

New Millennium Academy

**EMPLOYEE HANDBOOK**

NEW MILLENNIUM ACADEMY | 5105 Brooklyn Blvd, Brooklyn Center, MN  
55429

## WELCOME LETTER FROM THE EXECUTIVE DIRECTOR

On behalf of the Board of Directors and administrators, welcome to New Millennium Academy (NMA)! We are pleased that you have chosen to join the RHINO Team. One of the guiding principles of NMA is our belief that our employees are our most valuable resource. Therefore, we value your growth and success here at NMA. We fully expect that you will continue to grow into a more valued and productive member of our team each day.

NMA is grounded by the work that we do and exist to provide the best possible education for our families. Our mission and vision help guide us in developing the strategies needed to support our scholars and families.

**Mission:** *The New Millennium Academy Community prepares Learners for life, engages them in high academic achievement and fosters cultural pride and identity.*

**Vision:** *New Millennium Academy develops global leaders who transform the world.*

This handbook provides an overview of the human resource policies and procedures that are the basis of the relationships between NMA and all of its employees. This handbook supersedes any and all written policies of NMA that are inconsistent with its provisions. The policies outlined in this handbook may be changed at any time at the sole discretion of the Executive Director. Subsequent to such changes in policy, you may periodically receive updated information and it is important that you keep these updates with your copy of the Employee Handbook.

We encourage you to direct questions about any part of this handbook that is not clear to you to your supervisor or to the department managing Human Resources.

As you begin your journey with NMA, understand that our roles and responsibilities are to build an academic foundation for our scholars and families. We will show up to work and represent NMA in a positive and professional manner at all times.

I look forward to working with all of you!

Sincerely,



Kevin Xiong  
Executive Director

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## 100 - EMPLOYMENT AT NMA

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### **At Will Employment**

Employees of NMA are employed "at will". This means that employees have the option of resigning employment at any time, for any reason or no reason, with or without prior notice. This also means NMA has the same option to terminate an employee's employment at any time, for any reason or no reason, with or without prior notice. Nothing in the Employee Handbook or any other NMA document should be understood as creating a guarantee of continued employment, a right to termination only for specific reasons or pursuant to specific procedures, or of any other guarantee of continued benefits.

**Equal Employment Opportunity (EEO)** NMA is an Equal Employment Opportunity Employer. NMA provides equal employment opportunities to all individuals in accordance with all local, state, or federal laws. NMA will not refuse to hire or discharge an individual, promote or demote, and otherwise discriminate against any individual because of an individual's race, color, creed, religion, sex/gender, national origin, disability, age, sexual orientation, gender identity, genetic information, marital status, membership or activity in a local human rights commission, status with regard to public assistance, familial status, or any other characteristic protected by law (referred to as "protected status").

Additionally, NMA abides by Title IX of the Civil Rights Act of 1964 which protects employees from the basis of sex in any educational programs including all sport programs.

If an employee has an equal opportunity concern, the employee is encouraged to bring the matter to the attention of the employee's supervisor or the HR department. Employees may raise concerns and make reports without fear of appraisal. Anyone found to be engaging in any type of unlawful discrimination or reprisal will be subject to disciplinary action, up to and including immediate termination of employment.

## 101 - CONFLICT RESOLUTION

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### **Open Door Policy**

NMA maintains a positive working environment for all employees. Employees are encouraged to discuss issues and concerns with their immediate supervisor and/or administrators without fear of retaliation. It is highly encouraged that employees bring issues and concerns to their immediate supervisors first.

### **Work Conflict**

When an employee believes a work condition or treatment is unjust, inequitable, a hindrance to effective operation or creates a problem, he/she is encouraged to discuss the situation or treatment with the parties involved.

If the employee is not comfortable discussing this with the involved parties, they should bring the concern to their immediate supervisor. If the employee is not comfortable discussing the situation with one of the above individuals, the employee can contact Human Resources.

### **Resolving the Conflict**

Misunderstandings or conflicts can arise in any organization. Most incidents resolve themselves naturally; however, should a situation persist that the employee believes is detrimental to himself/herself or the School, the employee should follow the procedure described below. NMA reserves the right to apply any of the steps below at any point based on the specifics of the situation.

The following steps may be taken

1. Discussion of the problem with the immediate supervisor is encouraged as a first step. If the employee does not believe a discussion with the supervisor is appropriate, the employee should proceed directly to Step 2.
2. If the problem is not resolved after discussion with the supervisor or if the employee thinks a discussion with the supervisor is inappropriate, the employee is then encouraged to request a meeting with Human Resources. An investigation may follow. The employee will normally receive a response regarding the problem and possible resolutions within ten working days of the initial meeting.
3. In the event the Executive Director is the subject of the complaint, please notify the HR Department in person or with the Board Chair via a formal email or letter.

4. If the employee is unsatisfied with NMA's decision on any complaint and wishes to pursue the matter further, he/she may prepare a written summary of the concerns and request further review of the matter. This request should be made through Human Resources, who will notify the Executive Director, leadership team, and/or the Board Chair.

After a review of the facts, which may include a review of the written summary of the issue, interviews with the people involved, and further investigation if necessary, the employee will be notified of any decisions or actions within fifteen (15) days.

## **102 - EMPLOYEE CLASSIFICATIONS AND TYPES**

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### **Exempt**

These employees meet the exempt guidelines as established by FLSA and do not receive overtime pay or compensatory time off. Exempt employees are expected to work the hours necessary to fulfill the responsibilities of their position. These employees just need to clock in, but do not need to clock out every day.

### **Non-Exempt – Hourly Pay**

These employees do not qualify as exempt employees and are eligible for compensatory time of 1.5 hours for every hour worked in excess of 40 hours per work week of Sunday through Saturday. Holiday and PTO hours are not included in overtime calculations. These employees are paid based on the hours they work. These employees need to clock in and out every day.

### **Non-Exempt – Fixed Pay**

These employees do not qualify as exempt employees and are eligible for compensatory time of 1.5 hours for every hour worked in excess of 40 hours per work week of Sunday through Saturday. Holiday and PTO hours are not included in overtime calculations. These employees are paid a fixed amount per pay period based on a fixed hour/day and days worked/year. These employees need to clock in and out every day.

### **10-Month Employees**

These employees are contracted to work only during the school days per year. Any work over and beyond the school days per year will be compensated outside of their employment contract.

### **12-Month Employees**

These employees are contracted to work throughout the year, including breaks and teachers' workdays. They are compensated for working the entire year.

Employees will also fall into one of the following categories:

### **Full-Time Employee**

Full-time employees are teachers, staff, and administrative employees who are regularly scheduled to work 30 hours per week. Full time employees are eligible for medical, dental, life, disability, vision, and school pension. Employees working 40 hours are also eligible for PTO and paid holidays.

### **Part-Time Employee**

Part-time employees are those who work less than an average of 30 hours per week. Part-time employees are not eligible for school benefits, PTO and holiday pay, but are eligible for the school pension.

### **Temporary Labor (Substitutes and Interns)**

Full-time or part-time employees may be contracted to work for a specific period of time. These individuals may or may not be through an employment service. These employees are not eligible for benefits.

