



BAKER PUBLIC SCHOOLS

CLASSIFIED EMPLOYEE PERSONNEL HANDBOOK

REVISED January 2016

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Baker Public Schools shall be based on merit, qualifications, and abilities. Baker Public Schools does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Baker Public Schools shall make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Superintendent. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination shall be subject to disciplinary action, up to and including termination of employment.

TABLE OF CONTENTS

I.	Introduction to Baker Public Schools	4
II.	Authority	5
III.	Employment	6
IV.	Benefits	15
V.	Safety	20
VI.	General Information	21
VII.	Disciplinary Procedure	24
VIII.	Resignation & Termination	25

SECTION I: INTRODUCTION TO BAKER PUBLIC SCHOOLS

A. WELCOME

Dear Employee:

Baker Public Schools welcomes you to our staff. You have chosen to work in a school that takes great pride in the high quality of education provided to our students.

Working in a school carries with it a special obligation because you may influence the lives of many of our communities' children. You shall be capable of performing the assigned work, and you shall be reliable and thorough so others may depend upon your work. You must be the kind of person who contributes to building good will, which is so necessary in maintaining the reputation and public relations of your school.

When you are employed at Baker Public Schools, you are the school! It is imperative that you know the school and the services provided and properly represent your place of employment.

This Employee Personnel Handbook is designed to give you a summary of the guidelines that effect your employment in this school. As a new employee, you have agreed to share the responsibility to see that the job is well done.

We hope your employment here is enjoyable and rewarding. We wish you success in your new job.

B. MISSION STATEMENT

Our mission is to provide a safe, supportive, and intellectually stimulating environment built upon the foundation of a cooperative learning partnership of parents, staff, students, and community. Our emphasis is upon the individual learner's development of social, emotional, physical, vocational, and intellectual skills necessary to succeed as a responsible and productive citizen. We will focus on developing within our students a desire to seek their fullest potential by becoming a life-long learner, recognizing individual learning styles, and acquiring self-sufficient life skills necessary to succeed in an ever changing global community.

C. BELIEF STATEMENTS

- ⇒ Students are unique in their needs, thought processes, and learning styles.
- ⇒ Parental and community support and involvement are necessary to motivate students for optimum success.
- ⇒ To encourage respect for people, property, and learning.
- ⇒ To foster responsible American Citizenship, and encourage students to become respectful and productive citizens.
- ⇒ Learning is a continual lifelong activity.

SECTION II: AUTHORITY

A. ADMINISTRATIVE AUTHORITY

Please become familiar with this Handbook as soon as possible. The Handbook provides guidelines to implement personnel related tasks in a consistent, uniform and non-discriminatory manner. These guidelines do not address departmental procedures, standard operational practices, standing orders, or other technical matters. Principals and supervisors with authorization from the Superintendent, have full authority to make department rules, policies, or procedures that are not in conflict with the Handbook, and to otherwise direct the conduct of the work performed by employees in each respective department.

You shall be issued revisions of this Handbook from time to time, and you shall update your Handbook as necessary.

This Handbook and its current revisions supersede all previous editions.

B. BOARD OF TRUSTEES AUTHORITY

Baker Public Schools Board of Trustees expressly reserves the right to modify and/or delete any policy not in conflict with federal and state laws with proper notification to the employees, as needed to meet the best interests of the school.

1. BOARD MEMBERS

The Legislature of the State of Montana delegates to the Board responsibility for the conduct and governance of district schools. Board members, as elected by residents of this district, are as follows:

Gye Varner, Chairperson; Johnna Koenig, Mike Gunderson, Quentin Burdick and Klint Flint.

2. BOARD MEETINGS/COMMUNICATIONS

Regular Meetings

Unless otherwise specified, all meetings will be held in the Baker School District #12 Board Room. Regular meetings shall be held at 6:00 p.m. on the second Tuesday of the month or at other times as called by the chairman or two trustees.

3. DISTRICT OFFICE HOURS

The district office is open between the hours of 8:00 a.m. to 4:00 p.m. weekdays.

SECTION III: EMPLOYMENT

A. CONDUCT

As an employee, you are requested to conduct yourself in a courteous, professional manner when dealing with students, visitors, and staff.

1. Confidentiality

It is your solemn responsibility not to reveal information regarding students.

Information may not be released to the news media without prior approval by the Superintendent or whoever has been authorized to take such action.

Gossip, careless remarks, or idle chatter concerning the students or other staff members occurring in or out of the school is a violation of trust. Such violations may be cause for dismissal.

2. Personal Appearance

All staff are expected to be neat, clean, and to wear appropriate dress for work that is in good taste and suitable for the job at hand. With the exception of the custodial staff, jeans are permitted on Fridays **if** a donation is made to the Blue Jean Scholarship Fund.

3. Personal Telephone Calls

The telephones shall be reserved for business calls. Personal calls are to be kept to a minimum. No personal long distance phone calls shall be made at the expense of the school. If you need to make a personal long distance call, call collect or use a personal calling card.

4. Punctuality

Employees are expected to be at their assigned work area and ready for work at the proper starting time each day and shall work until the designated quitting time. Abuses may result in disciplinary action.

B. REQUIREMENTS FOR EMPLOYMENT

1. Employee Forms

A completed application is required for employment at Baker Public Schools. The applicant is asked to provide the school with pertinent and/or legal documents such as transcripts, licenses and registration certificates. Federal law mandates all employees of Baker Public Schools will submit finger prints and authorization for a Criminal History Background Check. Upon employment, the new employee will fill out the mandatory employment forms, including W-4 form, Support Disclosure, I-9 form, and TRS/PERS forms.

