



PERSONNEL POLICY

Adopted: March 19, 2015
Amended: March 22, 2021

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PERSONNEL POLICY NO. 1

SUBJECT: Operation Hours

Normal operational hours for the DESEU are designated as 8:30 a.m. to 4:30 p.m., Monday through Friday.

Holiday Schedule - The DESEU will observe the following holiday's: New Year's Day, Martin Luther King Jr.'s Birthday, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day After Thanksgiving, Christmas Day.

At the discretion of the Executive Director compensatory time off will be given to any employee who has worked outside of normal work hours, or on weekends or Holidays, for a DESEU function. Employees must have advance approval before they can accumulate compensatory time off.

Inclement Weather - In the case of bad weather, i.e. Snow, Hurricane, etc., the Executive Director will contact all employees to inform them if the office will be closed or open and what the working hours will be. Employees are to use their best discretion on how safe it is to travel. All participants in scheduled meetings/appointments must be called and notified of cancellation. If the prediction is for severe weather the day before, it is encouraged that employees take laptops home and have the ability to work from home.

PERSONNEL POLICY NO. 2

SUBJECT: Sick Leave/Other Leave

Sick Leave - Employees who have been with the DESEU for 6 months continuous employment are eligible to receive ten (10) days paid sick per calendar year with a maximum amount of 675 hours (90 days based on 37.5-hour weekly schedule) to be carried over from year to year.

Any employee who is absent due to illness for a period exceeding three (3) consecutive working days shall be required to present a doctor's note to the Executive Director.

In those cases where an extended absence is required for medical reasons, the Executive Director may authorize a leave of absence without pay according to the guidelines generally established under the *Family and Medical Leave Act*. It should be noted that DESEU does not currently fall under this act as it has less than 50 employees

No payment for accrued sick leave will be made upon the separation of employment.

Bereavement Leave - The DESEU will provide time off for the employee upon the death of an immediate family member. Employees who have been with the DESEU for 6 months continuous employment are eligible to receive up to three days paid leave per calendar year. At the discretion of the Executive Director, other accommodations may be made depending on the circumstances. Appropriate documentation of this event may be necessary to support unusual requests. Members of the employee's immediate family includes spouse, parents, children, siblings, grandparents, and in-laws.

Absence from Work - Although some absence from work can be planned in advance, other absences, such as illness, cannot. Employees are expected to notify the Executive Director, or, in his/her absence, another staff member, as soon as possible in the event of necessary absences. If an

employee is unable to reach any staff member, please call the office and leave a voicemail message. Failure to properly contact the DESEU will disqualify the employee from any sick leave payment for that day, and the day off will then be counted as an unexcused absence for disciplinary purposes.

Excessive absenteeism and/or tardiness are sufficient causes for termination of employment. Absence from work for 3 consecutive days without proper notification to the Executive Director will be considered a voluntary resignation.

Jury Duty - All employees summoned for jury duty are paid the difference between their normal rate of pay and jury duty pay for up to three days. Thereafter the leave is unpaid. Employees must provide the DESEU with a copy of the court payment records in order to be compensated. The DESEU reserves the right to request proof of jury service issued by the Court either prior to taking time off or upon return to work.

Arrangements should be made with the Executive Director as soon as a summons for jury duty is received. All employees are expected to return to work immediately when excused from jury duty during regular working hours.

Military Leave - Due to the voluntary nature of our nation's military program, time off will be granted to employees who voluntarily enlist in one of the military services and they will be recognized for all re-employment privileges granted by the appropriate laws governing such service. For employees who currently are obligated to meet summer encampment requirements because of duties mandated upon them through induction or enlistment into the military service under the selective service act, sufficient time will be granted to meet such encampment in accordance with State and Federal laws.

Leaves of Absence - Leaves of Absence other than as otherwise provided for herein may be granted on an individual basis upon review and approval by the Executive Director.

