



Oregon Episcopal School

**ALWAYS OPEN**

EMPLOYEE HANDBOOK

---

COVID-19 PANDEMIC EDITION

# TABLE OF CONTENTS

<b>I. COVID-19 PANDEMIC ADDENDUM</b>	<b>7</b>
I.I Introduction	7
I.II Community Commitment and a Culture of Compliance	7
I.III Remote Work Expectations	8
I.IV On-Campus Expectations - Health and Safety Protocols	10
I.V Vulnerable Individuals and Workplace Accommodations	12
I.VI Leave Benefits Under the Families First Coronavirus Response Act (FFCRA)	13
I.VII Supplemental Paid Sick Leave	13
I.VIII Guidelines on School-Related and Personal Travel	14
I.IX Conclusion	16
<b>PREFACE</b>	<b>17</b>
<b>1. INTRODUCTION</b>	<b>19</b>
1.1 Message from the Head of School	19
1.2 Mission and Vision Statements	20
1.3 Identity Statement	20
1.4 Accreditation and Memberships	20
<b>2. EQUAL EMPLOYMENT OPPORTUNITY POLICIES</b>	<b>21</b>
2.1 OES Community Statement	21
2.2 Nondiscrimination Statement	21
2.3 Equal Employment Opportunity Workplace	21
2.4 Discrimination-Free and Harassment-Free Workplace	22
2.5 Accommodations for Transgender Employees	26
2.6 Accommodations for Employees with Disabilities	27
2.7 Accommodations for Employees' Religious Beliefs and Practices	28

2.8	Accommodation for Pregnant Employees	28
2.9	Accommodations for Employee Victims of Domestic Violence, Harassment, Sexual Assault, or Stalking	29
2.10	Employment of Relatives, Spouses, or Domestic Partners	29
2.11	Criminal Convictions	30
<b>3.</b>	<b>WORKPLACE POLICIES AND PRACTICES</b>	<b>31</b>
3.1	At-Will Employment Relationship	31
3.2	Employment Classifications	31
3.3	New Hires and Rehires	33
3.4	Introductory Period	34
3.5	Personnel Records	34
3.6	Performance Evaluations	35
3.7	School Closure Due to Inclement Weather or Other Emergency	35
3.8	Head's Advisory Committee (HAC)	36
3.9	Personal Property on School Campus	37
<b>4.</b>	<b>WORK DAY AND COMPENSATION</b>	<b>39</b>
4.1	Attendance	39
4.2	Workweek, Pay Periods, and Paychecks	39
4.3	Time Records	40
4.4	Overtime	40
4.5	Payroll Deductions and Withholdings	40
4.6	Payroll Advances	40
4.7	Meal Breaks, Rest Breaks, and Lactation Accommodation	41
4.8	Pay Practices	42
4.9	12-Month Compensation for Salaried Faculty and Academic Year Staff	43
4.10	Business Expense Reimbursement	43
4.11	Travel Expense Reimbursement Policy and Procedure	43

4.12	Business Credit Cards	43
4.13	Discussion of Wages	44
4.14	Pay Equity	44
<b>5.</b>	<b>PERFORMANCE EXPECTATIONS</b>	<b>45</b>
5.1	Basic Standards of Conduct	45
5.2	Corrective Action and/or Performance Improvement Plans	45
5.3	Setting Professional Boundaries with Students	46
5.4	Fielding Complaints from Students	47
5.5	Bullying and Similar Violent Conduct	47
5.6	Prevention of Workplace Violence	48
5.7	Drug- and Alcohol-Free Workplace	48
5.8	Tobacco-Free Environment	50
5.9	Confidentiality	50
5.10	Conflict of Interest	51
5.11	Fundraising for OES or Other Nonprofits	52
5.12	Contact with Media, Law Enforcement, Government Agencies, etc.	52
5.13	Computer Use	53
5.14	Email Policy	54
5.15	Data Breach	56
5.16	Copyright Issues	56
5.17	Personal Cell Phone, Smart Phone, and Tablet Computer Use	58
5.18	Recording Conversations	58
5.19	Social Media	58
5.20	Adhering to OES Brand	59
5.21	Use of Personal Vehicles for OES Business	59
5.22	Student Volunteers and Performers at OES Events	60
5.23	Use of School Property and Equipment	61

5.24	Other Employment	61
<b>6.</b>	<b>REPORTING RIGHTS AND RESPONSIBILITIES</b>	<b>62</b>
6.1	Resolving and Reporting Work-Related Complaints and Conflicts	62
6.2	Child Abuse Prevention Policy	63
6.3	Reporting Educator Sexual Conduct Involving Students	64
6.4	Whistleblower Policy: Reporting Suspected Misconduct, Dishonesty, or Fraud	67
<b>7.</b>	<b>SAFETY POLICIES</b>	<b>70</b>
7.1	General Workplace Safety	70
7.2	Work-Related Accidents	70
7.3	Safety Committee	70
7.4	Campus Security: Keys and Key Cards	71
7.5	Communicable Diseases	71
7.6	Natural Disaster	73
<b>8.</b>	<b>BENEFITS</b>	<b>74</b>
8.1	Eligibility for Benefits	74
8.2	Workers' Compensation Insurance	74
8.3	Employee Assistance Program	74
8.4	Health Insurance	75
8.5	Life and AD&D Insurance	75
8.6	Long-Term Disability Insurance	76
8.7	Section 125 Flexible Spending Account	76
8.8	403(b) Retirement Plan	76
8.9	Meal Program	77
8.10	Facilities and Equipment Use	78
8.11	Professional Growth and Development Opportunities	78
8.12	Years of Service Recognition Policy	80

8.13	OES Tuition Remission for Children of Employees	80
8.14	Enrollment Contracts for Children of Employees	81
8.15	Bus Transportation for OES Employees and their Children	81
8.16	Extension Program for Children of Employees	81
<b>9.</b>	<b>TIME OFF: PAID LEAVES OF ABSENCE</b>	<b>83</b>
9.1	Holidays	83
9.2	Paid Sick Leave	84
9.3	Extended Sick Coverage	85
9.4	Personal Days	86
9.5	Vacation (Staff)	86
9.6	Vacation (Administrators)	88
9.7	Clarification re: Vacation for Faculty and Academic Year Staff	88
9.8	Jury Duty or Witness Subpoena Leave	88
9.9	Parental Leave	89
9.10	Bereavement Leave	90
9.11	Renewal Grants for Faculty	90
<b>10.</b>	<b>TIME OFF: UNPAID LEAVES OF ABSENCE</b>	<b>93</b>
10.1	Family and Medical Leave	93
10.2	Leave for Spouses of Military Personnel	99
10.3	Leave for Military Service or Training	99
10.4	Veterans Day Leave	100
10.5	Leave for Oregon Crime Victims	100
10.6	Leave for Victims of Domestic Violence, Harassment, Stalking, or Sexual Assault	100
10.7	Other Leave without Pay: Personal Leave	101
<b>11.</b>	<b>REDUCTION IN HOURS AND TERMINATION OF EMPLOYMENT</b>	<b>102</b>
11.1	Effect of Declining Enrollment, Financial Difficulties, or Other Change	102

<b>11.2 Reduction in Work Hours</b>	<b>102</b>
<b>11.3 Voluntary Separation and Retirement</b>	<b>102</b>
<b>11.4 Involuntary Termination and/or Nonrenewal of Contract</b>	<b>103</b>
<b>11.5 References</b>	<b>103</b>

## **I. COVID-19 Pandemic Addendum**

### ***I.I Introduction***

This addendum to the OES Employee Handbook includes policies that are intended to be temporary, because we are hopeful that once the COVID-19 pandemic has run its course, OES (the School) will be able to return to a campus environment that will not necessitate these policies. That said, it is impossible to predict at this time how long these policies will be in effect. As with all other policies in this Handbook, the School reserves the right to amend or remove them as circumstances warrant. This addendum will be updated as conditions evolve. Employees will be notified of material updates by email.

All OES employees need to be aware of the fluid nature of the school environment heading into the 2020-2021 academic year. OES reserves the right to modify the terms and conditions of employment as may be reasonably necessary for operational reasons and/or in the best interest of the entire program. The School may adjust or make modifications to employment arrangements, including hours of work, individual work schedules, work assignments, compensation structure, and/or essential job duties and responsibilities. The School also may require remote work or a combination of remote and in-person work depending on then-current circumstances.

Decisions regarding closure or re-opening of campus will be based on guidance from the Office of the Governor of Oregon and the Oregon Department of Education.

### ***I.II Community Commitment and a Culture of Compliance***

It is of the utmost importance that all OES employees understand the responsibility each of us carries in mitigating the spread of the virus that causes COVID-19. The paragraphs that follow detail the specific preventive conduct that will be expected, both on campus and off, until the spread of the disease has been reduced to manageable levels and treatments, testing, and a vaccine become widely available. These protocols are based on recommendations and guidance from the Oregon Health Authority ([OHA](#)), Oregon Department of Education ([ODE](#)), the Centers for Disease Control and Prevention ([CDC](#)), the World Health Organization ([WHO](#)), and the Occupational Health and Safety Administration ([OSHA](#)). *These protocols are not optional.* As a community, we will all benefit from a spirit of cooperation and commitment to stopping the spread of this disease. By taking seriously the guidance of public health agencies, by practicing care in activities outside the workplace, and by consistently following these protocols, together we can maintain a school environment that is as safe as possible under the circumstances for employees, students, and families.