2. Vaccinations

Employees need to meet regulations for MMR. Hepatitis vaccinations are required.

Contact the school nurse concerning these immunizations. Every newly hired employee must provide the District documentation of the results of a tuberculin skin test done within the year prior to initial employment, along with the name of the tester and the date and

type of test administered, unless the person provides written medical documentation that he/she is a known tuberculin reactor.

3. Licensure/Certification

Employees who are required to be licensed or certified for their employment are responsible for maintaining their current licensure. Additionally, they shall remain in good standing with their licensing boards or other regulatory agencies. Employees with licenses or certifications are required to immediately notify their respective supervisors of any change in their license or certification status. All employees whose positions require a license or certification shall provide a current copy of their license or certification immediately after renewal to the District Clerk. For example, custodians with a boiler license must show proof of licensure to the Clerk annually by December 31st.

C. EMPLOYEE ORIENTATION

1. School Orientation

All new employees shall attend a school orientation program. The orientation program shall provide:

- a. A familiarization with Baker Public Schools' philosophy, personnel, rules, regulations, and policies.
- b. A familiarization with safety.

2. Departmental Orientation

Each department may have its own on-the-job orientation program to familiarize employees with the required job functions. Each job description may have its own orientation checklist to ensure new employees receive proper training.

D. STATUS OF EMPLOYEES

1. Probationary Status

a. New Employee Probationary Period

The first six (6) months of employment for all new employees constitute the probationary period, regardless of the number of hours worked. During this time, you shall demonstrate your fitness for employment by actual performance of your assigned duties. Baker Public Schools reserves the right to review new employees at any time during the probationary period. Employees who are not performing satisfactorily during the probationary period may be dismissed without notice at any time. At the end of this period, his/her immediate supervisor shall make a formal evaluation of the employee's performance and he/she shall receive an appointment to permanent status or be released. Under certain situations, the probationary period may be extended only by the Superintendent.

b. Probationary Period Benefits

Holiday benefits are available after six (6) months of continuous employment. Vacation time is accrued but cannot be taken during the six (6) month probationary period without administrative approval. Sick leave is also accrued and may be used after 90 days of continuous employment (See page 16). If an employee resigns or is released within the 6 month probationary period, accrued leave is forfeited.

2. Regular Full-Time Status

Employees who regularly work 30 or more hours per week: These employees receive benefits as described elsewhere in this Handbook, proportional to the number of hours worked.

3. Part-Time Status

Employees who regularly work less than 30 hours per week: **These employees are not eligible for benefits.**

4. Temporary Status

An employee appointed for a limited period to fill a temporary position or to substitute in a permanent budgeted position for an employee who is sick or on vacation. The duration of employment is fixed in advance and in no instance may exceed six months. **These employees are not eligible for benefits.**

5. Other Status

The school reserves the right to hire employees, independent contractors or contract labor on terms and conditions other than those described herein. In many instances, the school may elect to pay higher wages to temporary employees in lieu of long-term benefits.

E. CHANGE IN EMPLOYMENT STATUS

An employee's employment status shall determine that employee's benefits.

Employment status changes are initiated by supervisors in conformance with established personnel procedures, and are subject to approval by Administration. A payroll change form shall be completed.

Any employee who requests a change of status from either full-time to part-time, or part-time to full-time, may not request a second change of status for at least six months. Any exemption to this policy requires prior Administrative authorization.

F. REHIRED EMPLOYEES

An employee who is rehired after termination or resignation shall accrue employee benefits from the date of rehire. The rehired employee is considered to be a new employee **in all respects.**

G. DEPARTMENTAL TRANSFER OF NEW JOB POSITION

Employees who transfer to another department or who accept a new job position at Baker Public Schools shall be subject to a six (6) month evaluation period. If performance is not satisfactory at any time during this period, the employee may be asked to relinquish the position and accept another position elsewhere in the school. At the end of the six (6) month period, a formal evaluation of the employee's performance shall be made by his/her immediate supervisor who will determine if the employee shall be allowed to continue in that position, or be asked to accept another position elsewhere in the school.

H. LEAVES OF ABSENCE

All leaves of absence, regardless of the nature, shall be requested in writing and shall be granted only in writing by the Superintendent. All leaves shall have a beginning date and an ending date fixed prior to the commencement of the leave.

1. Military Leave (Board Policy 5322)

Montana State law shall govern military leave. Information can be obtained from Baker Public Schools' Clerk.

2. Maternity Leave (Board Policy 5328 & 5328P)

Family and Medical Leave Act (FMLA) of 1993 and Montana State law shall govern maternity leave. Information can be obtained from Baker Public Schools' Clerk.

