

26-27 Mohall-Lansford-Sherwood

Classified Employee Handbook

General Terms of Employment

At-Will Employment with MLS is with the mutual consent of the employee and the school district. Consequently, both the employee and the district have the right to terminate the employment relationship at any time, with or without cause or advanced notice. This employment at-will relationship will remain in effect throughout employment with MLS unless it is specifically modified by an express written agreement signed by the employee and the Superintendent. This employment-at-will relationship may not be modified by any oral or implied agreement.

Equal Employment Opportunity Statement

MLS believes that every employee has the right to work in surroundings that are free from discrimination. As an employer, MLS will provide equal employment and advancement opportunities to all persons, regardless of age, sex, religion, marital status, race, creed, color, national origin, sexual orientation, or the presence of any sensory, mental or physical handicap. MLS will make reasonable accommodations for qualified employees with disabilities, unless doing so will create an undue hardship, taking into consideration the nature and cost of the accommodation needed, MLS's financial resources, and the impact of the needed accommodation on the operation and on other employees and students. This policy applies to all aspects of the employment relationship from the hiring process through the employment relationship, including promotions, job assignments, compensation, provision of leave, access to benefits, perquisites, discipline, discharge, lay-off, etc. MLS also provides equal access to the Boy Scouts and other designated youth groups. Heidi Newgard (Superintendent) is the designated Title IX and Section 504 coordinator and will handle all discrimination issues/complaints. Please contact her at heidi.newgard@k12.nd.us or 701-756-6660. His office can be found at 101 3rd Street NW in Mohall, ND. 58761.

Employment

Job Assignments & Working Hours

Employees have the right to turn down any assignment offers. Once an assignment has been accepted, MLS counts on employees to meet this commitment. Failure to complete a job assignment as agreed upon will be considered a voluntary resignation and may result in ineligibility for future job referrals. The superintendent sets all working hours and time schedules. Changes may be necessary depending on work, activities, enrollment, and program changes.

Job Listings/Hiring & Dismissal Powers

MLS will hire individuals who best meet the needs of the district, consistent with budget limitations. The Superintendent is authorized to hire classified employees without board action.

The Superintendent can also terminate the contract of the employee without board action (as authorized under policy DBAA & DKBA).

Classified employees are hired only on an hourly rate and not on a contract. Potential employees are qualified for Veterans Preference. Veterans must provide appropriate certification. Potential employees will be investigated (screened) as to qualifications and conduct as well as education and experience. All employees with unsupervised access to students will be required to complete criminal history record check and must certify that they have never been charged with a felony.

Probationary Period

All MLS classified employees will be hired on a probationary status. Within 30 days, the Superintendent and/or administration will make a preliminary assessment of the employee in relation to assigned duties (job description). At any time during the probationary period, the employee may be released if they are not doing the job at the expected level of proficiency. This probationary period is designed to see if the employee is a good fit for the position and to evaluate and train the employee. It is during this time that the most attention should be spent supervising and assessing the employee and their potential to perform said duties.

Evaluation

The immediate supervisor should evaluate all employees each year by using the evaluation process (evaluative tool adopted). Lack of an evaluation does not prohibit the supervisor from terminating employment. This evaluation should be a feedback instrument leading to continual improvement. The evaluation shall become a part of the employee's personnel file. The employee shall have the right to review the evaluation and may attach a statement of disagreement if he/she so wishes.

Lunch Hour and Breaks

Employees will generally take a thirty minute paid lunch period, depending on the nature and duration of the assignment. Employees are not to work more than five hours without having taken at least a half hour off for lunch. The specific timing of the lunch break should be coordinated with the supervisor, depending on the school's needs. Employees are also entitled to a fifteen-minute paid rest break for each four hours worked. Specific timing of paid rest breaks should also be coordinated with the supervisor.

Overtime

Overtime is paid to all nonexempt employees at the rate of one and a half times the regular rate of pay for all hours worked over forty hours in one workweek. The employee is permitted to work overtime only if approved by the superintendent.

Commitment to Direct Communication

MLS is convinced that the best working environment results from a direct relationship between management and employees. Employees have a right to speak for themselves, and MLS is committed to listening and responding appropriately.

Office Hours

The business office is open from 7:30-4:00 each day and during lunch. The 24-hour voicemail system is checked each day during business hours. Appointments can be set up each day for either the business office or the superintendent.

