

Please read this entire Employee Handbook - you will be asked to sign form # 15 during the orientation stating you have read and understand the contents of this document.

If you have any questions you may ask them during your orientation.

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September 12, 2011

Dear Staff Member,

Welcome to SUCAP! I am glad you are interested in our Organization. You were hired because we feel you will be a positive addition to our quality programs. We on the Board respect the opinions of our staff members very much. After all, you are the experts in the field. As such, we welcome your input. If you have a suggestion for improvements in our services, or wish to offer technical advice to help us make a difficult decision, we want to hear it.

However, we have hired the Executive Director to represent staff at our Board meetings. Please give all input to the Executive Director, who will in turn bring it to us in the meeting.

I am sure you will enjoy working with our highly qualified and professional employees. I hope you will find your work to be rewarding and stimulating, and that you will make a career here with us at SUCAP.

Sincerely,

Kathleen Sitton, Chair
SUCAP Board of Directors

WHAT THE ORGANIZATION DOES

The Southern Ute Community Action Programs (SUCAP) was created by a Southern Ute Indian Tribal Resolution in 1966. Previous to that date, the Southern Ute Indian Reservation, the Ignacio Community, and the surrounding rural area that lies within the boundaries of School District 11-JT, received human development-related services (funded by the Office of Economic Opportunity) from the Southwest Community Action Programs in Durango, Colorado. The twenty-six mile distance between Durango and Ignacio made it difficult for the Durango-based program to effectively serve the needs of the low-income population in Ignacio.

In 1966, the Southern Ute Indian Tribe was given the opportunity to seek grantee status from the Office of Economic Opportunity-Indian Desk. The Tribal Council accepted the opportunity but stipulated that they wanted to be allowed to serve all low-income people residing within the boundaries of School District 11J regardless of ethnic background. This action was somewhat unique in "Indian Country". Most Indian Tribes established Community Action Programs, but served only their own Tribal membership. Because of the Homestead Act, the Southern Ute Reservation is checker boarded with non-Indian owned lands. The Tribal Council believed that if they were to truly develop Tribal human resources, they must also improve the lifestyles of their non-Indian neighbors as well. Their basic philosophical approach was soon translated into an overall Community philosophy that is based on the concept of "Total Community Development". That philosophy has continued to be the basis for most of the projects planned and implemented by the Tribe, the Town of Ignacio, local schools, SUCAP and other cooperating agencies.

In order to assure maximum community participation, the Tribal Council set up the SUCAP Organization under the direction of a Board of Directors to provide overall guidance and direction to the Organization, and an Executive Director to supervise the day-to-day activities. SUCAP operates under a centralized management system, which has served to provide an enviable and longstanding track record of accountability and compliance. The Tribal Council retains veto power and has the power to veto any action of the Board or staff, which is in violation of federal, state or local law.

As the "grantee" or parent organization of SUCAP, the Tribal Council approves or disapproves the Board By-Laws, Policies & Procedures, funding applications, and reviews management and financial reports on a regular basis.

The SUCAP Board of Directors serves as an administering board or "delegate agency". SUCAP is also a private non-profit corporation, incorporated under the laws of the State of Colorado. As a private non-profit organization, SUCAP has a 501 (c)(3) status. In more recent years, the SUCAP Articles of Incorporation were expanded to allow the Organization to also do business as The Training Advantage.

The following fact sheets enumerate the wide array of SUCAP/TTA services.

Southern Ute Community Action Programs, Inc.

Fact Sheet

P.O. Box 800
Ignacio, CO 81137

Phone: (970) 563-4517
FAX: (970) 563-4504

- Headquartered in Ignacio, CO
- Has 36 years of experience
- Employs 140 people
- \$5 million budget
- Serves 11 counties
- Helps over 1,000 individuals and families each year
- Wins awards for management

Family Programs

Chosen to be one of 33 Touchpoint Pilot sites
Nationally based on Dr. T. Berry Brazelton's
parent-child communication model.

Southern Ute Head Start

105 children and their families
Exemplary ratings from HHS-
American Indian Programs Branch

Early Head Start

32 Children and their families
8 pregnant women
Exemplary ratings from HHS-
American Indian Programs Branch

Ignacio Senior Center

Congregate meals
Meals on wheels
Group outings
Eldercize
Adult Day Care
Errands and transportation



Alcohol and Substance Abuse

Treatment

Peaceful Spirit

The only native residential treatment program in Colorado and New Mexico

Providing alcohol and substance abuse treatment for over 25 years

Outpatient treatment

Transitional Living

Serves over 390 people per year

DUI classes and counseling for incarcerated persons

Peaceful Spirit Youth Services

Outpatient counseling for adolescents

Family counseling

Underage drinking prevention program

Highway safety and car seat program

Multi-systemic Therapy

Employment Programs

The Training Advantage- Serves 11 counties with offices in Montrose, Delta, Gunnison, Cortez, Durango, Pagosa Springs, and, of course, Ignacio. Providing intensive job and career counseling to 700 youth and adults per year

A leader in welfare reform activities for over 10 years

Native American Employment Program

Job training for Native Americans in Ignacio

Operates federal and Tribally-funded summer job programs

Youthbuild

A multi-agency partnership, lead by SUCAP

Provides construction training for 30 youth in Durango and Gunnison

Builds affordable housing

Project Reach

An employment-oriented youth development Program

Targets youth involved with law enforcement

Partnership with local schools and businesses

Serves Montrose, Olathe and Delta, Colorado

Youth Development Programs

Teen Activities Center

Safe hangout

Substance-free activities

Tutoring Center

Provides tutoring activities; help with homework

Teen Court

Puts teens in charge of the penalty phase for common offenses

Teens serve as a prosecutor, defense and jury

Real judges oversee court hearings

Serves Southern Ute Tribal Court and Town of Ignacio Municipal Court jurisdictions

Reconnecting Youth

A full credit class of Ignacio High School and the Adult Literacy Center of Ignacio

Teaches critical thinking, substance-free lifestyles, and emotional intelligence

A science-based prevention program

Dare to be You

A family strengthening program for parents of the 4th to 6th graders

Includes extended family members

Models family fun

Developed by Colorado State University with Ute Mountain Ute and Navajo families

Nationally recognized by the Center for Substance Abuse Prevention as a model program

After-School Program

“Latch-Key” program for K-3 age children

Developmental after-school for grade 4-6 age children (program not yet named)

Ignacio Road Runner Transit Service

Three daily round trips, Ignacio to Durango, five days per week

Local call-and-ride service

SUCAP is the designated Transit authority of the Southern Ute Indian Tribe

SUCAP was established in 1966 by the Southern Ute Indian Tribe to serve the entire community.

SUCAP is an agency of the United Way of Southwest Colorado

ORGANIZATION PHILOSOPHY

From the moment we began our operations in 1966, we have thought of SUCAP as a team of people working together to provide top quality human services for our community. Our success is due to hiring warm, caring people who work well together towards a common goal.

When our services don't meet our own or our community's standards, we look to our teams to find out what went wrong. We may make changes in the way things are done, or even in whom is on a team, to ensure we all stay motivated and continue to develop creative ideas important to the future of this Organization. Unsatisfactory results are rarely viewed as the entire responsibility of one individual. And when we are proud of our work, we congratulate all the members of the team (not just one person) for their excellent work.

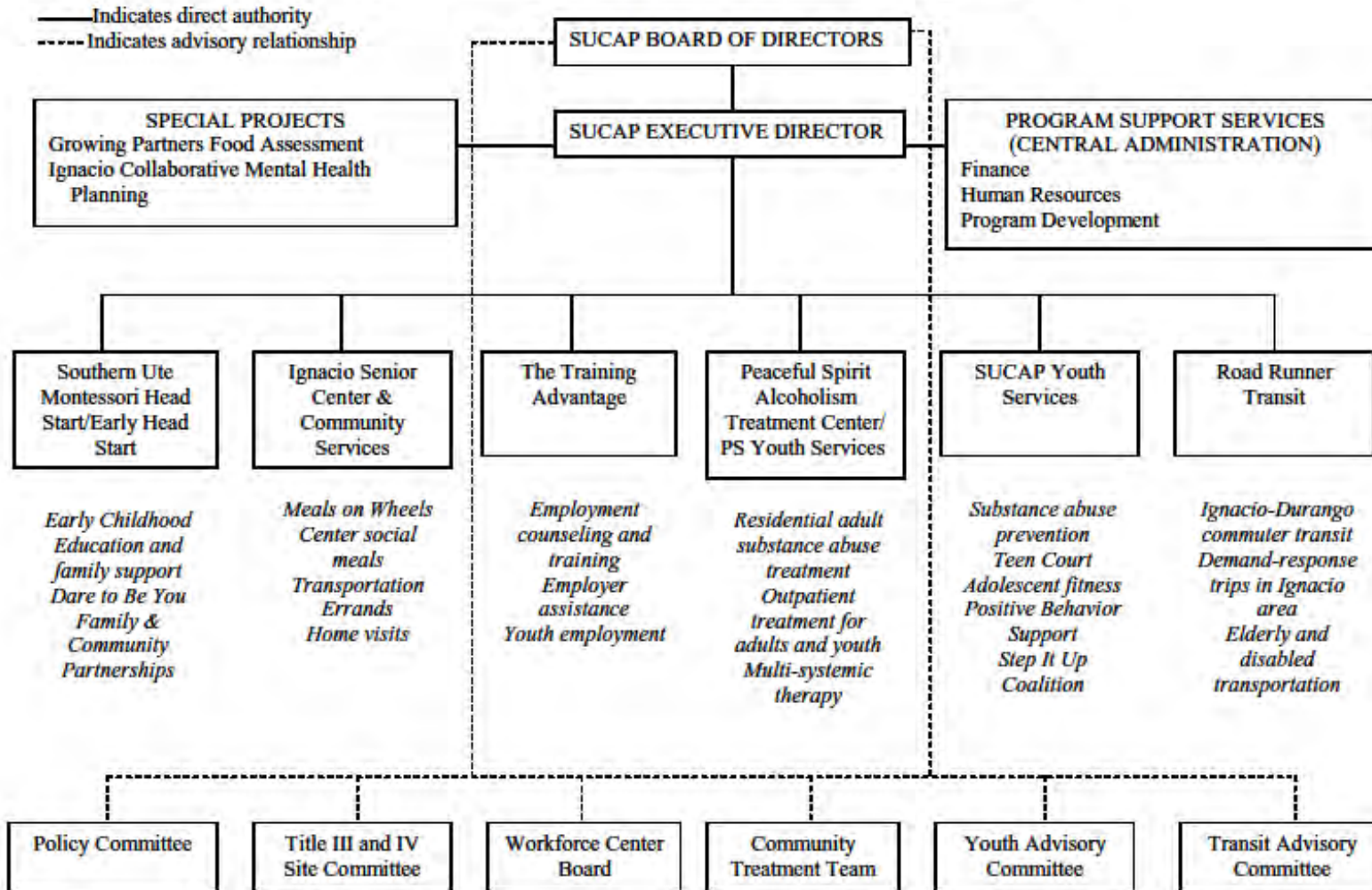
Everything we do here is a team effort. Every person is expected to do his or her job well. With the support we give each other and the caring atmosphere we generate together, excellence never seems far from our collective reach.