3. Leaves of Absence Without Pay

Requests for leaves of absence without pay may be granted only with the approval of the employee's supervisor and the Superintendent. The following guidelines shall be followed:

- a. All other appropriate and available leaves and/or benefits shall be used before a leave of absence without pay is granted.
- b. Leaves of absence shall be processed as follows:
 - ⇒ Requests for leaves of absence must be submitted to the supervisor and forwarded to the Superintendent for final approval.
 - ⇒ No leave of absence shall be granted unless the employee has completed one year of continuous full time, or regular part time, employment.
 - ⇒ Approved leave of absence may result in a change in an employee's anniversary review date. Employees shall not receive or accrue benefits during an approved leave of absence. Employees shall also be responsible for the payment of all insurance premiums for themselves and/or their families (if applicable), if they wish to retain coverage during the leave of absence.
 - ⇒ PRIOR arrangements shall be made for the payment of insurance premiums or the insurance will be dropped. Once insurance is dropped the effective dates of its reinstatement cannot be guaranteed. An exception to this policy is made for employees exercising the Family Medical Leave Act.
- c. Consideration shall be given to requests and recommendations for unpaid leaves of absence in accordance with the following conditions:

Personal illness or accident: When absence beyond the time provided by the paid sick leave policy is necessary, a physician's statement shall be submitted showing diagnosis of illness or injury, prognosis and expected date of return to work. (See Family Medical Leave Act for serious health conditions.)

Family needs: (See Family Medical Leave Act for certain situations.) When circumstances of an exceptional nature require absence from work, a request shall be submitted in writing specifying the reasons for the request in detail.

Personal business: When circumstances of an exceptional nature not involving outside employment require an absence from work, a request shall be submitted in writing specifying the reasons for the request in detail.

Education: The Superintendent will consider a leave of absence for qualified employees if it is for purposes related to their work in the school.

- d. A leave of absence, when granted, holds an employee's accrued service record static. The privilege of returning to work, however, is subject to employment conditions prevailing at the time of return. Employees desiring to return to work after a leave of absence will be offered the first position available suitable to their qualifications. If no position is available, the employee may be asked to accept an alternative position or remain on extended leave of absence indefinitely until a suitable position becomes available. An exception to this policy is made for employees exercising the Family Medical Leave Act.
- e. Baker Public Schools shall attempt, but is not required, to return employees to their former jobs after a leave other than that covered by the Family and Medical Leave Act (FMLA). Keep in mind that the primary duty of Baker Public Schools is to educate our youth. Hence, Baker Public Schools cannot return an employee to his/her former job when the employee may not be mentally or physically capable of performing all the required duties of that job. Seniority and other benefits accrued at the time of leave shall be restored to employees who are reinstated with Baker Public Schools. Employees may be terminated with forfeiture of all accrued benefits for failure to return to employment at the expiration of the leave of absence or for falsification of reasons to justify the request for a leave of absence. A leave of absence may be extended with the Superintendent's prior approval.
- f. When you are scheduled to return from a leave, contact your supervisor at least two (2) weeks before returning so that your employment and benefit status can be assessed.
- g. In the case of staff cutbacks and layoffs, the employee on the leave of absence shall be handled in the same manner as any other employee.

⇒ **Family Medical Leave Act**

FMLA requires covered employers to provide up to 12 weeks of unpaid job protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for at least one year, and for 1250 hours over the previous 12 months.

All qualified employees are entitled to leave under the provisions of the Family and Medical Leave Act of 1993. Request for FMLA leave must be made, if practical, at least 30 days prior to the date the requested leave is to begin. Requests for FMLA leave shall be submitted through the immediate supervisor to the superintendent. In reference to this Act, a year shall be defined as 365 days following the date the employee first uses leave under the Family and Medical Leave Act.

I. EMPLOYEE PERFORMANCE EVALUATIONS

A performance evaluation provides periodic review, most often annually, of your performance in terms of job requirements, strengths, areas for improvement, and a plan of action for both the employee and supervisor for the next evaluation period. Evaluations can be written, oral, or a combination of both methods. Information derived from the evaluation shall be used to identify the training needs of the employee and to determine the employee's eligibility for promotion and/or other personnel action. Results of each appraisal become a part of your permanent personnel file.

The job performance of each employee shall be evaluated on the basis of the experience and training of the employee, the job duties, and the attainment of a set of objectives or goals. Factors to be considered in the performance evaluation include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, dependability, attention to safety, respect for property, punctuality, work habits, initiative, and other factors.

J. EMPLOYEE JOB DESCRIPTIONS

Baker Public Schools shall have a written job description for each job in the school. Job descriptions are developed in terms of essential job functions, knowledge and skills required, physical requirements, general working environment, and impact on operations.

K. PAYROLL INFORMATION

Baker Public Schools complies with the Fair Labor Standards Act (FLSA). Based on the nature of the work, jobs are classified as either non-exempt or exempt. Exempt employees are those who are exempt from following FLSA overtime provisions.

1. Pay Periods/Pay Days

There are twelve (12) monthly pay periods and twelve (12) paydays per year (on the 15th of each month).

Paychecks and direct deposit slips can be picked up at the business office on payday during business hours or will be delivered by your supervisor or a principal. If not delivered, employees are expected to pick up their own paycheck or direct deposit slip. When it is not possible for the employee to pick up their own paycheck, Baker Public Schools shall have permission in writing from that employee for someone else to pick up their paycheck. This written permission shall be arranged **prior** to payday at the business office. This written permission shall also be arranged each payday that the employee cannot pick up his/her own paycheck.

2. Paycheck Deductions

The following deductions may be withheld from your paycheck:

MANDATORY:

Federal Withholding Tax
State Withholding Tax
Social Security/Medicare (FICA)
Child Support Required by Court Order
Court Ordered Garnishments
TRS/PERS

And anything that is mandated in the future
by state or federal law

OPTIONAL:

Health and Life Insurance Premiums
Flexible Medical Spending Accounts
Tax Sheltered Annuities
Flexible Dependent Care
Direct Deposit

No money is deducted from an employee's pay unless Baker Public Schools is required by law to deduct it, or the employee specifically authorizes Baker Public Schools in writing to make deductions.