When to Call

1. In the event the employee is ill or unable to arrive at work on time, then the supervisor should be notified & leave entered in Time Clock Plus as early as possible. For attendance calls made before or after business hours, employees will call or message their supervisor/principal as early as possible. Reliable and punctual attendance is an essential function of any position with any client.
2. If the employee is absent for two or more days without contacting the school as directed above, then the employee will be considered to have abandoned and voluntarily resigned from the position.
3. If the employee's name, address, phone number, or marital and/or dependent status changes for withholding purposes, then the business office must be notified immediately.
4. If the employee is injured while on the job, then the business office must be notified immediately.
5. If the employee is unable to complete an assignment or a shift for any reason, then the supervisor should be notified.
6. If the employee wishes to end employment with MLS, then the superintendent should be notified immediately.

Payroll

Payroll

Pay for all assignments is dependent on the employee timecard. Timecards must be "clocked" in by the employee listed on the timecard. It is vital that employees make certain timecards are accurate. The district pays on the 20th of each month or the last working day of the week if the 20th falls on a weekend.

Individual paychecks are based on annual salary divided by the number of months selected by the employee. Employee will either select 10 or 12 month pay period.

Custodians and full-time employees will automatically be 12 month pay periods.

Timecard Submission

A typical work week starts at 12:01am on Monday and ends at midnight on Sunday. Timecards are submitted electronically using TimeClock+. Timecards will be pulled two days prior to pay periods.

Direct Deposit

Direct Deposit – The employee must enroll in our direct deposit option by notifying our business office and providing the required bank account information

Lost Paychecks

If the employee has not received a paycheck by mail within five (5) business days after mailing, the employee should contact the Business Manager. If the employee loses a paycheck, a stop payment fee will be deducted from the paycheck in order to reissue a new check. The employee may be responsible for any other applicable charges incurred to issue a stop payment order on the lost check.

Deductions

As an employer, MLS is required to make payroll deductions for social security, federal income taxes, and all other applicable state and federal taxes, including the employee portion of the insurance premium. MLS will honor administrative and court orders for garnishment or wage withholding pursuant to state and federal law. Any other deductions may require written authorization.

Employee Information Changes

Employees need to notify the business office immediately of any changes regarding personnel information such as changes in address, phone number, marital status, number of exemptions, etc. Please note that new forms may need to be completed to make changes.

Benefits

At MLS our employees are valued and the importance of benefits is recognized. The benefits applicable to employees are as follows:

Holiday Pay

Non-Year Round Staff-

Paid Holidays: Labor Day, Veterans Day, Good Friday

Non-Paid Holidays: New Year's Day, Good Friday, Easter Monday (if no school), Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, Christmas Day, New Year's Day, Memorial Day

Custodians work all days except holidays listed above. If the custodian is working 4 ten-hour shifts, then they must work 2 additional hours during the week if the week includes a holiday, since 8 hours are allowed for a holiday.

Non-School Days (including Professional Development Days)- Bus drivers, Paraprofessionals, Kitchen workers, and Secretaries are off. This is not a part of your contracted days. Paraprofessionals & head cook may be asked to come in for training, etc., for additional hours/pay.

Year-Round Staff (12-month)

Paid Holidays: Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Day, Good Friday, Memorial Day, Independence Day

Non-Paid Holidays: Easter Monday (if no school), Friday after Thanksgiving

Custodians work all days except holidays listed above. If the custodian is working 4 ten-hour shifts, then they must work 2 additional hours during the week if the week includes a holiday, since 8 hours are allowed for a holiday.

If a holiday falls on a Saturday, the preceding Friday will be observed as the holiday. If a holiday falls on a Sunday, the following Monday will be observed as a Holiday.

Paid Sick Leave

Available to all employees who work at least 20 hours per week. Total of 5 per year, pro-rated based on hours worked per week. accumulated up to 20 max. Medical verification can be requested by the administration.

Authorized Uses of Paid Sick Leave

Care of the employee or the employee's family member

- Employees may use their paid sick leave hours to care for themselves or a family member (definition below) for:
 - Mental or physical illnesses, injuries, or health conditions;
 - The need for medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions; or
 - The need for preventive medical care.

For the use of paid sick leave for an employee's family member, family member is defined as:

- A child; ▪ Including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status
- A parent; ▪ Including a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or

registered domestic partner, or a person who stood in loco parentis when the employee was a minor child

- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild;
- A sibling.

Closure of the company or the employee's child's school or place of care

- Employees may use their paid sick leave when their place of employment has been closed by order of a public official for any health-related reason; or
- When an employee's child's school or place of care has been closed by order of a public official for any health-related reason.

