*

### **Training**

Staff training promotes accountability and retention. All employees receive initial and on-going training to learn, improve and enhance job performance. Imagine! maintains a comprehensive training program aligned with its mission and service delivery practices. Imagine! values career development and supports employees with external as well as internal training opportunities. Employees must complete job specific required training within established timelines or risk disciplinary action up to and including termination.

### **Attendance and Punctuality**

The success of any business depends upon employees being on time and on the job. Employees are integral and depended upon and good attendance is essential to the effective services and operations of Imagine! All employees are expected to be at work and on time as scheduled.

If it is necessary for you to be late to or absent from work, you must contact your immediate supervisor and work site as soon as possible before your scheduled work time. If you are not able to reach your supervisor, leave a voice mail message with a phone number where you may be contacted, along with the reason for your tardiness or absence and when you expect to arrive at work next.

If an employee has a problem that requires continued tardiness or absence from work, the employee should explore possible options with his/her direct supervisor. Tardiness or absenteeism will not be tolerated.

### **Inclement Weather**

Due to the nature of our business, Imagine! does not close for inclement weather. Exempt employees are expected to maintain their responsibilities during inclement weather, either on or off site. In the event that weather restricts travel, the Chief Executive Officer or designee may close the administrative building(s), and determine if certain sites will be closed. This

determination will also address terms of pay for non-exempt employees who cannot attend regularly scheduled shifts.

## **Dress Code**

In the course of performing job duties, employees will come in contact with a variety of individuals within the organization and in the community. The reputation of the company is determined by the appearance and professionalism exhibited by employees. This helps ensure Imagine!'s success. Employees' appearance should be consistent with good hygiene, safety, and what Imagine! considers appropriate attire to the work being performed. Employees should use good judgment in determining appropriate attire in order to present a professional image.

## **Conflicts of Interest**

A conflict of interest arises when an employee's activities influence, or appear to influence, the ability to act in the best interest of Imagine!, or may compromise or compete with the activities of Imagine!. Personal or outside interests and relationships must not influence an employee of Imagine! to the detriment of the company. Questionable situations, including outside employment (addressed below) must be discussed with the employee's supervisor and the Human Resources Director.

## **Other Employment & Private Practice**

There are employees who may work simultaneously for Imagine! and another employer. If the employee has two employers, care needs to be taken that a conflict of interest does not exist. Employees who work with another employer outside of Imagine! should inform his/her supervisor and the Human Resources Director in order ensure there is not a conflict of interest or to prevent potential conflicts of interest.

Employees engaged in private practice shall disclose this to his/her supervisor and the Human Resources Director to ensure, if necessary, that proper protocol is followed in order to prevent conflicts of interest.

## **Code of Conduct**

The Imagine! Corporate Integrity Plan promotes organization-wide integrity and enhances the ability for Imagine! to achieve its mission. The Corporate Integrity Plan describes and articulates the organizations aim to promote high standards, ethical conduct, compliance and a framework for decision making. The Corporate Integrity Plan provides a system of checks and balances to achieve the overall purpose of the Plan.

The Code of Conduct, as part of the Corporate Integrity Plan, provides standards by which members of the Imagine! Board of Directors, Foundation, employees, providers, subcontractors, consultants and volunteers will conduct themselves in order to protect and promote organization-wide integrity and to enhance Imagine!'s ability to achieve the organization's mission.

All members of the Imagine network (as outlined above) are responsible to ensure that their behavior and activity are consistent with the Code of Conduct. Please review the [Corporate Integrity Plan](#).

### **Health Insurance Portability and Accountability Act (HIPAA) and Protected Health Information (PHI) Sanction Policy**

Any member of Imagine!'s workforce who fails to comply with Imagine!'s security policies and procedures or the requirements of the HIPAA Security Rule and [Protected Health Information: Procedures](#) may be subject to sanctions imposed through Imagine!'s discipline and discharge policies.

Examples of sanctions that may be applied for certain actions include but, are not limited to the following:

- Failure to promptly report any violation of any Imagine! security policy, procedure or requirement of the HIPAA security rule to the security officer – *written reprimand*.
- Any violation of any Imagine! security policy, procedure or requirement of the HIPAA security rule – *written reprimand*.
- Knowingly and improperly obtaining or disclosing protected health information – *termination of employment*.
- Obtaining protected health information under false pretenses – *termination of employment*.
- Obtaining or disclosing protected health information with intent to sell, transfer or use it for commercial advantage, personal gain or malicious harm – *termination of employment*.