Any changes in the number of dependents or in the status of any of the eligible deductions can be made by completing the appropriate form in the Clerk's office.

3. **Child Support Obligation and Other Garnishments**

Child Support and garnishments shall be withheld from an employee's pay in accordance with the terms of the order. Baker Public Schools may collect an additional \$5.00 fee per order per month to cover administrative expenses.

4. **Time Sheets**

Employees are required to sign their time sheets prior to submitting them to their supervisors for their signature.

Time sheets are due in the Payroll Clerk by the close of business on the 3rd of each month.

Federal law requires accurate records of your working time. **The accuracy of the time sheet is your responsibility.** Do not allow another person to check you in or out on your time sheet.

Authorizations for overtime, sick pay, vacation pay, and personal days, etc., shall be attached to the employee's time sheet. All overtime shall have prior approval from the appropriate Supervisor as indicated by the supervisor's signature on each specific instance.

Employees shall check out on their time sheets whenever they leave the building for any reason (including normal meal periods), other than in performance of your school duties. Ask your supervisor for the protocol in your department.

Misrepresentation of your time sheet record may be cause for dismissal.

5. **Overtime**

It is the policy of the Board of Trustees that, in as much as possible, classified employees will not work over 40 hours per week. Overtime hours are considered productive hours. Productive hours are those hours worked **excluding** vacation, sick leave, holiday, on call hours, reserve duty hours, jury duty hours, and bereavement leave hours. Overtime will be paid to non-exempt employees when there is an excess of forty (40) actual physically worked hours in a workweek of Monday through Sunday. Overtime is paid at one and one-half (1 1/2) times the employee's regular rate of pay.

- a. Prior approval for overtime, except in cases of emergency, must be scheduled by the supervisor to receive compensation.
- b. When prior approval cannot be obtained, the supervisor must approve such overtime within 24 hours. In the event of a weekend or holiday, overtime must be approved on the supervisor's next regular work day.
- c. Overtime shall not be used in the accrual of vacation and sick time.

6. **Compensatory Time Policy (Policy 5336)**

For the mutual benefit of the District and its classified, nonexempt employees, the following alternatives to overtime compensation are adopted as District policy.

1. Whenever an employee has worked for a total of 40 hours before the end of his/her workweek, the District may relieve that employee from duty at that time for the remainder of the workweek or for any remaining portion of the workweek.

2. The employee may request to use the compensatory hours instead of vacation or sick leave or they may be left to accumulate. However, an employee's banked compensation hours may not exceed a total of 160 hours. All subsequent overtime hours will be paid out at the employee's current overtime rate.
 3. An employee may use his/her compensatory time credits under the following rules:
 - A. For each hour of compensatory time credit, one and one-half hours may be taken off without loss of pay.
 - B. The employee will give his/her appropriate supervisor as much advance notice as is possible of his/her desire to use compensatory time credits, and shall use the appropriate leave request form.
 - C. Use of compensatory time credits may be denied when the needs of the District require the presence of the employee.
 4. The District may require an employee to take time off and to use his/her compensatory time credits at any time.
- Should an employee leave the employment of the District with compensatory time credits remaining, all such credits will be converted back to overtime hours and paid to the employee at his/her current overtime rate.

7. Compensation for Personal Vehicle Use

- a. Any staff member who must travel daily from school to school within the district as a requirement of their job shall be compensated for such travel at a rate established per § 2-18-503, MCA. (Current state mileage rate)
- b. Each teacher in the system shall be assigned to a home school to be used as the basis for payment under this Article.
- c. Compensation will accrue for Pupil Instruction days only, unless a person has an extended contract which will extend the days of compensation through the contracted time period. Days that a teacher is absent because of sick/personal leave or any other absence will not be considered for compensation.
- d. This Article applies to travel on regular school assignments and is not intended to apply to extracurricular assignments.
- e. Compensation will be provided-monthly; a log shall be kept per travel to account for miles driven between schools on a daily basis. The logs must be turned in by the 5th of the month to be incorporated with monthly payroll.

L. CHILD ABUSE REPORTING

Any staff member who has reasonable cause or reasonable suspicion to believe that any child under 18 years of age with whom he/she has come in contact has suffered abuse or neglect, or that any adult with whom he/she is in contact has abused a child, shall immediately orally report to the Department of Family Services or local law enforcement agency. The [building principal] is also to be immediately informed. Hot Line # 866-820-5437

Written documentation of this report must be completed and submitted to the [building principal]. Forms are available in the office.

Failure to report a suspected child abuse is a violation punishable by law and by district disciplinary action up to and including dismissal.

(Refer to Policy 5232 & 5232F)

A staff member who, based on reasonable grounds, participates in the good-faith making of a child abuse report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed as provided by law.

M. COMMUNICABLE DISEASE/BLOODBORNE PATHOGENS/INFECTION CONTROL PROCEDURES

The district provides for the reasonable protection against the risk of exposure to communicable disease to all staff while engaged in the performance of their duties. Protection is provided through immunization and exclusion in accordance with Montana Code Annotated and the Administrative Rules of Montana. Infection control procedures, including provisions for handling and disposing of contaminated fluids, have also been established through Board policy and administrative regulations for staff and student protection.