Please join us in this team philosophy. It has worked well for us since the Organization began. We would like each person who works at SUCAP to realize his or her importance to the overall performance of our Organization. We are an Organization that has been successful in the past, is now successful, and intends to remain successful in the future. We are expanding, growing, and moving constantly on to new and different challenges, but we cannot do it without you!



ORGANIZATION CHART

SOUTHERN UTE COMMUNITY ACTION PROGRAMS, INC. ORGANIZATION CHART



TERMS/DEFINITIONS AS USED IN THIS HANDBOOK

The words "**shall**" or "**will**" are to be construed as mandatory and the word "**may**" as permissive.

The **masculine gender** shall be construed to include the feminine gender.

"**Supervisor**" means an individual with the authority to assign, direct, and review the work of two subordinates.

"**Division Director**" shall also include the Executive Director in the case of Central Administration.

"**Immediate family**" means the employee's spouse, brother, sister, parents, children, step-children, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, great-grandparent, grandchild, or a person who is legally acting in one of the above capacities.

"**Organization**" means the Southern Ute Community Action Programs, Inc. (SUCAP) and/or The Training Advantage.

"**Length of service**" is the criteria used to figure the rate of accrual of annual leave. It is measured from an employee's original date of employment (regular status) with the Organization. Employees with a break in service greater than 30 days, but less than one calendar year, will be credited for the number of months of service prior to the break. Employees with a break in service greater than one year will be treated as a new hire.

EMPLOYMENT-AT-WILL

It is the policy of the Organization that all employees who do not have a written separate, individual employment contract with the Organization for a specific, fixed term of employment are employed at the will of the Organization for an indefinite period. You will be required to sign a written statement acknowledging your understanding that you are employed at the will of the Organization and have the right to terminate your employment at any time, with or without notice, and with or without cause, and the Organization has the same right.

Nothing contained in this handbook, employment applications, memoranda, or other materials provided to you in connection with your employment is to be considered as creating any contractual obligation on the Organization's part or as stating in any way that termination will occur only for "just case" or otherwise restrict the Organization's right to terminate an employee at any time or for any reason. Statements of specific grounds for termination set forth in this handbook or elsewhere are not all-inclusive and are not intended to restrict the Organization's right to terminate at-will.

EMPLOYMENT CATEGORIES

- ❖ **Regular Full-Time** Employees - Those employees who work a minimum of twenty-five (25) hours weekly and who maintain continuous regular employment status.

Regular full-time employees are eligible for all Organization benefits.
- ❖ **Regular Part-Time** Employees - Those employees **scheduled** to work twenty-four (24) or less hours per week.

Regular Part-Time Employees are not eligible for the Organization's benefits.
- ❖ **Temporary** Employees - Those employees whose services are intended to be of limited duration up to a maximum of twelve (12) months and who may work the customary number of full-time weekly hours required. When an employee is initially hired for a period of six months or less, the employee will not be eligible for holiday pay and the leave benefits accorded to a regular employee. If the period of employment is subsequently extended beyond six months, the employee shall, on the 31st day following the end of the initial six month period begin to accrue sick and annual leave balances retroactively to the first day after the six month period. Eligibility for holiday pay will begin on the first day following the end of the first six months of employment. When an employee is initially hired for a period of more than six months, the employee will be accorded holiday pay and all leave benefits due a regular full-time employee. Temporary employees are not eligible for insurance benefits. If a temporary employee is subsequently hired as a regular employee (either full-time or part-time), length of service will be determined by the date of hire as a regular full-time or part-time employee.

OUTSIDE EMPLOYMENT

We recognize that certain economic situations can occur that may require you to take a second job. We don't encourage second jobs, but we do not disallow them. You must always obtain written approval from your Program Director and the Executive Director before accepting a second job, and certain conditions must be met first. First and foremost, the second job must not adversely affect your performance and ability to fulfill all the responsibilities of your job with our Organization. Also, the second job must in no way give the appearance of conflict of interest, or adversely affect the image of our Organization in your Program's community. Please discuss any plans for a second job with your Supervisor.



EOUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Organization to provide equal opportunity employment to all employees and applicants for employment. No person shall be discriminated against in employment because of race*, religion, color, gender, age, national origin, ancestry, disability, sexual orientation or veteran status. This policy also applies to Program applicants and participants, volunteers and volunteer applicants, and Board members and Board Applicants.

The organization respects all employees' privacy in their genetic information and enforces a strict policy of nondiscrimination on the basis of genetic information. The organization will never discriminate, harass, or retaliate on the basis of genetic information when it comes to any aspect of employment.

Complaints of discrimination will be handled through the grievance procedure.

*The Indian Preference Law will be applied in hiring when required by the granting agency.

MEDICAL INFORMATION

- Employees may be required to have a physical examination if management determines that it is in the best interest of the Organization and the employee.
- If you are absent due to illness or injury, the Organization reserves the right to take whatever steps necessary to confirm the nature and extent of such illness or injury in order to establish fitness for returning to work. This also includes the right to require medical verification of illness. Employees returning from a disability leave (including on-the-job injuries) will be required by their Supervisor to provide a doctor's note certifying their ability to perform their regular work safely and satisfactorily without endangering themselves, their fellow employees, or participants.

AIDS & OTHER SERIOUS DISEASES

It is currently the opinion of the medical profession that employees with AIDS do not present a health risk to the other employees in the work place under normal working conditions, and the Organization has adopted the same position. Employees with AIDS or any other life-threatening disease are treated with dignity and respect, and are allowed to continue work

as long as they are physically able to do so. We recognize that AIDS is a frightening condition and we will provide education to all of our employees to help them understand how AIDS is spread and the universal precautions you can take in the workplace. We encourage you to speak with your Supervisor regarding your concerns. However, please realize that people infected with HIV or AIDS

Have federal protection under the Civil Rights Act and are entitled to privacy and anti-discrimination rights, and have the right to perform the job they were hired to do without interference and harassment from others.

If you feel you have been discriminated against in the area of a serious disease, please speak to the Executive Director.

HIRING PRACTICES

It is our policy to hire individuals based upon 1.) Meeting the minimum qualifications for the job for which they have applied, and 2.) Being the best matched for the position. Every effort is made to hire employees for positions that make the best use of their abilities. **Unless an employee is hired under the terms of a written contract, the hiring of an employee shall not be considered as creating a contractual relationship between the employee and the Organization; and, unless otherwise provided in writing, employment shall be at-will, so that either party may terminate the relationship at any time and for any lawful reason.**

Employment-at-will is an important concept for you to understand. It means that unless you have a written contract for a specific,

fixed term of employment, then you have the right to terminate your employment with us at any time and for any, or no reason. We also have the same right, although we do not have the right to terminate you for any reason that the Court would view as an unlawful reason. If you have any questions about this, please ask your Supervisor for further information.

Job placement shall be determined solely on the basis of merit and fitness. Consistent with the job requirements, first consideration may be given to the qualified residents of the program service area of responsibility as defines for each specific Program. If no qualified area residents applies, non-residents may be hired.

The following persons are ineligible for employment with the Organization:

- 1.) Any person who serves as a voting member of the SUCAP Board of Directors, or any other major policy advisory or decision-making body of this Organization.
- 2.) Immediate family members (see definition of immediate family members, page 10) of: members of the SUCAP Board of Directors; the Executive Director; the hiring program's Director; the Personnel Selection Committee; or
- 3.) Any person who holds a public office as the result of a partisan political election.

No more than two (2) immediate family members from a single family may be assigned to a hiring program unless the Division Director and the Executive Director approve it. Immediate family members may not hold a position where immediate supervisory authority exists. Employees who marry or become members of the same household may continue employment as long as there is not a direct supervisory relationship, or a real or apparent conflict of interest.