### **Social and Electronic Media**

Imagine! is committed to using new online communication tools to better serve individuals by capturing accumulated knowledge, connecting employees who need information with the experts who have it, and enabling employees' best ideas to emerge. These online tools have the potential to provide better communication and strengthen relationships with stakeholders. Because of the public nature of the tools they need to be used appropriately, in a manner that protects the organization, the employee and especially, the individuals receiving services. Therefore, Imagine! policies and procedure in regard to the use of social media must be adhered to. Failure to follow policies and procedures could lead to actions up to and including termination, as well as issues of personal legal liability for the employee involved. Please review the [Information Security Policy](#) and the [Use of Social Media at Imagine! Policy](#).

### **Personnel Records**

All employees can review their personnel files in the presence of a Human Resources representative. No records may be altered or removed from the file without Human Resources approval; copies of documents may be requested and made by the employee at his or her expense. Current employees need to make an appointment to access their file.

Employees are responsible for maintaining current emergency contact information for their personnel file. It is the responsibility of the employee to ensure that required information is complete and accurate at all times by updating the information via the online employee information system.

## **Resources and Facility**

Imagine! resources and equipment should be used prudently, efficiently, and competently. Office supplies are requested from and ordered by each department's designee. All company property, including EcoPass, must be returned to Imagine! upon termination or unpaid leave. The value of Imagine! property not returned upon termination, or other debts owed to Imagine!, may be deducted from the employee's final paycheck.

With the exception of personal guide dogs, pets are not allowed in any Imagine! building without the prior permission of the Department Director or the Chief Executive Officer.

Conference rooms are available for Imagine! meetings; use can be scheduled with the receptionist or other administrative staff.

Imagine! is environmentally conscious and encourages zero waste and recycling; containers for recycling can be found throughout each building. Each employee is encouraged in the use of these bins for the disposal of materials. In the case of materials containing confidential information, use of the shredding bins is required.

Employees should keep public and personal work areas neat and free from clutter at all times and are expected to promptly and completely clean and store all items that they or their guests use.

## **Smoking**

It is our objective to provide a smoke-free environment within our Company. Smoking is prohibited in company vehicles, within all areas of the building and within fifteen feet of any main entrance.

## **Work/Life Consideration**

As an employer, Imagine! recognizes the importance to its employees of balancing work and personal life needs and obligations and strives to be a family-friendly organization. In this, the needs of *all* employees must be considered. Therefore, each employee is responsible for respecting the work environment of fellow employees. Cell phone use in common areas should be limited and speaker phone use should be avoided. Excessive noise and other disruptions are not acceptable.

## **Alcohol and Illegal Drugs**

Imagine! is dedicated to providing a drug free workplace. Employees may not be in possession of or under the influence of alcohol or illegal drugs during their working hours. Employees who do not comply will be subject to immediate disciplinary action, up to and including termination. Imagine! reserves the right to require drug or alcohol testing when there is evidence or reasonable suspicion that substance use is affecting job performance and/or the safety of individuals receiving services and/or other employees. Each employee must acknowledge the [Employee Drug and Alcohol Use and Testing Policy and Procedure](#).

Consumption of permitted alcoholic beverages at Imagine! sponsored events must be done responsibly. Disorderly conduct and property destruction are not tolerated. Possession and/or use of illegal substances at any Imagine! sponsored event is also subject to immediate disciplinary action, up to and including termination.

When an employee is prescribed a medication that may impair the employee's ability to safely perform his or her job responsibilities, a statement shall be obtained from the prescribing medical professional indicating any work restrictions and the duration for the restriction. The employee shall present that statement to his or her supervisor prior to working scheduled shifts.

## **Driving for Imagine!**

Employees who drive in the course of Imagine! business must possess a valid driver's license and have an acceptable driving record to meet Imagine! driving requirements.