### **I.III Remote Work Expectations**

Remote work may be necessary periodically due to federal, state, or local regulations and guidance or if the School Administration determines that working remotely best serves the interests of the OES community during the COVID-19 pandemic.

The School expects that all employees will be ready, willing, and able to work or teach remotely upon demand and will be personally equipped to participate in continued remote work or “continuous learning,” if necessary, consistent with all performance expectations and professional standards so that the School can be fully prepared to deliver the highest quality educational programming in a remote environment if and when the School must go in that direction for any or all of the school year.

If working remotely is necessary, the School will establish how often and how much an employee will work remotely and reserves the right to establish and/or modify an employee’s work schedule or assignment on a temporary or indefinite basis based on the School’s needs. Employees working remotely are expected to be accessible and responsive during designated work hours. Cooperation and adaptability are core performance expectations.

The School expects employees to notify the HR Office of any individual concerns about returning to work and performing duties in-person, with the understanding that the School continues to develop its re-opening plans in accordance with requirements and guidance issued by federal, state, and local officials.

**Reporting or Returning to Campus:** OES may require employees who are working remotely to report or to return to campus to perform certain essential functions of their jobs, to attend meetings, to participate in training and professional development opportunities, to attend School functions, to facilitate family communications or interaction, and to perform any other task that the School reasonably assigns. The School will be sensitive to health and safety issues in making the decision to recall employees to work. Any employee who cannot perform all of the essential functions of the job while working remotely may be required to work on campus or report to physical sites to perform those duties. No employee has the right to work remotely, unless otherwise required by law (for example, as an accommodation for a qualified disability under the ADA).

**Performance of Essential Functions:** Permission to work remotely during the COVID-19 pandemic does not constitute an acknowledgment that employees can perform all of the essential functions of their job remotely. This arrangement is intended to be temporary during the pandemic only.

**Reporting Time and Overtime:** All employees must report their time accurately and truthfully while working remotely. Hourly and non-exempt salaried employees must record all hours worked, while exempt salaried employees should enter all paid leave hours taken. All employees will be afforded their rest and meal breaks and are responsible for taking time away from work during these breaks. Hourly and non-exempt salaried employees must obtain prior approval of their supervisors to work

overtime if remote work would amount to more than forty hours in a workweek. Supervisors should take particular care in reviewing and approving timesheets each month.

**Caring for Dependents While Working Remotely:** The School understands the impact that lengthy school closures relating to the COVID-19 outbreak are having on families and will support employees wherever possible in finding solutions to enable them to perform their duties effectively. We trust that employees will exercise professional discretion in dealing with challenging circumstances at home and do their best to devote their full effort and attention to the duties of their positions, whatever they may be. Roles at OES are widely varied; generally speaking, the expectation is that employees will dedicate themselves to work activities during work hours, absent unforeseen circumstances. Specific work groups may look to their supervisors for more detailed guidance on expectations in this regard. For information on benefits for families under the Families First Coronavirus Response Act (FFCRA) see paragraph I.VI.

**Key Remote Work Standards:** Employees may be asked to work remotely for a period of time deemed necessary to protect the health and safety of the School community. Individual supervisors may develop frameworks for working with their own teams to maintain productivity and engagement. All employees will be expected to adhere to the following standards:

- Remain flexible and adaptable if asked to work a different schedule or perform alternative duties for a period of time in response to pandemic-related conditions.
- Report work hours and time off taken accurately and truthfully. Non-exempt employees must refrain from working through breaks or from working overtime without prior approval from a supervisor.
- Be accessible and responsive while working remotely by way of video conference, telephone, voicemail, e-mail, etc., and respond within a reasonable period of time.
- Continue to adhere to the School's performance and conduct standards while working remotely.
- Protect the School's and its families' confidential, sensitive and/or proprietary information at all times.
- Travel to the OES campus upon request to perform certain essential functions of the job, to attend meetings, to participate in training and professional development opportunities, to attend School functions, to facilitate family communications and interaction, and to perform any other task that the School may assign that cannot be accomplished through remote work.
- Contact a supervisor if any matter arises that may prevent an employee from completing work remotely.
- Access the School's network only when authorized, use the School's equipment only for permitted purposes as set forth in the School Acceptable Use Policy, and prohibit third parties from accessing or using the network.

- Maintain a safe, secure, and private remote working site. Make contact with the Business or HR Office if you need equipment to enhance your ergonomic safety while working at home, e.g., ergonomic keyboard or mouse.
- Make a good faith effort to dedicate appropriate time and attention to work activities during work hours. OES understands that employees may face challenges in working while bearing responsibility for dependents at home. Employees should ask for help when such responsibilities make them unable to perform their duties effectively.
- Work at the School's physical offices if the School terminates remote work or otherwise requests the employee to return to in-person work.

**Remote Teaching and Maintaining Professional Boundaries with Students:** OES is committed to ensuring the safety and well-being of our students. One important way to do this is to maintain healthy relationships and boundaries with students at all times. Modeling appropriate boundaries is an important part of everyone's job at the school. All employees are expected to maintain professional boundaries in their relationships with students, both verbally (including appropriate language and topics) and physically (including appropriate physical contact). This expectation carries over to your use of technology such as email, text messages, or social networking sites, for which you are expected to comply with the [Digital Community Norms Policy](#).

#### ***I.IV On-Campus Expectations - Health and Safety Protocols***

Adherence to the protocols detailed below is essential to keeping the community safe and is expected of all employees. Failure to comply may result in corrective action.

**Training:** All employees will be asked to complete a series of online training modules regarding use of personal protective equipment, physical distancing, hand hygiene, sanitizing immediate work areas, and other crucial health and safety activities.

**Face Coverings, Masks, and Face Shields:** All employees working on campus are required to wear an appropriate face covering at all times, both indoors and outdoors when coming into contact with others. The School will provide face coverings and clear plastic face shields. Employees may also bring their own PPE to use if they wish. Those working alone in offices with the door closed may do so without a face covering. In addition to face coverings, the School will install clear plastic barriers in workstations where employee routinely interact with families or the public.

**Physical Distancing:** The School will support employees to comply with physical distancing in all daily activities and instruction, striving to maintain at least six feet from individuals at all times, both indoors and out. Employees will be expected to heed wall and floor signage aimed at supporting physical distancing when standing in line, follow directional instructions established within hallways and other indoor spaces that may become congested; avoid movement between buildings on campus; and minimize contact between students and student-contact employees (teachers, assistants, substitute teachers, coaches, dorm personnel, nurse) and non-student-contact employees.

**Hand Hygiene and Respiratory Etiquette:** Employees must wash hands frequently with soap and water for twenty seconds or use hand sanitizer if soap and water is unavailable. Coughing should be done into an elbow or a tissue, with the tissue discarded appropriately immediately thereafter.

**Daily Symptom and Temperature Self-screening:** All employees will complete a health screening survey each morning. Responses to a symptom questionnaire and results of a temperature check will be reported via a secure online portal or smart phone application. Those with a temperature equal to or greater than 100.4 degrees Fahrenheit and/or other COVID-19 symptoms, including a new cough, shortness of breath or difficulty breathing; fever; chills; muscle pain; sore throat; or new loss of taste or smell will be excluded from campus pending further information. There will be back-up procedures available on campus for those who forget to do the screening on a given day.

**Staying Home When Sick:** In compliance with the existing OES communicable disease policy (7.5 in OES Employee Handbook) OES employees must stay home when they are sick, especially if they have a fever. In addition, employees should remain home if they have had direct contact with an individual with a confirmed or presumptive case of COVID-19 in the preceding 14 days or if anyone in their household has recently had an illness with fever or new cough. *Under no circumstances should an employee with symptoms or a fever report for duty on campus. Supplemental paid sick leave may be made available to those who have exhausted their paid leave balances. Employees in this situation should contact the HR Office as soon as possible to discuss their situation.*

**Falling Ill While on Campus:** An employee who develops COVID-19 symptoms while on campus should inform the supervisor and either leave campus immediately to return home or seek care from a health care provider. Those unable to leave campus immediately will be expected to self-isolate in areas designated for this purpose pending safe transportation home or to a healthcare facility. Confirmed cases COVID-19 will be reported to the [Washington County Department of Health and Human Services](#).

**Return to Work After Illness:** Employees should stay home for at least 10 days after symptoms start and wait until 72 hours after any fever is gone, without the use of fever reducing medicine, and after other COVID-19 symptoms (e.g., cough, shortness of breath, and diarrhea) are improving. Those employees with a negative COVID-19 viral test (and in the case of multiple tests all negative results) should remain home until 72 hours after fever is gone, without use of fever reducing medicine and with other symptoms improving. Anyone with a confirmed or presumptive case of COVID-19 may return only after clearance by a healthcare provider.

**Contact Tracing and Logging Movements on Campus:** Those employees who have tested positive for COVID-19, have been designated a presumptive case, or have been in direct contact with an individual with a confirmed case, must cooperate with authorities to perform contact tracing. To assist in this process all individuals on

campus must log their movements and the identities of the people they come into contact with each day, per protocols established by the School.