### Casual Labor

Full-time or part-time employees are those hired by the School to work on a seasonal or irregular basis, not to exceed six (6) months. These employees are not eligible for benefits.

### Contract Labor

Full-time or Part-time employees hired by the School to work on a specific project or for a specific period of time (educators may be hired on a Long Term substitute (LTS), or contracted specialty services (i.e., psychologist, pathologist, etc.) basis. These employees will have a specified time period as to when the project will start and end. These employees will not be eligible for benefits.

### **Independent Contractor**

NMA may also engage independent contractors from time to time. Independent contractors work with NMA on a freelance basis and are not considered employees and are not eligible for benefits. A W-9 form needs to be completed by all independent contractors.

## **103 – PAYROLL**

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### **Timekeeping**

All non-exempt/hourly employees must clock in and out from their desk or any available laptop using the time system K-Pay. All employees are responsible for the accurate recording of their hours worked. Time cards will be reviewed, approved and submitted by the appropriate supervisor at the end of the payroll period according to the payroll calendar. An employee may be subject to disciplinary action if the employee neglects to submit timecards as stated.

### **Direct Deposit**

NMA offers and encourages all employees to participate with direct deposit for paychecks. If an employee opts out of direct deposit, a check will be delivered to the employee on payday.

### **Payroll Schedule**

NMA's current payroll provides for employees to be paid on the 15<sup>th</sup> and last day of every month. If the 15<sup>th</sup> and the last day of the month fall on a holiday, payday will be the day before the holiday. If it falls on the weekend, payday will be Friday.

### **Pay Deductions**

NMA acts in good faith in an effort to comply fully with the Fair Labor Standards Act's prohibition on improper pay deductions. An employee who believes that improper deductions have been made from his or her pay should notify Human Resources, describing the error they believe they have found. NMA will review the situation and correct errors by reimbursing the affected employee or taking other appropriate action as necessary.

### **Overtime Pay**

Non-exempt employees who work more than 40 hours a week are eligible for overtime pay at 1.5 of their pay rate. As a general rule, non-exempt employees must limit their work hours to 40 in a work week. All overtime must be pre-approved.

The NMA workweek begins at 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night.

Non-exempt employees who fail to obtain approval prior to working hours that extend beyond their normal 40-hour workweek will be paid for such time as required by law, but will also be subject to disciplinary action. Repeated offenses may result in disciplinary action, up to and including termination.

Exempt employees may, from time to time, be required to work extra hours, weekends or evenings. Exempt employees are NOT eligible for compensatory time off or overtime pay.

## **104 – BENEFITS & HOLIDAY PAY**

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NMA offers a comprehensive benefit package including:

- Medical
- Health Savings Account
- Dental
- Vision
- Life Insurance, including other supplemental coverages
- STD/LTD
- School Pension

NMA also recognizes ten(10) paid holidays. If a holiday falls on a Saturday, the preceding Friday is treated as the holiday. If a holiday falls on a Sunday, the subsequent Monday is treated as the holiday. These holidays include:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day (12-month employees and summer school only)
- Labor Day
- Thanksgiving Day
- Day before and after Thanksgiving Day
- Christmas Eve
- Christmas Day

In addition to these paid holidays, the school building will also be closed on these following days/week:

- A week during winter break
- A week during spring break
- A week after school ends
- Two additional days after Independence Day. If July 4th falls on the weekend, the next three following business days will be observed.

Employees who work thirty (30) or more hours per week are eligible for benefits and holiday pay.

Employees are not eligible to use PTO the business day before or after a scheduled holiday unless the employee can provide documentation specifically related to a medical or religious reason.

#### **Teachers Retirement Association (TRA)**

TRA is a Minnesota statewide public pension fund that provides retirement, disability and death benefits to Minnesota public school teachers. Contribution rates for both employees and NMA are determined by State statute and subject to change by the Minnesota Legislature. Participation is required by law.

#### **Public Employees Retirement Association (PERA)**

PERA is the counterpart to TRA for non-teaching staff. As with TRA, membership and contributions by both NMA and eligible employees are automatic and determined by State statute. Participation is required by law.

#### **Public Employees Retirement Association (PERA)**

NMA is committed to providing food for programs, services, meetings, and events as much as possible. In the event that food is provided for these events, staff will have access to these food at no charge.

Staff must purchase meals from the cafeteria. Costs for these meals are as follows:

|            |        |
|------------|--------|
| Breakfast: | \$1.97 |
| Lunch:     | \$3.84 |

### **105 - ATTENDANCE AND LEAVE POLICIES**

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ALL employees must be at the employee's "work station" ready to work by the scheduled time. For the 2022-2023 SY, school hours are 9:00AM-4:15PM. Normal building hours will be 8:00AM-4:30PM. All employees leaving the building and returning back to school for whatever reason must inform their supervisor and check in/out of the front office for safety and security reasons.

Absenteeism and tardiness place a burden on other employees, students, and the school. In the instances when employees cannot avoid being late to work or are unable to work due to illness or other emergency reasons as scheduled, **employees must contact the sub phone at 612-562-7022 no later than 5:00 a.m. the morning of.** Employees must leave a message/text with name, date, reason for absence. Teachers must also include whether a lesson plan has been completed and where to retrieve it. In the event of an emergency, all teachers will have five days of emergency sub plans uploaded to NMA's sub folder for a substitute. Internal staff will coordinate a substitute teacher if necessary.

## Federal and State Leaves

NMA complies with all Federal and State Leave laws. See Human Resources if you have any questions.

### Family and Medical Leave Policy

Employers with 50 or more employees must comply with Federal Family and Medical Leave Policy. This policy explains your leave rights under the Family and Medical Leave Act ("FMLA") of 1993, as amended. Under this policy, NMA will grant eligible Employees an unpaid leave of absence (called "FMLA leave") on a rolling 12-month period measured backward from the date an employee's leave is to commence for qualifying family and/or medical reasons.

The Department of Labor's "Employee Rights and Responsibilities under the FMLA" is set forth below. If you have any questions about FMLA leave, please contact Human Resources.

1. **Eligibility Requirements:** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.
2. **Basic Leave Entitlement:** FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:
  - For incapacity due to pregnancy, prenatal medical care, or childbirth;
  - To care for the employee's child after birth, or placement for adoption or foster care;
  - To care for the employee's spouse, (step) son, (step) daughter, or (step) parent, who has a serious health condition; or
  - For a serious health condition that makes the employee unable to perform the employee's job.

***Definition of Serious Health Condition:** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.*

*Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.*

3. **Military Family Leave Entitlements:** Eligible employees with a spouse, son, daughter, or parent on active duty or call to covered active duty status may use their 12 week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12 month period. A covered service member is: 1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise on the temporary disability retired list for a serious injury or illness; or 2) a veteran who was discharged or released under the conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. However, the employee will only be entitled to a total of 26 weeks for *all* leave taken during that twelve-month period (including FMLA leave taken for other reasons).

*"The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition."*

4. **Use of Leave:** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.



