

PERSONNEL POLICY

STOCKBRIDGE HOUSING AUTHORITY

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I. PURPOSE AND PRINCIPLES

The Stockbridge Housing Authority Personnel Policy establishes the standards, responsibilities, and benefits for all employees in order to create a fair and productive workplace conducive to serving the housing needs of residents and clients.

The Personnel Policy is not a contract, an employment contract and does not provide a promise or guarantee of employment or benefits. It is only a statement of policies and procedures that are intended to be guides to management. This policy is not a guarantee of continuity of benefits or rights. The Stockbridge Housing Authority reserves the right to delete, to add, or to changes these policies at any time without notice.

Amendments to the Personnel Policy shall be voted on by the full Board. Suggested Amendments should be submitted to the Executive Director/Personnel Committee, which has the discretion to forward proposed Amendments to the full Board with recommendations.

The Personnel Policy is based upon the following basic principles:

- A. Merit System The employment of personnel and all actions affecting employees shall be based solely on merit and ability, to be established by recognized management principles. Stockbridge Housing Authority will not discriminate against an applicant for employment, a colleague or current employee, or a tenant because of race, creed, color, religion, gender, national origin, ancestry, age, physical or mental handicap, or sexual orientation.
- B. Politics All employees of the Stockbridge Housing Authority shall be subject to the provisions of the Hatch Act Public Law 252, February, 1980.
- C. Nepotism
 - 1. The employment of more than one member of the same immediate family is not permitted. Immediate family is defined to mean the employee, his or her spouse, and his, her, or their parents, grandparents, children, grandchildren, brothers, and sisters, including in-laws.
 - 2. No member of the immediate family of the Board of Commissioners of the Stockbridge Housing Authority shall be employed by the Authority during such official's term of office.
 - 3. Commissioners of the Stockbridge Housing Authority shall not be eligible for appointment to any paid position, including temporary or contract work, with the Stockbridge Housing Authority while she/he is serving as a Board member or for a period of one year following the end of such service, as provided in 760 CMR 4.04 (2 b)
- D. Affirmative Action Affirmative action shall be taken in order to recruit, hire, and retain personnel who reflect the composition of the community.

II. EMPLOYMENT PROCEDURES

A. Authority

The Board has the authority to appoint, transfer, demote, and separate the Executive Director. The Executive Director has the authority to appoint, promote, transfer, demote, and separate all other personnel, subject to review and approval of the Board of Commissioners.

B. Hiring and Selection of Staff

1. Advertising Procedure

A job description approved by the Board of Commissioners will specify the minimum qualifications for each position. Notifications of all available positions and procedures for applying will be posted in a conspicuous place at the Housing Authority office. In addition they will be advertised in the local papers, according to DHCD guidelines. The Stockbridge Housing Authority shall be declared an equal employment opportunity employer and an equal housing opportunity on all advertisements.

2. Applications

Persons desiring employment shall file written applications and/or resumes setting forth their qualifications, experience, references, and other information as may be required. Applications shall be of an approved form and made available at Stockbridge Housing Authority's main office.

3. Hiring Preference

According to the US Census Bureau in 2004, Berkshire County has a minority population of 4.7%. Should the percentage of minority employees fall below this number, every effort will be made to hire a minority applicant for the next available opening. If programs or services administered by Stockbridge Housing Authority have different Affirmative Action guidelines, they will apply to those specific programs.

4. Selection Procedure

The hiring of all personnel shall be the responsibility of the Executive Director. Except in cases of severe time constraint when hiring temporary help, the Executive Director shall consult with a hiring committee consisting of at least two Board members and one tenant for the purpose of screening and interviewing of applicants. At the discretion of the Board, the tenant representative may be invited to participate in the screening process. The

Executive Director and immediate supervisor of the position shall serve as members of the committee.

After reviewing the recommendation of the hiring committee, the Executive Director shall hire the best qualified person available to meet the needs of the communities served by the Authority and its programs.

Before offer of employment, all prospective employees shall have their Criminal Record checked according to the SHA CORI Policy for prospective employees.