All staff shall comply with measures adopted by the district and with all rules set by the Montana State Health Department and the county health department.

Staff members have a responsibility to report to the district when infected with a communicable disease unless otherwise stated by law. (Refer to Policy 5130)

N. EMPLOYEE ELECTRONIC MAIL AND ON-LINE SERVICES USAGE

The District e-mail and Internet systems are owned by the District and are intended to be used for educational purposes only. While occasional personal use is allowed, employees should have no expectation of privacy when using the electronic mail or Internet systems for any purpose.

All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them.

The District reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

District records and e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process.

Consequently, the District retains the right to access stored records in cases where there is reasonable cause to expect wrongdoing or misuse of the system and to review, store, and disclose all information sent over the District e-mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access District information in the employee's absence.

All District employees should be aware that e-mail messages can be retrieved, even if they have been deleted, and that statements made in e-mail communications can form the basis of various legal claims against the individual author or the District.

E-mail sent or received by the District or the District's employees may be considered a public record subject to public disclosure or inspection. All District e-mail and Internet communications may be monitored. (Refer to Policy 5450)

SECTION IV: BENEFITS

A. HEALTH INSURANCE

Health insurance is available for all employees who are regularly scheduled to work thirty (30) or more hours per week. Eligible employees electing coverage will be covered from the first day of employment provided they have completed the necessary enrollment forms. The district pays a single coverage premium for the employee and if the employee should elect to cover his/her family, it is optional and will pay the remainder of the premium through payroll deductions.

If the employee does not elect coverage at the time of employment, it may be necessary for them to prove insurability and complete medical history forms to enroll at a later date.

1. Continuation of Coverage (COBRA)

Eligible employees and/or dependents are entitled to continue their company health benefits after termination of employment, except in cases of termination for gross misconduct, for a period of up to three years, depending on qualifying event, by paying 100% of the premium. See the Clerk for more information.

2. Life Insurance

Participation in Baker Public Schools' health insurance plan includes life insurance coverage. For more information, contact the Clerk.

B. FLEXIBLE BENEFITS PROGRAM

Our flexible Benefits Program gives employees the opportunity to have medical premiums, out-of-pocket medical, dental, vision, and dependent care expenses deducted from each paycheck pretax, thus automatically increasing his/her usable income.

Flexible benefits are available to all active employees regularly scheduled to work thirty (30) or more hours per week. Eligible employees may select benefits before the beginning of each new plan year or within the first thirty (30) days of employment. Each employee must complete an enrollment form to be eligible for the program.

Further information can be obtained from the Payroll Clerk or District Clerk.

C. VACATIONS (Policy 5334 & 5334P)

Each employee of the school district who is in continuous employment and service of the district is entitled to and shall earn annual vacation leave credit from their first full day of employment. However, employees are not entitled to use any vacation leave with full pay until they have worked continuously for a period of **six (6) calendar months**. Vacation time shall be scheduled with and authorized by the immediate supervisor and/or administration.

Vacation credits shall be earned in accordance with Montana Law (2-18-612 M.C.A.) as follows:

- A. From day one through ten (10) years of employment at the rate of 15 days per year. This means that the employee earns leave at the rate of .058 hour per hour worked.
- B. After ten (10) years through fifteen (15) years of employment at the rate of 18 days per year. This means that the employee earns leave at the rate of .069 hour per hours worked.

- C. After fifteen (15) years through twenty (20) years of employment at the rate of 21 days per year. This means that the employee earns leave at the rate of .081 hour per hours worked.
- D. After twenty (20) years of employment at the rate of 24 days per year. This means that the employee earns leave at the rate of .0924 hour per hours worked.

Vacation leave is not accrued on overtime hours.

An employee may not accrue vacation leave credits while on “leave without pay” status.

Completed vacation request forms should be submitted to your immediate supervisor at least two (2) weeks prior to the desired time off and no later than the Friday preceding the leave. Annual vacation leave may be accumulated to a total not to exceed two times the maximum number of days earned annually as of the end of the first pay period of the next calendar year. If an employee accrues vacation time over this maximum and is unable to take vacation due to scheduled workload in the school, he/she shall meet with their supervisor and the Superintendent to resolve the situation. Excess vacation leave is not forfeited if taken within 90 calendar days from the last day of the calendar year in which the excess was accrued. If the employee is separated from the service of the district they are entitled to cash compensation for unused vacation leave provided they have completed six (6) months of continuous service.

Emergency leave (Not related to illness)

The employee must notify their supervisor of the emergency before leaving their post, or before their next appointed time to work. A leave form must be signed by the employee and their supervisor by the end of the first day the employee returns to work. Time gone for the emergency will be charged against vacation leave credits and/or banked compensation hours, contingent upon approval of your supervisor.

D. HOLIDAYS (Policy 5333)

The following six holidays are recognized by Baker Public Schools each year: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. **In addition**, all 12-month employees will be granted ~~two (2)~~ **four (4)** hours of holiday pay for Christmas Eve and two (2) hours holiday pay for New Year’s Eve.

Employees are required to take the holiday off on the day it occurs, whenever possible. If the holiday falls on a Saturday or Sunday, the preceding Friday or following Monday will be a day off for the employees.

E. PAID SICK TIME

Baker Public Schools’ sick leave policy is designed to replace your earnings and protect you from undue financial loss in the event of a prolonged illness or hospitalization.

