

PERSONNEL POLICIES

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1. MISSION STATEMENT

The AIDS Law Project of Pennsylvania (“ALPP”) is a nonprofit, public interest law firm providing legal services without charge to persons living with HIV/AIDS or others affected by the AIDS epidemic. ALPP also provides professional and public education services regarding AIDS legal issues.

2. RESPONSIBILITY FOR PERSONNEL POLICIES

The Board of Directors of the AIDS Law Project has the ultimate responsibility for the organization’s personnel policies. The Board shall appoint a Personnel Committee which will supervise the implementation of the personnel policies. The Executive Director will directly implement the personnel policies. These policies are not intended to be a contract, and do not constitute a contract. The Board of Directors reserves the right to make appropriate revisions in general policies and procedures as it deems appropriate after consultation with the Executive Director.

The Executive Director is hired by the board and is the administrative head of the organization and is responsible to the Board of Directors to communicate and carry out the personnel policies approved by the Board of Directors. The Executive Director may delegate the functions of the Executive Director under these personnel policies as s/he deems appropriate.

The Personnel Committee is a standing committee of the Board of Directors and is composed of at least three (3) Board Members. The Committee shall consider and recommend all personnel policies to the full Board of Directors. The Personnel Committee may convene meetings and make decisions on specific personnel policies, which shall be subject to ratification by the full Board.

The Committee has jurisdiction over:

1. Annual review of salary schedules;
2. Approval of the Executive Director’s recommendations for the severance of service of staff members;
3. Recommendation to the Board on the hiring and firing of the Executive Director;
4. Annual evaluations of the Executive Director;
5. The establishment and amendments to personnel policies including grievance procedures; and
6. The periodic review of job descriptions.

3. EMPLOYMENT

A. Employment At Will

All employees are considered to be employed on an “at will” basis. Employment with ALPP is voluntarily entered into, and employees are free to resign at will. Similarly, ALPP, through its Executive Director or his/her designee, may terminate the employment relationship at will, with or without notice or cause, so long as there is no violation of applicable city, state or federal law.

B. Employment Definitions

A “full-time employee” is one who works on a full-time basis (at least 40 hours per week).

A “part-time employee” is one who works fewer than 40 hours per week.

An “hourly employee” is one who is paid by the hour and not on a salaried basis.

A “temporary employee” is an employee who works for a finite period of time, as determined by the agency.

A “probationary employee” is a full-time, part-time or temporary employee who is in the probationary period (90 days upon hire and extended up to an additional 90 days if the employee’s supervisor determines additional probationary time is necessary).

An “eligible employee” is one who is eligible for some or all of ALPP’s employee benefits. All eligible employees 1) are not temporary employees and 2) regularly work more than 20 hours per week.

A “non-eligible employee” is one who is not eligible for ALPP’s employee benefits, except for paid holidays, and being paid for other unforeseen office closures on a scheduled workday.

A “non-exempt employee” is an employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Typically, support staff are non-exempt.

An “exempt employee” is an employee who is not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Typically, executives, professionals and administrative employees are exempt.

ALPP does not consider volunteers to be employees.

“Fiscal year” means a consecutive period of time beginning on July 1st and ending on the following June 30th.

“Calendar year” means a consecutive period of time beginning on January 1st and ending on December 31st.

C. Equal Employment Opportunity

ALPP is committed to the principles of equal employment opportunity, affirmative action, and nondiscrimination for all persons without regard to gender, age, race, color, national origin, religion, familial status, sexual orientation, gender identity, non-job related handicap or disability and/or Vietnam era or disabled veteran status.

In keeping with this policy, ALPP seeks to recruit, hire, train, and promote into available jobs the most qualified persons and to administer personnel matters such as compensation, benefits, transfer, training and layoffs in accordance with this policy. All employees are expected to conduct themselves in the workplace in a manner that is consistent with this policy, and to treat each other in the workplace with dignity and respect.

ALPP encourages employees to notify their immediate supervisor or the Executive Director in situations that arise which the employee believes conflicts with this policy. Any employee who believes s/he has been discriminated against may file a complaint of discrimination utilizing the grievance mechanism described in section 9.C.

D. Hours of Work

Normal business hours are 9:00 a.m. to 5:00 p.m., Monday through Friday. The regular workday for full-time employees shall consist of eight (8) hours per day, which includes one hour paid lunch, and forty (40) hours in a workweek. This provision shall not be construed as a guaranteed workday or workweek. Whether an employee is hired on a salary or an hourly basis will be determined in each case at the time of hiring. Salaried employees will not be paid for necessary overtime worked.