III. EMPLOYEE STATUS

Employees of Stockbridge Housing Authority are categorized according to the following definitions:

- A. Regular An employee whose normal and approved schedule is at least 1/2 of a normal work week for that classification, i.e. at least 18.75 hours for administrative personnel and at least 20 hours for maintenance personnel.
- B. Part-time An employee whose normal and approved schedule is less than 1/2 of a normal work week for that classification, i.e. less than 18.75 hours for administrative personnel and less than 20 hours for maintenance personnel.
- C. Permanent An employee who has successfully completed the six-month probationary period. There is automatic transfer to permanent status within thirty (30) days after expiration of six (6) months probationary period if no evaluation is completed.
- D. New Probation An employee who is new to Stockbridge Housing Authority and has worked less than six (6) months.
- E. Internal Probation An employee who has changed positions within the Authority and has worked less than (3) three months in the new position.
- F. Temporary An employee who is hired for a limited time, not exceeding six (6) months regardless of hours worked per day/week, and who is not entitled to regular benefits.
- G. Consultant Individuals hired on a contractual basis as the need arises, for a specific period of time to perform work for which they are considered uniquely qualified and do not receive any benefits. Consultants are hired by the Board of Commissioners upon recommendation of the Executive Director, subject to appropriate Department of Housing and Community Development's approval.

- H. Job Sharing Job sharing is defined as one position shared by two employees with hours and benefits affected accordingly. It is permitted in appropriate instances with the approval of the Executive Director and the Board of Commissioners.

IV. CHANGE IN EMPLOYEE STATUS

- A. Promotions Vacated or newly established positions shall be filled by the promotion of qualified employees, to the fullest extent consistent with efficient operations and subject to Department of Housing and Community Development regulations. Notice of a permanent promotional vacancy shall be posted for seven (7) working days in a conspicuous place in the Authority's office. Any employee of the Authority who has completed his initial probationary period may apply in writing to the Executive Director or Board, for the position of the Executive Director, within the expiration date of such notice.
- B. Demotions Any employee will be subject to demotion under conditions as follows:
1. If he/she has been found unsuited for the present position but may give satisfactory service in a lower pay position.
 2. If his/her position has either been abolished or reclassified to a lower paying classification and he/she cannot be transferred to a position of equal pay. It will be clearly indicated on all records that the transaction in no way reflects on the employee's performance or ability.
- C. Separations
1. Resignations An employee who desires to terminate his/her employment should submit a written resignation at least two (2) weeks in advance, setting forth his/her reasons for resigning. Failure of the employee to give proper notice may result in the forfeiture of accrued vacation time up to the two (2) week notice requirement. Actual amount to be forfeited is the required two (2) weeks notice time, less the notice time actually given.
 2. Dismissals An employee who gives unsatisfactory service or who is guilty of violation of regulations shall be subject to dismissal. In such cases, employees other than probationary employees should refer to the Grievance Policy (VI. K.).

Immediate dismissal may result from dishonesty, theft, willful damage to property, falsifying time cards or work records, intentional and malicious injury to other employees, gross discourtesy to tenants, clients, or guests

of the Authority, or gross negligence in the performance of work. Breach of confidence, where confidential matters are an essential part of a particular position, is also grounds for immediate dismissal.

3. Reduction in Force If it is necessary to reduce personnel, the selection of employees to be retained shall be based primarily on their relative efficiency and the demands of the job. Other things being equal, length of service shall be given consideration.

At least two (2) weeks notice prior to dismissal shall be offered to an employee except for persons employed for a specific period or persons subject to immediate dismissal.

V. COMPENSATION

A. Determination of Rates

1. Executive Director The Executive Director's salary shall be determined upon review of his/her performance in a manner consistent with the Board of Commissioners' standards, goals, and objectives and in accordance with the Department of Housing and Community Development Executive Director's Salary Schedule and the Stockbridge Housing Authority's approved operating budget.
2. Other Administration The salary of administrative employees, other than the Executive Director, shall be determined upon review of the classification, performance, current salary, salary range of each of the subordinates, in accordance with the Stockbridge Housing Authority's approved operating budget and DHCD budget guidelines.
3. Maintenance Maintenance employees, whose salaries are fixed pursuant to Massachusetts General Laws, Chapter 121B, Section 29, shall receive appropriate compensation in accordance with the prevailing rates by classification as established by the Commissioner of the Department of Labor and Industries.