Each employee of the school district who is in continuous employment and service of the district is entitled to and shall earn annual sick leave credit from their first full day of employment. However, employees are not entitled to any sick leave with full pay until they have worked continuously for a period of **ninety (90) days**. This is in accordance to Montana State laws (2-18-618 M.C.A.).

“Sick leave” means a leave of absence, with pay, for a sickness suffered by an employee or his/her immediate family. **“Immediate family”** shall mean the employee’s spouse, children, parents (of either employee or spouse), brothers, sisters, grandparents, and grandchildren. When sick leave abuse is suspected, the supervisor can request a physician’s statement to validate the employee’s need for leave prior to approving the sick leave pay.

Abuse of sick leave is cause for discipline up to and including termination.

An employee of the district shall be granted sick leave at the rate of one (1) day per month, for a total of twelve (12) days per year. This means the employee earns sick leave at the rate of .046 hour per hours worked. Sick leave credits are accumulated from one year to the next, with no maximum.

The employee is asked to notify their supervisor in advance for all scheduled appointments. In the event an employee becomes ill on duty, they are required to notify their supervisor before leaving the premise.

To be eligible for a sick leave payment, the employee is required to fill out a request for sick leave. This form is to be given to their supervisor within twenty-four hours of return to work. Failure to notify your supervisor of your absence may result in disciplinary action and possible termination as well as not being paid.

Sick leave time is not accrued on overtime hours.

Sick leave cannot be used during leave of absence, or military leave. Sick leave benefits are “frozen” during any leave of absence and resumed upon return from leave.

Employees who terminate employment for any reason after six (6) months of continuous employment, are entitled to be paid a lump-sum payment equal to one-fourth (1/4) of the pay attributed to the accumulated sick leave, based on the salary or wage of the employee at the time of termination.

Payroll records shall reflect the amount of sick time accrued and the amount taken for each employee.

1. SICK LEAVE BANK

A Sick Leave Bank, administered by the District, is available to all classified employees. Individual participation is voluntary and initiated in writing by the employee’s first PIR day in August. Employee may not join after the initial signing period unless they are hired during the year. No Employee may withdraw from the bank during the time period or if resign or are terminated during the contract year. Contributions will be a max of 4 hours from the employee’s personal account and any unused balance by June 30th will be returned to the employee’s account based on a master spreadsheet kept by the District Clerk; the bank is not eligible for rollover to the next contract year. Membership in the bank is determined by donation; if a member does not donate, they are not eligible to receive days from the bank.

Upon exhaustion of all vacation, sick leave and compensatory time, a member employee may apply to the sick leave bank board (District Clerk, Senior-most Secretary, Head Cook, Head of Maintenance, and Senior-most Paraprofessional) for approval of up to fifteen (15) days (120 hours) of sick leave from the bank in any one contract year. The application for use of sick leave bank days shall be in writing and include an explanation of need. Requests shall be made twice yearly; December 1st and the last Monday in June, therefore, payment of time without pay will be with the regular December payroll and June 30th payroll, respectively. While using the donated days, the employee may not receive pay or compensation from any other plan in which the District participates either in whole or part.

F. BEREAVEMENT LEAVE

An employee who has a death in the immediate family shall be eligible for bereavement leave for up to five (5) days. Bereavement leave will be deducted from sick leave days.

Bereavement leave of greater than five (5) days must be approved by the Board. Such leave shall not exceed three (3) months, unless prescribed by a physician.

Bereavement leave is not available for employees on probationary status.

G. REST PERIOD (Policy 5221)

Paid rest periods are a benefit to Baker Public Schools' employees. Employees are authorized to take one 15 minute rest period during each continuous four hour work period if their work allows it. The rest period should not interrupt necessary services or exceed 15 minutes at any one time. Rest periods not taken are forfeited. Employees cannot save or accumulate rest period time. Those employees who violate this policy shall be subject to disciplinary action.

H. RETIREMENT PLAN/SOCIAL SECURITY

Retirement Programs for Classified Employees

All employees of the District are obligated to participate in the Federal Social Security Program. Contributions will be withheld from each check in accordance to Federal guidelines, and deposited with the Districts contribution as required.

In addition to Social Security, employees of the District will participate in the Public Employees Retirement System or the Teachers Retirement System according to state retirement regulations.

All employees will fill out either the Teachers Retirement or the Public Employees election forms upon employment. If they elect enrollment contributions will be withheld from their pay and remitted to the appropriate retirement system monthly in accordance with the retirement systems guidelines, from their first dollar earned. If they choose not to participate on their first day of employment, they will be notified when they have reached mandatory enrollment status. If the employee's position is covered by PERS, enrollment becomes mandatory when the employee has worked nine hundred and sixty (960) hours in a fiscal year. If the employee's position is covered by TRS, enrollment becomes mandatory when the employee has worked thirty (30) days in a fiscal year.

Retirement contribution reports are issued directly to the employee from TRS/PERS annually.

I. JURY DUTY

When a District employee is called for jury duty or summoned to appear as a witness, though not acting as a voluntary witness or expert witness during a trial, their regular pay and benefits will be continued provided they comply with the following guidelines:

- A. The employee notifies their supervisor in advance, providing a copy of their summons for juror/witness duty.
- B. Confirm each day of your juror/witness service by providing their supervisor with a copy of their official jury service record.
- C. Remit their juror/witness fee to the clerk.