Maternity Leave – Maternity leave and continuance of work upon return from maternity leave are dictated by the following standards:

- Official notice of pregnancy, in written form, should be given the DESEU as soon as conveniently possible.
- The length of time a pregnant employee is permitted to remain absent from work shall be governed generally by the guidelines of the *Family and Medical Leave Act*.

PERSONNEL POLICY NO. 3

Subject: Vacations

Permanent, full time employees of the DESEU shall be authorized paid annual vacations in accordance with the following satisfactory service schedule, unless otherwise negotiated:

- After six (6) months of service - one (1) week per year
- After one (1) years' service - two (2) weeks per year
- After five (5) years' service - three (3) weeks per year
- After ten (10) years' service - four (4) weeks per year

All vacations must have the prior approval of the Executive Director.

Up to one week of accrued vacation may be carried over to the next calendar year.

In the event of separation from employment, the employee shall be entitled to payment for accumulated vacation time prorated for the year of separation based on the number of months worked against eligible vacation. Should the employee have taken more days than actually earned, this may result in a negative balance which will be adjusted in the final paycheck.

PERSONNEL POLICY NO. 4

Subject: Job Accidents

All job-related accidents must be reported to the Executive Director within twenty-four (24) hours of occurrence.

The DESEU, in accordance with state law, shall maintain Workmen's Compensation insurance for all employees.

PERSONNEL POLICY NO. 5

Subject: Salaries

The salary range and job description for each DESEU staff position shall require the approval of the DESEU Oversight Board.

There currently is no overtime policy at DESEU as all full-time employees are exempt, or salaried employees.

Each employee is evaluated yearly for job performance. The increase, if any, in salary generally appears in the employee's paycheck at the beginning of each fiscal year.

Pay periods are bi-weekly unless those dates fall on a holiday or weekend day in which case the employee will be paid the preceding weekday before the holiday or weekend.

PERSONNEL POLICY NO. 6

Subject: Retirement Benefits

The DESEU provides contributions to 403(b) Retirement Savings Account in accordance with IRS rules for non-profit organizations.

PERSONNEL POLICY NO. 7

Subject: Health Insurance

The DESEU will enroll all full-time employees in a Qualified Small Employer Health Reimbursement Assistance Program that provides health care reimbursements in amounts approved by the Oversight Board.

PERSONNEL POLICY NO. 8

Subject: Equal Employment Opportunity

The DESEU is an Equal Opportunity Employer offering equal employment opportunities for all, regardless of race, color, religion, sex, sexual orientation, marital status, or national origin.

Affirmative Action Policy - It is the policy of the DESEU to implement affirmatively equal opportunity to all qualified employees and applicants for employment without regard to race, creed, color, religion, sex, marital status, age, sexual orientation, physical or mental disability, or national origin to the extent required by law. Positive action shall be taken to insure the fulfillment of the policy. The policy is applicable in the following situations:

- Recruitment, advertising or solicitation for employment.
- Hiring for employment.
- Treatment during employment.
- Rates of pay or other forms of compensation.
- Selection of training.
- Layoff or termination.

PERSONNEL POLICY NO. 9

Subject: Sexual Harassment

Sexual harassment is a violation of the law and the DESEU will not tolerate sexual harassment at any level by management or non-management employees. Therefore, any and all conduct of a sexual nature—including words as well as physical acts—which has the purpose or the effect of unreasonably interfering with an employee’s work performance, or creates an intimidating, hostile, or offensive working environment is strictly prohibited. Requiring an employee to submit to sexually harassing conduct as a term or condition of employment is strictly prohibited.

Any employee confronted with a decision or behavior which he/she believes is contrary to the above policy should notify the Executive Director within forty-eight (48) hours of the act. The Executive Director will investigate the matter on a confidential basis and take appropriate action. Any employee who violates the above policy will be subject to appropriate disciplinary action, up to and including termination.