B. Time Issues

1. Work Week For administrative staff, the full time work week is 37.5 hours, Monday through Friday. For maintenance staff, the full time work week is 40 hours per week. Scheduling of hours within a work week may be arranged at the discretion of the Executive Director. Any work day longer than four (4) hours shall include a 15-minute break as per Department of Labor regulations. If taken, the lunch break is not a paid break.
2. Comp Time/Overtime Maintenance employees may be required on occasion to work at times other than the normal scheduled hours. Comp

time is defined as the hours worked which are in excess of the normally scheduled work week. Scheduling of hours within a work week may be arranged at the discretion of Executive Director. If overtime instead of comp time is determined necessary by the Executive Director, the overtime hours worked shall be compensated for by allowing time and one half for each hour worked over forty (40) hours. If comp time is determined, employees will be compensated by equal time off.

Administrative employees, if required to work overtime, will be compensated by equal time off up to forty (40) hours, and at time and one-half over forty (40) hours. Determination of need for overtime will be made by the Executive Director.

The limit on accrual of compensatory time is twenty (20) hours and must be used within two (2) months of accrual unless there are extenuating circumstances approved by the Executive Director.

3. Payroll Period

The payroll period is Sunday to Saturday. Pay day is the Wednesday following the worked week. Earned vacation pay may be drawn on request before the employee starts vacation.

4. Time Sheets

Time sheets will be filled in daily, signed by the employee, and submitted to the Executive Director on Monday morning for approval signature. Time sheets become part of the employee's payroll records.

VI. TERMS AND CONDITIONS OF EMPLOYMENT

- A. Initial Evaluation Period All new staff will be engaged for a probationary period of six (6) months. Permanent staff transfers will be engaged for a probationary period of three (3) months. During this time, supervisors shall keep the Executive Director informed as to employee performance and shall, in the case of substandard performance, submit to the Executive Director monthly evaluations, with a corrective action plan, for each employee under their supervision. Such evaluations shall be entered as part of the employee's personnel record.

During the probationary period, the new employee shall not be eligible for employee benefits, except health insurance, if eligible, and paid holidays that fall on a scheduled work day. At the successful completion of the probationary period, the employee's permanent status shall be made retroactive to the date of employment and employment benefits shall be accrued on a retroactive basis. Transfer from probationary to permanent status shall be confirmed in writing following the end of appropriate probationary period.

In the case where any employee does not receive a positive evaluation after the probationary period, the employee may be terminated, may be offered a position within the agency with fewer responsibilities, or may have the probationary period extended for another three months. If the employee remains with the agency, he/she must be given in writing a corrective action plan (the area in which improvement is needed). Probation may not be extended for more than three months.

- B. Performance Evaluation The job performance of all staff members shall be reviewed by the appropriate supervisory personnel at least once per year (unless they have completed a probationary period within the previous 45 days.) The evaluation shall be discussed with the employee and the employee is required to sign the evaluation certifying that he/she has reviewed it. This signature does not verify an employee's agreement. The employee may submit a supplemental statement to the evaluation.

During the course of the year, as soon as the supervisor becomes aware of any serious weakness in an employee's performance, the supervisor shall discuss the performance with the employee. This shall be interpreted as a verbal warning. If the weak performance continues, the supervisor shall issue a written warning specifying the problem, develop a corrective action plan, and allow adequate time for improvement, except in cases of gross inadequacy or misconduct. If necessary, the employee may be put on probation and given a specified length of time to improve his/her performance. In such cases, a written re-evaluation must be completed by the supervisor within thirty (30) days. During the probationary period, medical benefits are maintained, but leave benefits are suspended. All evaluations shall become part of the employee's personnel file and shall be used in determining salary increases, promotions, and future references.