However, if the employee elects to charge his juror time off against his annual vacation leave, he will not be required to remit his juror/witness fees.

The employee is not required to remit any expense or mileage allowances paid him/her by the court.

The employee is not eligible for pay if Jury/Witness duty occurs on scheduled days off.

This is a benefit and not required by Montana State Law.

SECTION V: SAFETY

Baker Public Schools has several plans in effect to insure safety for students, visitors, and personnel. Each employee shall be thoroughly acquainted with these plans to effectively deal with fires, disasters, and accidents/incidents. All safety related plans shall be discussed at employee orientation.

You shall immediately report to your supervisor any unsafe working condition so that this condition may be investigated and corrected as soon as possible.

A. FIRE PLAN

You, as a Baker Public School employee, have a responsibility in case of fire. Keep yourself informed on Baker Public Schools' fire rules, such as the location of extinguishers and your duties in case of fire. Each employee is given a copy of building evacuation sites. All employees are obligated to familiarize themselves with the exits and be aware of the fire evacuation plan.

Fire drills are held periodically throughout the year, and it is the supervisor's responsibility to inform his or her employees of departmental functions and specific assignments.

B. DISASTER PLAN

A disaster may be defined as anything catastrophic resulting in sudden substantial property damage and destruction accompanied by a possible toll of human injury and death. Section 321.62 in Board Policy is a crisis plan for our school. All school employees are advised to review this policy with their supervisor in preparation for such emergencies.

Drills are conducted at least once a year and it is the supervisor's responsibility to inform his or her employees of their functions and specific assignments in an emergency situation.

C. ACCIDENT/INCIDENT

When an accident/incident happens involving a student, visitor, or staff member, the occurrence shall be reported to your immediate supervisor immediately. Additionally, an incident report **shall** be completed no later than the end of the employee's shift. The incident report is to be given to your immediate supervisor. This is required to protect the interests of the injured person as well as the school.

D. SAFETY COMMITTEE

Providing a safe working and patient care environment is the primary concern of Baker Public Schools' Safety Committee. Its members conduct regular inspections of all areas to measure safety levels and to provide assistance in reducing hazards. The committee is responsible for accident prevention educational programs, incident reviews and investigations. However, safety is everyone's job and performing your job in the safest way possible is **your** responsibility. Job safety skills shall be discussed during your job orientation. It is absolutely necessary for you to always apply safety skills to your work efforts.

SECTION VI: GENERAL INFORMATION

A. PERSONAL PROPERTY

Baker Public Schools is not responsible for the loss of, or damage to, personal property belonging to employees on or off duty.

B. CARE OF PROPERTY

Protecting equipment and supplies, conserving material, and minimizing wastefulness is not simply your responsibility, it is your duty. When you are hired, you become a trustee of this community's school. We are all obligated not only to provide the best educational services possible, but to do so at the least possible cost. Preventing waste, effective use of time and equipment, and individual integrity are necessary to help meet this obligation.

C. CHAIN OF COMMAND

The direction of authority or chain of command is necessary for a school to operate efficiently. You are responsible for your work to your supervisor; in turn, the supervisor is responsible to Superintendent. If you do not understand the duties, or have questions at any time consult your immediate supervisor who shall furnish you with the information you seek and arrange for you to obtain the help you need. The organizational chart for the school and for your department is available to each employee.

D. NO SMOKING POLICY (Policy 8225)

In accordance with Montana Clean Indoor Air Act of 1979 and Montana Law 20-1-220, use of tobacco products in Baker Public School buildings or on Baker Public School property is prohibited.

E. WORKER'S COMPENSATION (Policy 5337)

As required by law, all employees are covered by Worker's Compensation Insurance. Worker's Compensation Insurance covers medical expenses incurred and/or wages lost by an employee due to "on the job" injuries or illness. Employees are to report any on-the-job injury to their supervisor or the Superintendent as soon as possible. Report all injuries to your supervisor whether or not you receive medical treatment. An accident report is to be filled out and filed with the Clerk within five (5) days for minor injuries. Major injuries must be reported to the Clerk by the supervisor as soon as possible. Employees losing wages for more than six (6) scheduled work days shall be reimbursed by Worker's Compensation as specified by Montana Law. If days are lost from work due to the accident/incident, it is the employee's responsibility to notify his/her supervisor and to keep the supervisor informed of his/her status and of their availability for work. A physician's statement which states the length of time an employee will be unable to work must be furnished to Baker Public Schools. Baker Public Schools reserves the right to request additional medical statements from the employee's physician as to the ability of the employee to perform their designated work tasks. A doctor's "release to work" will also be required when returning to work.

F. MANDATORY MEETINGS

All employees shall attend mandatory meetings. If the meeting is held outside your scheduled working hours, the employees shall be paid at his/her regular rate of pay unless the hours qualify as overtime hours.

G. SALES, DISTRIBUTION, OR SOLICITATION ACTIVITIES

Our students and staff deserve an atmosphere that is friendly and relaxed. Therefore we want to avoid any interruptions that are not related to education.

Such interruptions may take the form of soliciting, selling, and distributing various materials. Your work deserves your full-time attention during your scheduled working hours and you also have a right to be free of any such interruptions.

In order to prevent interference with our responsibilities, the following rules must be observed:

- ⇒ You may not solicit students or staff for any purpose at any time.
- ⇒ You may not solicit other employees for any purpose during your working time.
When you are on your break or your lunch period, you may not solicit other employees who are on their working time.