**Dining Hall and Meal Benefit:** While OES believes that the employee dining benefit of one meal per day is valuable for employees, there may be times during the COVID-19 pandemic when it is not possible, economical, or safe to provide this benefit to all employees, including times when the dining hall is open to students. We apologize in advance for any temporary suspension of this benefit.

**Visitors to Campus:** Access to campus for non-essential visitors, volunteers, and independent contractors will be restricted. Essential visitors may include but not be limited to: delivery or repair people, mail carriers, and those individuals assisting students with disabilities. Essential visitors, including independent contractors, will be required to wash or sanitize hands upon entry and exit, be screened for symptoms on entry, wear an appropriate face covering, and practice physical distancing.

#### ***I.V Vulnerable Individuals and Workplace Accommodations***

Employees at high-risk for severe illness from COVID-19 should consider applying for a workplace accommodation. Depending on the characteristics of the individual case, the essential job functions of the employee's position, and the needs of the School, we will work with you to provide reasonable workplace accommodations provided doing so would not cause an undue hardship to OES.

Underlying conditions cited by the Centers for Disease Control (CDC) are as follows:

- Age of 65 years and older;
- Chronic lung disease or moderate to severe asthma;
- Serious heart conditions;
- Compromised immune systems: a variety of conditions can cause this including, cancer treatment, smoking, bone marrow or organ transplant, other chronic immune disorders, HIV or AIDS, and prolonged use of corticosteroids and other similar medications.
- Severe obesity (body mass index [BMI] of 40 or higher);
- Diabetes;
- Chronic kidney disease; and
- Liver disease.

OES is committed to complying with state and federal disability anti-discrimination laws, including the Americans with Disabilities Act (ADA) and the amendments thereto. This commitment extends not only to prohibiting discrimination against disabled applicants and employees, but also to complying with reasonable accommodation obligations. See paragraph 2.6 *Accommodations for Employees with Disabilities* in this Handbook for more detailed information on the ADA.

## ***I.VI Leave Benefits Under the Families First Coronavirus Response Act (FFCRA)***

The FFCRA makes paid supplemental sick leave and paid emergency family and medical leave available to employees under certain circumstances. These special provisions will apply through December 31, 2020. See the table below for eligibility criteria.

**Emergency Paid Sick Leave (EPSL)** provides employees up to two weeks (10 days) of paid sick leave based on their regular rate of pay paid at:

- 100 percent for qualifying reasons 1-3 below, up to \$511 daily and \$5,110 total or
- 66 percent for qualifying reasons 4 and 6, up to \$200 daily and \$2,000 total.

### **Emergency Family and Medical Leave (EFMLA)**

- Up to 12 weeks of paid sick leave (2 weeks of EPSL) and expanded family and medical leave (10 weeks of FMLA) paid at 66 percent for qualifying reason 5 below for up to \$200 daily and \$12,000 total.

Please note, OES employees with paid leave balances may fill in the gap between the 66 percent of compensation benefit and 100 percent of their normal pay.

An employee may take leave under this policy if the employee...

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

More detail about this temporary federal program may be accessed at [www.oes.edu/employees](http://www.oes.edu/employees) and on bulletin boards in the Upper School mail room, Lower and Middle School Administrative Offices and in the upper corridor of Morris House near the Facilities Office. Questions should be directed to the HR Office.

## ***I.VII Supplemental Paid Sick Leave***

OES may, under certain circumstances, grant additional paid sick leave to an employee who has exhausted all paid leave options and needs to stay at home due to

their own or a family member's illness. These situations will be evaluated on a case-by-case basis. For more information, please see the HR Office.

### ***I.VIII Guidelines on School-Related and Personal Travel***

Remaining safe as a community during the COVID-19 pandemic requires us all to weigh the needs of the community along with our own personal and family needs. The decision to travel is one of those areas that can impact the entire community upon return. To that end, employees will be expected to adhere to the following guidelines.

**School-Related Travel:** To safeguard students, employees, and families, and in consideration of the need to steward carefully Professional Growth and Development (PGD) funds and other critical resources, OES has implemented the following guidance on non-essential school travel through at least December 31, 2020. The OES Administrative and Ops Teams will revise this guidance as appropriate in response to evolving advice from federal, state and local authorities.

- In general, travel outside the immediate Portland-area for PGD purposes will be discouraged.
- Any employee who wishes to travel outside the Portland area for any school-related reasons must first speak with their direct supervisor. The supervisor will then refer the request to the Operations Team for review.
- Essential school travel—defined as travel for Admissions, Advancement, Operations, and programmatic purposes that are central to fulfilling OES's mission—will be modified as appropriate and in keeping with federal, state, and local guidance.

We recognize that there are circumstances that will warrant school-related travel outside the immediate Portland area and the Operations Team will consider those circumstances on a case-by-case basis.

**Personal Travel:** The School also recognizes that employees may need to travel for personal reasons, including to spend time with and/or care for family members outside of their immediate household. While OES cannot and will not prohibit personal travel, and while circumstances will be handled on a case-by-case basis, we ask that employees practice appropriate care both away from campus and when they return to OES.

Guidelines to promote personal and community-wide health and safety include:

- A commitment to follow all local, state, and federal regulations regarding safety during travel.
- If you are required by the nature of your job to be on campus or if your position is significantly impacted by not being physically present at OES, and if you have

traveled to an area where COVID-19 is considered to be in active or imminent outbreak, you may be asked to remain off campus for 14 days from the conclusion of your travel, regardless of whether you exhibit any symptoms of COVID-19 or were in contact with anybody diagnosed with or suspected of having COVID-19.

- If your job requires you to be at school, work with your supervisor to determine whether you can work at school in a way that protects you and others from potential contact. This will be determined on a case-by-case basis by the Operations Team.
- Follow CDC Guidelines for traveling domestically and internationally. Note that current CDC guidelines state that those traveling internationally should not return to work for 14 calendar days.
- Self-Monitor for any signs of COVID-19-related illness. Below are the most common symptoms of COVID-19; those who exhibit them should refrain from coming to campus until they are 72 hours fever-free (without medicine) and other symptoms are improving:
  - *Dry cough*
  - *Shortness of breath or difficulty breathing*
  - *Sore throat*
  - *New loss of sense of smell or taste*
  - *Fever (100.4 and above) or chills*
  - *Muscle soreness*
- Although OES's response will be handled on a case-by-case basis, [Oregon Health Authority \(OHA\) guidelines](#) will help guide our response to employee travel. These guidelines include the OHA's recommendations to self-quarantine:

**Self-Quarantine:** OHA recommends self-quarantine for many people who return from areas where COVID-19 is widespread in communities and for people who have been in close, prolonged contact with someone ill with COVID-19. We will work with people to make a plan that keeps them, their families and the public safe.

Anyone who has been exposed to an individual who is positive for COVID-19 or who is suspected to be positive for COVID-19 or who is awaiting the results of a testing, they should do the following for the 14 days after the most recent exposure:

- Check their temperature twice a day
- Avoid places where many people gather, including stores, workplaces, and schools
- Stay off transportation like planes, trains, and buses
- Call a healthcare provider promptly if fever, cough, or trouble breathing develop



While traveling and in other settings, we ask that employees give careful consideration to their actions and avoid activities that put them at unnecessary risk of being in close proximity to others without appropriate PPE measures. (Here is a [helpful infographic](#) on the relative risks of various activities.)

## ***I.IX Conclusion***

Please note that the contents of this addendum to the OES Employee Handbook will evolve with changes to circumstances on the ground until it is no longer needed. Employees will be alerted by email to material changes to this document.

Finally, sincere thanks are due to all who have contributed to the coming together of the OES community through hard work, flexibility, resilience, patience, and an inspiring spirit of mutual support. Thank you!

## PREFACE

Welcome. We're glad you are a part of OES.

This handbook articulates many of the current policies and procedures of Oregon Episcopal School (referred to in this handbook as "OES" or the "School"). **This handbook is not intended to and does not constitute a contract or a binding promise.** Rather, it is only intended to be a general outline of our current policies, practices, and benefits.

This handbook replaces all prior handbooks and supersedes all prior communications related to our personnel policies, both written and verbal. OES reserves the right to modify, revoke, or suspend any or all of this handbook's policies or procedures, in whole or in part, at any time, with or without notice at its sole and absolute discretion.

**All employees of OES are employed "at will,"** meaning either the employee or OES may end the employment relationship at any time, with or without cause or prior notice. No employee at OES is guaranteed employment for any length of time. Nothing in this handbook or in any document or statement limits the School's right to terminate employment at-will. Only the head of school may modify the at-will nature of the employment relationship, and she can do so only in a written agreement that is signed by the employee, the head of school, and the Board president.

The policies in this handbook are intended to meet the requirements of all applicable local, state, and federal laws. It is possible that a provision or policy may inadvertently be inconsistent with applicable legal requirements. In that situation, the provisions of applicable law will govern. All employees are encouraged to bring any questions about legal requirements or possible policy inconsistencies to the attention of the head of school or the director of human resources.

OES strives to comply with all applicable laws regarding equal employment opportunity and provides a workplace free from unlawful harassment or discrimination. Employees should bring any questions or concerns regarding equal employment opportunities, harassment or discrimination to their supervisors, any division or administrative department head, or the head of school.

In this handbook, OES has tried to describe important information about its policies, practices, and benefits. Employees will be provided electronic access to this handbook as part of the new hire and orientation process, and are expected to read, understand, and abide by our policies. If employees have any questions that are not answered by this handbook, they should consult their supervisors or a staff member of the Human Resources Office.