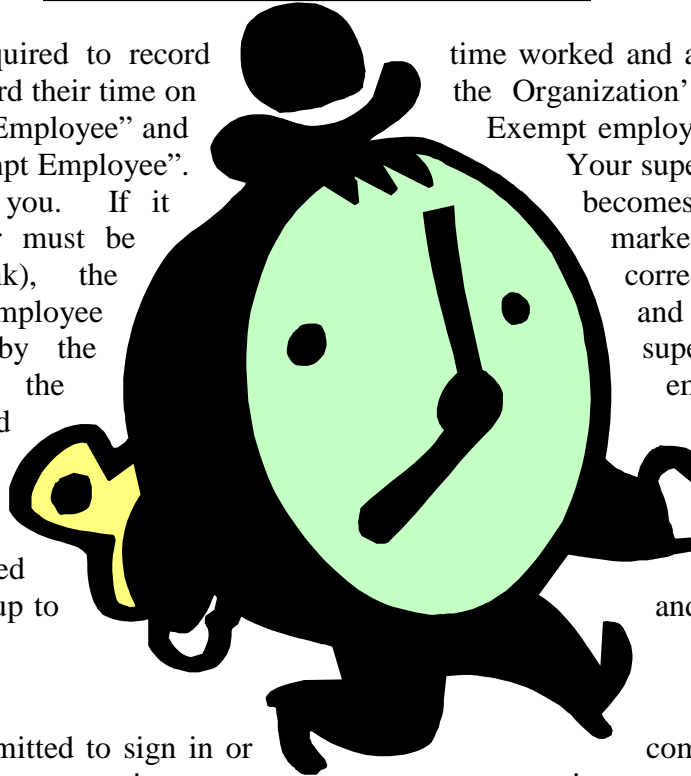
HOURS OF WORK

The normal workweek is Saturday through Friday, beginning and ending at midnight on Friday, and consisting of 40 hours. The normal workday consists of eight (8) hours with an unpaid meal break. However, flex-time arrangements are allowed if arranged through and approved by the Program Director. This arrangement also must be approved by the Executive Director.

Your Department Supervisor will schedule your work hours and your rest breaks. Work schedules will be formulated as far in advance as possible. Employees are responsible for checking schedules on a weekly basis. Employees will be informed of any changes to the schedule with as much notice as possible. However, lack of notice will not be a valid reason for refusing work.

TIME RECORDS

All employees are required to record time worked and any leave taken. Non-exempt employees record their time on the Organization's "Personnel Activity Report - Non-Exempt Employee" and Exempt employees, on the "Personnel Activity Report - Exempt Employee". Your supervisor will provide the appropriate form for you. If it becomes necessary to correct a time record, the error must be marked through using a single line (in ink), then a correction made, then be initialed by both the employee and supervisor. If the supervisor subsequent to the employee, the time record will be returned to you for the required initials. No white-outs are allowed. Filling out another employee's time record or the falsifying of any time record is prohibited and may be grounds for disciplinary action up to and including termination.



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Employees are not permitted to sign in or their normal starting time, or to sign out or their normal quitting time, without the prior approval of the Supervisor.

commence work before continue working beyond their

TRAINING AGREEMENTS

If you are selected to attend training or meetings away from home and training fees and/or expenses must be paid in advance, you will be required to sign an agreement requiring you to give adequate notice if circumstances prevent you from attending. The agreement will stipulate if adequate notice is not given, you are responsible for reimbursement of prepaid expenses.

If the Organization selects you to receive long-term training/education at our expense and when the expense is significant, you will be required to sign an agreement that obligates you to a term of employment after completion of training and a schedule for repayment in the event you leave before the term is satisfied.

EXEMPT AND NON-EXEMPT

<p>At the time of hiring, the Human Resource Director determines if you will be classified as exempt or non-exempt. Unless otherwise notified, you should assume your classification to be non-exempt.</p> <ol style="list-style-type: none">1. Certain executive, administrative and professional positions, as defined by the Fair Labor Standards Act (FLSA), are “exempt” from certain provisions of the FLSA. Exempt employees are not eligible for overtime pay.2. Employees who are in positions <u>not</u> falling within the exempt	<p>classifications are considered “covered” positions by the FLSA and are termed “non-exempt”. Employees in these positions are eligible for, and will be paid, overtime for hours worked in excess of forty (40) per week.</p> <ol style="list-style-type: none">3. Non-exempt employees are not allowed to work overtime without prior approval by the Program Director or Supervisor and may not waive their right to overtime compensation for hours worked in excess of forty (40) in a week.
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REFERENCE REQUESTS

<p>Insofar as practical and possible, we will check the former and/or present supervisors and employers, whose names you provide for us on the application form. We are required by federal legislation to make a determination whether all of our employees have the legal right to work in the United States. We will also, if the job warrants, conduct credit, personal reference, criminal history checks and</p>	<p>a check with the Colorado Central Registry. All such information shall be treated as privileged information.</p> <p>If the background, medical, or any other subsequent investigation discloses any misrepresentations on the application form or information indicating that the individual is not suited for employment with the Organization, the applicant will be refused employment</p>	<p>or, if already employed, will be terminated.</p> <p>When you leave us, we will ask you to participate in an exit interview, part of which is a form you may sign to give us permission to give others a reference on your time with us. Without this signed release, we cannot provide any references for you except your employment dates, position held and location of job.</p>
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TERMINATION OF EMPLOYMENT

It is our policy to terminate employment because of an employee's resignation, discharge, retirement or becoming ineligible for employment; the expiration of an employment contract; or a permanent reduction in the workforce. **Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time, and the Organization reserves the right to terminate employment for any reason.**

We ask that you give us two weeks' notice if you are going to resign, but this is not required. If you are in a supervisory position, we ask that you give us four weeks' notice, but this is not required. A proper notice does allow us to transfer the duties in an orderly manner without disruption of services to our Program participants.

Accrued AL is paid up to the date of the termination. Sick leave hours are not paid; however, if you leave the Organization in good standing and return within one year, these sick leave hours are restored to your account.

An employee who is absent from work without having notified his immediate Supervisor may be considered as having resigned after the third consecutive day of absence.

YOUR SALARY

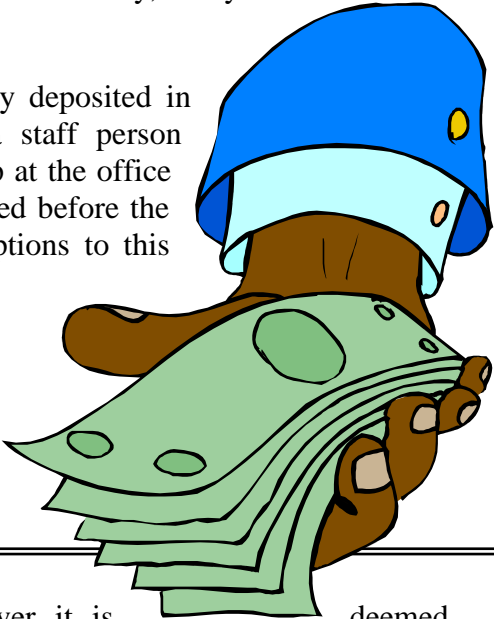
The primary objective of the SUCAP Salary Administration Program is to provide you with a competitive salary or wage with other jobs in SUCAP, and in the local area for the job you perform. Unfortunately, we are dependent on federal and state funding and these different funding sources cause us to have some differences in pay levels. The program ensures that you will receive consistent consideration for salary increases with other employees through a systematic approach to performance and rate review. These periodic reviews will provide the basis for determining salary and wage adjustments. A review, however, does not guarantee an increase in pay.



PAYDAY

Pay periods will be semi-monthly, 1st through the 15th and 16th through the end of the month. Time records will be submitted to the Finance Department by 12:00 o'clock noon on the 1st and the 16th of the month. Paydays are the 7th and the 22nd of each month; checks will be distributed on those days. However when payday falls on a weekend or holiday, every effort will be made to issue checks earlier.

Unless you sign up to have your paycheck electronically deposited in your checking account, paychecks are distributed to a staff person designated by the Program Director and may be picked up at the office of your Project. Regular payroll checks are never released before the regular payday for any individual. There are no exceptions to this policy.



PREMIUM PAY

Overtime

Employees may be required to work overtime whenever it is deemed necessary by their Supervisor. Supervisors will assign overtime to employees in the particular job for which overtime is required. Employees are not permitted to work overtime without the prior approval of their Supervisor or Program Director, except in emergency situations.

Employees employed in FLSA Exempt positions do not receive overtime compensation.

For the purpose of computing overtime pay we do not consider paid "sick" time, paid annual leave, holidays, and administrative absences as time worked. For overtime purposes, only time actually worked in excess of 40 hours is counted. Employees working overtime will be compensated in accordance with the US Department of Labor, Wage and Hour Division applicable regulations.

Holiday Work

If you are a "regular" employee recognized holidays, normally, you designated as a holiday. However, observed holiday. In the event you holiday, you will be paid as if the plus you will receive holiday pay. receiving the holiday pay, you may another time as long as it is scheduled within two weeks of the observed holiday.



eligible to be paid for SUCAP will not work on those days we may have to schedule work on an are asked to work on an observed day were a regularly scheduled day If your supervisor approves, instead of choose to take a "floating " holiday at

Shift Differential and On-Call Compensation

Your Supervisor will advise you if your work schedule involves either of these.

JOB DESCRIPTIONS

It is our policy to appraise and periodically review and assess each job within the Organization. A written job description is prepared for each job within the Organization. Job descriptions are evaluated in terms of knowledge and skill required, and impact on operations.

When possible, grades are established by the Organization and a pay range is assigned to each grade. The pay range provides for a spread from a minimum to a maximum rate and permits employees in any grade to be compensated at different rates of pay based on merit, length of service, experience, or individual productivity.

When appropriate, the Organization will participate in or conduct wage and salary surveys covering other employers with similar jobs. The data obtained from these surveys will normally be an important factor in the Wage Scale Committee's recommendations for rate range adjustments.