5. **Employee Responsibilities:** Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When a 30-day notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

6. **Employer Responsibilities:** Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers: FMLA makes it unlawful for any employer to:**

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

7. **Pay and Benefits:** FMLA leave is not a paid leave by NMA. If the employee has accrued paid time off (PTO) available, the employee must use the available paid time off for the FMLA leave and such time will count both as FMLA leave. Certain employees may be eligible for short-term disability pay in the event of a serious illness of the employee, but the utilization of benefits during FMLA leave shall not extend the FMLA leave beyond the 12 or 26 week limits.

Employees do not accrue PTO during the FMLA leave, nor will the employee receive holiday pay for any holidays which occur during the FMLA leave.

NMA will continue to provide group health insurance benefits to employees on FMLA leave, provided they were eligible for such benefits prior to the leave. The employee continues to be responsible for his/hers or her portion of the premium, which will be deducted from any pay received by the employee during the FMLA leave.

If the employee does not return to work at the end of the FMLA leave, the employee may be eligible for COBRA insurance continuation at his/hers or her own cost. In that case, the Employee will be required to reimburse NMA for premium payments made during the FMLA leave. Termination of coverage if premium is not paid within 30 days of election of COBRA coverage.

8. **Return to Work:** Employees returning to work will normally be restored to the same position held prior to the leave, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Returning employees retain eligibility for any group benefits for which they were eligible prior to the leave, including group health insurance. If the employee did not pay the employee's portion during the FMLA leave, NMA retains the right to recover any unpaid employee portion of group health insurance for the period of the FMLA leave, upon the employee's return to work.

If the FMLA leave was for the employee's own serious illness, the employee must submit a medical certification to NMA which states that the Employee is able to resume work, and perform all the essential duties of his/hers or her position before the Employee may be restored to his/hers/her same position. NMA will provide a list of essential job functions to the employee at the time the leave is designated, so that the treating physician will be able to give an informed opinion about the return to work.

**Maternity & Paternity Leave**

Expecting mothers at NMA are eligible for parenting leave of up to 12 weeks under this policy if: (1) you have been employed by NMA for at least 12 months preceding your request and (2) during those 12 months you worked an average of 20 hours per week. If you are also eligible for parenting leave under NMA's FMLA policy, then your rights are governed solely by that policy. Please note that parents are eligible for up to 12 weeks time off; however, STD may only pay up to six or eight weeks.

Both mothers and fathers are eligible for paid parental leave as follows:

|         |  |
|---------|--|
| Mothers | Eligible for 100% pay up to six or eight weeks, depending on STD eligibility. STD will reimburse up to 60%. NMA will reimburse up to 40% at the first pay period following their return to work. |
| Fathers | Eligible for 100% pay up to six or eight weeks, depending on STD eligibility. NMA will reimburse the average hours equivalent to two weeks at the next regular pay period.                       |

While on parenting leave you are eligible to continue your insurance benefits, but you must pay your portion of the premium. Human Resources will provide information about the cost and procedure for continuing insurance during unpaid leave. Insurance premiums are required to be paid via payroll.

At the end of your parenting leave, you will be reinstated to your same position or if that position is unavailable, to a comparable position at the same rate of pay. You must notify your Supervisor of your intent to return to work at least two weeks prior to returning.

Failure to return to work will be considered a voluntary resignation.

**School Related Activities Leave**

Employees who work an average of 30 hours per week may use up to 16 hours each 12-month period to attend a child's school related activities, or early childhood programs, if those activities cannot be scheduled outside the Employee's work schedule. Employees may take this time unpaid or may use accrued PTO. The Employee must give the supervisor reasonable notice of the upcoming absence and make a reasonable effort to schedule the time off so as not to disrupt work.

**Personal Leave Policy**

Employees interested in taking a personal leave will need to make the request in writing and include the purpose for personal leave and duration of leave. Leaves will be reviewed and are subject to the supervisor and/or ED's approval. A request should be submitted at least two weeks before the intended start date for requested leave.

Personal leave shall be without pay, without benefits and without PTO accrual during absence, except that available PTO may be used during a personal leave of absence. NMA will continue its contribution toward the individual's insurance premium payments during the paid portion of a leave. To continue insurance benefits during any unpaid portion of the personal leave of absence, employees must pay the portion of premium to cover the period of personal leave prior to the start date of leave.

If personal leave exceeds 30 days, all benefits will cease including insurance benefits and employment with NMA will be reviewed. The work and business of NMA cannot be impacted due to the personal leave of the employee and to ensure efficient operations of NMA, employees on personal leave are not guaranteed a position if leave extends beyond approved personal leave duration and especially after 30 days.

NMA is not required to grant a leave of absence or to reinstate Employees to former positions unless otherwise required by State or Federal law.

**Jury Duty**

Employees are encouraged to fulfill their civic responsibilities and NMA will abide by all Federal, State, and Local laws regarding jury duty. Jury duty is a **paid** leave.

Employees should notify their Supervisor immediately of a Jury Duty Summons. If summoned for jury or other judicial duty and subsequently released from duty, e.g., not selected for a sitting jury, the Employee is expected to return to work until recalled.

**Military Leave USERRA**

NMA complies with applicable Federal and State law regarding military leave and reemployment rights. Unpaid military leave of absence will be granted to members of the Uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 and all amendments thereto and all applicable State law. Appropriate documentation is required to be turned into Human Resources prior to the necessary leave unless military necessity makes this impossible. Employees who complete a military leave of absence will be reinstated to the Employee's previous or similar job in accordance with State and Federal law. You must notify your supervisor of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, please contact Human Resources.

**Minnesota Voting Leave**

According to MN State Statute 204C.04 subd. 1 Right to be absent, "Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election, without penalty or deduction from salary or wages because of the absence. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee."

NMA will provide reasonable time for all employees to vote but request that this be done by informing his/her supervisor to ensure minimal disruption to the employee's job duties.

**Inclement Weather**

NMA school closure due to severe weather will be determined by the CEO/Executive Director no later than 6:00am. Employees will be notified by email, NMA website and text message. The Board of Directors will determine the necessity for "make up day(s)," for the missed school day(s). The expectation is all staff will work remotely.

**Bereavement**

Full-time Employees are entitled up to 3 paid bereavement leave days for deaths in the immediate family. Part-time Employees may take an unpaid bereavement leave for deaths in the immediate family. Immediate family is defined to include: spouse, child, stepchild, parent, step-parent, mother or father-in-law, siblings/step-siblings, grandparents and grandchildren. Employees may be required to use available paid time off for additional time off.

Employees may request for bereavement leave for deaths that are not in the immediate family and will be required to use available PTO to cover absence.

**106 - PAID TIME OFF**

NMA recognizes that a good balance between work and life is important. Employees are granted PTO to use in any way they choose – for vacation, illness, or personal reasons. NMA complies with all applicable state and local statutes as it pertains to sick/illness time off. To the extent applicable state or local laws are more generous than this PTO policy, NMA will provide the benefits as mandated by those laws.