Please see the definition of "child" in the previous section

- Employees will only be paid at 2/3 rate of pay when using sick leave for this purpose

Reasonable Notice for the Use of Paid Sick Leave

Employees must provide reasonable notice of an absence from work for the use of paid sick leave to care for themselves or a family member, or because the employee's child's school or place of care is closed by order of a public official for any health-related reason. Such notice must not interfere with an employee's lawful use of paid sick leave. Any information provided will be kept confidential.

Note: Verification may be required if an employee uses paid sick leave for more than three (3) consecutive days for which the employee was required to work.

Reasonable Notice for Foreseeable Use of Paid Sick Leave

If an employee's absence is foreseeable, the employee must provide notice at least 5 days, or as early as practicable, before the first day paid sick leave is used. If possible, the notification should include the expected duration of the absence.

Reasonable Notice for Unforeseeable Use of Paid Sick Leave

If an employee's absence is unforeseeable, the employee must contact the school district as soon as possible before the required start of their workday (shift).

Increments of Use

MLS requires employees to use paid sick leave in increments of one hour or one period.

Personal Days

3 personal days per year that can't be carried over. Must be pre-approved by the administration. No personal days should be taken in the first or last two weeks of school.

Professional Days

Used for in-service or work training. Must have superintendent approval prior. The district will assume the cost of attending.

Bereavement Leave

Without loss of pay, up to but not exceeding 5 days per school year, may be granted only in the death of the immediate family at the sole discretion of the Superintendent. Immediate family is defined as spouse, parents, spouse's parents, children, grandparents, grandchildren, brothers, sisters, brothers-in-law, or sisters-in-law. 3 of these days could be used for the death of a close family friend.

Vacation (Full-time employees only)

.8333 days per month with a max of 10 days per year. 1 day a month for those with between 10-15 years and 1.25 days a month for those with 15 or more years of experience. 7 days can be carried over to the next year.

Prior approval is required for vacation days. No vacation days will be granted without superintendent approval during the last week of school.

Unpaid Leaves of Absence

Emergency Leave

Absence that is unforeseen, tragic, or unique to an individual employee. This leave is taken without pay. Public Service Emergency will result in no deduction from pay. Must be approved by the superintendent.

Family Medical Leave

Employees may be eligible for a leave of absence pursuant to the state and federal Family and Medical Leave Acts. Must have worked for the district for the past 12 months. See district policy and posting of the law in the business office for qualifications and explanation of the law.

Jury Duty

If an employee is summoned to jury duty, they have two options for taking time off: 1)the employee can take a personal day(s) and pay the pay received from the court to the school, or 2)the employee can take the day(s) unpaid (not using personal days) and keep the pay received from the court.

Unpaid Leave

All paid leave, relevant to the situation, must be taken prior to using unpaid leave. Ex- all personal leave needs to be taken prior to using unpaid leave.

Insurance Benefits

Term Life

The district pays for a \$10,000 term life policy on all employees who work over 20 hours per week.

Disability Insurance

The district pays for a disability policy based on an individual's salary and starts 60 days after the company says that you are eligible.

Health Plan Options

Insurance is available for employees working 32 hours/week. An employee health, annuity or cash option is figured on the percent of employment. The amount of contribution will be listed on your work agreement. It will give you Insurance options (Family, employee plus children, employee plus spouse, single only) and the amount that the district will contribute toward each option. The work agreement will also list a cash option should you choose not to take the health insurance. Employees working less than 30 hours per week will receive pro-rated contributions. Employees are not entitled to Health Plan benefits until they have fulfilled probationary status (after 30 days).

Retirement

The district will pay the employee and employer sides to the Public Employees Retirement System for those who work more than 20 hours per week.

Conduct

Keys to Success as an MLS Employee

The following tips will help one be a successful employee

- Teamwork: Be willing to work cooperatively with co-workers.
 - Flexibility: A helpful, flexible attitude is essential. Keep busy and ask for more work when finished with a project. Be flexible to accept new projects as the need occurs.
- Professionalism: Always maintain a pleasant, professional demeanor at work.
- Punctuality: Be on time for work.
- Dependability: Follow through with work assignments.
 - Follow Policies: Comply with all workplace policies and procedures. Any questions or concerns regarding our policies, or any conflicts should be communicated directly to the Superintendent.

Trust and Mutual Respect

As a team of educators and professionals, we are committed to fostering a culture of trust and mutual respect among all staff and administration. We recognize that open, honest communication and a shared commitment to our students' success are essential to a positive and productive working environment. All staff are expected to treat one another with

professionalism, integrity, and respect, valuing each person's role and contributions to our school community.