Auto insurance with \$300,000/\$100,000 liability coverage is required of employees who drive their own vehicle as part of their job. Employees who transport consumers in a personal vehicle, and/or who drive for Imagine! on a regular basis must carry this level of insurance and provide the Human Resources office with documentation of current coverage.

Additionally, all vehicles used during the course of Imagine! business are to be in safe, roadworthy condition. Employees will not use mobile phones or text while driving, unless they pull over and stop or use a hands free device.

Any traffic violation *on or off the job* must be reported to your supervisor and the Human Resources office. Please review the full [Imagine! Driving Policy](#).

## **Safety**

Imagine! makes every effort to provide a safe working environment for all employees, program participants and guests; and to observe governmental safety regulations. Safety is everyone's responsibility and each employee is responsible for safety on the job. All employees are to adhere to safe practices and make safety a priority in job responsibilities. Failure to comply with

safety regulations and/or carelessness on the job, or similar negligent behavior, that jeopardizes the employee's health and safety or that of his/her co-workers or program participants may result in disciplinary action.

Unsafe working conditions or circumstances should be reported immediately to a supervisor.

### **Work Injuries**

In an emergency situation, seek help from the nearest medical emergency room or call 911.

Employees should report all work related injuries or illness to their supervisor within 24 hours, even if they do not believe they will seek treatment. Imagine! has designated workers compensation medical providers. Employees requiring medical attention or treatment due to a work injury or illness must see a provider from the Imagine! designated provider list. Treatment provided by a non-designated provider may not be covered by workers compensation. For continued coverage through workers compensation, it is important to follow through with treatment recommended by the designated provider.

## **Employee Benefits**

### **Benefits and Compensation**

Imagine! strives to offer a competitive and meaningful compensation package. In addition to wages/salary, total compensation may include benefits such as: health insurance, dental insurance, flexible spending plans, retirement plans, paid holidays, vacation and sick leave.

### **Employee Status**

*Full-time Employee* - an employee who is normally scheduled to work between 30 and 40 hours per week on an ongoing basis. A full-time employee is eligible for full-time benefits.

*Part-time Employee* - an employee who is normally scheduled to work between 20 and 29.75 hours per week on an ongoing basis. Part time employees are eligible for prorated benefits.

*Casual Employee* - an employee who is regularly scheduled to work less than 20 hours per week on an ongoing basis. Casual employees are not eligible for company benefits.

*Substitute Employee* - an employee who works on an “on call” basis. Substitute employees are not eligible for company benefits.

*Temporary Employee* - an employee who is hired in a job established for a temporary period. Temporary employees are not eligible for company benefits.

*Family Recruited Employee* – an employee who is recruited by an individual receiving services or his/her family member to work solely with that individual. These employees are scheduled by the individual and family. Family recruited employees are not eligible for company benefits.

*Family Caregiver Employee* – an employee who is a family member to the individual receiving services hired to provide services to the individual in the family’s home. These employees are scheduled by the individual, Coordinator and/or family. Family caregiver employees are not eligible for company benefits.

*Exempt Employee* – an employee who is not eligible for overtime pay.

*Non-Exempt Employee* – an employee who is eligible for overtime pay. Non-exempt employees are entitled to overtime pay for hours worked in excess of 40 hours in a week. The work week is defined by the Imagine! pay schedule for the current year.

### **Hours of Work**

The Imagine! work week begins at 12:01 a.m. Monday and terminates at midnight on the following Sunday as defined by the pay schedule for the current year. Each pay period encompasses two weeks. Each employee is responsible for updating his/her timesheet in the

online time keeping system at the end of each pay period; the last Friday of the pay period for exempt employees, and the following Monday for non-exempt employees. Supervisors approve timesheets and submit to payroll.

## **Paydays**

Employees shall be paid by check or automatic deposit as listed on the payroll schedule. On each payday, employees have access to view their paycheck on-line. This statement shows gross pay, deductions, and net pay. Mandatory payroll deductions will be made as required.

For employees' convenience, we offer the option of having their paycheck automatically deposited to their bank account.

For those employees paid by check, paychecks will be available at the receptionist desk on each scheduled payday. Checks will be mailed to employees who are unable to pick up their checks on the scheduled payday. If an employee requests a replacement check, stop-payment or a check reversal, a \$25.00 fee will be imposed to cover these fees. There will be a one-week period of time from the mailing date before any check will be reissued.