All employees who work more than 30 hours a week are eligible to accrue PTO hours.

| <b>Contract Status</b> | <b>Accrual Rate</b>        | <b>Years of Service</b>                   |
|------------------------|----------------------------|---|
| All Employees          | 9 hours/contracted months  | 0-4 years of service                      |
| All Employees          | 10 hours/contracted months | Beginning 5 <sup>th</sup> year of service |

Employees will receive their first ½ of annual total accrued PTO hours on **July 1** (for 12-month employees) and **September 1** (for 10-month employees) for the upcoming school year, and the last ½ annual accrued PTO on January 1.

### **PTO Annual Carry-Over**

Employees are not eligible for PTO payout. The first 80 hours of PTO will automatically carry-over to the following year. Any PTO hours over 80 hours will automatically be terminated.

### **Termination & Resignation**

An employee who was terminated with cause is not eligible for any PTO payout at termination. An employee who resigns and provides a proper two-weeks' notice will be eligible for up to 80 hours. An employee who does not provide a full two-weeks notice, will not be eligible for PTO payout, unless he/she fulfills the term of his/her contract. An employee is not eligible to use PTO during the last two weeks of employment.

### **Protocol and Guidelines**

1. When an employee is planning to use PTO, he/she must submit a request for time off at least two weeks in advance to their supervisor.
2. Supervisors will ensure that there is enough coverage for the requested day(s).
3. Supervisor will confirm with the employee.
4. The employee will submit the PTO into K-Pay for supervisor's approval.
5. If the PTO is denied, the supervisor will communicate the reason back to the employee.
6. If an employee calls in sick, the employee must enter the PTO into K-Pay immediately upon his/her return.
7. No more than four teachers and two EAs out on any given day with pre-approved requests.
8. Your supervisor reserves the right to deny any PTO requests.

### **Blocked PTO**

NMA's goal is to ensure all students achieve academically. Therefore, it is imperative that our staff are available to ensure scholars receive the necessary resources throughout the school year. There are periods of blocked dates in which all staff are restricted from taking PTO. These dates include:

- ❖ Open House
- ❖ Hmong New Year Celebration
- ❖ First two weeks of school/Last two weeks of school
- ❖ Day before and after scheduled holidays
- ❖ Any and all testing/assessment days
- ❖ Parent Teacher Conferences
- ❖ PD and/or grading days
- ❖ Two-week notice upon resignation

NMA reserves the right to make exceptions to this policy based on each specific reason, including medical and religious reasons. As a discretion, please refrain from making any investments to your planned day off until you are fully approved for the day off. NMA will not be responsible for any reimbursement for travel arrangements if your PTO is denied.

### **Flex Time Off**

Salaried Employees: Salary employees are not eligible for flex-time. Employees are required to use PTO for any time off.

Hourly Employees: Hourly employees are only eligible for flex time within the same pay period so that they may not go over unapproved 40-hours a week. Any flex or over-time hours must be approved by the Executive Director.

## **107 - EMPLOYEE APPEARANCE**

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NMA is proud of its public image and strives to maintain high standards. Staff will wear clothing suitable for their assigned roles and are permitted to wear business casual.

Examples of inappropriate attire include low cut and/or tight shirts/pants, tank tops with less than 2-inch straps, clothing with inappropriate logos, t-shirts, flip flops, jeans with holes, shorts/skirts shorter than just above the knee, and any clothing deemed inappropriate for children and/or a school setting. Caps and hats are only permitted outside of the building unless there is a medical reason.

Employees will demonstrate good and professional judgment. Employees who wear clothing that is deemed inappropriate, even if working from home, may be asked to change.

Employees are required to wear staff badges/ID at all times when in the building.

## **108 - EMPLOYEE CONDUCT**

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NMA hires people because it believes employees want a job and want to work. Employees are expected to adhere to the following:

- to be mature, reasonable and behave in a businesslike manner appropriate to the workplace
- to be present at work when scheduled and on time
- to perform their duties in a safe, competent, and businesslike manner
- to be courteous and respectful toward supervisors, co-workers, customers, and any other persons in the workplace
- to be honest and to be careful of equipment and property
- to give their best efforts to their jobs and to treat their jobs as an important part of their lives

While it is impossible to list each and every type of conduct that may result in discipline, the following are examples of unacceptable conduct that may result in disciplinary action, up to and including immediate termination:

1. Maltreatment of a Minor
2. Failure to Report Maltreatment of a Minor
3. Poor job performance
4. Absence without appropriate notice; tardiness
5. Engaging in conduct that violates NMA's sexual harassment and offensive behavior/workplace harassment policy
6. Any romantic or sexual behavior toward or contact with any student of NMA by any school personnel or non-student interacting with a NMA student is strictly prohibited.
7. Violation of safety practices or rules
8. Reporting to work under the influence of alcohol or illegal drugs
9. Use, possession, manufacture, sale, solicitation, distribution, dispensation, or transfer of a controlled substance or alcohol while on NMA premises, including parking lots or while operating NMA equipment, or vehicles, or while engaged in NMA business off premises
10. Fighting with or threatening another NMA Employee
11. Dishonesty, theft, unauthorized removal of NMA/Employee/client property, fraudulent or illegal conduct
12. Possession, sale, or use of a firearm or other weapon while on NMA premises, or while operating NMA equipment or vehicles, or while engaged in NMA business off premises
13. Engaging in conduct that violates NMA's workplace violence policy
14. Falsification of employment application
15. Destruction of or damage to NMA property or another Employee's property
16. Breach of confidentiality
17. Falsification of time record
18. Engaging in criminal conduct that could affect or reflect adversely on NMA
19. Smoking in non-smoking areas
20. Absolutely no scholars off campus without parent consent.
21. There should be no physical and sexual relationships with any scholars.

*The above list is by no means exclusive or exhaustive.*

Employees who fail to meet or have difficulty meeting their obligations, including those specifically identified above, will be subjected to disciplinary action to be taken, up to and including termination of employment.

## 109 – PERFORMANCE EVALUATION

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### **Teacher Development and Assessment System**

All licensed education staff will be provided staff development and evaluation per Minnesota Statute 122A.40 Subd. 8, and 122A.41 Subd. 5. The purpose is to improve instruction, as well as to increase student learning and success. As a Minnesota charter school, NMA must also evaluate teachers with evaluation and development processes that meet state guidelines. The NMA Board has approved the New Millennium TDAS Program. Teachers and Observers will be trained annually on the approved rubric and supported throughout the year on development and growth. All licensed education staff will be informed yearly of the board approved process.

All staff that are not evaluated with TDAS will be given an annual performance evaluation. Performance evaluations will be managed by the human resources department and conducted by the immediate supervisor. Pay increases will be dependent on several factors, including performance evaluations.

## 110 - BUSINESS EXPENSES

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### **Mileage**

When it is necessary for employees to use their own automobile to fulfill their duties, mileage may be reimbursed. The reimbursement rate will be the IRS rate in effect at the time the business related use of the employee's automobile occurs. On extended trips when mileage will exceed the cost of a rental car, a rental car may be used with prior approval by the Executive Director.

Under no circumstances will NMA pay for traffic or parking violations or for any other costs related to violations of the law related to the use of the private or rented automobile.