Flexible time schedules may be arranged, where practical, provided the prior approval of the Executive Director or designee is received.

Generally, lunch shall be taken between 11:30 AM and 2:30 PM, unless prior approval of the Executive Director or designee is received. An employee skipping lunch shall not be used as basis for arriving to work to work late or leaving early.

Any discrepancies between the number of hours worked and number of hours scheduled to work shall be made up within one week. Failure to do so will be considered a violation of the ALPP disciplinary policy.

E. Job Description

A job description shall be created for each position. A job description is designed to outline the basic responsibilities and duties of a position. It is used to allocate responsibilities within the organization and is the basis upon which employees are hired, supervised and evaluated on an ongoing basis. The job description forms the basis for the job performance standard. According to the needs of the organization, changes in the job description may occur at any time. Employees will be informed, by the immediate supervisor, of any changes in their job description and any additional responsibilities they are expected to fulfill.

F. Hiring Policies

The Executive Director is responsible for hiring all staff. The Executive Director may delegate her/his responsibility, as s/he deems appropriate.

Any full or part-time job opening will be posted internally for five (5) workdays. Current qualified staff who apply for job openings shall be interviewed.

Promotions shall be based on merit, and as budget dictates, at the discretion of the Executive Director.

G. Nepotism

No employee, consultant or independent contractor may be hired who is a relative of a staff person. For purposes of this policy, relatives shall include spouse, significant other, child, parent, sibling, aunt, uncle, niece, nephew, cousin, and in-laws and their equivalents.

After hiring, there shall be no supervisory relationship, directly or indirectly, between relatives.

H. Materials for New Employees

At the outset of employment with ALPP, in addition to a copy of the Personnel Policies, the new employee will receive a copy of his/her job description and any other forms and/or policies necessary for federal, state or ALPP employment compliance.

I. Probationary Period

There shall be a ninety (90) day probationary period for all employees to enable the employee and ALPP to determine whether the employment arrangement is mutually satisfactory. ALPP may extend the time period not to exceed an additional ninety (90) days. At the end of the initial and any subsequent probationary period there will be a written evaluation by the employee's supervisor and placed in the employee's personnel file.

Probationary employees will receive written notification of their status within ten (10) working days after the conclusion of their probationary period. Probationary employees shall have at least one conference with their supervisor during the probationary period. A written report of this conference will be filed in the personnel file.

Persons terminated during the probationary period will receive a letter of termination.

J. Client/Employee/Volunteer Relations

ALPP employees are expected to work on a professional basis with clients at all times. Employees must avoid any type of relationship with a client that could compromise the professionalism or create an actual or potential conflict with the primary role of service provider, educator or advocate on behalf of ALPP.

K. Anti-Harassment Policy

ALPP will not tolerate harassment on the basis of sex or gender, sexual orientation, familial status, race, color, religion, age, national origin or disability, gender identity, non-job related handicap or disability and/or Vietnam era or disabled veteran status. Harassment may take the form of physical or verbal conduct. This conduct may lead to, among other things, intimidation, ridicule, insult, aggression, hostility or unequal treatment.

Employees who believe they are being subjected to harassment of any kind, by anyone connected with their work, should promptly report the matter to their supervisor (who shall promptly report this to the Executive Director or Board President), or the Executive Director, or the Board President, if the complaint is about the Executive Director.

Prohibited forms of sexual harassment include, but are not limited to the following:

- Threats by supervisors or managers to discipline or discharge an employee or to deprive an employee of an existing or potential job benefit on account of an employee's refusal to engage in sexual relations;
- Promises or demands by supervisors or managers that an employee engage in sexual conduct in exchange for a promotion, raise or some other employment benefit;
- Any sexual advances, propositions, suggestive comments, joking or teasing about sex, comments or questions about sexual attributes or activities, foul or obscene pictures or printed material, indecent exposures, or attempts to invade the sexual privacy of another person. This subsection applies to all managers, supervisors and employees, regardless of whether the conduct is addressed to a specific employee or a general workplace audience;
- Active or passive encouragement of harassment by supervisors, managers, or employees or the failure to report any harassing conduct that an employee experiences or witnesses;
- Any sexual harassment of employees by clients, vendors or other third parties doing business with ALPP.