Computer/Phone Usage

Employees are required to follow the acceptable use policy regarding use of all district computers. Personal communication should be made during breaks or meal periods when possible. No personal long-distance or toll telephone calls are to be charged to the school. All information stored on district systems, including but not limited to computers, networks, email, etc., is considered property of the district. The district has the right to monitor/access employee use of these school systems. Employees should not expect privacy while using school district systems or equipment and are urged not to use them for purposes other than the conduct of school business.

School systems may not be used to solicit or proselytize for commercial ventures, religious, political, or charitable causes, or other non-job-related solicitations. These systems (phones & devices) may not be used to create, view, access, transmit, download, display, print or store offensive, threatening or disruptive messages. Messages that are considered offensive are any messages containing sexually explicit or obscene language or content or those containing language or content prohibited by MLS harassment policy. These systems may not be used to threaten harm against any person or property or to criminally harass or stalk any individual. Any employee in violation of this policy may be subject to disciplinary action, up to and including recommendation for immediate termination of employment.

Employees may carry and use personal mobile phones only to the extent that such activity does not interfere with school policies, safety, or morale. Please accept calls only on breaks, absent an emergency. Please silence phones so that it doesn't interfere with school operations.

Sexual harassment policy

Refer to district policy AAC on nondiscrimination and anti-harassment. It applies to all employees. Sexual harassment will not be tolerated. The district has an obligation to investigate, and you can find reporting forms on our website or at the central office. Employees will receive a copy of this policy and receive training as necessary. Please contact the district Superintendent to report any harassment at 701-756-6660

Title IX (Policy AAC-BR2)

Title IX Coordinator and Sexual Harassment Reporting

Any person may report sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct. A report may be filed in person, by mail, by telephone or by email. A report may be filed at any time, including during non-business hours. A report should be filed as soon as possible after the alleged harassment. Delays in filing a report may cause difficulty in the investigation. Anonymous reports are permitted; however, the District's ability to offer supportive measures to a complainant, or to consider whether to initiate a grievance process against the respondent, will be affected by whether the report of sexual harassment disclosed the identity of the complainant or respondent. Please call, email or file in person with the Title IX Coordinator or speak with any teacher or administrator.

Maintaining Professional Employee-Student Boundaries

The board requires employees to treat one another with respect and professionalism. District employees are legally and ethically obligated to exercise good judgment and maintain professional boundaries at all times when interacting with students on and off school property. Employees must not intrude on a student's physical or emotional boundaries unless the intrusion is necessary to serve a legitimate health, safety or educational purpose. Employees should avoid any activity or relationship that may create an impropriety or appearance of impropriety. See policy DEBD for specific examples. Any allegations will be investigated by the Superintendent or designee in accordance with district policy. If disciplinary action is warranted, the district will take appropriate action up to and including termination of employment.

Gifts

District employees shall not accept anything of value (within reason) from individuals or companies attempting to sell/lease or selling/leasing equipment or materials to the district.

Discipline and Discharge

Employees are expected to meet high standards of work performance, to perform their jobs competently, to maintain satisfactory interpersonal relations with students and co-workers, and to conduct themselves appropriately in the workplace. Failure to meet these standards, in the judgment of your supervisor, may result in disciplinary action, up to and including recommendation for termination of employment. You can also be placed on immediate leave (paid or unpaid).

It should be noted that employment is at-will. Accordingly, the employee can terminate the employment at any time with or without cause.

As noted above, disciplinary concerns arise where performance falls below expected standards. Additionally, such concerns arise where behavior violates the law or rules and policies. By way of example and not limitation, the following conduct is strictly prohibited and will result in disciplinary action up to and including recommendation for discharge:

- Changing the work schedule or taking time off work without prior approval
- Absence from work without notification by 8:00 a.m. or at least one (1) hour before the shift (whichever is earlier).
- Refusing to follow work instructions.
- Disregarding safety instructions.
- Conducting personal business on school's time or using school's equipment or supplies for personal business.
- Initiating, distributing, posting literature, posters, handbills, petitions or other notices during work time in work areas without authorization.
- Violation of policy against harassment or any MLS policy or policy
- Possession of intoxicating liquors or drugs, including, without limitation, marijuana on school premises or reporting to work in consumption of or under the influence of these substances.

- Any act of violence on MLS grounds.
- Willful theft or destruction of school property.
- Disclosure of confidential information.
- Possession of firearms or weapons on premises or in violation of weapons policy.