## **Payroll Advances**

Under rare and extenuating circumstances, an employee may request to receive the paycheck or a partial advance prior to the regularly scheduled payday. Any such request must be submitted in writing using the [Payroll Advance Request Form](#), signed and dated by the employee. The form must be approved in writing by both the employee supervisor and the Accounting Supervisor or Finance Director. Approved requests must be received by the Payroll Specialist at least 48 hours before the check will be made available. Only one request per employee will be granted each calendar year.

[Payroll Advance Policy and Procedure link](#)

## **Pay for Nonexempt Employees**

Nonexempt Employees are paid hourly and are entitled to overtime for any hours worked over 40 in a work week and are subject to minimum wage requirements.

Each nonexempt employee is responsible for submitting to their supervisor complete and accurate time records according to the schedule and format provided. Sick and vacation time used needs to be expressed in the number of hours. Time record methods are specific to each department. Time reported each pay period should equal the number of scheduled hours on record with the HR office.

## **Pay for Exempt Employees**

Exempt Employees are exempt from overtime and minimum wage requirements and are generally limited to executives, managers and administrative personnel.

Each exempt employee is responsible for entering their information in, and approving their timecard in the time keeping system. Sick and vacation time must be expressed in hours with a minimum of one half scheduled day.

## **Overtime**

Exempt employees are not eligible for overtime pay. Nonexempt employees may occasionally be required to work additional time (over 40 hours in a week). Additional time must be approved in advance by the employee's supervisor or designee. Working unapproved overtime will not be tolerated.

Nonexempt hourly employees are paid at the rate of one and one-half (1 ½) times their regular hourly rate for hours worked in excess of 40 during the established work week. Additional paid leave hours are not counted as hours worked for purposes of overtime.

Hourly employees who are employed at two or more jobs and have two or more different hourly rates will be paid at one and one-half times the rate set for the job they are performing when the overtime occurs.

## **Time Away from Work**

Imagine! provides paid holiday, vacation and sick time to employees eligible for benefits. Employees who terminate employment and then resume employment within one year will be returned to their former level of vacation accrual and sick time balance.

## **Holidays**

Imagine! observes ten holidays each year:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Winter Holiday (typically Dec. 24<sup>th</sup>)
- Winter Holiday (typically Dec. 25<sup>th</sup>)

All benefit eligible employees will receive prorated holiday pay (not to exceed eight hours) based on the number of scheduled hours per week, rounded to the nearest hour.

When a holiday falls on a regular workday, benefit eligible employees will have the day off and receive holiday pay (unless otherwise scheduled to work). If the holiday falls on an employee's

day off, the employee will also receive holiday pay.

Full-time, part-time, casual, substitute and temporary nonexempt employees who are scheduled to work on a holiday will receive holiday pay of two times their regular hourly rate including any hours over 40.

## **Vacation**

Vacation time will be accrued for all benefit eligible employees. Rates are based on actual hours worked.

Vacation will be accrued on a prorated basis (based on the accrual rate below per each hour worked) for benefit eligible employees working at least 20 hours or more per week; it will not be accrued for overtime hours worked or used in the computation of overtime.

Vacation accrual is as follows:

<b>Years of Employment</b>	<b>Vacation Accrual Rate (per each hour worked)</b>	<b>Annual Vacation Accrual (based on 40 hrs. /wk.)</b>	<b>Vacation Time Maximum Accrual</b>
1-2 years	0.04615	96 hours a year	120 hours
3-4 years	0.06538	136 hours a year	160 hours
5 years and above	0.08461	176 hours a year	200 hours

Paid vacation is not earned during an unpaid leave of absence.

Vacation hours may be used as earned.

With supervisor approval, employees may borrow up to 40 hours of vacation time. For an employee who has borrowed vacation time and whose employment is terminated prior to re-accruing the borrowed time, the value of the vacation time will be deducted from the employee's final paycheck.

Vacation time must be arranged in advance, at the discretion of, and approval by, the employee's supervisor. Two weeks prior notice is expected for vacation requests.