OES is committed to a work environment in which relationships are characterized by dignity, honesty, courtesy, respect, and equitable treatment. OES seeks to provide opportunities for participation, challenge, broadening experience, and advancement where possible. The organization also strives to provide a work environment in which employees receive support and recognition for jobs well done. We are glad you have decided to join us.

## 1. INTRODUCTION

### 1.1 *Message from the Head of School*

Welcome to Oregon Episcopal School. OES is a community of teachers, administrators, and staff all dedicated to the mission of preparing students to realize their power for good. We function as a close and committed community of students, families, faculty, and staff and use this handbook to set expectations for behavior in that community for all employees. We value our employees' dedication to our mission and commitment to hard work, and we encourage open, direct, and respectful communication. It is in this spirit that this Employee Handbook has been assembled. Working together, we strive to create an exceptional educational experience for our students and a rewarding and invigorating environment for employees.

Our families entrust their most precious assets—their children—to us. We take this trust seriously and strive to meet and then exceed our community's high expectations. The Mission and Vision of OES are at the heart of everything we do. No matter what the employee's role at the school, that employee's work is essential to achieving our high goals, and to providing the exceptional experience for our students that families expect.

Please take the time to become familiar with the contents of the Employee Handbook. Great care has been taken to clearly articulate our policies and procedures. Though we have tried to consider all aspects of the employee experience at the School, please know that if at any point you have questions or concerns regarding the policies that follow or anything else in your role as an employee, we encourage you to ask your supervisor or the Human Resources Office staff for guidance or assistance.

We are incredibly lucky to have the professional employees we do. Thank you for being part of our work with children and families—and for helping to make this a great school and a wonderful working environment.

Warmly,



Mo Copeland  
Head of School

## **1.2 Mission and Vision Statements**

### **Mission:** Why We Exist

Oregon Episcopal School prepares students for higher education and lifelong learning by inspiring intellectual, physical, social, emotional, artistic, and spiritual growth so that they may realize their power for good as citizens of local and world communities.

### **Vision:** Where We Are Going

Oregon Episcopal School connects people, ideas, and cultures to advance knowledge, create solutions, and enhance meaning.

## **1.3 Identity Statement**

**Our Oregon Home Matters:** Perched on the Pacific Rim, nestled between the ocean and mountains, bordered by both natural wetlands and urban development, we nurture intrinsic curiosity about complex environments and people of diverse backgrounds, creating intentional connections and collaborative, sustainable solutions.

**Our Episcopal Tradition Matters:** Rooted in a rhythm of gathering and reflection, we educate toward a larger purpose—toward inclusion and respect, understanding and compassion, service and social justice, toward meaning and commitment beyond ourselves.

**Our School Philosophy Matters:** Grounded in the belief that the advancement of knowledge flows from open and rigorous inquiry, we cultivate the life of the mind and the whole person by connecting questions with exploration and discovery, theories with scrutiny, expression with art, and self with subject.

## **1.4 Accreditation and Memberships**

OES is accredited by the Northwest Association of Independent Schools (NWAIS) (Pre-K–12), and the Northwest Accreditation Commission (NWAC) (9–12). Both accreditations are voluntary and require periodic self-evaluations, the meeting of rigorous standards, and evaluation by visiting teams of peers and colleagues.

OES faculty and staff are encouraged to seek and profit from membership in appropriate regional and national professional associations. Area and departmental budgets will normally cover the costs of such membership, with the prior approval of various budget administrators.

## 2. EQUAL EMPLOYMENT OPPORTUNITY POLICIES

### 2.1 OES Community Statement

Drafted by a committee of students, parents, faculty, staff, and administrators in 2013 and approved by the OES Board of Trustees in May 2014, OES articulates the following commitment to diversity and inclusive community:

**Awareness:** Human differences matter. Recognizing and engaging the range of human thought, experience, and identity are essential to this school community.

**Dialogue:** The extent to which the school commits to ongoing dialogue and effort towards inclusion will determine our ability to wholly fulfill the school's Mission and realize its Vision.

**Courage:** OES recognizes that conversations about inclusive community require courage. Mistakes and times of discomfort are a part of the learning process.

**Commitment:** The OES Board of Trustees recognizes its leadership role in creating an engaged community that:

- Embraces and celebrates a diversity of people, voices, and perspectives;
- Develops intercultural communication skills for local and global understanding and citizenship;
- Understands historical privilege and power inequities, and challenges norms and systems that perpetuate exclusion; and
- Regularly evaluates and strengthens the school's practices of equity and inclusion.

### 2.2 Nondiscrimination Statement

Oregon Episcopal School does not discriminate in its hiring or employment practices on the basis of race, color, creed, religion, national or ethnic origin, sex (including pregnancy), disability, age, sexual orientation, gender identity or expression, marital status, genetic information, uniformed service or veteran status, or any other legally protected characteristic or status.

### 2.3 Equal Employment Opportunity Workplace

OES provides equal employment opportunity to all qualified individuals in accordance with applicable state and federal laws. OES prohibits discrimination and harassment based on race, color, creed, national origin, citizenship, religion, age, disability, sex, sexual orientation, gender identity or expression, marital status, uniformed service or veteran status, family relationships, genetic information, or other status protected under state, federal, or local law in all personnel actions, including hiring, tenure, and conditions of employment. We expect all employees to conform to both the letter and the spirit of all state, federal, and local laws and regulations governing nondiscrimination and equal employment opportunity. This policy applies to all personnel actions, including recruitment, hiring, training, transfer, promotion and demotion, compensation and benefits, evaluation, discipline, and termination.

## **2.4 Discrimination-Free and Harassment-Free Workplace**

OES is committed to providing all employees with a work environment free of unlawful discrimination or harassment of any kind. The purpose of this policy statement is to reaffirm our commitment to equal employment opportunity and to providing a discrimination-free work environment for all employees. OES prohibits all forms of harassment or discrimination based on race, age, religion, color, creed, sex, national origin, ethnicity, physical or mental disability, sexual orientation, gender identity or expression, genetic information or any other legally-protected characteristic or status that local, state or federal law protects from employment discrimination.

### **Discrimination**

“Discrimination” means unfair treatment or conduct that has the purpose or effect of creating employment conditions for an individual that are intimidating, hostile or offensive or that evince animosity, resentment, anger, prejudice or ill will in others primarily because of the individual’s identification with or membership in a protected class. OES strives to reduce and prevent any unlawful discrimination, including but not limited to discrimination prohibited by ORS 659A.030, ORS 659A.082, and 659A.112.

- ORS 659A.030 prohibits discrimination against an employee because of their race, color, religion, sex – including sexual assault (meaning unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation), sexual orientation, national origin, marital status or age of any other person with whom the individual associates, age (18 or older), or expunged juvenile record.
- ORS 659A.082 prohibits discrimination against an employee who is a service member in a uniformed service.
- ORS 659A.112 prohibits discrimination against an employee with a disability.

The statute of limitations period applicable to an employee’s right of action for alleging unlawful conduct under ORS 659A.030, ORS 659A.082, and 659A.112 is five years from the date of the alleged occurrence. Everyone is advised to document any incidents involving conduct prohibited by ORS 659A.030, ORS 659A.082, and 659A.112.

### **Harassment**

Harassment is a form of unlawful discrimination. The term “harassment” means unwelcome, demeaning, or offensive conduct (verbal, physical, or visual), typically directed at another individual. It includes conduct that may not be unlawful but is nevertheless inappropriate at our school. Unwelcome conduct based on race, color, religion, sex (whether or not of a sexual nature, and including same-sex harassment and gender-identity harassment), national origin, age, disability (mental or physical), sexual orientation, or any other legally protected characteristics, can constitute unlawful harassment. Any harassment of employees by fellow employees (regardless of working relationship or supervisory status), students, or third parties is prohibited.

Harassment includes conduct such as unwelcome touching or sexual advances; innuendoes; dirty or off-color jokes; offensive derogatory comments about a person's gender; sexually explicit posters, pictures, or drawings; and other verbal, graphic, or physical conduct of a sexual nature which has the effect of creating a hostile or offensive work environment.

Harassment also includes racial slurs; ethnic jokes; derogatory comments or gestures about a person's gender, physical or mental limitations, sexual orientation, or any other verbal, graphic, physical or other conduct related to that employee's sex, race, ethnicity, age, religion, disability, sexual orientation, gender identity or expression, or any other legally protected characteristic such that the conduct creates a hostile or offensive work environment.

## **Sexual Harassment**

Sexual harassment is considered a form of sex *discrimination* because of the sexual nature of the unwanted conduct to which the victim is subjected. Sexual harassment does not mean occasional compliments of a generally socially acceptable nature.

While *all* forms of illegal harassment are prohibited at OES, sexual harassment is explicitly prohibited. Sexual harassment refers to unwelcome conduct such as sexual advances, requests for sexual favors, offensive touching, or other verbal or physical conduct of a sexual nature. Prohibited harassment also includes when someone treats a member or members of one sex differently from members of the opposite sex—by favoring a certain sex, making sexist remarks, applying gender stereotypes, etc.