Safety and Security

Employees must make themselves aware of any applicable safety policies or practices in any workplace to which they are assigned. The safety policies and procedures must be adhered to. If there are any questions about these matters, the employee should contact the Superintendent or administrator as soon as practical. By following these basic safety rules, each employee is taking an active role in ensuring his or her own safety and avoiding injuries. Employees should always:

- Make sure instructions are received on how to perform duties properly and safely.
- Follow all safety rules.
- Know where the first aid station is located and how to evacuate the building in case of an emergency.
- Report all unsafe conditions or injuries to the supervisor
- Use approved lifting techniques.
- Read any applicable Material Safety Data Sheets before beginning work. If chemicals or solvents are used at an assigned workplace, employees must make sure they know how to handle them properly. Make sure chemicals are properly marked and stored.
- Use proper equipment or ask for assistance to reach for objects and avoid standing on office furniture, such as chairs or desks. Use a ladder when needed.
- Keep drawers and cabinets closed to avoid tipping or tripping hazards.
- Walk, do not run. **Walk small (penguin walk) on ice (toes outward).**
- Always watch your step, especially when entering and exiting your vehicle.
- Hold any handrails while using steps. Keep your head up and don't lean forward.
- Open doors slowly.
- Walk with your hands out of your pockets, don't carry heavy things, free up your hands
- Avoid obstructing walkways. Walk in cleared paths; don't take shortcuts
- Use good posture, adjusting chairs and position if necessary.
- Use breaks as time for proper stretching.

Accidents and Accident Reports

If the employee should sustain an injury while on the job, the supervisor (office) must be notified immediately. The supervisor will evaluate the injury, arrange for any appropriate first aid, conduct any necessary investigation, and contact any required emergency contacts. An accident report must be filed.

Drug-Free Workplace Policy

MLS intends to provide a healthy work environment free of the harmful effects of drugs or substance abuse through our Drug-Free Workplace Policy. Please refer to our Drug-Free Workplace Policy (district policy DEAA).

The District enforces the Drug and Alcohol Free Workplace Act by prohibiting employees from the use, manufacturing, possession, distribution, or dispensing of drugs or alcohol while on school property (with some physician approval exemptions). Employees are also prohibited from knowingly aiding or abetting in any of the above.

Employees may be subject to drug and/or alcohol testing when there is reasonable suspicion by the district administrator that indicates the employee may have violated this policy (DEAA). The district will assume the cost for such testing.

Violation of these rules will result in disciplinary action up to and including recommendation for termination of employment and may have additional legal consequences for the individual. Voluntary efforts by the employee to seek professional help for a problem are encouraged.

Bus Drivers

Must have annual physicals and are subject to Drug and Alcohol testing (Omnibus Transportation Employee Testing Act). See Drug and Alcohol Testing Program in Policy DBBA.

Chain of Command

Chain of command refers to an organization's hierarchy of reporting relationships from the bottom to the top. The chain of command not only establishes accountability, it also lays out an organization's line of authority and decision-making responsibility. The following table has been developed to help you when you have an area of concern within the MLS District. The Chain of Command **MUST BE FOLLOWED IN THE ORDER IN WHICH IT IS LISTED!**

Area of Concern	Level 1 (Start Here)		Level 2		Level 3		Level 4	
	Elem	7-12	Elem	7-12	Elem	7-12	Elem	7-12
Academics/ Curriculum	Teacher	Teacher	Principal	Dean of Students	Superintendent	Superintendent	School Board	School Board
Athletics	Coach	Coach	Athletic Director	Athletic Director	Superintendent	Superintendent	School Board	School Board
Athletic Facilities	Athletic Director	Athletic Director	Superintendent	Superintendent	School Board	School Board	--	--
Attendance	Teacher	Office	Principal	Dean of Students	Superintendent	Superintendent	--	--
Discipline	Teacher	Teacher	Principal	Dean of Students	Superintendent	Superintendent	School Board	School Board
Facilities	Principal	Dean of Students	Superintendent	Superintendent	School Board	School Board	--	--
Guidance	School Counselor	School Counselor	Superintendent	Superintendent	School Board	School Board	--	--
Instruction	Teacher	Teacher	Principal	Dean of Students	Superintendent	Superintendent	School Board	School Board
Special Education	Teacher	Teacher	Principal	Spec. Educ. Supervisor	Superintendent	Superintendent	School Board	School Board
Transportation	Bus Driver	Bus Driver	Principal	Dean of Students	Superintendent	Superintendent	School Board	School Board

**Where MLS School Board policies are referenced (letters in parentheses) in this handbook, please refer to the complete policy online at <https://www.mls.k12.nd.us/our-district/school-board/school-board-policy>. If you would like to request a printed copy, please contact the main office at 756-6660 or email Heidi Newgard at heidi.newgard@k12.nd.us