Employees are encouraged to use vacation time. Vacation time is subject to maximum amounts. When an employee has reached the maximum vacation accrual (based upon length of service) the employee does not lose vacation hours, but stops accruing vacation until they are below the maximum accrual.

A terminating employee, or an employee changing to an ineligible status, is paid for all earned unused vacation at the pay rate in effect at the time of termination or status change.

## **Sick Leave**

Sick leave may be used for the illness or injury of the employee themselves or family members.

Paid sick leave accrues for all benefit eligible employees based on actual hours worked. Sick leave accrues at a rate of .04615 hours per hours worked (equivalent to one day per month for 40 hours worked).

Sick leave may be accumulated to a maximum of 480 hours.

Employees must give their supervisor as much advance notice as possible when they are unable to report for work due to illness or injury. An individual who must be absent for health reasons will first use available sick time, then available vacation time. Supervisors may request medical certification for sick time absences at any time. In the event an employee is absent for more than three days, medical certification from a healthcare provider is required.

Employees cannot receive extra pay or extra time off for their unused sick time. Sick leave is not included in the calculation of overtime. Also, employees are not paid for unused sick hours when they leave, retire or reduce to a non-benefit status.

## **Leaves of Absence**

### **Family Medical Leave Act (FMLA)**

Employees are eligible if they have worked for Imagine! for at least 12 months and for 1,250 hours over the previous 12 months.

Imagine! provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, National Guard, or Reserves, who has a serious injury or illness incurred or aggravated in the line of duty on active duty. Covered service member also includes veterans who were members of the Armed Forces, National Guard, or Reserves at the time during the period of five years preceding the start of treatment, recuperation, or therapy.

The injury or illness must make the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. In the case of a veteran, the qualifying illness or injury must be incurred or aggravated in the line of duty and manifest itself before or after the service member became a veteran.

### **Benefits and Protections**

During FMLA leave, Imagine! maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee may be required to reimburse Imagine! for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or jury duty pay are not granted on unpaid leave.

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

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

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

### **Use of Leave**

The maximum time allowed for FMLA leave is either *12 weeks in a rolling 12 month period measured backward from the date of any FMLA usage* or 26 weeks as explained above. The FMLA entitles spouses employed by the same employer to a total of 12 weeks of leave between them for the birth of their child and child care, adoption, foster care, or to care for the employee's own parent with a serious health condition.

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

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with Imagine!'s agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodate that type of leave.

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

Imagine! requires employees to use accrued sick time, then vacation time (in this order) while taking FMLA leave. FMLA leave is without pay when sick and vacation time is exhausted.

## **Employee Responsibilities**

Employees should contact their supervisor and Human Resources if they foresee a need to take FMLA leave. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and must comply with Imagine!'s normal call-in procedure.

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

Imagine! may require second and third medical opinions at Imagine!'s expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with Imagine!'s attendance guideline. Employees on leave must contact Human Resources at least two days before their first day of return.

## **Imagine!'s Responsibilities**

Imagine! will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Imagine! will notify the employee.

## **Unlawful Acts**

FMLA makes it unlawful for Imagine! to:

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

## **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Organization.

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

## **(Non-FMLA) Leaves of Absence**

In some cases, a Leave of Absence may be granted to employees for absences other than Family Medical Leave Act (FMLA) leave. This leave may be approved under the following

circumstances:

- The employee is not eligible for FMLA leave
- The employee has exhausted all available FMLA leave

Should an employee need to be placed on a Leave of Absence, the following requirements are in place:

- The employee must notify the immediate supervisor and Human Resources as soon as possible of the need for a Leave of Absence
- The immediate supervisor and Human Resources must approve the leave before it is taken
- A doctor's note may be required in cases where an illness or medical circumstance results in the need for a Leave of Absence
- All applicable paid leave must be used at the beginning of the Leave of Absence
- The total of any unpaid Leave of Absence is not to exceed 30 calendar days
- Employees must provide periodic status reports to Human Resources
- Employees who fail to return at the expiration of their authorized leave will normally be terminated

Due to the nature of our business, Imagine! does not guarantee reinstatement of an employee to the former or an equivalent job. When the employee is available to return to work, the employee is free to apply for any vacancy available and may be considered along with other qualified applicants.