- C. Personnel Records The Executive Director is responsible for maintaining a personnel file for each employee. Employees have the right at a reasonable time to examine and copy the contents of their Personnel File. These records are confidential; the only people who may have access to them without a written release from the employee are:

- Members of the Board of Commissioners' Personnel Committee, in appeal/grievance cases only
- Executive Director
- Employee him/herself
- Chair of the Board of Commissioners, in the case of the Executive Director's file.

Personnel Records contain:

- Resume and/or application
- Signed receipt of Personnel Policy, Job Description, and Drug Free Workplace Policy
- Letter of employment
- W-4 Form
- I-9 Form
- Record of any changes of employee's status or wages
- Evaluations of employee, including corrective action plans and other relevant documents
- Documentation and summary of any meetings concerning employee's performance, grievance appeals, with all relevant attachments
- Information the employee has requested to be entered

D. Emergencies The Executive Director shall establish procedures for handling emergencies on weekends and during evening and holiday hours.

E. Weather Conditions In the case of bad weather, hazardous travel conditions, or unforeseen drastic situation requiring a suspension of work or closing of the office, the Executive Director or most senior supervisor may cancel a work day or close the office early with no loss of compensation.

F. Hours The Executive Director and the Board of Commissioners will establish regular hours during which the Housing Authority's office will be open for business. The Executive Director shall establish, in consultation with each employee, a work schedule to insure adequate coverage of all program components. At least one Maintenance employee shall be on the premises for a minimum of three hours Monday through Friday.

The office shall be open Monday through Friday from 9 a.m. to 2 p.m. and such additional hours as is necessary to maintain the program. Total scheduled office hours are 26 hours per week.

The maintenance office shall be open Monday through Friday from 8 a.m. until 4 p.m. with provisions for emergency services as needed at other times.

G. Travel and Related Expenses Employees and/or Commissioners will be reimbursed for agency-related travel expenses, subject to budget limits and conditions of the funding agency and procedures established by the Executive Director and/or Board of Commissioners. Approval may be authorized by the Executive Director in consultation with the Chairman of the Board of Commissioners.

Reimbursable travel expenses are according to the appropriate programs, as follows:

<u>State Programs</u>		<u>Federal Programs</u>
Mileage	per most recent budget guidelines	per IRS guidelines
Tolls	“	Yes
Parking	“	Yes
Hotel/Motel	“	As approved
Telephone	“	As approved
<u>Meals</u>		
Breakfast	“	
Lunch	“	
Dinner	“	

Mileage reimbursement is made to the owner of the automobile. Mileage shall be substantiated by actual mileage records. All expenses must be verified by receipts in order to be reimbursed.

All expenses and reimbursements must be approved and signed by the Executive Director, or by a representative of the Board of Commissioners, in the case of the Executive Director.

- H. Use of Authority Equipment Authority office and maintenance equipment exists for the sole use of the agency-related business. It is not to be removed or used on-site for personal purposes.
- I. Solicitation The Stockbridge Housing Authority expressly forbids on the job solicitation of its employees by any organization, society, business, or group.
- J. Accidents and Injuries All injuries occurring in the pursuit of agency business other than minor cuts and scratches shall be reported immediately to the employee’s supervisor. The supervisor must report the details of any accident to the Executive Director within eight (8) hours.
- K. Grievance Policy
 - 1. Employees who have a complaint, misunderstanding, or any question about any matter of their employment shall seek to resolve the issue with the immediate supervisor.
 - 2. If the grievance is not resolved, the employee shall state the grievance in writing to the Executive Director who will try to schedule a conference within three (3) working days of the receipt of the written notice. A written answer shall be given to the employee within three (3) working days of the conference.

3. If the grievance remains unresolved, it shall be brought to the Personnel Committee of the Board of Commissioners, which shall confer with the involved parties and provide a written decision within five (5) working days of the conference.
4. If the Personnel Committee is unable to arrive at a decision or if the decision is not satisfactory to one of the parties, the issue will be presented to the Board of Commissioners at its next regularly scheduled meeting. The decision of the Board of final and shall be communicated to the parties involved within five (5) working days of the Board meeting.