H. ALCOHOL AND SUBSTANCE ABUSE (Policy 5226)

We all recognize that drug and alcohol use and the abuse of both substances negatively affects the school, the individual, and his/her co-workers. Baker Public Schools has adopted a policy prohibiting the following:

1. Illegal use, sale, or possession of narcotics, drugs, or controlled substances on the job or on the school premises.
2. Any improper use of “legal” or physician prescribed drugs on the job or on the school premises.
3. Any on duty or off duty use of illegal substances.
4. The use, sale, or possession of alcoholic beverages on the job or on the premises.
5. Reporting to work under the influence of alcohol, illegal drugs, or improperly used prescription drugs.

This policy and its enforcement shall apply not only to Baker Public Schools employees but, also to Baker Public Schools contractors and their employees, Baker Public Schools sub-contractors and their employees, and Baker Public Schools vendors and their employees.

This prohibition has been adopted in the interest of safety and of maintaining a healthy and productive work environment it shall be strictly enforced. Violation of this policy may result in disciplinary actions including immediate termination.

All employees of Baker Public Schools shall observe the terms of this drug free work place statement and notify Baker Public Schools of any criminal drug statute conviction for a violation occurring in the work place, not later than five days after such conviction.

Refer to Board Policy 140.2, “Employee Assistance Policy”, for further information.

I. SEXUAL AND OTHER FORMS OF HARASSMENT, INCLUDING BULLYING AND INTIMIDATION

All forms of harassment including sexual are contrary to the policies of Baker Public Schools. This includes, but is not limited to, unwelcome sexual advances, requests for sexual favors,

and verbal and physical conduct when submission is a requirement of employment. Report any of these situations to your supervisor or to the Superintendent.

Refer to Board Policy 5012, "Sexual Harassment Policy", and Board Policy 5015, "Bullying, Intimidation Policy", for further information.

J. TRAVEL

Activities, which justify the reimbursement of travel expenses, include attendance at business meetings, conventions, and seminars or other selected educational functions related to an employee's job. **Prior approval shall** be obtained from the employee's supervisor or the Superintendent or it will be disallowed.

Upon completion of travel, the employee shall fill out and sign a claim form and attach the necessary supporting receipts. Travel claims shall be submitted within seven (7) days of incurring the expense. The amounts claimed must be approved by the employee's supervisor before submitting the claim to accounts payable. Mileage shall be reimbursed at current IRS reimbursement rates.

Employees shall not be reimbursed for their spouse or family travel expenses.

SECTION VII: DISCIPLINARY PROCEDURE

A. PROGRESSIVE DISCIPLINARY ACTION

Baker Public Schools, like any organization whose efforts are directed toward a common goal, has provisions to govern the discipline and conduct of its employees. The responsibility and authority for discipline rests with each supervisor.

In many cases, a situation can be corrected by a frank discussion between an employee and his/her supervisor. In other instances, when an employee is formally counseled, the discussion shall be documented and placed in the employee's personnel file folder.

Baker Public Schools retains the right to exercise its discretion to discipline any employee, up to and including discharge, for any legitimate business reason in accordance with state regulations.

Only the Board of Trustees has the authority to terminate an employee.

B. GRIEVANCE PROCEDURE

If an employee has a problem or complaint that cannot be resolved with his/her supervisor, the employee may present a written statement of their complaint, problem, suggestion or grievance to the Superintendent. The Superintendent will consider the written statement and take the action deemed appropriate, including but not limited to, establishing any necessary policies, meeting with the employee, or responding in writing to the employee's suggestion, complaint or problem.

If an individual employee wishes to appeal discharge, layoff, or a change in working conditions, he/she may present a written statement to the Superintendent. The statement must be filed within ten (10) days of the notice of the discharge, layoff or change in the working condition, and contain any facts the employee believes should be considered and the resolution the employee believes is appropriate. The Superintendent will consider the employee's statement and advise the employee of their final decision regarding the discharge, layoff or change in working conditions within ninety (90) days after the employee initiates the process.

SECTION III: RESIGNATION AND TERMINATION

Employees may be separated from Baker Public Schools through retirement, resignation, or dismissal.

A. RESIGNATION/RETIREMENT

All employees are expected to give written notice of their intent to resign or retire. Employees shall give a minimum of two (2) weeks' notice of resignation. Supervisory personnel shall give a minimum of thirty (30) days notice. Those employees intending to retire should notify the Superintendent as early as possible and no less than sixty (60) days prior to their retirement date.

The supervisor shall forward notices of resignation to the Clerk.

Employees who leave Baker Public Schools are asked to provide the Clerk with their forwarding address so their W-2 forms (for Income Tax purposes) and other pertinent information may be sent to them.

B. TERMINATION

Only the Board of Trustees can immediately discharge an employee for good cause. Discharge consideration shall be evaluated on case-by-case basis.

C. TERMINATION PAY (Policy 5500)

Employees who resign or retire shall receive their final pay check on the next regular pay day or within 15 days, whichever occurs first.

Employees who are discharged shall receive their final paycheck the day they are terminated. The final paycheck shall include hours worked in the current pay period, plus any vacation, personal time, or holiday pay due the employee, and a copy of the grievance procedure.

Employees who carry school insurance shall complete the necessary forms if they wish to continue their insurance coverage (COBRA).