Prohibited sexual harassment includes unwelcome conduct of a sexual nature from any source—other employees, school volunteers, board members, vendors, contractors, consultants, customers, visitors, or even students. It is prohibited regardless of working relationships (such as between a manager and employee, or between coworkers); or gender (such as same sex or opposite sex). It doesn't matter who it is; all such harassment is prohibited.

Unwelcome conduct of a sexual nature constitutes unlawful sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an offensive, intimidating, or hostile work environment.



Even conduct that is intended to be humorous or flattering may still constitute sexual harassment under this policy if the recipient of that conduct finds it unwelcome. If an employee is aware of any such conduct, it is that employee's responsibility to take affirmative actions to stop the unwelcome conduct either by telling the offending employee to stop the conduct and/or reporting it immediately to the director of human resources.

Here are some examples of conduct that could be considered sexual harassment:

- Sexual stereotyping or other sexist behavior;
- Verbal conduct such as making comments, epithets, slurs, teasing, and jokes of a sexual nature, or using sexually degrading words or sexually patronizing terms to describe an individual;
- Visual or physical conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, calendars, or posters in the workplace;
- Graphic sexual written or verbal comments about an individual's sex life or body, asking questions about a person's sex life or experiences, or engaging in gossip regarding a person's sex life, body, sexual activities, deficiencies or prowess;
- Sexually offensive, explicit or suggestive texts, e-mails, or voicemail messages;
- Unwelcome physical contact, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking movements;
- Excessive, one-sided romantic attention in the form of repeated unwelcome requests for dates, love letters, telephone calls, e-mails, or gifts;
- Offering or conditioning an employment benefit, like a raise, a promotion, or a special job assignment, in exchange for sexual favors; treating an employee differently after the employee has turned down a romantic or sexual advance; or
- Sexual assault or rape.

### **Harassment Aside from Sexual Harassment**

Sexual harassment is not the only type of harassment that is prohibited by this policy; harassment on the basis of any other protected characteristic is similarly not allowed. Harassment also includes racial slurs or other offensive slang; ethnic jokes; epithets, vulgarities, and obscenities, unflattering stories concerning a protected group or other derogatory comments; or non-verbal conduct such as eye-rolling, grunts, groans, silent treatments, bullying, mimicking one's speech, accent or disability or other similar offensive gestures or intolerant acts that could reasonably be perceived as threatening, insulting, intimidating or discriminatory toward an employee because of that employee's legally-protected characteristic or status such that the conduct creates a hostile or offensive work environment.

For any harassment, whether or not the offending employee meant to cause offense is not significant. The policy is violated when other employees, recipients or mere observers, are in fact reasonably offended by comments or conduct which is sexual or harassing in nature.

### **How to Report Prohibited Conduct**

This reporting procedure applies to any employee with concerns of either: (a) discrimination, (b) harassment, or (c) retaliation for reporting discrimination or harassment, opposing discrimination or harassment, or cooperating with investigations.

**Informal Resolution:** In many instances, the offensive conduct may be caused by a lack of awareness. OES encourages employees, if comfortable doing so, to raise the issue directly and respectfully with the person who is the source of the offending behavior. A variety of tools, including mediated discussion, may be available to resolve some problems short of a formal complaint. Employees should feel comfortable consulting the Human Resources Office for confidential assistance.

**Formal Report:** **If at any time you believe you have either experienced or observed harassment or discrimination in violation of this policy, you should promptly contact your direct supervisor, the director of human resources, or the head of school to report the concern.**

Employees who believe they are being harassed or who witness an incident of harassment should immediately contact one of the following: 1) the supervisor, 2) any division or administrative department head, 3) the director of human resources, or 4) the head of school. These positions are designated to receive your report of prohibited conduct. Employees should report any concerns about harassing or discriminatory behavior as soon as possible. We strive for a respectful, positive, and productive working environment at OES, but we cannot ensure such an environment unless concerns are brought to our attention so we can take action.

### **Response to Reports**

Each report of harassment will be promptly and impartially investigated. This may include an investigation by the head of school or her designee, which may be an attorney or other professional hired for the purpose by the School. Investigations will be kept confidential to the extent practicable and appropriate under the circumstances, consistent with our need to investigate the report and address the situation. Employees who report discrimination or harassment or become aware of a report are also expected to keep the report confidential so as to maintain the integrity of any investigation into the report.

The initiation of a report in good faith will not adversely affect any terms or conditions of employment or work environment of the reporter.

All employees are expected to cooperate with any investigation upon request by providing truthful and complete information.

OES also recognizes that false accusations of harassment, although rare, can have serious negative effects on innocent individuals. If we determine after investigation that a report was made in bad faith or that an employee has provided false information to us in the course of an investigation, we will take immediate and appropriate corrective action.

OES prohibits any type of retaliatory action against any employee or student who brings forward a report of harassment or discrimination, cooperates in the investigation of a report, or otherwise exercises a protected right. Employees should bring concerns of retaliation to the attention of the director of human resources.

Employees who engage in harassment in violation of this policy or retaliate against complainants or participants in any investigation under this policy will be subject to disciplinary action, up to and including termination of employment. If the conduct is egregious, they may also be barred from campus and, in the event of criminal conduct, referred to local law enforcement.

### **Prohibition on Nondisclosure/Nondisparagement Agreements**

OES will never require or coerce an employee to enter into a nondisclosure agreement (meaning an agreement not to disclose, publicize, or tell anyone else about the factual information covered by the agreement) or nondisparagement agreement (meaning an agreement not to defame, disparage, or comment in a negative manner) that has the purpose or effect of preventing the employee from disclosing or discussing conduct related to harassment and discrimination. However, an employee claiming to be aggrieved by conduct prohibited by ORS 659A.030, ORS 659A.082, and 659A.112 may voluntarily request to enter into a nondisclosure or nondisparagement agreement that has the purpose or effect of preventing an employee from talking about the conduct; if the employee enters into such an agreement by request, the employee has 7 days to revoke the agreement by giving written notice to the Human Resources Office (the agreement will only be effective after the 7-day period has expired).

## **2.5 Accommodations for Transgender Employees**

OES does not discriminate in any way on the basis of sex, sexual orientation, gender identity or gender expression. The School strives to provide a safe and productive work environment for all employees, including transgender, gender non-conforming, and transitioning employees.

Transgender employees may choose to discuss their gender identity or expression openly or to keep that information private.

Employees may have access to the restroom (and locker room) corresponding to their gender identity. Any employee who has a need or desire for increased privacy

may request access to a single-stall restroom when available. No employee, however, will be required to use such a restroom.

Transgender and gender-nonconforming employees may comply with our dress code in a manner consistent with their gender identity or gender expression.

Transgender employees have the right to be addressed by the name and pronoun that correspond to the employee's gender identity, upon their request (a court-ordered name or gender change is not required). The intentional or persistent refusal to respect a person's gender identity – for example, intentionally referring to the employee by name or pronoun that does not correspond to the employee's gender identity – can constitute harassment and is a violation of our policies.

OES will change an employee's official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may require a legal name change before the employee's name can be changed.

Employees who transition while employed at OES may contact the Human Resources Office to ensure a successful workplace transition by, for example, creating a transition plan, updating photographs at the workplace so the transitioning employee's gender identity and expression are represented accurately, and updating official records.

If a new or transitioning employee has any questions about this policy, that employee should contact the Human Resources Office.

## **2.6 Accommodations for Employees with Disabilities**

OES is committed to complying with state and federal disability anti-discrimination laws, including the Americans with Disabilities Act (ADA) and the amendments thereto. This commitment extends not only to prohibiting discrimination against disabled applicants and employees, but also to complying with reasonable accommodation obligations.

Employees who need job accommodation due to a disability must advise their supervisors and/or the director of human resources of that need. The supervisor and the director of human resources will discuss the request for accommodation and options with the employee. Consistent with this policy and applicable law, OES will attempt to make reasonable accommodation for the employee who, due to a physical or mental disability, is unable to perform the essential functions of the employee's job without an accommodation. Depending on the circumstances, reasonable accommodation may include restructuring non-essential job duties and functions, reassigning qualified employees to vacant positions, providing reasonable assistance in performing job duties, and granting finite leaves of absence. Based on the particular facts of each case, we will determine whether an accommodation can be granted without creating an undue hardship to OES (if an accommodation would impose an undue hardship, it will not be granted).

If at any time an employee believes that this policy has been violated, the employee must immediately notify the supervisor, department or division head, the director of human resources or the head of school.

## **2.7 Accommodations for Employees' Religious Beliefs and Practices**

OES is committed to complying with state and federal religious discrimination and accommodation laws. The School will make reasonable efforts to accommodate the religious beliefs and practices of employees. Year-round employees are granted two floating holidays for observance of religious holidays not recognized by the OES paid holiday calendar. Academic-year employees may convert up to two of their accrued paid sick days per year to "flex days" for that purpose. Those using flex days to observe religious holidays should inform payroll to make sure the days are recorded properly. If an employee needs any other kind of job accommodation due to religious beliefs or practices, the employee must advise the supervisor or the Human Resources Office of that need. The supervisor and director of human resources will discuss the request for accommodation and options with the employee. OES will determine whether an accommodation would create an undue hardship based on the particular facts of each case (if an accommodation would impose an undue hardship, it will not be granted).

If at any time an employee believes that this policy has been violated, the employee must immediately notify the supervisor, department or division head, the director of human resources, or the head of school.