### **Travel**

While on an approved assignment for NMA, outside of the seven county metropolitan area, an employee may be eligible for reimbursement of expenses based upon a pre-approved daily allowance. The allowance will be expected to cover hotel expenses, transportation, meals and other miscellaneous, necessary expenses. Receipts must be retained and presented to the Chief Executive Officer for approval upon return from travel. If receipts are not retained, the employee may be responsible for those expenditures. Any amount spent in excess of the pre-approved allowance will not be reimbursed by NMA. Alcohol and entertainment are not reimbursable expenses. Expenses of individuals who accompany the employee on the travel assignment will not be reimbursed.

When attending a conference within the seven county metropolitan area an employee may request and receive a meal allowance.

Per Diem allowance for meals is as follows: Breakfast (\$10), Lunch (\$15) and Dinner (\$20). No receipt is needed for traveling meals.

### **Professional Society or Club Dues**

All Professional Society or Club Dues are to be submitted for approval to the CEO/Executive Director with the appropriate documents. If approved, staff will be enrolled.

### **Conference Registration/Fees**

Payment for conference registration and fees will need to be submitted for approval to the Chief Executive Officer. NMA will review request based on the following (additional documentation may be requested):

- the conference is relevant to the employee's current job;
- attendance is NMA business;

Employees are required to fill out an Off-Site Evaluation form upon returning from a conference, and must provide a copy of the continuing education units (CEUs) to Human Resources to be placed in the personnel file.

## **111 - SAFE WORKING ENVIRONMENT**

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### **Drug and Alcohol**

NMA recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. NMA believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist NMA in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

Use of controlled substances, toxic substances, and alcohol is prohibited in the school setting in accordance with NMA policies with respect to a Drug-Free Workplace/Drug-Free School and will result in disciplinary action up to and including termination of employment.

The Executive Director or designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.

"Chemical abuse" means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the student's normal function in academic, school, or social activities is chronically impaired.

"Chemicals" includes but is not limited to alcohol, toxic substances, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.

"School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

### **Tobacco Free Environment**

NMA strictly enforces a tobacco free environment. Any teacher, administrator, other staff member of NMA smokes or uses tobacco, tobacco-related devices, or electronic cigarettes at any school location is a violation. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that NMA owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all NMA property and all off-campus events sponsored by NMA. The use of Vapor Delivery Devices (VDDs) is prohibited inside NMA's building.

### **Pandemic**

In the event of a pandemic, NMA reserves the right to make changes to support the health and safety of the school community. All employees must abide by these changes at all times.

### **Visitors**

All visitors to NMA must sign in at the welcome desk and obtain a visitor badge. Visitors not having the appropriate badge will be escorted to the main office or be asked to leave the premises immediately. NMA's main office is where all visitors are to remain. Staff may escort or otherwise assist visitors in finding their destinations in the building.

District personnel seeing any person in the school building or on the premises without a visitor's badge will direct and/or contact security to escort that person to the welcome desk. Persons unwilling to comply with the visitor's policy may be subject to removal from the property.

Visitors, including parents, wishing to meet with teachers should attempt to do so during times that teachers are not with students. Teachers and administrators may ask people to schedule appointments with them in advance.

Any visitors/volunteers who will be alone and/or come into contact with scholars for more than two hours must have a background check completed.

### **Safety**

NMA places the highest emphasis on Employee safety and complies with all applicable Federal, State and Local safety regulations. To be successful, a safety program requires the cooperation of all Employees at all times.

Employees are also required to promptly report any suspected unsafe condition or safety hazard by contacting Human Resources.

While it is impossible to list each and every safety practice or rule that should be followed, the following are examples of conduct that must be followed:

1. Promptly report any suspected defects in equipment, damage to property, or other potentially hazardous conditions or practices.
2. Operate equipment only when proper guards are in place.
3. Check the condition of equipment before using.
4. Never repair or adjust equipment unless specifically authorized to do so.
5. Operate power equipment only after receiving the proper training and with authorization.
6. Wear the proper personal protective equipment at all times.
7. Report immediately all accidents and injuries, no matter how slight or seemingly insignificant, to your Supervisor.
8. Perform your job safely and conduct yourself in a manner that ensures your own personal safety and the safety of others.

### **112 - HARASSMENT AND VIOLENCE**

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The purpose of this policy is to help maintain a positive, safe learning and working environment for students and staff that is free from harassment and violence based upon their actual or perceived sex/gender, sexual orientation, gender identity, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age (protected class).

It will be a violation of this policy for any student or employee to harass a student or employee through conduct (e.g., physical, verbal, graphic or written) that is based upon that student or employee's actual or perceived race, color, creed, national origin, religion, sex/gender, sexual orientation, disability, public assistance, or marital status or age (protected class) as defined by this policy. For purposes of this policy, an employee includes Board of Directors members, school employees, agents, volunteers, contractors, and persons subject to the supervision and control of the organization.

It will be a violation of this policy for any student or employee to inflict, threaten to inflict, or attempt to inflict violence based upon a student or employee's actual or perceived protected class as defined by this policy.

The organization will investigate all complaints, formal or informal, verbal or written, of harassment and/or violence based upon a student or employee's perceived or actual protected class and to discipline or take appropriate action against any student or employee who is found to have violated this policy.

#### **Definition**

Harassment is unwelcome conduct that is based upon actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age.

- (1) Harassing conduct may take many forms, including verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.
- (2) It is unwelcome if the student or employee did not request or invite it and considers the conduct to be undesirable or offensive.
- (3) The conduct is considered harassment if it creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the organization's programs.



## **Types of Harassment**

|                         |   |
|-------------------------|---|
| Discrimination:         | The unjust or prejudicial treatment or judgment of someone who is different based on NMA's protected class as indicated under EEO Policy 100. |
| Physical Harassment:    | Physically touching, hitting, or grabbing someone without their permission.   |
| Verbal Harassment:      | Verbally insulting, denouncing, or criticizing someone with intent to produce negative emotions   |
| Sexual Harassment:      | Unwelcome and inappropriate sexual remarks or advances  |
| Threats & Intimidation: | Deliberately making someone feel frightened for satisfaction or personal gain   |
| Bullying:               | Aggressive behavior that involves the imbalance power between two people or a group of people   |
| Cyber-bullying:         | The use of electronic communication to bully a person, typically sending messages of threats  |
| Gossip:                 | Casual or unconstrained conversation or reports about other people, typically involving details that are not confirmed as being true.         |

## **Investigation and Reporting**

Any employee who has been harassed or discriminated against at work or has witnessed an act of harassment or discrimination between employees (or where an employee has harassed or discriminated against a scholar/family) is asked to report the harassment immediately to his/her supervisor and to the HR department. An incident report needs to be completed. The HR department will open a full and thorough investigation within 24 hours. If a scholar is involved, the parents must be notified immediately. All parties involved will receive a notification once a full investigation is completed. Information will be released to all parties involved within five business days. If the investigation takes longer than five days, the HR department will notify all parties involved. Once investigation is completed, the results of the investigation will be released to the parties involved but information released will be subject to their involvement in the case as information is kept confidential. In the event that the complaint involves the HR personnel, the complaint needs to be reported directly to the Executive Director immediately.