Should the decision or behavior be against the Executive Director, notice should be made to the Chairman of the Oversight Board as provided for in Step 2 of the Grievance Procedure outlined in this manual.

PERSONNEL POLICY NO. 10

Subject: Employment on an “At Will” Basis

All employees of DESEU, regardless of their classification or position, are employed on an “At Will” basis and their employment is terminable at the will of the employee or DESEU any time, with or without cause, and with or without notice. No officer, agent, representative or employee of DESEU has any authority to enter into any agreement with any employee or applicant for employment on other than an “At Will” basis and nothing contained in the policies, procedures,

handbooks, manuals or any other document of DESEU shall in any way create an express or implied contract of employment or an employment relationship on other than an “At Will” basis.

The Executive Director may be excluded from the “At Will” employee status as he/she may have entered into a contract with DESEU.

PERSONNEL POLICY NO. 11

Subject: Trial/Probationary Period

The first six (6) months of employment are considered a trial/probationary period for the purpose of managerial and self-evaluation within the working environment. Such a period is designed as a time for a new employee to determine their compatibility with the job as well as time for management to likewise evaluate job performance of assigned job duties in a harmonious & mutually beneficial manner. As a general rule, only one trial/probationary period will be necessary, however, under certain circumstances management reserves the right to extend such period if it is deemed in the interest of the DESEU or individual employee. An employee who successfully completes his/her probationary period and is granted regular employment remains an “At Will” employee and continues his/her employment subject to the mutual right to terminate such employment for any reason, with or without notice, at any time.

During any trial/probationary period, the employee will be granted no time off with pay with the exception of observed holidays.

PERSONNEL POLICY NO. 12

Subject: Ethical Guidelines

The four listings below are suggested as ethical guidelines.

- A. Prudence - Act as a prudent individual at all times.
- B. Property of the Employer - All information, data, lists, reports, transcripts, knowledge of any nature & trade secrets, as well as physical assets should be held confidential. Information of any nature should not be shared in any form or manner with those outside the DESEU. Likewise, physical assets of any kind should not be removed from the premises without permission of management. Confidentiality of all records is mandatory! The only exception to the above would be in the instance of information properly requested by any bank regulatory authority.
- C. Conflict of Interest - Employees may not work outside of the work being performed for DESEU during regular hours without the permission of management. Management may regulate the outside activities of full-time workers to the extent that these endeavors of outside employment affect regular work time performance. DESEU employees will not be granted the privilege of off hour work time employment for a competitor, nor supplier, or in an environment which could be rated as detrimental to the image of the DESEU. Employees shall not have any direct or indirect interest in any other business similar to the DESEU’s business or related trade, without the DESEU’s prior written consent.
- D. Confidentiality. The nature of the DESEU’s activities demands complete confidentiality. No private or personal communication shall occur by any officer or employee with any third party not an employee of the DESEU about matters affecting or related to the professional or personal business of its members or employees, unless expressly authorized in advance by

the Executive Director or Chairman of the Oversight Board. This includes, but is not limited to, information concerning staff salary or personal data. Breach of confidentiality may result in discipline up to and including immediate termination.

PERSONNEL POLICY NO. 13

Subject: Dress

Employees are expected to dress and groom themselves in the manner appropriate to their position and type of work. Office attire is to be appropriate to the decorum and atmosphere of a professional office. The DESEU follows a "business casual" dress code.

In the event that meetings are scheduled in the office, or an employee will be representing the DESEU in public, it is expected that the employee or group of employees adhere to a "business" dress code.

PERSONNEL POLICY NO. 14

Subject: General Office

Use of Telephone - Although there are situations when personal calls must be made or received, they should be held to an absolute minimum. Cell phone usage while driving is discouraged, however, a "hands free" headset will be provided for use as needed.

In the same context, please limit incoming personal calls, visits or personal transactions while at the office. A pattern of excessive personal phone calls, personal visits, and/or private business dealings is not acceptable and may lead to disciplinary action.