Job descriptions do not constitute a contract of employment

BUSINESS TRAVEL

We may ask you to attend a meeting, conference, or seminar intended to improve your work skills or knowledge. Should your attendance require long distance travel, your supervisor will provide you with the required forms and explain the procedures. Remember that all arrangements, including reservations for airline tickets, motor vehicle rentals, lodging, etc., must be approved by the Program Director or other designated authority before they are confirmed. Failure to follow the proper approval process will result in payment for expenses being denied which means you are then responsible for the expenses.

When training fees and/or expenses must be paid in advance, you will be required to sign an agreement requiring you to give adequate notice if circumstances prevent you from attending. The agreement will stipulate if adequate notice is not given, you are responsible for reimbursement of prepaid expenses.



MILEAGE REIMBURSEMENT

Employees directed by their Program Director/Supervisor to use their personal motor vehicle for business purposes will receive a mileage allowance at a rate established by the federal government, or by the funding source of the program for which they work. Mileage reimbursement is only allowed from your primary duty station when engaged in the conduct of Organization business to a destination approved by your Program Director/Supervisor. You are required to keep track of your mileage on a form provided by the Organization. This form is to be filled out and turned in to your Supervisor. Reimbursements are paid monthly. Mileage reimbursement is not allowed for your commute to and from work.

ANNUAL LEAVE

We offer an annual leave (AL) benefit for regular full-time (25 or more hours per week) employees who have been employed by the Organization for more than 90 consecutive calendar days. In some cases, temporary employees may be eligible for AL benefits if 1) initially hired for less than six (6) months and employment extends past that time – AL begins at the six (6) month mark; or 2) initially hired for a period of more than six (6) months, but less than a year – AL benefits begin after ninety (90) days of employment. AL is generally a period of scheduled time off and may be used in accordance with the guidelines below.

- 1. AL is computed on the basis of length of service.
- 2. The AL for regular full-time and eligible temporary employees shall be computed according to the following schedule:
 - a) 91st day thru end of 3 years - 5% of paid hours
 - b) 4th year thru end of 10 years - 7.5% of paid hours
 - c) 11th year and over - 10% of paid hours

The accrual of AL will begin on the 91st calendar day following the date of hire of an AL eligible employee. At that time, the employee will receive a vacation base equal to 5% of the total regular hours paid during the first ninety (90) days of employment.

- 3. AL may be used at the discretion of the employee when approved by the Program Director/Supervisor. However, the Organization reserves the right to deny approval for unscheduled days off when adequate notice is not given, bona fide emergencies are excepted.
- 4. AL may be accumulated to a maximum of 240 hours. AL may not be accumulated beyond this maximum. The Organization may, at its option elect to make payment for any or all hours over 160 hours. This option may be used when the workload does not allow time for the employee to be away from the workplace.
- 5. Temporary employees who are employed for less than 6 months, and Regular part-time employees who regularly work less than 25 hours per week are not eligible for AL.
- 6. Please give your Supervisor as much advance notice of an un-scheduled absence as possible. In the event of an emergency which causes you to be absent without advance notice, you are required to notify your Supervisor or the appropriate Program personnel of the situation as soon as possible. Failure to make this notification will result in loss of pay and may be grounds for disciplinary action.
- 7. AL pay for AL eligible employees will consist of your regular rate of pay.
- 8. Vacations will be scheduled so as to allow minimum interference with the work of the agency. Management reserves the right to designate when some or all vacations will be taken. Supervisors are responsible for ensuring adequate staffing levels and should attempt,

when feasible, to resolve vacation scheduling conflicts based on a "first request" basis and then on seniority. In order to receive "first request" consideration, you must submit written vacation plans to your Supervisor by March 1st each annual leave year. Employees who want to change their plans after the vacation schedule has been set lose their "first request" consideration.

9. Employees who are entitled to a vacation of two weeks or less may take their full vacation at one time. Those who are entitled to a vacation of more than two weeks normally may only take a maximum of two weeks consecutively, with the balance to be taken separately as full weeks or as individual days. We believe that vacations are good for overall mental and physical health, therefore, all employees are encouraged to schedule a minimum of five consecutive working days during the AL year. Employees are encouraged to schedule the use of their AL to accomplish this. An allowance for sickness occurring during a scheduled use of AL may be made only with verification from a duly licensed physician. This documentation will be your responsibility



EMPLOYEE ASSISTANCE PROGRAM

Society places many obligations and pressures on you. These demands often produce stress and frustration -- a certain amount of which is to be expected and can usually be coped with. Occasionally, however, these pressures generate deeper personal problems, which can become overwhelming. When that happens, a devastating chain of events often occurs. Job performance can deteriorate; personal and family relations can crumble.

The Employee Assistance Program can help you through times like that. Whether the problem is alcohol related, drug abuse, personal or family crisis, legal or financial pressure, or a medical situation affecting job behavior, the EAP's qualified counselors are ready to offer problem assessment, short-term (usually not to exceed eight (8) sessions) counseling, and referral service to you and/or your dependents at no cost to you. Costs incurred for other services not covered by insurance or other benefits are your responsibility. Information on how to contact the Employee Assistance Counselor is posted on the bulletin board at your project, or you may ask your Supervisor for information. Participation in the program will not jeopardize your job security, promotional opportunities, or reputation. All records and discussions of personal problems will be handled in a confidential manner. These records will be kept by the designated counseling resource and will not become a part of the employee's personnel file.

If you are referred to EAP by your Supervisor and are uncooperative about obtaining treatment and job performance continues to be unsatisfactory, or if the treatment does not result in a marked improvement in your job performance within a reasonable period of time, management will make a determination concerning your future status as an employee. **The EAP does not alter or replace**

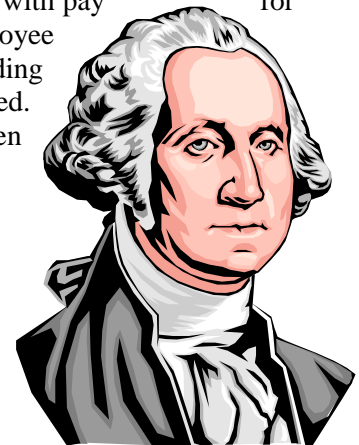
existing Organization policy on at-will employment, but serves to assist in the utilization of valuable human resources.

If you are experiencing personal problems, you are encouraged to seek assistance. Personal problems such as marital, family, emotional, stress, interpersonal, medical, financial, and legal problems, plus alcohol and drug abuse, can adversely affect job performance. We encourage you to seek counseling before these problems reach critical proportions.



HOLIDAYS

The Organization observes federally recognized holidays and any other holidays as may be authorized by the SUCAP Board of Directors. Eligible employees will be given a day off with pay for each holiday observed. To receive holiday pay, an otherwise eligible employee must be at work or on authorized leave, on the workdays immediately preceding and immediately following the day on which the holiday is observed. Temporary employees are eligible for holiday pay when they have been employed for six months or more.



SUCAP/TTA BENEFITS

This summary of benefits is presented solely for your information. As we are continually reviewing benefits, they have and will change. When they do, your Supervisor will notify you.

As with any summary, this one omits parts of the actual document that govern benefits, such as the group medical plan. For that reason, the documents that make up the plan will be applied if there is any difference between the plan document and this summary. You may review the plan document and obtain a copy by contacting the Human Resource Department.

GROUP INSURANCE PROGRAM

The SUCAP Employee Group Insurance Program provides you with protection against those unexpected expenses and situations that can create personal and family hardships. It includes Life, Medical, Dental, Vision, Accidental death and Dismemberment, and Long-term Disability. These protections are provided to you at no cost for single coverage. Should you wish to purchase insurance coverage for your dependents and if the coverage is available, you may do so through payroll deduction. Check with the Human Resource Department on the current monthly premium and the procedure to sign up your dependents.

Employees eligible for insurance benefits are only Regular full-time employees. Benefits begin ninety (90) days after date of hire though you will be asked to complete enrollment forms prior to the eligibility date. Temporary employees and those working less than twenty-five (25) hours per week are not eligible for insurance benefits.

GROUP MEDICAL, VISION AND DENTAL INSURANCE

Because these benefits are subject to change annually, the current benefits are not listed here. You will receive information with the enrollment forms that will detail all of the benefits.

GROUP LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT, AND LONG TERM DISABILITY INSURANCE

These benefits are also subject to annual revision. You will be given information that explains all of the benefits. It is your responsibility to read and comprehend this information and to apply the benefits if and when appropriate.

FILING A CLAIM

Information regarding filing a claim will be provided to you by the Human Resource Department.

OTHER EMPLOYEE BENEFITS

SUCAP also offers its employees other payroll deduction benefits. You can purchase, at your cost, additional insurance packages for cancer, life, dread diseases, accident, and hospital intensive care protection. Other payroll deduction programs include:

Section 125 Cafeteria Plan – you will be given a brochure detailing the program

Southwest Colorado Federal Credit Union
Southern Ute Housing Authority
United Way Campaign Pledges
Annuities Program:

While the Organization does not have a retirement plan per se, it does provide 1) a profit-sharing plan, funded by the Organization (**not** a payroll deduction) and 2) opportunity for employees to participate in an employee funded tax-sheltered annuity program. (This **is** a payroll deduction.) These programs are authorized under Section 403(b) of the Internal Revenue Code of 1986, as amended. Regular full-time employees are eligible to receive profit-sharing benefits and participate in the tax-sheltered annuity program after one (1) year of continuous service.

If you are eligible to participate in this program, you will be contacted by the Organization's current Annuities Management Company or the Human Resource Department after one year of service to complete forms for the profit-sharing program. You may also participate in the self-funded tax-sheltered annuity program at any time after a year by contacting the Management Company.

For additional information concerning any of the benefits programs, please feel free to contact the Human Resource Department.