The investigation may consist of interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of this policy, the organization will consider the facts and the surrounding circumstances, such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.

## **Appeal**

If the grievance has not been resolved to the satisfaction of the complainant/reporter, s/he may appeal to the HR department within ten school days of receipt of the findings of the investigation. The investigator will conduct a review of the appeal and, within ten school days of receipt of the appeal, will affirm, reverse, or modify the findings of the report. The decision of the investigator is final, and action will occur as addressed below.

## **NMA Action**

Upon conclusion of the investigation and receipt of the findings, the organization will take appropriate and effective action. If the investigator determined that a violation of this policy has occurred, such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Actions may also include alternative dispute resolution, including restorative justice programs or school wide training, counseling, and class transfer. The organization's action taken for violation of this policy will be consistent with the requirements of applicable state and federal law, and school policies.

The result of the organization's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the organization in accordance with state and federal law regarding data or records privacy.

### **Reprisal**

NMA will take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful harassment toward an employee or student or any person who testifies, assists, participates in an investigation or hearing related to alleged unlawful harassment covered by this policy. Reprisal also includes retaliation against a student or employee who associates with a person or group or persons who are disabled or who are of different race, color, creed, religion, sexual orientation, or national origin. Retaliation includes, but is not limited to, any form of intimidation or harassment. Reprisal is also prohibited based upon a request for a religious or disability accommodation.

### **Conflict of Interest**

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third party investigator to conduct the investigation, or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

### **Right to Alternative Complaint Procedures**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the agencies below, filing a report with a law enforcement agency, or initiating action in state or federal court.

## **113 - SAFETY AND INJURIES**

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### **Accidents/Reporting Injuries**

Federal and State OSHA regulations require all Employees to immediately report illness or injury incurred while on the job regardless of severity. Please see the HR department immediately to assist with any illness or injury and to obtain a first injury report.

NMA carries worker's compensation insurance to protect employees in the event they are injured at work. NMA's worker's compensation carrier is Hanover Insurance Group. All injuries must be reported within 24 hours of the incident to avoid claim denial.

### **Mandatory reporters**

The Minnesota Department of Education (MDE) is the agency responsible for assessing and investigating allegations of child maltreatment that occur in Minnesota public schools.

If you are working within the education system and suspect that a child is being or has been abused or neglected, you are a mandated reporter and are legally required to make the report to the responsible agency; reporting to your supervisor is not sufficient.

Mandated reporters include professionals and their delegates in the following fields: education, health care, social services, childcare, mental health, law enforcement, correctional services, and clergy.

Persons required to make a report of alleged maltreatment are protected from retaliation if the report is made in good faith. NMA cannot retaliate against any employee who is required to report and cannot take any adverse actions against the employee for making the report. Adverse actions include, but are not limited to, demotions, suspension, or any change in the employee's assignment. The identity of a reporter is confidential and must be protected.

For information on reporting maltreatment refer to the *Mandatory Reporting Policy* located in the office of the Executive Director.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

## **114 - EQUIPMENT AND TECHNOLOGY USE**

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NMA provides its Employees with many resources so that they can perform their jobs, including computers, telephones, copy machines, fax machines, Internet, email, etc. These resources, including the information and data transmitted by or stored therein, are the property of NMA and are intended for business use only. Additionally, NMA furnishes such things, copy services, postal service, word processing, supplies, and support staff personnel, for NMA's business. These resources must not be used for personal needs.

Employees should not under any circumstances use NMA computers, telephones, copy machines, fax machines, voice mail, internet, e-mail, etc., to engage in any conduct that violates the law, or is prohibited by NMA's Sexual Harassment and Offensive Behavior/Workplace Harassment policy and violence in the workplace policy.

No individual should have any expectation of privacy in any communication over these systems. NMA reserves the right to inspect, monitor, review, retain, and/or use voice mail messages, documents, email messages (both incoming and outgoing), files (both computer and paper), Employee working space, and packages and containers found or brought onto NMA's premises.

Inspection, monitoring, and reviewing may include, but is not necessarily limited to, accessing email, voice mail, and other computer information in order to:

1. Maintain the system,
2. Verify the system is operational,
3. Continue the ongoing tasks and duties of an Employee in the Employee's absence for any reason,
4. Conduct NMA's regular business activities, or
5. Ensure that NMA's equipment is not being used for an improper purpose.

Any information or material retrieved by NMA during an inspection, monitoring, or review may be disclosed and/or used as necessary by NMA.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

### **Right to Inspect**

Normal business operations often require other employees to have access to one's work area, desk, files, voice-mail or computer. There is NO guarantee of privacy. Even if an employee has a personal access code or password for voicemail or email, others at NMA may have access and may have business needs to retrieve that information and may record or monitor phone calls or the computer system and may intercept, copy, review, download and disseminate any communication or files an employee creates or maintain in these systems. All passwords or access codes to NMA email, voicemail or other data must be provided to NMA if requested. All mail is opened by the office receptionist, and even "personal" mail may be opened in the rush of routine operations. All NMA property and processes exist for business purposes, and management has the right to access and inspect all property and processes. Employees should not keep anything in their work area, work phone or computer system, or have mail sent to an employee which violates NMA policy or which an employee does not want other employees to see.

There may be times when security concerns give reason for inspection of the packages or other personal parcels that employees may have on NMA premises or NMA owned/furnished lockers, vehicles, desks or other equipment. Employees should not bring anything onto the premises that violates NMA policies or that employees would not want seen in the event of such an inspection.

## **115 - SOCIAL MEDIA POLICY**

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At NMA, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, employees are representatives of NMA, even when not at work. Employees will adhere to the following guidelines for safe and responsible use of social media.

Social media includes all means of communicating, posting information, or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with NMA, as well as any other form of electronic communication.

To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all Employees who work for NMA.

- Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct (even if it is done after hours, from home and on home computers) will not be tolerated. Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.
- Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your Supervisor or consistent with NMA Equipment Policy.
- Do not use NMA email addresses to register on social networks, blogs, or other online tools utilized for personal use.
- Do not correspond with NMA scholars via social media. This includes, but is not limited to, being a FaceBook "friend" with a student. In the case of scholar-initiated contacts, employees will redirect scholars to school-approved modes of communication.
- Employees must understand that posts from personal social media accounts are reflections of NMA. Note: The use of hate speech or the use of speech that incites violence may be grounds for **immediate termination of employment**.
- Employees are permitted to use school- approved communication tools to correspond with scholars for the purpose of instruction. Approved communication tools include Zoom Video Conferencing, Google Hangouts, email, telephone, etc.
- Employees are permitted to use school- approved communication tools to correspond with families about their scholars(s). Approved communication tools include Class Dojo, Zoom Video Conferencing, Google Hangouts, email, telephone, etc.

You are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, NMA policies, the performance of fellow Employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of NMA, or NMA's legitimate business interests may result in disciplinary action, up to and including termination of employment.

#### **Media Relations Policy**

Employees should not speak to the media on NMA's behalf without contacting the CEO/Executive Director. All media inquiries should be directed to the CEO/Executive Director.