Employees who feel they have been sexually harassed immediately should report the harassment to their supervisor (who shall promptly report this to the Executive Director or Board President), or the Executive Director, or the Board President if the complaint is about the Executive Director.

The Executive Director is responsible for, in as confidential a manner as possible, investigating fully and promptly any such complaints. The Board President will investigate a complaint about the Executive Director. If the complaint is substantiated, appropriate disciplinary action, up to and including discharge, will be assessed against the offending party. The investigator will, in any event, notify the complaining party of the outcome of the investigation. A confidential report of findings, and any recommendations regarding subsequent action, will be presented to the Board Personnel Committee for further action.

Supervisory employees shall not allow personal friendships or social relationships, on or off the job, to influence their treatment of subordinate employees or their employment decisions.

ALPP requires employees to cooperate fully in any harassment investigation and prohibits retaliation against any employee who files a harassment complaint or participates in such an investigation in good faith.

Harassment on account of a person's race, color, religion, age, national origin or disability, gender, sexual orientation, familial status, gender identity, non-job related handicap or disability and/or Vietnam era or disabled veteran status. is likewise prohibited. Complaints of harassment of this nature should be handled as outlined above.

L. Workplace Violence

ALPP will not tolerate, condone or allow violence, whether engaged in by employees, supervisors, managers, non-employees (including contract workers or vendors), visitors, or others who conduct business with ALPP. ALPP encourages reporting of all incidents or threats of violence regardless of who the offender may be.

Workplace violence includes all acts or threats of violence, inappropriate aggression, harassment, or intimidation in any form, including verbal, written, physical, or any conduct that may be construed as racial, sexual, ethnic or religious slur.

The Executive Director will investigate promptly and as confidentially as possible all allegations of workplace violence or threats. ALPP encourages prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The investigation will include obtaining documentation of the objectionable behavior or other misconduct and interviewing witnesses to the conduct.

ALPP will take prompt corrective action with respect to any employees who engage in violence or threats of violence. Such action may include discipline up to and including termination of employment. The appropriate action will depend upon the particular facts and circumstances of the situation, as determined through the investigation of the complaint.

ALPP will not permit retaliation against any individual who in good faith reports workplace violence. Any employee found to have engaged in retaliation against another individual for reporting violence will be subject to disciplinary action, up to and including termination of employment, for engaging in retaliatory conduct.

If, however, the investigation results in a finding that an employee knowingly falsely accused another individual of violence or threats of violence or made such accusations in a malicious

manner, the accusing employee will be subject to disciplinary action, up to and including termination of employment.

Employees who believe that they need help to avoid engaging in conduct which is prohibited by this policy are urged to seek the immediate assistance of their supervisor or the Executive Director.

M. Safety

All employees are expected to be safety conscious and to assist ALPP in identifying conditions on the premises that could cause an accident. Unsafe conditions or injuries which occur at work should be reported immediately to the employee's supervisor or Executive Director or his/her designee.

In the event of a work-related injury, employees should report the injury and obtain an accident report from the Executive Director. If medical assistance, other than on-site first aid, is necessary, employees should notify their supervisor or the Executive Director or his/her designee as soon as possible.

Employees are responsible for ensuring that they are familiar with and abide by all safety and fire procedures.

N. Personnel Files

A personnel file will be kept for each employee. Access to these files will be limited to the following: the employee, the employee's supervisor, the Executive Director, the Finance Director and the Personnel Committee.

An employee may inspect the contents of her/his personnel file under the following terms and conditions:

1. S/he must request to review the file during regular business hours from the Executive Director and schedule a time to review the file under the supervision of his/her supervisor, Managing Attorney or Executive Director.
2. Nothing may be written by the employee on any existing paper in the file.
3. An employee may submit, to the Executive Director, a written response to anything contained in her/his personnel file as soon as practicable. That response will be placed in the personnel file.

O. Computer Usage & E-Mail

The computer system at ALPP is to be used to support ALPP business. An employee may not tamper with the computer system's network equipment, software files, accounts or information associated with the computer. Each employee is responsible for his/her use of the computer.

Any use of the computer system, internet, and e-mail for offensive purposes is prohibited, as is personal use which is excessive or interferes with job performance. Likewise, employees may not use ALPP computer resources in violation of any applicable laws concerning trademark, copyright, civil rights, defamation, forgery, obscenity and/or privacy.