## **2.8 Accommodation for Pregnant Employees**

OES is committed to complying with all laws related to pregnant employees and employees recovering from childbirth. Employees who need a job accommodation due to health conditions related to pregnancy or the physical recovery from childbirth must advise their supervisors and/or the director of human resources of that need. The supervisor and the director of human resources will discuss the request for accommodation and options with the employee. Consistent with this policy and applicable law, OES will provide reasonable accommodations for health conditions related to pregnancy or the physical recovery from childbirth. Reasonable accommodations include but are not limited to more frequent or longer break periods; more frequent restroom, food and water breaks; obtaining or modifying equipment or seating; lifting limitations; temporary transfer to a less-strenuous or less-hazardous position, if available; job restructuring; light duty, if available; assistance with manual labor; and modified work schedules. We may request a statement from your healthcare provider containing sufficient facts or opinions to support your request. Based on the particular facts of each case, we will engage in the interactive process with you and will provide a reasonable accommodation if it does not impose an undue hardship to OES (if an accommodation would impose an undue hardship, it will not be granted).

If at any time an employee believes that this policy has been violated, the employee must immediately notify the supervisor, department or division head, the director of human resources or the head of school.

## **2.9 Accommodations for Employee Victims of Domestic Violence, Harassment, Sexual Assault, or Stalking**

OES is committed to complying with Oregon law to provide reasonable safety accommodations to employees who are victims of domestic violence, harassment, sexual assault, or stalking (DVHSAS). The School does not discriminate against an individual in hiring or any other employment decision because the individual is a victim of DVHSAS. An employee who is a victim of DVHSAS may request a reasonable safety accommodation to allow the employee to more safely continue to work at OES. Employees who need reasonable accommodations are expected to request them of their supervisors or the director of human resources. The supervisor and director of human resources will discuss the request for accommodation and options with the employee. OES will determine whether an accommodation can be granted without creating an undue hardship (if an accommodation would impose an undue hardship, it will not be granted).

If at any time an employee believes that this policy has been violated, the employee must promptly contact the supervisor, department or division head, the director of human resources or the head of school.

## **2.10 Employment of Relatives, Spouses, or Domestic Partners**

OES does not discriminate against any applicant or employee based on their marital or registered domestic partnership status. That said, OES will not allow an employee to have the authority or practical power to appoint, supervise, evaluate, audit, discipline or remove another employee with whom that employee has a marital relationship, registered domestic partnership, or family relationship. Consistent with this policy, OES does not permit an employee to report to a person with whom the employee has a marital relationship, registered domestic partnership, or family relationship. OES also does not allow an employee to have any position in which it is reasonably foreseeable that the interests of OES and those of the employee may conflict as a result of a marital relationship, registered domestic partnership, or family relationship.

This policy applies to relationships involving a spouse, domestic partner, sibling (including in-law and step), parent (including in-law and step), grandparent (including in-law and step), child (including step), grandchild (including step), niece or nephew (including step), and people living in the same household in a relationship substantially comparable to any of the above.

If two employees who work in the same division or department or who are in a situation in which one of them supervises the other become related (typically by marriage or a relationship substantially similar) or involved in a romantic relationship, one of them may be transferred to another position to avoid a violation

or potential violation of this policy. If such a position is not available, we may ask one of the two of them to seek other employment.

## **2.11 Criminal Convictions**

OES does not hire or retain employees or volunteers who have been convicted of a crime of violence (e.g., assault, rape, murder, or manslaughter), drug dealing (including the possession of controlled substances with intent to sell), child abuse/endangerment or any other crime that is directly related to the performance of their job. An employee or volunteer who has been convicted of such a crime, or knows of an OES employee or volunteer who has been convicted of such a crime, is obligated to report the conviction to his or her supervisor, the director of human resources, or the head of school immediately.

### 3. WORKPLACE POLICIES AND PRACTICES

#### 3.1 *At-Will Employment Relationship*

Employment at OES is “at will.” This means that both the School and employee have the right to end the employment relationship at any time for any reason or no reason at all, either with or without notice. Please note: this includes all employees who receive wage increase letters and/or faculty contracts (although certain faculty contracts expressly provide for severance in the event the contract is canceled without cause). No one at OES other than the head of school has the authority to change the at-will nature of any employee’s employment.

#### 3.2 *Employment Classifications*

OES uses the following classifications for purposes of its payroll and benefits.

##### 1. Employees are either full-time or part-time

**FULL-TIME:** A full-time employee is one who works in a position that is normally scheduled for 40 or more hours per week. Full-time employees are expected to work the days of the week and hours of the day as scheduled by their supervisors or as needed by OES. Regular full-time employees are eligible for many OES benefits.

**PART-TIME:** A part-time employee is an employee who works less than full-time. A regular part-time employee typically works a schedule of fewer than 40 hours per week. Due to business operating requirements, a minimum or maximum number of scheduled hours cannot be guaranteed to part-time employees. Part-time employees who are regularly scheduled to work at least 1,000 hours during the calendar year (or in the case of faculty, who work at least 20 hours per week during the academic year) are generally eligible for certain employee benefits as described elsewhere in this handbook (see Section 8). (Note that certain benefits have different eligibility requirements, as described elsewhere in this handbook, and that eligibility for some benefits is on a prorated basis based on the number of regularly scheduled work hours.) Part-time employees who are regularly scheduled to work fewer than 20 hours per week will receive all legally mandated benefits such as paid sick leave, workers’ compensation insurance, and Social Security benefits, but generally are ineligible for all other benefit programs.

##### 2. Employees are known as Faculty, Administrators, or Staff, and some staff are referred to as Academic Year Staff

**FACULTY:** Faculty are employees whose primary duty is to teach students. Faculty may receive teaching contracts, but they remain employed at-will at all times.

**ADMINISTRATOR:** Administrators are employees who head the academic divisions and main administrative departments of the School. The Administrative



Team forms the executive leadership of OES. It comprises the division and department heads along with the associate head of school and head of school.

**STAFF:** Staff are employees who are not Faculty or Administrators. Staff typically have a primary duty other than teaching students and supporting others in administering departments or divisions.

**ACADEMIC YEAR STAFF:** These employees are staff (as defined above) in non-teaching positions who are employed based on the 10-month academic year calendar.

### **3. Employees are classified as regular, on-call, seasonal, or temporary**

**REGULAR EMPLOYEE:** Regular employees work on an on-going, indefinite basis. Regular employees are eligible to receive all legally mandated benefits (such as paid sick leave, workers' compensation insurance, and Social Security benefits, etc.), and may be eligible for other benefits based upon the number of hours worked for OES and other criteria.

**ON-CALL EMPLOYEE:** On-call employees work as relief for others, or on an as-needed basis. The category includes substitute teachers. On-call employees will receive all legally mandated benefits (such as paid sick leave, workers' compensation insurance, and Social Security benefits), but generally are ineligible for all other benefit programs.

**SEASONAL EMPLOYEE:** Seasonal employees work during specific parts of the year. Examples include summer program teachers, athletic coaches, and student trip leaders. Seasonal employees are eligible to receive all legally mandated benefits (such as paid sick leave, workers' compensation insurance, and Social Security benefits), but generally are ineligible for all other benefit programs.

**TEMPORARY EMPLOYEE:** Temporary employees work on a temporary basis or on assignments of limited duration (for example, employees hired to fill in during sabbaticals or parental leaves). Temporary employees will receive all legally mandated benefits (such as paid sick leave, workers' compensation insurance, and Social Security benefits), but generally are ineligible for all other benefit programs, unless hired into a "temp-to-regular" position as designated at the time of hire.

### **4. Employees are classified under federal and state law as either exempt or nonexempt**

**EXEMPT:** Exempt employees are generally paid a set salary, regardless of the number of hours worked in a particular week. They are not entitled to compensation for overtime under the wage and hour laws. Generally, executives, professional employees, and certain employees in administrative and IT computer services positions are exempt.

**NONEXEMPT:** Non-exempt employees are entitled to lunch and rest breaks and compensation for overtime under the wage and hour laws. They are generally, but not always, paid on an hourly basis. Non-exempt employees must be paid for all hours worked.

### **3.3 New Hires and Rehires**

New hires are informed, verbally or in writing, of their specific terms of employment, such as title, position, schedule, compensation, and benefits. For some positions, OES may provide this information in a letter of employment or contract. Employees are subject to other policies adopted by OES, such as those contained in this handbook or in specific benefit plan documents. All employment at OES is “at will,” meaning either the employee or OES may end the employment relationship at any time and for any or no reason without notice.

OES requires all prospective and new employees to undergo background checks to the extent permitted and/or required by law. OES determines which checks are appropriate for each job category within the school. That may include but is not limited to screening for criminal records, past employment history, driving records, and educational credentials. Job offers are conditional upon the successful completion of these background checks; consequently, a job offer may be withdrawn or employment may be terminated based on information learned through the background check.

Any prospective employee whose pre-employment drug test yields a positive result will have the offer of employment immediately withdrawn. OES may, at its sole discretion, make an exception to this policy for a prospective employee whose pre-employment drug test yields a positive result for marijuana (though at no time does the school tolerate impairment at the workplace based on use of this drug). Any prospective employee whose offer of employment is withdrawn per this policy will not be eligible to reapply for employment to OES for a minimum of six months and will be subject to the same pre-employment background check process and drug testing requirement for any later offer of employment. Employees whose jobs have a physical component will be subject to a physical exam after a conditional offer of employment.