Alcohol/Drugs - It is the DESEU's policy to provide a safe and productive work environment for its employees. The goals of this policy would be severely compromised by drug or alcohol use in the workplace. The DESEU has therefore adopted a strict policy regarding the inappropriate use or possession of drugs or alcohol.

DESEU strictly prohibits employees from being under the influence of drugs or alcohol while working (whether or not on DESEU's premises) and while on DESEU's premises (whether or not while working). Working includes traveling or operating a vehicle for business, attending paid or sponsored functions, events, conferences and training sessions and attending paid or sponsored meals. DESEU also strictly prohibits the use, sale, purchase, transfer, or possession of illegal drugs such as hallucinogens, stimulants, sedatives or controlled substances while working (whether or not on DESEU's premises) and while on DESEU's premises (whether or not while working). This prohibition includes the misuse of prescription drugs or any mood-altering substance while working or while on DESEU's premises. Legally prescribed medications are excluded from this rule only to the extent that the use of such medications does not adversely affect the employee's work ability, job performance, or the safety of the employee and others. Any violations of this policy may lead to disciplinary action, up to and including immediate discharge.

This policy prohibits the consumption of alcohol at social or business functions sponsored by DESEU where alcohol is served.

Employee Suggestions – The DESEU encourages constructive suggestions. Such suggestions and recommendations should be made to the Executive Director for development and initiation if such is deemed warranted.

Security - It is only through the cooperation and diligence of all employees that a secure workplace can be provided. The first employee to leave the building after hours should lock the front door. The last employee to leave the building is responsible for turning off all machines and lights and locking all doors. Employees should promptly report any instances which may pose a threat to the workplace to the Executive Director.

PERSONNEL POLICY NO. 15

Subject: Personal Records

It is the employee's responsibility to provide current information concerning address, telephone number, insurance beneficiaries, change in dependents, marital status, etc. Changes in exemptions for tax purposes will only be made upon the receipt of a completed W-4 form.

Employees may view contents of one's personnel folder by appointment during regular business hours. Since the contents of the folder are the DESEU's property, these materials cannot be kept by the employee. The Executive Director will be present while the employee reviews his or her personnel folder.

PERSONNEL POLICY NO. 16

Subject: Employee Management Policies

Performance Evaluations - The DESEU reviews the performance of each employee on an annual basis. The annual review is an opportunity for the employee and the DESEU to evaluate achievements over the previous year and to discuss ways to enhance performance and contributions. Performance increases are based on merit, individual initiative and job duties.

The DESEU may, in special circumstances; conduct performance evaluations on a more frequent basis if, in its sole discretion, the DESEU determines that such evaluations would be beneficial to the DESEU and/or employee.

Discipline and Terminations - Employees are free to resign at any time, just as the DESEU is free to terminate employment at any time. If performance is unsatisfactory, an employee may be given verbal or written warning, suspension with or without pay, or be immediately discharged. The DESEU is not obligated to utilize any or all of these actions when disciplining or discharging an employee and may consider other actions where appropriate.

Upon termination, whether voluntary or involuntary, the employee should immediately return all property, files, books, records, reports, keys, and any other materials belonging to the DESEU. If an employee chooses to terminate his or her employment with the DESEU, the employee should submit a resignation in writing to the Executive Director giving at least two week's notice and stating the reason for such resignation. Any earned but unused vacation time will be compensated with the final paycheck. Accrued but unused sick leave is not compensated.

PERSONNEL POLICY NO. 17

Subject: Grievance Policy

Grievance Policy

A grievance is defined as a disagreement between an employee and management as to the interpretation or application of DESEU official policies and procedures, decisions, or other disagreements perceived to be unfair or inequitable relating to discipline, treatment, or other conditions of employment.

It is the policy of the DESEU to ensure that employee's questions, grievances, and complaints arising from misunderstandings and the application of policies, procedures, and work rules that will inevitably develop in the day-to-day activities in the DESEU are to be promptly heard, answered, and action taken to resolve or clarify the particular situation.