Also see the ALPP "Office Technology Policy" for further information.

P. Acceptance Of Gifts & Gratuities

Employees, members of employees' immediate family, and members of the Board are prohibited from accepting gifts, money, or gratuities from:

1. Persons receiving benefits or services from ALPP;
2. Any person or entity performing services under contract with ALPP; or
3. Persons who are otherwise in a position to benefit from the actions of any ALPP employee.

Q. Honoraria & Fees

Any staff member or volunteer who speaks, consults or performs a similar activity on behalf of or as a representative of ALPP will request that an honoraria be paid for the service or, that an in-kind service be provided, to ALPP.

If, however, the staff performs services (i.e., teaching), the honoraria may go to the employee as long as the activity in question was not done during regular work hours and not as a representative or on behalf of ALPP.

If a portion of the activity, not on behalf of or as a representative of ALPP, occurs during regular work hours (9 AM to 5 PM or when not taking vacation or personal leave), the Executive Director will decide the question of payment on a case by case basis. In making this determination, factors to consider will include but not be limited to: the amount of outside work done during regular business hours; the benefit to ALPP; and the type of work performed.

Fees for services as arbitrators or for the performance of similar professional service during regular working hours shall be remitted to ALPP.

R. ALPP Property

All information created to support ALPP business by ALPP personnel and stored on ALPP paper or computers is the property of ALPP and shall not be removed for personal use without prior approval of the Executive Director.

S. Proprietary Information

All rights to any and all material produced by an employee of ALPP will remain with ALPP and any monies received from the sale of any such materials will be paid to ALPP.

4. COMPENSATION

A. Pay Periods

Employees will be paid twice a month on the 1st and 15th day of each month. If the 1st or 15th falls on a Saturday, Sunday or holiday, employees will receive their checks no later than the next business day.

B. Overtime

Only non-exempt employees are entitled to overtime pay.

C. Salary Advances

Salary advances are available to all eligible employees (as defined in section 3B) upon request. The limit on a salary advance is the amount of pay already earned in the pay period in which the salary advance was requested, plus 80% of any accrued, unused vacation time up to a maximum of five (5) days. Salary advances must be approved by the Executive Director and will only be approved in the event of unexpected financial circumstances.

D. Work-Related Expenses

Work-related expenses which an employee might incur in the performance of his/her duties (auto mileage, toll fees, parking expense, admissions fees, etc.) may be reimbursable if approved by a supervisor prior to incurring the expense. If approval has been granted, records and receipts must be presented for reimbursement.

5. BENEFITS

A. Health Insurance

All staff employed at a minimum of 25 hours per week will have their health insurance paid for by ALPP. Employees are eligible to enroll immediately upon employment. Dependent, spousal and domestic partner coverage is available at an additional charge for those employees who wish to have this type of coverage.

B. Long Term Disability

All full-time non-probationary staff will have long-term disability insurance paid for by ALPP. Details of the long-term disability insurance policy will be provided to employees upon enrollment in the policy.

C. Life Insurance

All full-time non-probationary staff will have life insurance paid for by ALPP. Details of the life insurance policy will be provided to employees upon enrollment in the policy.

D. Workers' Compensation

ALPP provides workers' compensation coverage for all employees. The insurance includes payments and medical coverage for an employee who is injured on the job. Workers' compensation covers certain medical expenses and a portion of wages an employee might lose as a result of the job-related injury. An employee who is injured on the job must report the injury immediately to the Executive Director and/or a member of the management team and complete an injury report.

E. Paid Holidays

The holiday schedule will be published annually. The holiday schedule will consist of 11 official holidays:

New Year's Day	Indigenous Peoples' Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day	Christmas Day
Labor Day	

The office will be closed on Friday for holidays that fall on Saturday and on Monday for holidays that fall on Sunday. In order to be paid for a holiday, employees must work the day before and day after a holiday or take an approved personal or vacation day, as long as the day before the holiday and day after the holiday is not a Saturday, Sunday or holiday. A staff member who is absent due to illness on the day before or after a holiday will be eligible for the paid holiday by presenting a physician's note deemed satisfactory by Executive Director.

F. Paid Time Off

Paid Time Off (PTO) is a bank of paid leave time granted to full-time and part-time employees. Part-time employee PTO is prorated. Employees may use PTO for any reason such as personal or family illness, personal reasons, vacation or any other reason determined by the employee. The time that is not covered by PTO, and for which separate guidelines and policies exist, include ALPP paid holidays, Family and Medical leave (FMLA) bereavement leave, jury duty and military service leave. PTO may be used in one hour increments.