Health benefits will continue during an unpaid Leave of Absence for a maximum of 30 calendar days, as long as the employee continues to pay his/her portion of the premiums. Vacation and sick leave do not accrue during unpaid Leaves of Absence. Additionally, paid holidays, bereavement leave, and jury duty will not be paid during unpaid Leaves of Absence.

### **Parental Involvement Leave**

Eligible employees may use accrued paid leave to attend academic activities for school aged children. To be eligible, an employee must work in a nonexecutive or nonsupervisory capacity and be the parent or legal guardian of a child enrolled in either public or private school grades K-12 or certain nonpublic home-based educational programs. Employees can take leave for the following academic activities: parent-teacher conferences and meetings about special education services, response to intervention, dropout prevention, attendance, truancy, or disciplinary issues.

A full-time employee may take up to a maximum of 18 hours in an academic year to attend such activities. Part-time employees may take leave on a prorated basis. Employees may not take more than six hours of leave in any one-month period and leave may not be taken in increments of longer than three hours.

Imagine! requires employees to use accrued vacation time leave while taking Parental

Involvement Leave. Further leave may be provided where an employee has exhausted accrued vacation time. If this occurs, an employee may make up the time that they are out during the same workweek. If this is not reasonable, an employee may be approved by their supervisor to take an unpaid leave if the employee has exhausted all of his or her vacation time.

Except in emergencies, employees are required to provide at least one calendar week's advance notice of the need for leave. Employees must provide written verification of the academic activity from the school or school district. In emergencies, employees are required to provide notice and written verification from the school as soon as possible after learning of the need for leave. Employees are required to make a reasonable attempt to schedule academic activities outside regular work hours.

### **Domestic Abuse Leave**

An employee with at least 12 months of service, who is a victim of domestic abuse, stalking, sexual assault, or other types of domestic violence, is eligible to use up to three days per year to attend to the circumstances surrounding the occurrence of the abuse. To the extent possible, the employee must provide advance notice to her/his supervisor of the need for this leave. Please see Human Resources for additional information.

### **Additional Leaves**

#### **Jury Duty**

Imagine! encourages employees to fulfill their civic duty when called for jury duty. Employees summoned for jury duty are to present the information to their supervisor. Imagine! will compensate regular employees the difference between their regular Imagine! pay and their jury duty compensation (paid by the State of Colorado) for up to two weeks. Employees excused from jury duty during normal work hours are expected to report back to work.

#### **Voting**

Imagine! also encourages its employees to vote in scheduled elections and provides the legally required release time in order to do so. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor/manager no later than the day prior to Election Day.

#### **Funeral Leave**

Up to three days of paid leave may be granted to a regular employee to attend the funeral of an immediate family member of the employee or his/her spouse.

#### **Military Leave**

It is our policy to afford such re-employment rights as required by the law, Uniformed Services Employment and Reemployment Rights Act (USERRA), to employees who take military leave. Contact the Human Resource Department for more information.

**Other Leaves**

Additional leaves of absence, with or without pay, may be granted with the approval of the employee's supervisor and the department director. All leaves will be documented, specifying reason and return timelines. Employees are not benefit eligible during unpaid leaves of absence.

## Employee Acknowledgement of Receipt of Handbook

**I HAVE RECEIVED A COPY OF THE IMAGINE! EMPLOYEE HANDBOOK DATED JULY 1, 2011. I HAVE READ AND FULLY UNDERSTAND ITS CONTENTS AND ALL REFERENCED POLICIES AND FORMS INCLUDING BUT NOT LIMITED TO THE HIPAA SECURITY RULE AND PROTECTED HEALTH INFORMATION: PROCEDURES. FURTHER I UNDERSTAND:**

- **EMPLOYMENT WITH IMAGINE! IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE COMPANY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE COMPANY HAS THE SAME RIGHT.**
- **THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.**
- **THIS HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE COMPANY'S GUIDELINES.**
- **THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE COMPANY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.**
- **NO REPRESENTATIVE OF IMAGINE!, OTHER THAN THE CHIEF EXECUTIVE OFFICER OF THE COMPANY, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE CHIEF EXECUTIVE OFFICER AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.**

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Employee Name (please print)

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Date

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Employee Signature