All employees, including probationary, shall have the right to file a grievance without prejudice. No employee shall be disciplined, harassed, or treated unfairly in any manner as a result of filing a grievance or testifying in a grievance hearing, unless the employee gives false testimony.

Grievance Steps

Step 1. Executive Director

An employee having a grievance shall file it in writing with the Executive Director. In order for a grievance to be recognized, it must be filed within five (5) working days from the date of the incident giving rise to the grievance. The Executive Director shall investigate the grievance and shall provide a solution or explanation in writing within five (5) working days of the date on which the grievance was submitted. In those situations where the grievance is with the Executive Director, the grievance shall be handled under step 2 of the Grievance Procedure.

Step 2. Oversight Board

If the grievant is not satisfied with the response from Step 1, the grievant may pursue the matter by presenting the original copy of the grievance along with a copy of the Step 1 response to the Chairperson of the Oversight Board, within three (3) working days of receipt of the Step 1 response. The Chairperson or designee will review the grievance and the responses within ten (10) working days following the day the grievance was received. If the Chairperson or designee determines that the responses were adequate and proper, they will so inform the grievant by letter. The President or designee's decision shall be final and binding on the parties.

There are three (3) possible responses to any grievance:

- **Grievance granted.** The decision is to grant the remedy requested.
- **Grievance denied.** The decision is that the grievance is untimely, that the findings of fact do not support the allegations(s), or that the DESEU cannot grant the remedy and no other remedy is appropriate, and, therefore, the grievance and remedy requested are denied. If the Executive Director or Chairperson denies a grievance, he or she may reserve the right to deal with any associated problem as an administrative matter outside the procedure.
- **Compromise.** The Employee has a legitimate grievance, but the remedy requested is improper. Prior to a compromise decision, the person responsible for hearing the grievance should call the grievant in and ask if he or she will accept the proposed offer. If not, the option #2 may be exercised, but the employee should be informed beforehand of the alternative options.

Responses should always be based on sound management principles and logical thought.



PERSONNEL POLICY NO. 18

Acknowledging Receipt Form

I have received the current DESEU Personnel Policy manual and have read and understand the material covered. I have been allowed to ask questions and realize that the Executive Director will clarify the covered material, should I require it.

I agree to and will comply with the policies, procedures and other guidelines set forth in the Manual including confidentiality and I understand that the DESEU reserves the right to change, modify, or abolish any or all of the policies, benefits, rules and regulations contained or described in the Manual as it deems appropriate at any time, with or without notice.

Signature: _____

Date: _____

Employee Name: [Printed] _____

NEW EMPLOYEE ORIENTATION CHECKLIST

Employee: _____ **Start Date:** _____

The Delaware Sustainable Energy Utility welcomes you! Listed below and in the attached documents you will find information related to your employment with us. Please review it carefully and be sure to address any questions or concerns with the Executive Director.

Documents required to complete payroll:

- Application form, with resume for exempt staff
- Job description: Your position title is _____.
This is an **exempt/nonexempt** position (circle one). You **will not /will be** eligible for paid overtime (circle one).
- Form W-4, U.S. Income tax withholding form
- Form I-9, proof of citizenship status, photocopy of required identification
- Direct deposit form with **voided check** attached
- Proof of **auto insurance**, required for employees driving on the job (Current proof must be on file)

Required policy communications (to be provided before first paycheck is released):

- Mission statement and Introduction to Standards for Excellence
- Employee manual with acknowledgement
- Vehicle Policy

403(b) retirement plan:

- 403(b) summary plan description, highlight eligibility date
- 403(b) application
- 403(b) custodial agreement for employer plan

On behalf of the Delaware Sustainable Energy Utility, I have discussed these items with, provided materials to, and received all required documents from new employee. I certify that I have received the documents, forms, and information listed above.

Employee Signature

Date