WE CONTRIBUTE

In addition to paying for the employee benefits you enjoy, SUCAP also contributes substantial sums toward various governmental programs that provide further benefits for you. These programs and the part the Organization pays are as follows:

<u>Program</u>	<u>Portion Paid by the Organization</u>
Social Security pays	An amount equal to that which every employee
Worker's Compensation	Full Amount
Unemployment Compensation	Full Amount



SAFETY

Preventing accidents to ourselves and to our visiting public is an objective to which we can all subscribe. Achieving accident prevention is very much a matter of adopting a positive attitude and a sense of awareness about safety. We encourage you to develop this attitude about the way you perform your job and about the area in which you work. **You are expected to comply with all safety and health requirements whether established by management or by federal, state, or local law. This includes the requirements that all employees and passengers must wear a seat belt (helmets for motor cycle riders) while conducting Organization business and to only use portable electronic devices (i.e. cell phone) while stopped, except in an emergency. (Cell phones used with a hands free device in a motor vehicle are excepted.) Employees who need to use a cell phone are encouraged to park in a safe, legal space – not at the side of the road.**

Employees, or someone acting on their behalf, must report all on-the-job injuries to the Supervisor immediately. If you neglect to do this, it can affect your claim and the prompt handling of it. The Organization has designated a medical provider for on the job illnesses and injuries. You received a card and signed a form during your orientation specifying who this designated provider is. In order to receive worker's compensation benefits and have your medical bills paid for an on the job accident or illness, you must see the designated provider.

An employee sent home because of a work-connected injury will receive pay up to the end of the regularly scheduled shift. The compensation law does not provide payment for the first three days of absence if the total absence is less than fifteen (15) calendar days; however, the Organization will pay for these three days of absence. Before you return to work after an injury, you will be required to provide a doctor's note certifying your ability to perform your regular work safely and satisfactorily without endangering yourself, fellow employees or participants.

All employees are encouraged to submit suggestions to their Supervisor concerning safety matters. Recognition will be made to employees whose suggestions both are adopted and significantly enhance the safety of the workplace.



WORK AREAS

You will be given an area to keep personal items needed at work. Please limit these to only those that are essential and exercise reasonable care to safeguard those you do bring to work. The Organization does not assume responsibility for the loss or theft of personal belongings. It is in your best interest to limit the amount of cash or other valuables when you come to work.

All work areas, including your designated area, are subject to inspection and search by management.

Given the choice, we would all prefer to work in neat, clean, and pleasant surroundings. The Organization is dedicated to providing that kind of environment, and we ask your cooperation in meeting that objective by keeping your work area and the restrooms clean at all times. Meals should be eaten in the designated meal/rest areas. All types of drink containers and food are not permitted in computer work areas.



PARKING

Your Program Director will establish guidelines for staff use of the Project parking lot. You park at your own risk and we recommend that you keep your vehicle locked. We cannot assume responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle.



SMOKING

It is the policy of SUCAP that all work-areas are smoke-free. Therefore, smoking is not allowed within any Organization building, on Organization property or within thirty (30) feet of any building entrance. If you smoke, you may make arrangements with your Supervisor for smoking breaks. If your Supervisor approves, smoking breaks must be limited to a total of 15 minutes in the morning and 15 minutes in the afternoon and will constitute your morning and afternoon breaks. You might want to consider joining the millions of American workers who have kicked the habit.



COMPUTER & COMMUNICATIONS SYSTEMS

1. All computer and communication systems are the property of the organization, and as such are subject to monitoring and search at any time and for any reason.
2. The use of any software, computer or communication business equipment for private purposes is strictly forbidden, unless expressly permitted by the Executive Director.
3. **No employee shall make any use of encryption without consent from the Executive Director nor access any information unless so authorized in advance as part of his duties. All passwords and access controls are property of this Organization. No employee may use an access control that has not been issued to that employee or that is unauthorized by Organization management.**
4. **Assigned personal passwords shall not be given out. Password changed may be required. Systems will be monitored to prevent intrusion or unauthorized use or to determine whether any violations of Organization policy have occurred.**
5. Many Organization policies apply to the use of the communication systems, including by not limited to those concerning courtesy, harassment, and solicitation. Foul, inappropriate, or offensive messages such as racial, sexual, or religious slurs are prohibited in email or voicemail. Defamatory remarks about participants or other agencies are also forbidden.
6. The network administrator must approve all application software, program files and plug-ins before being installed on any computer.
7. Playing games on company time or using company equipment to do so, is strictly forbidden.
8. Employees are not permitted to use email or voicemail to report their absence from work to the Organization.
9. No food or beverage are permitted in the computer work areas.

Internet and Email

1. Employees must recognize that all messages created, sent, or retrieved over the Internet or company network are the property of the Organization and may be viewed by unauthorized parties. Employees consent to having their Internet transmissions and retrievals accessed and monitored by the organization.
2. All Internet searches, transmissions, and retrievals must be business-related. Personal use of the Internet is not permitted on Organization time or equipment. Visiting inappropriate websites (i.e. pornographic, games, entertainment, anything non-business related) may result in disciplinary action, up to and including termination. If an employee mistakenly visits a non-business related site, the incident should be reported to the Program-Director/Supervisor to avoid future repercussions.

3. Internet users must not send or receive any form of derogatory or harassing remarks, including but not limited to comments based on age, disability, national origin, political affiliation, race, religion, sex, or sexual orientation. Similarly, no sexually-oriented information or images may be sent or displayed.
4. The Internet may not be used for personal gain, such as soliciting or operating a personal business. Use of the Internet must not interfere with the Organization network or to the work of others. Also, it must not interfere with productivity.
5. No executable file nor program file nor plug-in may be downloaded nor installed without prior consent of the network administrator. Data files that are downloaded from the Internet should be scanned with virus detection software if available. All appropriate precautions should be taken to detect hostile code and to prevent its spread.
6. Employees shall not place Organization material (licensed and/or copyrighted software, internal correspondence, etc.) on any computer without proper permission.
7. Only authorized persons can use email. If employees have not been issued an email password, they may not use the email system. Employees may not use another's password or other means to gain access to email belonging to others unless properly authorized.
8. To prevent copyright violations, employees must secure permission from the copyright owner before copying any file for use beyond "fair use". Any infringing activity by an employee may be the responsibility of the Organization, therefore the Organization will hold the employee liable for the employee's actions.
9. As there is little or no privacy in email, sensitive information shall not be transferred this way. This includes but is not limited to performance reviews, personnel matters and client files.



BULLETIN BOARDS

Bulletin boards are for your information and use. You should check the boards regularly for job openings and other items of interest. If you have a notice you would like to post, contact the Program Director/Supervisor prior to posting.

REPORTING ABSENCES

Absences, while sometimes unavoidable, do result in disruption from the normal routine of your coworkers. In order to minimize the disruption, your Supervisor should know of your absence as soon as possible. Planned absences should be cleared in advance with your Supervisor, allowing as much notice as you can. Unplanned absences or lateness, such as those that result from sickness or other emergency, should be reported to your Supervisor as soon as your office opens on the first day of absence. In the case of prolonged absence, the duration of which is unpredictable, you are required to call your Supervisor every day to report your status. (Approved Family Medical Leave is excepted.) If you fail to report your absence within three working days, we will assume you have voluntarily resigned from your job.

If your Supervisor or Program Director is unavailable to report to, you should contact other appropriate program personnel. **Notifications via email or voice mail are not acceptable.** Employees who are delayed in reporting for work more than 30 minutes and who have not notified their Supervisor/Program Director of their expected tardiness may lose their right to work the balance of the workday. Those employees permitted to report to work will be paid only for the time they actually work, and may not work past normal working hours in order to make up lost time unless so authorized by their Supervisor.

Excessive absences and tardiness will not be tolerated and will result in disciplinary action up to and including termination.

SICK LEAVE

Sick leave (SL) is not an earned benefit from the Organization. Sick leave should be viewed as "insurance coverage" for those days of absence when illness or injury to you prevent you from the efficient and safe performance of your duties on days when you are scheduled to work.

1. Sick leave is available to Regular full-time employees. In some cases, temporary employees may be eligible for SL benefits if 1) initially hired for less than six (6) months and employment extends past that time – SL begins at the six (6) month mark; or 2) initially hired

for a period of more than six (6) months, but less than a year – SL benefits begin accruing from the first day of employment.

2. Sick leave is computed at the rate of 5% of all hours paid in a pay period. Sick leave begins accruing from the first day of regular employment and, when available, accrued sick leave hours may be used once it is computed and added to the employee’s sick leave account as shown on your pay stub.

3. Sick leave is for use in the event that an eligible employee or his dependent child suffers an illness or injury. It should be considered as a form of insurance. It may also be used while on approved Family Medical Leave to care for a sick parent or spouse with a “serious medical condition”. (See Family Medical Leave section for definition.) As such, it should be carefully conserved for use in the event of a serious illness or injury which results in an absence from work. Sick leave may be used when you or your sick child are incapacitated by illness or injury; for medical, dental or optical diagnosis or treatment, counseling and/or behavioral treatment; and/or when your attendance jeopardizes the health of fellow employees.



4. Any employee using more than three (3) consecutive days of sick leave benefits may be required to present a doctor's release certifying fitness for duty. When it is determined that the illness fits the guidelines for “serious illness”, the employee will be placed on Family Medical Leave, effective from the first day of illness, until his return.

5. Employees may be required to present a doctor’s statement outlining the medical condition of the employee’s child, spouse, or parent that requires the employee to be absent from work.

6. Sick leave may accumulate up to a total of 960 hours. Authorized absence without pay will be permitted in appropriate circumstances and will not jeopardize your employment status.

7. Sick leave benefits shall not be paid to an employee upon separation. A regular employee who is rehired within one year from the date of separation shall have former unused sick leave benefits restored.