OES only employs individuals who are lawfully authorized for employment in the United States. New hires are required to complete the Employment Eligibility Verification Form (I-9) before starting work. Employees who fail to provide necessary documents will be placed on leave without pay until such documents are provided. Any employee who cannot provide the necessary documentation after a reasonable time will be terminated.

**Rehire Policy:** Former employees rehired within six months will retain their accrued sick leave balance (if any) that remained at termination. Former employees rehired within one year may keep their original seniority date for purposes of accruing paid leave benefits. Former employees rehired after one year or more do not retain their accrued sick leave balance or their original seniority date. All other benefits are

effective on the first day of the month following rehire, unless the terms of a particular plan require otherwise. Background checks and drug testing are required for former employees rehired after an absence of one year or more.

### **3.4 *Introductory Period***

All newly-hired regular employees serve a three-month introductory period. The manager will conduct a performance evaluation at or prior to the completion of the three-month introductory period in order to provide the employee with feedback and to establish the next period performance objectives. Promotion, demotion, or transfer to a new job function will result in a new introductory period for a current employee.

On occasion, the introductory period may be extended for up to an additional three months. This would occur only after consultation with and approval by the division or department head and director of human resources. Such actions may arise for a variety of reasons, including the manager's determination that the three-month period was inadequate to appropriately assess the employee's job performance. In no case should the completion of the introductory period be understood as a guarantee of permanent or continued employment with the School, as all employees here are employed at will at all times. Please see the At-Will Employment Policy (Section 3.1) for more details.

### **3.5 *Personnel Records***

Personnel files are records maintained by the school for the purpose of keeping information regarding an employee's work performance and other related matters. Personnel files are the property of OES and access to the information contained therein is restricted to the employee and to those employees on a need-to-know basis.

Changes of address, tax withholding status, emergency contact, or telephone number should be reported in writing to the Human Resources Office or entered by the employee directly into the payroll system. The School will attempt to annually update emergency contact, telephone, and address information.

Employees who want to review their own personnel files should make a written request to the Human Resources Office. OES will provide any current employee the opportunity to review that employee's file, generally within three business days of the written request. The review of the personnel file must take place in the Human Resources Office.

Medical records, if any, will be maintained in a separate confidential file and will not be disclosed without the employee's authorization or as otherwise required by law.

### **3.6 Performance Evaluations**

Every employee's performance will be periodically evaluated, both formally and informally. OES believes that periodic evaluation provides the School with an opportunity to discuss and recognize the employee's contributions, areas for continued growth, and skills that need improvement. Written reviews are a way of ensuring that good work is being acknowledged and any concerns about the quality of an employee's work are being identified and communicated. The written review(s) should include an assessment of strengths as well as performance areas needing improvement and suggestions for improving performance.

Employees should feel free to ask their supervisors for more information about the evaluation process.

### **3.7 School Closure Due to Inclement Weather or Other Emergency**

From time to time, OES closes school due to weather conditions or other unforeseen emergency situations that make transportation of students and employees to school, or their presence on campus, hazardous. OES uses Instant Alert, a communication tool to which employees must opt in, to convey essential information about conditions en route to campus and on campus so that each employee can make an informed decision as to whether it is safe to travel to school.

If classes are cancelled, we encourage employees to come to school only if need be and to continue to work remotely if possible. Any employee who is able to perform work from home is expected to do so. If an employee who is able to work from home chooses not to do so, the individual will be treated as having taken the day off work for personal reasons. The employee may elect to use paid leave, if available, to cover this time off. Please confer with your supervisor as to your working or nonworking status on any day when school is closed and you are not able to travel to work.

There are, however, certain employees considered essential to the school's operations under such conditions who are expected to report if they can do so safely. These individuals will be notified in advance by their supervisors and should report on hours/days of school closure as promptly as possible, assuming there is a safe method for them to get to campus. Essential hourly employees are defined as individuals deemed necessary to report to work by the director of Facilities or the head of school.

All employees will be paid for their regularly scheduled hours/day(s) OES elects to close the school, up to a maximum of five days per year, with the exception of those individuals who can work from home and who choose not to do so, as noted above. If the school is closed for more than five days in a single year, the head of school has the option of extending this paid time but it is not required to do so.

If the opening of school is delayed, employees are expected to report promptly at the later hour of opening. If school is closed because of poor road conditions in the morning, but it is feasible to travel in later, employees are expected to do so, at the

direction of their supervisors. We expect employees who do not come to campus to continue with any remote work that can be done during the day.

If OES does not cancel school on a day with snow or other inclement weather conditions and an employee does not report to work due to the weather conditions, this day will be recorded as a day off work for the employee. The employee may elect to use paid leave, if available, to cover this time off.

### **Digital / Remote Learning Days**

In the event that school is canceled due to inclement weather or for any other reason, the following practices will go into effect on the third missed day (that is, after two missed days of classes):

- Classes scheduled to meet that day should assign work.
- The total length of the assigned work for any given class, including any additional homework, should be consistent with division guidelines and will depend on the age of the student. (Lower School: no more than 20 minutes per class; Middle School: no more than 30 minutes per class; Upper School: no more than 50 minutes per class).
- Students / families will receive an email reminding them of the guidelines and expectations. Work should be sent to students or, in the case of Middle and Upper School, posted on Google Classroom no later than 9 a.m. No changes or additions to the plans should be made after the initial posting at 9 a.m.
- Accountability for completing the work is important to ensure that students are doing what is asked. Faculty should consider carefully how students can document their work.
- Faculty are expected to respond within two hours to communications (emails, calls, texts) from students, families, or colleagues between 9 a.m. and 5 p.m., unless there are extenuating circumstances. Division heads will let families know that requests for teacher communication after 5 pm will be responded to the following day.

### **3.8 Head's Advisory Committee (HAC)**

The Head of School's Advisory Committee (HAC) is charged with the responsibility of meeting to review matters of general employee celebrations and concerns, to advise the head of school on general policy matters, to serve as a sounding board for the head of school, and to work collaboratively with the head of school to create a positive, all-school environment. HAC may initiate matters of discussion that deserve attention. As representatives of employees, the members will seek consensus on such matters brought to the committee. The head of school, associate head of school, and the director of human resources will attend these meetings.

HAC is made up of nine members, elected in the spring: two faculty members from Lower School; two faculty members from Middle School; two faculty members from Upper School, one faculty member from Residential Life, and two employees from non-teaching staff, including one 12 month employee. Membership is for three years. The chair will serve a two-year term, which may lengthen the chair's term on HAC. At the end of the term, the chair, along with the head of school, will present a candidate to HAC for approval.

#### **Shared Goals:**

- Create a positive work environment.
- Give employees a voice in a safe environment.
- Allow all constituents of the community to come together to share successes, concerns, and ideas.
- Foster two-way communication and information sharing.
- Keep the head of school informed.
- Promote a cohesive workplace culture.

#### **Committee Meetings:**

- HAC meets monthly during the school year from 3:15 to 4:30 P.M.
- Members solicit items for celebration and items of concern from constituents.
- Agenda items are submitted by members to the committee chair.
- Committee chair and head of school review submitted items and develop the agenda.
- Some items may not be discussed at HAC because they can be addressed elsewhere more efficiently and effectively.
- Redirection will be reported back to the member raising the issue.
- The HAC member will follow up with the employee who raised the issue for resolution and rationale.
- Meeting notes, action items, and next steps will be recorded by voluntary note takers.
- Notes will be reviewed by the chair and the head of school.
- A finalized record of minutes will be posted on the employee page of the OES website by the chair.
- Standing agenda items to include:
  - Approval of minutes
  - Celebrations Request for input from head of school
  - Report on action items/next steps
  - Issues
- Committee charter will be reviewed annually with new members at the last meeting of the school year.

### **3.9 *Personal Property on School Campus***

The School is not responsible or liable for any personal property that is lost, stolen, or damaged. The School's insurance does not cover theft, damage, or loss to property not owned by the School. Employees are responsible for safeguarding, replacing, or repairing personal property lost, stolen, or damaged while on School premises,

conducting School business, or in a School-owned vehicle. Consequently, employees are encouraged to not bring valuable personal property to work. Employees are expected to take care to secure personal belongings that they do bring onto the campus.

## **4. WORK DAY AND COMPENSATION**

### **4.1 Attendance**

We depend on the regular and prompt attendance of all of our employees. Employees are expected to be at work on time and to know and understand OES's attendance expectations as set forth in the all-school calendar, division calendars and other publications, as well as in supervisor communications.

The academic day is defined as 7:45 A.M. to 3:45 P.M. All full-time faculty are expected to be on campus during these hours. Staff work schedules vary and are assigned by the department supervisor.

An employee should alert the supervisor and divisional office staff, as applicable, as soon as possible if that employee must be away from work, but no later than 12 hours prior to the scheduled reporting time. If the reason for the absence is unforeseeable sick leave, the employee should provide notice before the start of the employee's work day or as soon as is practicable.

Lack of communication or too many unexcused absences and/or late arrivals will lead to discipline and could lead to termination.

In the event an employee does not call in sick or report for work as scheduled and is a "no call, no show" for three consecutive work days, we will consider this job abandonment and treat the employee as having voluntarily resigned.