VII. EMPLOYEE BENEFITS

The following is a brief description of the benefits the Stockbridge Housing Authority currently provides to employees. Some of these benefits are governed by the statutes, regulations, insurance policies or other plan documents. In the event of a conflict between laws or documents and the following summary, the laws or plan documents will control.

A. Leave

1. Sick Leave

- a) Regular employees are entitled to one and one quarter (1-1/4) days of sick leave for each full calendar month of employment. Regular employees may accumulate a maximum of 120 days of sick leave, after the initial probationary period. These benefits are pro-rated according to their scheduled work week and will not exceed the total hours per week of their normal schedule.
- b) Notification of personal illness shall be given as early as possible on the first day of absence. Failure to do so may result in counting the time as absent without pay.
- c) Certification of personal illness may be required at the discretion of the Executive Director and will be required after three (3) successive days, unless waived by the Authority. If such certificate is not filed within five (5) calendar days after return to work, such absence may be considered absent without pay.
- d) Sick leave is not remunerated at termination.
- e) Part-time employees are not entitled to sick leave. At the discretion of the Executive Director they may re-schedule hours so as to compensate for necessary sick time.

2. Vacation

- a) Regular employees may take vacation leave with pay after six (6) months of continuous employment.
 - 1) From six months to one year, regular employees may take one week of paid vacation leave.

- 2) From the first to the fifth (5th) anniversary date of continuous employment, two (2) weeks vacation leave is granted.
 - 3) After five years but less than ten (10) years of continuous employment, three (3) weeks vacation leave is granted.
 - 4) After ten (10) years of continuous employment, four (4) weeks vacation leave is granted.
- b) Part-time employees do not receive vacation benefits.
 - c) The Executive Director is charged with the responsibility to monitor vacation schedules to maintain the efficient administration and maintenance of the agency. Scheduling of vacations is granted at the discretion of the Executive Director. Vacations must be taken in the fiscal year in which they are due, and will be accumulated to the following year only with the written approval of the Executive Director, or in the case of the Executive Director, with the written approval of the Board of Commissioners.
 - d) Employees whose services are terminating will be paid for earned vacation time, in accordance with the provisions of IV. C. Separations.
 - e) Vacation is not earned while employee is on leave.

3. Holidays Both regular and part-time employees are entitled to the following holidays with pay:

New Year's Day	Independence Day
Martin Luther King, Jr. Day	Labor Day
President's Day	Columbus Day
Patriot's Day	Veteran's Day
Memorial Day	Thanksgiving Day
Christmas Day	

If the holiday falls on a scheduled work day, both regular and part-time employees will be compensated for the scheduled hours. If the holiday falls on a non-scheduled work day, both regular and part time employees may take the appropriate pro-rated holiday hours within the same fiscal year, provided adequate notice is given to the supervisor and the program will not be adversely affected.

If a holiday falls during an employee's vacation that day is not counted as vacation.

4. Personal Leave Regular and part-time employees are granted three (3) days of scheduled hours as paid personal leave for special religious holidays or other personal use. This leave must be taken within a fiscal year and cannot be accumulated. Use of Personal Leave will be at the discretion of the Executive Director and request must be made forty-eight (48) hours prior to use. Use of the Personal Leave by the Executive Director is at the discretion of the Board Chairperson.