8. No allowance will be made for administrative leave that occurs during a period of the use of sick leave.

LEAVE OF ABSENCE

1. **Eligibility**

Employees are eligible for a leave of absence if they have completed at least one (1) year of service (or a lesser amount if specified by law). The duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence shall be determined by the Organization.
2. **Types of Leaves of Absence**
 - a) **Personal:** Employees may be granted a personal leave of absence to attend to personal matters in cases in which the Organization determines that an extended period of time away from the job will be in the best interests of the employee and the Organization. The Program Director may approve a leave of absence of up to five (5) days. A request for a leave of absence of more than five (5) days but less than 120 days must be forwarded to the Executive Director with a recommendation of approval or disapproval. The final decision concerning the request will be made by the Executive Director. Requests for a leave of absence in excess of 120 calendar days must be reviewed and approved by the SUCAP Board of Directors. Employees granted a personal leave of absence will be required to utilize their annual leave.
 - b) **Military:** The Organization will grant military leaves of absence as required by law (Uniformed Services and Reemployment Rights Act of 1994, revised (USERRA) and Colorado Revised Statute (CRS) 28-3-609, as amended) and by the needs of employees who are members of the military.
3. **Requesting or Returning from Leave and Requesting Extension**
 - a) When possible, requests for a leave of absence or any extension of a leave of absence should be submitted in writing to the employee's Program Director thirty (30) days prior to commencement of the leave period or extension.
 - b) Employees returning from an approved leave of absence will be reinstated to their same job or one of similar status and pay provided the Organization's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. If the same job or one of similar status and pay is not available, reinstatement may be deferred until a similar position is available, and the employee will be granted a preference in recall.
 - c) If an employee fails to return to work at the conclusion of an approved leave of absence, the employee will be terminated from employment.
4. **Benefits During Leave**

Sick and annual leave and holidays will not be computed during and approved leave of absence of more than three (3) days. In case of an extended absence of more than thirty (30) days, the employee must make special arrangements to continue group health and life insurance coverage.

Requests for a personal or military leave of absence should be submitted in writing to your Program Director/Supervisor.

ADMINISTRATIVE ABSENCES

It is our policy to permit employees to be absent from work on a short-term basis under certain circumstances as outlined below. Employees will receive compensation for authorized administrative absences. No allowance will be made for administrative absence that occurs during scheduled or unscheduled use of leave.

Jury Duty

We believe that jury duty is a matter of civic obligation. A plan is provided which allows you to perform this obligation without loss of pay. We will continue to pay your salary while you are on any jury duty, providing you remit to us any compensation, other than mileage, that you receive from the court for jury services. When serving on state jury duty, after the third day of duty, the State will pay you a specified stipend per day. If this is less than your regular daily wage, we will pay you the difference. You should give your Supervisor as much advance notice of an absence as possible. For jury duty, a copy of the summons will accompany your request for time-off. You will be required to attach to your "Leave Authorization/Report" form, your "Juror Service Certificate" given to you by the Court that verifies you reported for jury duty. We ask that you report to work with us on any day, or part of a day, that you are excused from duty.

Voting

Employees are allowed up to two hours to vote in a national, state, or local election. Most polls are open from 7:00 a.m. to 7:00 p.m. so there should not be a conflict with your work schedule. However, should you anticipate a conflict, please make arrangements with your Supervisor to come in late or leave early to vote. We believe that voting is another civic obligation that we encourage our employees to perform.

Emergency Closing Due to Weather

In the event of bad weather or other emergency affecting Program facilities, the decision to close Program offices for the day is made by the Executive Director. The Executive Director will then notify the Program Directors of the decision to close Program offices.

The decision to close Program offices for the day will be announced on the local radio stations, KSUT, KIUP, KRSJ and KIQX.

Staff should not assume that because the weather is bad that Program offices will be closed. Staff are expected to make a good faith effort to get to work unless the Executive Director has declared the entire Organization closed.

Bereavement Leave

Bereavement leave may be granted an employee for not more than three (3) working days in case of death of an immediate family member. Always contact your supervisor immediately.

Non-Emergency Administrative Leave

The Southern Ute Tribal Chairman has sole authority in declaring a non-emergency closing of the Organization. Only non-essential employees may leave work when this type of closing is called. Once a non-emergency closure is announced, both the Executive Director and Program Directors have the discretion to modify the closing announcement to fit the needs of the Organization and its Programs.

FAMILY AND MEDICAL LEAVE (FML)

Your Supervisor will provide you with all required forms.

1. **Eligibility:** Employees are eligible for a FMLA leave of absence if they have completed at least one (1) year of service and worked at least 1,250 hours over the previous twelve (12) months. The FMLA provides eligible employees up to twelve (12) weeks of unpaid, job-protected leave in any twelve (12)- month period for certain family and medical reasons. As allowed by the Act, the Organization has elected to establish its twelve (12) -month period as a rolling period measured backward from the date an employee uses any FMLA leave. The duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence shall be determined by the Organization. Employees must use current annual and sick leave balances when using Family and Medical Leave.

2. **Family and Medical Leave (FML):** FML will be unpaid leave. If leave is requested for an employee's or eligible family member's serious health condition, the employee must use all accrued sick and annual leave. The remainder of the leave period will then consist of unpaid leave.
 - a) **Reasons for leave:** All employees who meet the eligibility for leave of absence may be granted a total of 12 weeks of unpaid family leave and paid sick and annual leave, combined, (during any period as specified in section (1)) for the following reasons:
 - (1) the birth of the employee's child and in order to care for the child;
 - (2) the placement of a child with employee for adoption or foster care;
 - (3) to care for a spouse, child, or parent who has a serious health condition; or
 - (4) a serious health condition that renders the employee incapable of performing the essential functions of the job. When an employee is absent from work for three (3) consecutive days, the Organization will determine whether the leave should be designated FML.

The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement.

3. **“Serious health condition”** means an illness, injury, impairment, or physical or mental condition that involves either: any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to:

A health condition (including treatment therefore, or recovery there from) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes: treatment two or more

- times by a health care provider, or one treatment by a health care provider with a continuing regimen of treatment, or
- Pregnancy or prenatal care; certain chronic serious health conditions; certain permanent or long-term condition; or absences for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy treatments for cancer).

4. **Application for FML:** In all cases, an employee requesting leave must complete the "Application for Family and Medical Leave" form, and return it to the Program Director/Supervisor. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave. If an employee requests a leave of absence that fits the guidelines for FML, without specifically stating the request for FML, the Organization may designate such leave to be FML. The completed form will be forwarded to the Human Resource Department (HRD) who will review the request and make final determination as to:

- b) the request fitting the Family Medical Leave guidelines, and
- c) the amount of unused time that is available within the twelve (12) –month rolling period.

The employee will be notified of the HRD's determination in writing. Employees receiving approval will receive written notice detailing the specific expectations and obligations of the employee.

5. **Notification of leave:** An employee intending to take FML because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If an emergency causes leave to begin within 30 days, an employee must give notice to the Program Director as soon as the necessity for the leave arises.

6. **Medical certification of leave:** An application for leave based on the serious health condition of the employee, or the employee's spouse, child, or parent, must be accompanied by a "Certification of Health Care Provider" form, completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. The Organization may request, at our expense, a second opinion by a medical provider of our choice. The Organization may request, at our expense, a third opinion by a medical provider on which both parties have agreed. The opinion of the third medical provider is binding.

If the employee is needed to care for a spouse, child, or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the essential functions of his job.

The Organization may also require certification as to the relationship of spouse, child, or parent.

7. **Benefits coverage during FML:** During the period of FML, an employee will be retained on the Organization's health plan under the same conditions that applied before leave

commenced. To continue health coverage the employee must continue to make any contributions that the employee made to the plan before taking leave, if any. Failure of the employee to pay the employee's share of the health insurance premium, if any, may result in loss of coverage. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the Organization for payment of health insurance premiums paid during FML, unless the reason of the employee fails to return is the presence of the serious health condition which prevents the employee from performing the essential functions of the employees job, or to circumstances beyond the employee's control as stated in the FMLA.

Sick and annual leave and holidays will not be computed during an approved FML of more than three (3) days. In case of an extended absence of more than thirty (30) days, the employee must make special arrangements to continue dependent group health and life insurance coverage. Employee coverage continues at the expense of the Organization.

The employee is not entitled to the accrual of any seniority or employment benefits that would have accrued if not for the taking of FML. An employee who takes FML will not lose any seniority or employment benefits that accrued before the date FML began.

8. Restoration to employment: An employee eligible for FML-with the exception of those employees define by the act as "key employees"- will be restored to the employee's old position or to a position with equivalent pay, benefits and other terms and conditions of employment. The Organization cannot guarantee that an employee will be returned to the employee's original position. A determination as to whether a position is an "equivalent position" will be made by the Organization. "Key Employees" will be notified of this designation at the time of FML application.

9. Return from FML: An employee must complete a "Notice of Intention to Return From Family or Medical Leave" form, before being returned to active status and will be required to provide a physicians certification of fitness to return to work when the leave was for the employee's own serious health condition. If an employee wishes to return to work prior to the expiration of FML absence, notification must be given to the employee's Program Director at least five (5) working days prior to the employee's planned return.

10. Failure to return from FML: The failure to return to work upon the expiration of FML of absence will subject the employee to immediate termination unless an extension of Personal Leave of Absence is granted. An employee who requests an extension of Personal Leave of Absence due to the continuation, recurrence or onset of the employee's own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for Personal Leave of Absence in writing to the Program Director/Supervisor. The written request should be made as soon as the employee realizes that he will not be able to return at the expiration of the Family and Medical Leave period. The Executive Director will evaluate the new request in the same manner as any other request for personal leave of absence, and If granted , the employee will not receive any health or leave benefits.