PTO is credited according to the following schedule: Employees with full-time service up to 2 years are credited with 224 hours or 28 days of PTO at the beginning of each calendar year. Employees with full-time service of more than 2 years are credited with 288 hours or 36 days of PTO at the beginning of each calendar year. New, full-time employees will be credited with 7 days of PTO quarterly for the remainder of the calendar year from the date of hire.

New employees may not use PTO during the probationary period except in extraordinary circumstances and only if approved by the Executive Director.

All requests for PTO time must be approved in writing by the employee's supervisor. Requests for less than five (5) days of PTO are to be submitted for approval at least three (3) days in advance. In the case of five (5) days or more, requests are to be submitted as far in advance as possible, but at least two (2) weeks in advance. The period of advance requests may be waived by the supervisor or Executive Director at his/her discretion and consistent with the staffing needs of the organization. An employee may use a maximum of 2 consecutive weeks of PTO unless additional time is available under the FMLA or with authorization from the Executive Director.

For emergencies and unexpected events, an employee is required to call, email, text, or otherwise alert their supervisor or the Executive Director that they will be taking PTO. An employee who misses more than three (3) consecutive unscheduled days may be required to present a doctor's release to the Executive Director.

An employee is responsible for reporting their PTO usage to their supervisor. An employee is also responsible for tracking their time off and using only the days they have available. Time off,

taken in excess of paid time available, can result in progressive disciplinary action up to and including employment termination.

A maximum of five (5) days of PTO may be carried over to the next calendar year. An employee cannot carry over more than five (5) days year to year.

When an employee gives notice of termination of their employment, they may not take PTO during the notice period, except with approval of the Executive Director. Upon termination of the employment relationship, an employee will not be paid for unused PTO.

G. Family and Medical Leave

In order to be eligible for family and medical leave, in the spirit of and following the guidelines of the 1993 Family and Medical Leave Act (FMLA), an employee must have worked for ALPP for at least twelve (12) months or fifty-two (52) weeks, and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of leave. In order to qualify as Family and Medical Leave Policy leave, the leave must be taken for one of the following reasons:

- to care for the employee's child after birth or adoption or foster care (in these cases, the leave must end within one (1) year of the birth or placement, and approval of intermittent leave is not guaranteed).
- to care for the employee's spouse, domestic partner, child, or parent who has a serious health condition, or
- for a serious health condition that makes the employee unable to perform his/her job.

At least thirty (30) days before a family or medical leave, requests for leave must be submitted in writing to an employee's supervisor, with a copy to the Executive Director. When a leave is not foreseeable, an employee must notify his/her supervisor and the Executive Director as soon as possible.

Certification by a physician will be required when a serious health condition is given as the reason for a leave. An employee should respond to such a request within fifteen (15) days, or provide a reasonable explanation of the delay. Failure to provide certification may result in denial of continuation of the leave. ALPP has the right to ask for a second opinion on the physician's certification.

An eligible employee may take up to twelve (12) weeks of FMLA leave per year. The year, for FMLA leave purposes, starts on the first date an employee uses FMLA leave. Paid time off (PTO) if applicable, must be used prior to the use of unpaid leave, for a total leave period not to exceed twelve (12) weeks. Under extenuating circumstances, the Executive Director may approve additional time.

While an employee is on leave, ALPP will continue the employee's health benefits during the leave period at the same level and under the same condition as if the employee had continued to work. If an employee normally pays for a portion of the health care premium, s/he must continue to make these payments during the leave period.

While on leave, an employee is required to report periodically to ALPP regarding the status of any medical condition and his/her intent to return to work.

In the unusual event that an employee must request a leave of absence for reasons other than those provided under the Family and Medical Leave Policy, s/he must submit the request in writing to his/her supervisor and to the Executive Director specifying the length of the intended absence and the reason for the absence. Any such requests will be considered in terms of the impact on ALPP's ability to fulfill its mission. ALPP cannot guarantee employment of employees who are unable to work over long or repeated periods of time.

H. Bereavement Leave

In the event of the death of an immediate family member, or of a person who stands in that relationship, a non-probationary status employee will be allowed up to three (3) regular scheduled days off with pay at her/his regular straight time rate.