5. Bereavement Funeral leave of three (3) working days will be granted without loss of pay to regular and part-time employees who have had a death in their immediate family. For the purpose of this paragraph, immediate family will include spouse, children, stepchildren, parents, stepparents, siblings, stepsiblings, mother-in-law, father-in-law, grandparents, or grandchildren.
6. Military
 - a) A military leave of absence without compensation will be granted to any employee called to active duty with the United States Armed Forces.
 - b) An employee who is a member of the National Guard or in active military reserve unit and who serves an annual tour of duty shall be paid the difference of pay received for ten (10) days of military service after having sent a copy of orders for training to the Executive Director. Any time taken in excess of ten (10) working days will be charged either against the employee's vacation leave or taken as leave without pay depending on the employee's arrangement with the Executive Director.
7. Jury Duty Both regular and part-time employees who is required to serve on any court, Federal or Grand Jury, shall be compensated at a rate equal to the difference between the per diem compensation as a juror and the regular salary, subject to the following provisions:
 - a) The employee notifies the Executive Director within forty-eight (48) hours of the receipt of the notice of selection for jury duty.
 - b) The employee furnishes documentation of date and time served and the amount of pay received.
8. Leave of Absence A Leave of Absence is defined as an unpaid and temporary leave from the position currently held by the requester and must have a definite time limit specified. It is available to Regular Employees only.
 - a) Leave of Absence must be approved by a majority of the Board of Commissioners in a written agreement, which shall be binding on both parties.
 - b) Regular employees employed for more than three months or less than one year, may be granted extended medical leave for up to one month without pay, at the discretion of the Board of Commissioners.
 - c) Regular employees employed for more than one year may be granted extended medical leave without pay for a maximum of two months, at the discretion of the Board of Commissioners.

- d) Upon completion of the original time limit, a leave of absence may be extended at the request of the employee and with approval of a majority of the Board of Commissioners.
 - e) Other leave benefits do not accrue during leave of absence.
9. Family and Medical Leave/Small Necessities Leave Act The federal law, the Family and Medical Leave Act (FMLA), provides eligible employees up to twelve weeks of leave per year for the following reasons: (1) to care for the employee's child after birth or placement for adoption or foster care; (2) to care for the employee's spouse, child or parent with a "serious health condition"; and (3) for a "serious health condition" of the employee, if the employee is unable to perform his/her job.

The state law, the Small Necessities Leave Act (SNLA), has the same definitions (i.e. eligibility requirements) as FMLA, and allows twenty four hours leave per year for the following reasons: (1) to participate in school, Head Start, and day care activities directly related to the educational advancement of the employee's child; (2) to accompany the employee's children to regular medical or dental appointments; and (3) to accompany an elderly relative to regular medical, dental or other appointments relating to professional care of the relative.

B. Fringe Benefits

1. Retirement
 - a. All employees working twenty (20) hours or more are covered by the Berkshire County Retirement System. This plan is mandatory and payments are made according to the formula established by the Retirement Board.
 - b. Employees working less than twenty (20) hours must pay federal FICA.
2. Workers' Compensation All employees are covered for accidents while on the job, under the Workmen's Compensation Act of Massachusetts.
3. Health Insurance All employees working at least eighteen and three-quarters hours (18-3/4) are eligible to be insured under the Group Insurance Commission and shall pay the portion of the premium according to the formula established by the Group Insurance Commission. An eligible employee that is already covered by health insurance may waive health benefits from the SHA in lieu of a \$1,000 payment, which will be pro-rated to the time employed, and will be paid after it is earned.
4. Medicare Insurance All employees hired after 1988 must pay Medicare insurance.

5. Disability Insurance All employees working at least eighteen and three-quarters hours (18-3/4) are eligible to be insured under the Group Insurance Commission and shall pay the portion of the premium according to the formula established by the Group Insurance Commission.
6. Life Insurance All employees working at least eighteen and three-quarters hours (18-3/4) are eligible to be insured under the Group Insurance Commission and shall pay the portion of the premium according to the formula established by the Group Insurance Commission.
7. Deferred Compensation All regular employees have the option of joining a deferred compensation plan on a payroll deduction basis.

Notwithstanding the foregoing, all state, federal, and local regulations and laws take precedence.

AMENDMENT 1
to
PERSONNEL POLICY

TELECOMMUTING

Excerpt from minutes of 1/5/2010 SHA Board of Commissioners meeting:

Ken Shearn moved to amend the Personnel Policy to state that working outside of the office is acceptable when deemed necessary and appropriate by the Executive Director and approved by the board. Frances Antoniazzi seconded the motion. Approved: 5-0.