EMPLOYEE CONDUCT

We have to establish certain rules and regulations regarding employee behavior for the efficient operation of the Organization and for the benefit and safety of all our employees. Conduct that interferes with operations, discredits the Organization, or is offensive to the Community, Program participants or fellow employees will not be tolerated.

We ask that you treat differences of opinion between you and your colleagues with respect. If you have an unresolved difference, you should express your complaint or dissatisfaction to your Supervisor in order to avoid creating dissension among fellow employees and the Community. If the dissatisfaction is not resolved at the supervisory level, the complaint may be discussed with the Program Director, Human Resource Manager and the Executive Director. If the problem requires further action, you may institute the Grievance Procedure, if appropriate.

All employees are expected to conduct themselves and behave in a manner, which is conducive to the efficient operation of the Organization. Such conduct includes:

1. Reporting to work punctually as scheduled and being at your work station, ready for work, at the assigned starting time;
2. Notifying your Supervisor in advance when you will be absent from work, or are unable to report to work on time;
3. Complying with all Organization safety rules;
4. Smoking only at times and in places designated by the Organization;
5. Wearing clothing appropriate for the work being performed;
6. Eating meals only during meal periods and only in the designated areas;
7. Maintaining workplace and work area cleanliness and orderliness;
8. Treating all Program participants, visitors, and fellow employees in a courteous manner;
9. Refraining from behavior or conduct deemed offensive or undesirable, or which is subject to disciplinary action;
10. Performing assigned tasks efficiently and in accordance with established quality standards; and
11. Reporting to management suspicious, unethical, or illegal conduct by fellow employees or Program participants.

The following conduct is prohibited and will subject the individual involved to disciplinary action, up to and including termination. The list is illustrative of the types of behavior that will not be permitted and is not the total list of all infractions.

1. Reporting to work under the influence of alcoholic beverages and/or illegal drugs and narcotics, or the use, sale, dispensing, or possession of alcoholic beverages and/or illegal drugs and narcotics on Organization premises;
2. The use of profanity or abusive language;
3. The possession of firearms or other weapons on Organization property;
4. Insubordination or the refusal by an employee to follow management's instructions concerning a job-related matter;
5. Fighting or assault on others;
6. Theft, destruction, defacement, or misuse of Organization property or of another employee's property;
7. Falsifying or altering any Organization record or report, such as an application for employment, a medical report, a service delivery report, a time record, an expense account, an absentee report, or shipping and receiving records;
8. Threatening or intimidating others;
9. Smoking if prohibited by local ordinance or Organization rules;
10. Horseplay, pranks, or practical jokes;
11. Unauthorized sleeping on the job;
12. Failure to wear assigned safety equipment or failure to abide by safety rules and policies
13. Improper attire or inappropriate personal appearance; or
14. Engaging in any form of sexual harassment.

When you come to work for us, you become part of a special community of people, namely, the employees of SUCAP. As a member of this group, your conduct in many cases will reflect on the image and well-being of your "community." This attribution applies to both desirable conduct (which we encourage), and to misconduct (which we definitely discourage).

We encourage you to use common sense in your conduct at work. Treat all fellow workers and the people you serve with courtesy, respect, and dignity.

You should always remember that the Participant comes first. He or she is the primary reason for the Organization's existence, and is, therefore, the ultimate source of your job and income. Participants should always be treated with the same common courtesy and respectful manner that you would want if your roles were reversed.

You should always be prepared to listen carefully to Participant inquiries and complaints and then deal with them in a responsive, professional manner. If a controversy arises, attempt to explain the Organization's policy in a clear, yet respectful manner. If a participant becomes unreasonable or abusive and you cannot resolve the problem, the participant should be referred to your supervisor.

SECURE WORKPLACE

It is our intent to provide our employees and Program participants a safe, healthy and secure environment. Our continued existence depends on providing our communities with service of quality and value. This requires a high level of productivity and efficiency. The occurrence of violence or the possession of weapons in the workplace is inconsistent with these objectives. Before you begin work you will be given a copy of your Project's Secure Workplace Policies and asked to sign an agreement to abide by the policies. Failure to do so will subject you to immediate disciplinary action, up to and including termination.

SUCAP is **committed** to maintaining a safe and secure workplace

SEXUAL HARASSMENT POLICY

While all forms of harassment are prohibited, it is the Organization's policy to emphasize that sexual harassment absolutely will not be tolerated. You have the responsibility of confronting the person harassing you and telling that person the behavior is offensive to you and to stop it immediately. You also have the responsibility to report any unwelcome harassment to your Supervisor, Program Director, Human Resource Manager or to the Executive Director if the complaint involves the Program Director or Human Resource Manager. In all cases, you will be advised of the findings and conclusions once the investigation is completed.

Any employee found to be engaging in this sort of activity will be subject to disciplinary action, up to and including termination.

DRUG-FREE WORKPLACE

It is our intent to maintain a drug-free workplace. Before you begin work, you will be asked to sign a document certifying that you understand what it means to be an employee of a drug-free workplace, and that you will abide by the terms of the statement. Failure to abide by the agreement will subject you to immediate disciplinary action, up to and including termination. We will also report any illegal activities to the appropriate law enforcement agency for investigation.

SUCAP is **committed** to maintaining a drug-free workplace.

FUND RAISING

Because we are recipients of United Way funds, we agreed not to conduct fund-raising activities that might interfere with the United Way campaign. Should you wish to conduct a fund-raising activity within your Program, please get a permission form from your Program Director. This form must be completed, submitted to your Program Director and the Executive Director and approval obtained at least one week prior to beginning the fund-raising activity. If approval is denied, the activity may not proceed.

We appreciate your cooperation in this matter, as we cannot afford to lose the support of the United Way organization.

PERSONAL APPEARANCE

It is the policy of the Organization that an employee's dress and grooming should be appropriate to the work situation. Radical departures from conventional dress or personal grooming standards are not permitted, regardless of the nature of the job performed. The Organization reserves the right to determine what appropriate work appearance is, the Executive Director has final authority in this decision. If you have questions as to what is appropriate, ask your supervisor.

The properly attired employee helps to create a favorable image for the Organization. The following articles of clothing are not allowed as they do not present a professional appearance: (1) Shorts (shorter than knee-length); (2) Halter tops, tank tops or muscle shirts; and (3) Thin strap or strapless dresses (acceptable if worn with a jacket or blouse). Hair should be clean, combed, and neatly trimmed or arranged and sideburns, moustaches, and beards should be neatly trimmed.

WAGE ASSIGNMENTS

Every employee is expected to meet his/her financial obligations promptly. Income executions, wage assignments, and garnishments are legal authorizations for creditors to collect part of your pay from the Organization. These proceedings cause extra work and expense for the Payroll Department. Your cooperation in preventing this from happening will be appreciated

COMMUNITY/PARTICIPANT RELATIONS

It is our desire to provide the best possible services in the communities we serve. We expect you to treat members of the community and participants in a professional, courteous, and respectful manner at all times. Please remember that the participant always comes first and is the primary reason for the Organization's existence and is, therefore, the ultimate source of your job. Always treat all participants with the same common courtesy and respectful manner that you would want if your roles were reversed. A few things to keep in mind along this line are:

- Avoid engaging in any personal social activities involving participants that could have the appearance of a conflict of interest or could adversely affect the Program or Organization

- Always listen to a participant's inquiries and complaints carefully and deal with them in a responsive, professional manner. If a controversy arises that you cannot handle in a respectful manner, report the matter to your supervisor immediately.
- Always exercise courtesy and thoughtfulness when using the phone - use a pleasant tone of voice, give the name of the department and identify yourself. Always take messages if the person being called isn't available or put through to the individual's voice mail. Never leave a caller on hold for more than 30 seconds, if possible.

USE OF SUCAP SUPPLIES AND EQUIPMENT

When you write letters on SUCAP and/or The Training Advantage letterhead or mail letters in imprinted envelopes, the reader believes that the material that is being transmitted is supported or sanctioned by the Organization as a whole. It is, therefore, important that use of printed supplies be limited to official Organization business only.

Program-owned equipment and supplies may only be used in the delivery of services to the target population and may not be converted to personal use and/or rented or leased. Cooperative shared use between programs and related organizations must be authorized in advance by the Program Director in order to assure compliance with individual program guidelines.

CONFLICTS OF INTEREST

It is the policy of the Organization to prohibit its employees from engaging in any activity, practice, or act which conflicts with, or appears to conflict with, the interests of the Organization, its participants, or its vendors. The Organization reserves the right to determine when an activity conflicts with the Organization's interests and to take whatever action is necessary to resolve the conflict. If necessary, this action can include discipline, up to and including termination.

The Organization expects that its employees will observe the highest moral and ethical standards in all dealings in which they represent the Organization. Employees are not to engage in, directly or indirectly, any conduct which is disloyal, disruptive, competitive, or damaging to the Organization.

CONFIDENTIALITY

Because our granting agencies require us to maintain confidentiality regarding our program participants, we ask that you use the utmost discretion in your casual and private conversation. Please leave office talk at the office.

PERSONAL PHONE CALLS

While we recognize the need for employees to sometimes make or receive personal phone calls, we remind you that our telephone equipment is paid for with federal and state funds. We therefore request that time spent on personal calls be limited to **five (5) minutes**. Also, a long-distance call or fax may never be charged to the Organization. The call must be charged to your home phone or to a friend's phone.



PERSONNEL RECORDS

The Organization maintains personnel records, which are vital to you as an employee. If information in your records is not correct, problems could arise concerning your taxes, your employee benefits, or other important matters.