I. Jury Duty

ALPP agrees to compensate all full-time employees and all permanent part-time employees who work at least twenty (20) hours a week for a period of up to two (2) weeks for jury duty. The receipt of a subpoena or notice to report for jury duty must be submitted immediately upon receipt to the employee's immediate supervisor. Employees are expected to return to work on those days when the jury is not in session.

J. Military Leave

Military leave will be provided as required by law.

6. SMOKING, ALCOHOL AND CHEMICAL DEPENDENCY

Smoking is prohibited in ALPP's offices at all times.

ALPP actively supports employees in sound rehabilitation efforts. In all its policies and programs, ALPP adheres to provisions outlined in the Drug-Free Workplace Act.

No alcohol will be permitted at agency functions or on agency premises unless authorized by the Executive Director. Illegal drugs are not permitted at any time. Employees are prohibited from appearing on agency premises or engaging in work while intoxicated or impaired by the use of alcohol or controlled substances. Employees are prohibited from possessing, using or engaging in transactions involving controlled substances or drug paraphernalia on agency premises or in the course of employment. Violations of these prohibitions will subject employees to disciplinary action, up to and including immediate termination.

A. Employee's Responsibility

1. ALPP will make every effort to help an employee seeking and undertaking treatment or rehabilitation. However, the decision to seek and accept treatment is the responsibility of the employee. Employees must take positive steps toward their own rehabilitation. As long as employees carry out their responsibilities, ALPP will make reasonable accommodations, as appropriate. All employees are held to the same standards for job performance, conduct, attendance, and tardiness. Employees whose condition does not improve with treatment or rehabilitation efforts or who refuse to seek such assistance and continue to demonstrate performance deficiencies will be subject to termination.
2. Employees are expected to comply with the prohibitions against use, possession, distribution, sale or manufacture of controlled substances or unauthorized alcohol on ALPP premises or when representing ALPP. Employees are prohibited from working while intoxicated or impaired by the use or controlled substances or alcohol.

B. Supervisor's Responsibility

1. Any observed or suspected employees or volunteers who appear to be impaired by use of alcohol or drugs are to be reported to their supervisor or the Executive Director.
2. Supervisors are encouraged to seek assistance from the Executive Director for early recognition of an employee's substance abuse problem by discussing their concerns with the Executive Director.
3. Supervisors should carefully observe and document any significant change in work performance, which they believe is caused by this problem.

7. ATTENDANCE POLICY

ALPP's basic philosophy towards attendance is that every employee be at work on every workday during the hours specified, unless authorized to be elsewhere. A doctor's note or similar medical verification may be requested after being out unscheduled for three (3) consecutive workdays. Excessive absenteeism, tardiness or leaving early will be handled initially with a verbal warning. If the problem continues, a written warning documenting the allegations will be issued. Excessive absenteeism will subject an employee to progressive discipline (see Section 9).

Any discrepancies between the number of hours worked and number of hours scheduled to work must be made up within one week. Failure to do so will be considered a violation of the ALPP disciplinary policy.

8. PERFORMANCE EVALUATIONS

Evaluations of employees shall be conducted on or about the end of the ninety (90) day probationary period, and all employees shall be evaluated annually at a time determined by the Executive Director or Board of Directors. Evaluation conferences shall consist of the employee and supervisor completing the ALPP evaluation form for purposes of evaluating the employee's performance. The employee may include a statement of his/her own for the file reflecting his/her perception of the conference and any comments regarding his/her evaluation.

9. DISCIPLINARY POLICY

A. Standards of Conduct

Employees must observe and follow ALPP's policies and maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of ALPP, disciplinary measures will be taken. The appropriate disciplinary action will be determined by the Executive Director. One form of disciplinary action will not necessarily precede another.

Progressive discipline will be undertaken in response to minor breaches of good conduct and job performance. Poor work performance can include, but is not limited to, excessive absenteeism, poor quality of work, and irresponsibility in carrying out duties. Misconduct can include, but is not limited to, an employee acting in violation of ALPP policy or procedures, or the performance of criminal acts. Discipline may entail oral and/or written warning, suspension, and finally discharge. Serious breaches of good conduct and job performance may result in immediate dismissal.