#### **Mobile Device Policy**

NMA must maintain a productive and professional workplace, free from distractions. NMA also understands Employees use their mobile devices to communicate their personal information to others. Use of a mobile device, including the technology that the mobile device contains (to include, but not limited to cell phone, internet access, email, text messaging, cameras, recording devices, etc.), during working time, should be limited and not interfere with daily work routine. Additionally, the following guidelines must be abide by:

- Phone ringtones should be appropriate sounds that are kept at a low volume during the work day.
- Usage of a camera is not allowed in private areas such as; bathrooms, break rooms, locker rooms, or other areas where other Employees change. Smartphone cameras should not be used during work times.
- Mobile devices are not allowed to be used while driving for NMA business unless vehicles are equipped with hands free technology. Employees must abide by all Local laws regarding using mobile devices when driving during work time.
- Any business use of a mobile device must have prior approval of Management.
- Personal use of a mobile device during working time should be kept to a minimum. Employees may use mobile devices during their regularly scheduled breaks or lunch times.
- Mobile devices should not be used during scheduled meetings or appointments. Employees should put their mobile device on "silent" or "vibrate" during meetings so the device is not an interruption. Only extremely important calls should prompt you to excuse yourself from the meeting to take the call outside of that location to lower disruption.
- Employees need to keep their voice in a low tone when speaking on their device during the workday.
- During an emergency situation, Employees may use their mobile device to get assistance. Notify Management immediately of such use and reasons.
- Personal use of mobile devices during working time must comply with all other NMA policies to include Sexual Harassment, Offensive Behavior, Workplace Harassment, Workplace Violence and Social Media.

- You are responsible for your mobile device during work. NMA holds no responsibility if the device is stolen or damaged during the work day.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

## **116 - CERTIFICATION AND LICENSURE**

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NMA staff are responsible to be appropriately licensed at all times for their current position. Failure to obtain or maintain any required license will result in termination of employment.

### **Regular Teaching Staff**

Full time, regular teaching staff, further defined by the terms of the charter as "core" employees, will be certified by the Professional Educator Licensing and Standards Board with either a clear or preliminary credential. However, employees-in-training who are working toward a credential and others with specialized and appropriate experience may also be retained if their skills and abilities will further the educational mission of the Academy and if they obtain the emergency credential.

### **Non-Core Teaching Staff**

Non-core employees are not required to hold credentials but must demonstrate subject knowledge and the ability to work well with children.

### **Other Staff, Substitutes, and Consultants**

All other staff must demonstrate the abilities necessary to effectively carry out their responsibilities.

### **Continuing Education**

All employees are expected to maintain their professional training and knowledge current through ongoing courses and workshops in education. Supervisors will work with staff to develop professional growth plans.

## **117 - NO SOLICITATION – NO DISTRIBUTION**

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Non-Employees are prohibited from soliciting Employees or distributing literature on NMA premises.

Solicitation and distribution of literature by Employees is prohibited on NMA premises when the Employees involved are scheduled to be working or at any time in working areas of the building or in any location where customers or the public are present. Solicitation of Employees by other Employees is permitted during non-working times in non-working areas of the building (for example, in the break-room during breaks or meals) to which the public is not admitted. We encourage Employees who wish to solicit financial or other support from their fellow Employees for any cause, charitable, political, or employment-related, to do so off NMA premises and maintain respectful communication.

### **Acceptance of Gifts or Money**

Under no circumstances will an employee demand of or suggest to a student or parent that gifts or money are to be provided to the employee in the exchange for services. Additionally, employees cannot receive any gifts, gift cards or money from other staff, vendors, and/or parents particularly if it will benefit either party in the transaction.

## **118 - DRIVERS POLICY**

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Vehicle accidents can be costly from the standpoint of human injury, lost working time, vehicle repair, and higher insurance premiums. The purpose of this policy is to set qualifications and rules for drivers of all vehicles, whether owned by NMA or you personally, during working hours.

### **Qualifications**

An Employee can operate a vehicle or bus for work purposes only if he or she is:

1. Acting at the direction and with the explicit permission of NMA;
2. Is 18 years of age or older;

3. Holds a valid license for the class of vehicle being driven;
4. Is otherwise qualified under Federal and State regulations to drive the vehicle in question; and
5. Maintain the state minimum liability and personal injury limits within the state of MN, understanding that personal insurance coverage may act as primary and/or secondary coverage in the event of an accident.
6. Passes the required background check and/or drug screenings for bus drivers. All other drivers must have a valid driver's license.

### **Driving Records**

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record and appropriate insurance coverage (if necessary). NMA may run a motor vehicle department check to determine an employee's driving record. It is the employee's responsibility to provide a copy of his/her current driver's license and insurance coverage (if applicable) for their Personnel File. Any changes in his/her driving record, including, but not limited to, driving infractions or changes to insurance policy, must be reported to NMA.

The following driving violations are unacceptable:

1. Driving a motor vehicle under the influence of alcohol, a controlled substance, or any drug that impairs driving ability;
2. Refusing to submit to a test to determine alcohol concentration while driving a motor vehicle;
3. Using a motor vehicle in the commission of any felony;
4. Leaving the scene of an accident unlawfully;
5. Committing more than one major traffic offense over the past 24 months, including reckless driving, careless driving, or a major moving traffic infraction;
6. Receiving a felony revocation of driving privileges or felony/misdemeanor driver license suspension within the last 24 months; or
7. Transporting a controlled substance unlawfully.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

### **Driving Requirements**

While operating a personal or NMA owned vehicle for work use, Employees must:

1. Observe applicable speed limits at all times;
2. Obey all traffic rules and regulations;
3. Drive defensively and anticipate driving hazards, such as bad weather and bad drivers;
4. Report any and all accidents in which they are involved to the Police and their Supervisor; and
5. Employees are required to follow current State and Federal law regarding use of cellphones while driving a vehicle. NMA discourages any use of cellphones while driving.
6. Ensure the safety of all scholars as priority.

### **Safety Belts**

Drivers and passengers in all vehicles used for NMA work must always wear safety belts. Lap belts must be properly secured in vehicles equipped with automatic safety systems that require the lap portion of the belt to be manually secured. Any vehicle in which a safety belt is inoperable cannot be used until the seat belt is repaired. Employees who discover an inoperable restraint system must report it to their Supervisor. Prompt action must be taken to replace or repair safety belts.

### **Accidents**

In general, the following requirements apply:

1. Employees must report any and all traffic accidents to the local Police and their immediate Supervisor.
2. Employees are prohibited from signing or making any statements regarding their responsibility or fault for a traffic accident that occurs while they are driving a NMA owned vehicle or any vehicle on NMA time. Avoid explaining or describing the accident to anyone except public safety personnel, your immediate Supervisor, the claims adjuster, or attorney for NMA's insurance company.
3. Employees must obtain names, addresses, phone numbers, and license numbers of the other drivers involved. Employees also must collect insurance company contact information and the address and phone number of the Police department where the accident report will be prepared.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

## **119 – EMPLOYEE FILE AND CONFIDENTIALITY**

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### **Personnel Files**

Personnel files are the property of NMA, and access to personnel files are restricted to those who need to know.