You should be sure that your records are always kept up-to-date. Please keep your Supervisor and the Payroll Department informed whenever there are changes in your home address, telephone number, life insurance beneficiary, number of dependents, military status, educational progress, etc.

Your personnel file contains information, which we consider private, so we only allow authorized persons access to your file. You are allowed to examine your file any time it is convenient for both you **and** the person who will be accessing the file for you. Please make an appointment with the Human Resource Department when you want to review your file.

POLITICAL ACTIVITY

Because we receive federal funds, we fall under the guidelines of the Hatch Act regarding political activity. Please discuss any plans for political activity with your Supervisor. Some forms are allowed and even encouraged, while others are strictly forbidden by federal law.



PROBLEM RESOLUTION/GRIEVANCE POLICY

PURPOSE

Southern Ute Community Action Programs, Inc. (SUCAP) provides means for all persons involved in the Organization to bring problems and concerns regarding their employment to their immediate Supervisor, the Human Resource Director, the Executive Director, and when appropriate, the Board of Directors. SUCAP supports and encourages all employees to use appropriate conflict resolution practices to address their concerns and issues at the most immediate level.

Employees will be given an opportunity to present their concerns and when appropriate, to appeal decisions by management through a Problem Resolution or Grievance Policy. When appropriate the employee's concerns or incidents will be documented by the Supervisor or the Division Director. This policy in no way alters the policy of employment-at-will.

Terminated employees will also be given an opportunity to present their concerns and to appeal decisions by management through the Grievance Policy. All concerns or incidents will be documented and placed in a file.

If you need assistance with the Problem Resolution or Grievance Policy process you may contact the SUCAP EAP counselor(s). A limited number of sessions with an EAP counselor, used for the sole purpose of filing the grievance, will be at no cost to the individual. The number of sessions necessary will be determined by the EAP counselor. Contact information may be obtained by calling the Central Administration office at 970-563-4517.

Costs resulting from assistance other than SUCAP's EAP services, shall be the full responsibility of the individual.

Employees will not be penalized for proper use of the Problem Resolution or the Grievance Policy. Frivolous and/or repeated grievances will be investigated by the Executive Director and appropriate measures will be taken.

A. PROBLEM RESOLUTION POLICY

Step 1 – Immediate Supervisor: An employee who has an issue about his/her employment, the employee must first hold an informal discussion with the immediate supervisor. Every attempt to resolve issue(s) is expected at this level.

If informal discussions with the supervisor fail to bring a satisfactory resolution, and the employee wishes to pursue the issue, he/she must proceed to Step 2 of the Problem Resolution Procedure.

If the issue involves an employee's immediate Supervisor, and the employee wishes to pursue the issue, he/she must proceed directly to Step 2 of the Problem Resolution Procedure.

Step 2 – Division Director:

The employee must bring their issue to the Division Director in an attempt to resolve the issue. This may be done verbally or in writing. The employee, or the Division Director may request an informal mediation meeting be held between the Division Director, the Supervisor, the employee, and if appropriate, any other individual involved, in an attempt to resolve the issue(s). Every attempt to resolve issue(s) is expected at this level.

If informal discussions with the Division Director fail to bring a satisfactory resolution, and the employee wishes to pursue the issue they must proceed to Step 3 of the Problem Resolution Procedure.

If the issue is specifically with the Division Director and the employee wishes to pursue the issue, they may move directly to Step 3 of the Problem Resolution Procedure.

Step 3 – Human Resource Director:

The employee may contact the Human Resource Director about his/her concerns. This may be done verbally or in writing. The Human Resource Director will counsel and advise the employee and consult with the employee's supervisor as necessary and appropriate. The employee or the Human Resource Director may request an informal mediation meeting be held between any or all of the following people; the Human Resource Director, the Division Director, the Supervisor, the employee, and if appropriate, any other individual involved, in an attempt to resolve the issue(s). Every attempt to resolve issue(s) is expected at this level.

If the counseling and/or mediation efforts fail to bring a satisfactory resolution, the individual may proceed to Step 1 of the Grievance Policy

If the issue is specifically with the Human Resource Director and the employee wishes to pursue the issue, they may move directly to Step 1 of the Grievance Policy.

B. GRIEVANCE POLICY

If the Executive Director is your immediate supervisor and the issue is with him/her or if the issue directly involves the Executive Director, you may move directly to Step 2 of the Grievance Policy.

In order for a current employee to file a grievance you must have completed the Problem Resolution Procedure and feel your issue has not reached a satisfactory resolution.

A grievance advanced from the problem resolution procedure by a current employee must be filed within fifteen (15) calendar days following the counseling meeting or the informal mediation meeting with the Human Resource Director, whichever was completed last in the process.

Following a termination, any individual wishing to file a grievance, must file as per the guidelines under Step 1 below, within thirty (30) calendar days of the date of termination.

Any grievance filed outside of these timelines shall not be considered pursuant to this policy, and will not be accepted at any level of this process.

Step 1 – Executive Director: The grievance must be presented in writing to the Executive Director. The written grievance shall:

1. Explain the specific incident that is the subject of the grievance in sufficient detail to include the problem or concern;
2. Include a description of prior attempts to resolve the matter and the results of these attempts;
3. Discuss the reasons why the employee is not satisfied with the prior results;
4. Describe the action requested by the employee;
5. Supply documentation of facts, including (if appropriate) a copy of the policy that was allegedly inconsistently applied.

The Executive Director or his/her representative, must conduct an investigation and render a written response to the employee, within fifteen (15) calendar days of receipt of the written grievance. The Executive Director will forward a copy of the grievance letter and the written response to the Human Resource Department for filing.

The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem. The decision of the Executive Director is final, except in cases involving contested dismissal of an employee.

In the case of a dismissed employee who feels the Executive Director failed to bring a satisfactory resolution, the dismissed employee may proceed to Step 2 of the Grievance Policy.

Step 2 – SUCAP Board of Directors:

This section applies to the following:

A. If a dismissed employee, feels the grievance was not resolved in Step 1 of the Grievance Policy, the dismissed employee may, within seven (7) calendar days from the date of receipt of the Executive Director's response letter, submit a written appeal requesting a review to the Board Chair.

B. If a current employee has an issue that directly involves the Executive Director and feels the issue was not resolved in Step 3 of the Problem Resolution process, the employee may, within seven (7) calendar days following the conclusion of the last step in the Problem Resolution process, submit a written appeal to the Board Chair requesting a review.

C. If a current employee supervised by the Executive Director has an issue involving the Executive Director that he/she wishes to have reviewed, the employee must submit a written summary of the concerns to the Board Chair.

The Board Chair will then appoint a Grievance Committee comprised of four (4) Board members, not including the Board Chair, who will only serve as a tie-breaker. The committee will consider and review the problem within fifteen (15) calendar days from the date of the request letter.

The Grievance Committee may, or may not, ask the individual, or any involved staff member(s) to meet with the Committee. The Committee reserves the right to make a decision based on the level of information gathered that they deem appropriate. The Committee will determine only whether the decision was reasonable on the basis of the record and not capricious and irresponsible.

If the Grievance Committee deems it appropriate, they have the option to request all members of the SUCAP Board of Directors participate in the grievance review. This review may be held in executive session at the request of the individual, the Executive Director or the Board Grievance Committee.

The Board Grievance Committee will make its decision within seven (7) calendar days of the review and inform the individual of the decision in writing, with a copy of the response to the Human Resources Department for filing. The Board Grievance Committee has full authority to make any adjustment deemed appropriate to resolve the problem. The Grievance Committee's decision is final upon ratification by the full Board at the next duly called meeting of the Board.

YOUR RIGHTS UNDER ERISA

1. Plan Documents and Financial Reports

As a participant in health and medical plans of SUCAP, you are entitled to certain rights and protection under the Employee Retirement Income Security Act of 1974 ("ERISA"). ERISA provides that all plan participants shall be entitled to:

- a) Examine, without charge, at the Plan Administrator's Office (Payroll Department) all Plan documents including insurance contracts, and copies of all documents filed by the Plan with the U.S. Department of Labor, such as detailed annual reports and plan descriptions.
- b) Obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator. The plan Administrator may make a reasonable charge for the copies.
- c) Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each participant with a copy of this summary annual report.

In addition to creating rights for Plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. These people who operate your Plan called “fiduciaries” of the Plan, have a duty to do so prudently and in the interest of you and other Plan participants and beneficiaries.

3. Legal Rights to Benefits

- a) No one including your employer, or any other person, may discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA.
- b) If your claim for a benefit is denied in whole or part you must receive written explanation of the reason for the denial. You have the right to have the Plan Administrator review and reconsider your claim.
- c) Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request materials from the Plan and do not receive them within 30 days, you may file suit in federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$100 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator.
- d) If you have a claim for benefits which is denied or ignored in whole or part, you may file suit in state or federal court. If it should happen that the Plan fiduciaries misuse the Plan’s money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

4. Answers to Additional Questions

- a) If you have any questions about your Plan, you should contact the Plan Administrator.
- b) If you have any questions about this statement or about your rights under ERISA, you should contact the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor.

HOW YOUR BENEFITS CAN TERMINATE

Your benefits under any of the plans described herein can terminate (unless the plan specifically provides otherwise) if:

1. Your employment terminates;
2. The group policy terminates;
3. The provider goes out of business;
4. You discontinue any required contributions; or
5. SUCAP amends or terminates the plan.

In any case of reduction of benefits by plan amendment or termination, you must understand that although SUCAP intends to continue these plans indefinitely, for business reasons it must reserve the right to change or discontinue the plans at any time. If SUCAP terminates any plan for any reason and does not replace the coverage with comparable benefits, you will receive ample notice. You also will be told how to convert your group insurance to individual policies should any group coverage terminate or be terminated, whenever conversion privileges may apply.