Any of the following acts and/or conduct, but not necessarily limited hereto, on the part of an employee may constitute specific grounds for termination for cause and prompt dismissal by the Executive Director:

1. Violation of the harassment policy (see section 3L)
2. Action which would jeopardize the safety or welfare of a client, volunteer or fellow staff member
3. Use, sell or being under the influence of illegal drugs or alcohol while working or representing ALPP
4. Unauthorized use, possession or sell of weapons, firearms or explosives on ALPP property
5. Violation of ALPP policies and procedures concerning confidentiality
6. Falsification of records, including employment applications and time records
7. Flagrant or repeated insubordination
8. Misrepresentation of ALPP mission, policies and/or procedures
9. Incompetence, poor performance or repeated neglect of duty
10. Conduct subversive to proper order, discipline and morale
11. Misappropriation or unauthorized use of funds, equipment, supplies, etc.
12. A pattern of tardiness and absenteeism in violation of ALPP policies
13. Any action that violates the client's rights

- (a) to be treated with dignity
- (b) to be free from physical and verbal abuse
- (c) to be free from loud, vulgar and abusive language from staff
- (d) to have all personal information kept confidential
- (e) to be free from discriminatory treatment
- (f) to service at ALPP

B. Suspension

Suspension is a temporary enforced absence from duty with or without pay at the discretion of the Executive Director or Board of Directors. It may be imposed as a disciplinary action for serious misconduct or unsatisfactory performance, or pending the outcome of an investigation into alleged serious misconduct.

C. Grievance Procedure

ALPP encourages employees to resolve problems promptly and informally whenever possible. An employee who is uncomfortable with working conditions, or internal staff relationships, or who has any other important concern which affects his/her work or the operation of the organization should discuss the problem with his/her immediate supervisor. If the matter is not resolved it is then to be discussed with the Executive Director and if resolution is not reached at that stage, a meeting may be requested with the Personnel Committee.

At the discretion of the Executive Director, the Personnel Committee may be asked to participate in informal problem-solving discussions.

1. Grievances from non-probationary staff relating to disciplinary action, job performances, or working conditions must be submitted in writing to the Executive Director within five (5) working days after the employee has discussed the matter with his/her supervisor.
2. The Executive Director will then meet with the staff person and the supervisor to discuss the grievance and attempt to resolve it.
3. If either party is not satisfied with the resolution of the matter at this stage, either party may submit in writing within five (5) working days after this meeting a request to meet with the Personnel Committee.
4. If the Executive Director is also the immediate supervisor, the grievance will be submitted directly to the Personnel Committee of the Board of Directors. The Personnel Committee will respond, in writing, within ten (10) working days.
5. If the matter is not resolved by the Personnel Committee, either party involved in the grievance may request a meeting with the Executive Committee of the Board within ten (10) working days of the final decision. The decision of the Executive Committee is final.

10. SEPARATION OF STAFF

A. Voluntary Separation

ALPP requests an employee to provide advance notice of resignation. Managers are expected to provide four (4) weeks, legal staff three (3) weeks, and all others two (2) weeks notice to the immediate supervisor who will share it with the Executive Director. Using available PTO does not count toward the notice of resignation requested.

When an employee resigns, an exit interview may be requested, and will be conducted by the Executive Director and/or a member of the Personnel Committee. A copy of the exit interview form will be filed in the employee's Personnel File. The exit interview will explore the reason for separation and brief the employee as to any benefits that may be available.

B. Involuntary Termination

Any employee may be discharged by the Executive Director. A written statement of the reasons for the dismissal shall be submitted to the employee affected at the time of such dismissal. When possible, the Executive Director and immediate supervisor(s) of the employee in question shall put the employee on probation, with a written notice which includes the reasons why the employee is being considered for involuntary termination, and the ways in which the situation can be resolved by the employee. A timetable with expectations will be presented to the employee, and documentation of progress will be kept. In cases other than termination for cause, employees will be given two (2) weeks notice.

C. Reduction in Staff

ALPP reserves the right to eliminate any position or lay off any employee for any reason, including but not limited to, economic reasons.

ACKNOWLEDGMENT

By my signature below, I _____ verify that I have received and read a copy of the AIDS Law Project of Pennsylvania's Personnel Policies.

I understand that I am responsible for familiarizing myself with the information in the Personnel Policies, that I am to seek clarification where necessary, and I am to comply with all policies and procedures outlined within. The information within this manual is subject to change as needed and may supersede and/or eliminate policies already in effect. Changes will be communicated to me by my supervisor or the Executive Director, and it is my responsibility to keep informed of these changes and to abide by them.

Print your name: _____

Sign your name: _____

Date: _____