Non-Personnel File documents containing private Employee information (e.g., consumer reports, I-9 forms, wage garnishment documents, credit card information, mortgage application inquiries, reference check results, and pre-employment or drug testing results) are kept in confidential files separate from Personnel Files. If NMA collects information on a medical condition or disability, it is collected and maintained in separate files and treated in a confidential manner. NMA will only disclose such information to (1) Supervisors who need to be informed regarding necessary work restrictions and necessary accommodations; (2) first-aid and safety personnel who need to be informed about emergency treatment; (3) government officials who are investigating compliance-related issues and (4) as required by insurers pursuant to contract requirements or in the course of handling work-related claims (e.g., worker's compensation claims). Information may also be released for purposes mandated by Local, State, or Federal law.

If an Employee wishes to view their Employee/Personnel File, they must request this in writing. A meeting will be set with the Employee and a member of NMA's Management, Human Resources, or Supervisory team will be in attendance when the Employee reviews his/her file. After the review takes place, an Employee has the right to make a written request for a copy of those records. NMA will comply with this request within 5 business days.

Employees have the right to dispute information contained in their personnel file. If an Employee has a dispute, they are to contact Human Resources in writing as to the nature of their dispute. Within 10 business days, a meeting will be held with the Employee, Employee's Supervisor, and Human Resources to discuss the information disputed by the Employee. An attempt to resolve the dispute will be made at that meeting. If no resolve is made, the information will be sent to the CEO/Executive Director of NMA and within 10 business days, the CEO/Executive Director will make a decision on the dispute. This decision will be final.

Employees should notify Human Resources whenever there is a change of address, telephone number, marital status, emergency contact, number of dependents, or beneficiary.

### **Confidentiality/Proprietary Information**

Employees must: (i) treat as confidential all Proprietary Information (as hereinafter defined) that may be made, or become available, to Employee; (ii) not disclose any Proprietary Information to any competitor, customer or supplier of NMA or to any other person for any purpose without the proper written consent of NMA; (iii) use all Proprietary Information only in connection with the duties of the Employee pursuant to Employee's relationship with NMA and not for the purpose of competing with NMA or soliciting NMA's customers or potential customers or for any other purpose; and, (iv) will prevent disclosure of any Proprietary Information by, or to, any future client, employer, co-worker, Employee, partner, agent, or representative of Employee to others and assume liability for any breach of this agreement and for any disclosure, or use, of Proprietary Information by Employee or any of Employee's future clients, employers, Employees, co-workers, partners, agents, or representatives. Employee's obligation to maintain the confidentiality of, and not wrongfully use, the Proprietary Information is unconditional, shall survive the termination of Employee's relationship with NMA for two years, and shall not be excused whether or not Employee continues Employee's relationship with NMA.

- "Proprietary Information" means any information or compilation of information related to NMA which is not generally known to, and readily ascertainable by proper means by, other individuals or entities. Examples of Proprietary Information, not to be disclosed or used except as permitted by NMA, include, but are not limited to:
- Information concerning NMA's and NMA's clients' operations, products, technology, designs, drawings, patents, ideas, procedures, practices, finances, accounting, and legal matters;
- Information concerning NMA's sales, marketing, service, bidding, leasing, pricing and cost activities and strategies, and strategic business planning activities;

- Information concerning NMA's past, present or potential clients and their Employees and/or dependents (hereafter referred to in this paragraph as "Clients"), including the names, addresses and telephone numbers of Clients; the Clients' financial, medical and personal information; the identity of the individuals responsible for purchasing services on behalf of Clients; the needs and buying tendencies of Clients; contract negotiations between NMA and Clients; the contents of contracts and agreements between NMA and Clients; and identity, quantity, and price of products or services purchased from NMA by Clients;
- Vendor and supplier information including the names, addresses, email addresses and telephone numbers of NMA's vendors and suppliers; information regarding NMA's relationship with its vendors and suppliers; the contents of contracts and agreements between NMA and its vendors and suppliers; financial information concerning its vendors and suppliers; and identity, quantity and prices of products purchased by NMA from its vendors and suppliers;
- Anything marked or stamped "confidential" and/or similar marking; and,
- Any information that NMA is required by law or contract is to be kept confidential.

Employee agrees that all documents and other tangible property of any nature pertaining to activities of NMA or to any Proprietary Information, in the Employee's possession now or at any time during the period of Employee's relationship with NMA, including, without limitation, memoranda, notebooks, notes, data sheets, records, blueprints, and electronic or mechanical data storage devices and records, are and shall be the property of the and that they and all copies of them shall be surrendered to NMA whenever requested by NMA from time to time and immediately following termination of Employee's employment for any reason. Violation of this policy could lead to discipline, up to and including termination.

### **Copyright/Trademarks**

Respect all copyright and other intellectual property laws. For NMA's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including NMA's own copyrights, trademarks and brands.

## **120 – RESIGNATION**

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NMA requests employees who resign from employment provide a written statement of the intention to resign to the supervisor or to the Executive Director, not less than fourteen (14) calendar days in advance of the effective date of resignation. The employee must also continue to perform the job duties diligently, in good faith, and to the best of his/her ability until the effective date of the resignation and must act in good faith to facilitate the transfer of job duties to a new employee unless NMA relieves the employee of their duties prior to the expiration of the fourteen (14) day notice period. The employee will be paid only for the actual days worked following the employee's submission of the notice resignation.

### **Pay at Termination**

Employees will receive their final paycheck as soon after termination as required by law. The final paycheck will include all hours worked through the last day of actual employment and any prorated PTO payout up to the maximum payout defined in section 106.

## **121 - ACKNOWLEDGEMENT**

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I have received a copy of New Millennium Academy's Employee Handbook dated July, 2021. I understand that the Employee Handbook replaces and supersedes any previous Employee Handbook or manual, and any previous communications, whether written or oral, on employment policies or procedures. If there is a conflict between the provisions of this policy and the express terms of an individual employment agreement the terms of the contract control.

I understand that it is my responsibility to read and abide by the policies described in the Employee Handbook. I also understand that if I violate the rules, policies, and procedures set forth herein that I may be subject to disciplinary action, up to and including termination of my employment.



I understand that these policies do not form a contract or an offer of a contract, either express or implied. NMA is an at-will employer. This means that regardless of any provision in this Employee handbook, NMA or I may terminate the employment relationship at any time, for any reason, with or without cause or notice. Nothing in this Employee handbook or in any document or statement, written or oral, shall limit the right to terminate employment at-will.

I understand that NMA may modify or cancel any provisions of this Handbook or any other policies and procedures on a case by case basis and without notice. I also understand that only an Authorized Officer of NMA has the authority to enter into individual contracts of employment, and does so only by a written agreement signed by the individual Employee and an Authorized Officer of NMA.

If I have questions about the content or interpretation of the Employee Handbook, I will ask my Supervisor or Human Resources.

I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND UNDERSTAND ALL POLICIES AND PROCEDURES.

**Please acknowledge this via google document. Click [HERE](#) to sign-off.**