### **4.2 Workweek, Pay Periods, and Paychecks**

The OES workweek is 40 hours. For purposes of overtime calculation, the workweek begins on Sunday morning at 12:00 A.M. and ends on Saturday night at 11:59 P.M. Actual work schedules vary by employee. The academic day is defined as 7:45 A.M. to 3:45 P.M.

There are typically 12 pay periods in a calendar year. Payday is the first day of each month. If the first day of the month falls on a weekend or holiday, payday will be the prior working day. The exception is January 1, when payday is the next business day.

OES pays employees their monthly pay via direct deposit and provides electronic access to their pay statements to reduce paper use and postage expense. To opt out of direct deposit, please contact the Human Resources Office.

Employees should notify the Human Resources Office as soon as possible of any error in pay or change in mailing address. Employees are responsible for maintaining a current mailing address with OES. OES is not responsible for delayed US Postal Service when mailing paychecks or pay statements to employees.



### **4.3 Time Records**

We want to be sure OES employees are paid for all the work they perform. To accomplish this, we must have an accurate record of time worked.

**Exempt employees** are required to report all paid leave taken (sick, vacation, holidays, personal days, etc.) in the digital time and attendance system.

**Nonexempt employees** are required to submit a monthly time record that accurately and fully reflects all time worked. Their supervisors will approve work hours each pay period in the digital time and attendance system. Those nonexempt employees who are salaried should take special care to record unexpected hours worked. The School does not allow non-exempt employees to do any work off the clock. Nonexempt employees are expected not to check their emails, text messages, and voicemails outside of normal work hours, unless specifically directed by their supervisor (in which case they should record the time as time worked).

### **4.4 Overtime**

Nonexempt employees will be paid overtime (at the rate of time and one-half of their regular rate of pay) for hours worked in excess of 40 in a workweek. Holidays, sick leave, paid personal days, floating holidays, and vacation are not counted as hours worked for the purposes of calculating overtime. Except in rare cases of emergency, nonexempt staff must obtain approval in advance from their supervisors before working overtime. Exempt employees are not eligible for overtime.

### **4.5 Payroll Deductions and Withholdings**

OES makes payroll withholdings as required by law, including FICA (Social Security), Medicare, federal income tax withholding, and required state taxes. The federal income tax withholding is based on the Withholding Exemption Certificate (W-4 Form) each employee files with us. If there is a change in the number of dependents an employee is entitled to claim, the employee should submit a new W-4 Form with the appropriate revisions. We may also make payroll withholding for garnishments as required by law. Employees are responsible for correcting inaccurate levies. OES may also take deductions from the employee's pay when it is for the employee's benefit and convenience (for example, for health insurance premiums), provided the employee has signed a written authorization.

### **4.6 Payroll Advances**

Only one payroll advance per month will be allowed. Advances in pay will be paid on the 15<sup>th</sup> of the month only and must be previously authorized by the employee's supervisor. The employee may request up to one half of his or her estimated regular monthly net compensation in the payroll advance request. All deductions including taxes and benefit deductions (insurance, 403b contributions, etc.) will be withheld from the paycheck that the employee receives on the first of the month.

Process for payroll advance:

- 1) Completely fill out, sign, and date a Payroll Advance form.
- 2) Have your supervisor sign the Payroll Advance form.
- 3) Deliver the Payroll Advance form to the Human Resources Office no later than 10:00 A.M. on the 10<sup>th</sup> of the month to ensure time to process your request. If the 10<sup>th</sup> is on a weekend, please deliver the completed Payroll Advance form by the Friday before.

#### **4.7 Meal Breaks, Rest Breaks, and Lactation Accommodation**

##### **Rest Breaks (Paid):**

All nonexempt employees receive a 10-minute paid rest break for each four hours of work time or major portion thereof. Employees should take a rest break near the middle of each four-hour work segment. Break periods may not be used or skipped to extend a lunch period, work overtime, arrive late, or leave early.

##### **Meal Breaks (Unpaid):**

All nonexempt employees working six continuous hours or more in a day are required to take a 30-minute unpaid meal period, preferably in the middle of the shift. Meal periods may not be used or skipped to extend a work overtime, arrive late, leave early, or make-up for missed work time. Ordinarily, employees are required to be relieved of all duties during the meal period. In the exceptional circumstance where an employee might perform duties during a meal period, the employee will be paid for the whole meal period. If an employee must work during the meal period, the employee must have supervisor approval and record the time as work time on the monthly time sheet. Working during a meal period should be a very rare exception.

Nonexempt employees are required to take meal and rest breaks as described above. Failure to do so can lead to discipline. If you are a nonexempt employee and believe you are not receiving your meal or rest breaks, you should contact your supervisor or the Human Resources Office.

##### **Lactation Accommodation:**

Upon request, the School will provide reasonable rest breaks and/or private locations to accommodate lactation in the workplace. The employee should consult with the Human Resources Office for further assistance with this accommodation.

Refrigerators are available for the storage of breast milk. The milk must be clearly labeled with the employee's name and the date that the milk was expressed. Any nonconforming products stored in the refrigerator may be disposed of.

## **4.8 Pay Practices**

Pay practices, including pay increases, promotions, and changes in status, may change from time to time. Although circumstances sometimes don't allow for advance notice, we will try to provide advance notice of any changes in employee's employment status and our pay practices.

### **Compensation for Administrators and Staff:**

Individual compensation for Administrators and Staff is approved by the head of school. Increases are discretionary and depend on the employee's performance, as well as the School's annual budget, student enrollment, internal pay equity, the labor market, changes in the cost of living, and other relevant factors. Pay increases are typically announced in wage increase letters. An increase in wages is never guaranteed for any employee.

### **Compensation for Faculty:**

Faculty salaries are generally based on education and teaching experience. The associate head of school and division head, in consultation with the HR Office, will determine placement of a new teacher on the salary scale based on education (as evidenced by official transcripts), years of teaching experience, and the needs of the School.

Academic Credits for Faculty: Teachers may submit pre-approved and properly documented academic coursework and professional development units (PDUs) for advancement on the salary scale. Credits and PDUs should be submitted by Sept 1 to be applied to the contract for the upcoming academic year.

The following guidelines will apply:

- Academic coursework should be pre-approved by the appropriate division head and the associate head of school. Coursework should be in a field directly related to job duties or teaching area and documented with transcripts. Please note that the OES faculty salary scale is based on semester credits. If transcripts are from an institution that is on the quarter system, the quarter credits will be discounted. Consult the HR Office for a conversion chart or research online.
- PDUs, to count as credit on the salary scale, should be pre-approved by the division head and in alignment with the School's curriculum and strategic objectives. PDUs should be documented with certificates showing the number of hours credited for the workshop, conference, or seminar, and will be valued at 30 hours to one semester credit on the scale. Not all PDUs that would be accepted by the TSPC for license renewal will be considered for credit.

***Please note that OES does not require a teaching license and therefore does not reimburse for related expenses.***

#### **4.9 12-Month Compensation for Salaried Faculty and Academic Year Staff**

Faculty and Academic Year Staff at OES generally work during the 10-month academic year and take the summer off. Regardless, annual compensation for salaried Faculty and Academic Year Staff is computed and paid out equally over a 12-month period, with the first paycheck of the academic year on October 1<sup>st</sup>.

#### **4.10 Business Expense Reimbursement**

OES will reimburse employees for reasonable pre-approved expenses incurred in the course of conducting OES business. The employee should seek supervisor approval in advance of incurring the expense. In order to request reimbursement, the employee should fill out a check request, attach all receipts, and submit it to the department/division head for approval before submitting the Business Office. Check requests submitted by Wednesday will ordinarily be processed by Friday. Expense requests and receipts must be submitted for reimbursement within 60 days of the date the expense is incurred.

To be eligible for reimbursement, the expense must be reasonable and clearly related to OES school business (such as classroom instructional materials or a consultant lecturer's fees). The School will also reimburse fees for the employee's professional position (such as certification renewals or professional association memberships). Personal expenses will not be reimbursed.

#### **4.11 Travel Expense Reimbursement Policy and Procedure**

OES will reimburse employees for reasonable expenses incurred in the course of pre-approved travel on school business, in accordance with the School's Travel Expense Reimbursement Policy and Procedure. Before you travel, please refer to the full policy:

[http://www.oes.edu/uploaded/New\\_Site/Business\\_Office/OES\\_Travel\\_Expense\\_Reimbursement\\_Policy.pdf](http://www.oes.edu/uploaded/New_Site/Business_Office/OES_Travel_Expense_Reimbursement_Policy.pdf).

#### **4.12 Business Credit Cards**

OES will issue credit cards to certain employees whose jobs regularly require them to make purchases or travel on the School's behalf. Cardholders are required to review their statements online on a monthly basis and to identify all charges as to their purpose. Cardholders must then submit photo or scanned images of the receipts using a process determined by Accounts Payable. For travel, meal, and entertainment expenses, the employee must provide a description of the expense and the business purpose it served. For group meals or entertainment expenses, please include the names of all participants. Failure to review statements in a timely manner may result in the loss of card privileges. Likewise, charging personal expenses on the School credit card is unacceptable and will result in requests for restitution, removal of card privileges, and possible disciplinary or criminal action.

#### **4.13 Discussion of Wages**

Employees have the right to inquire about, discuss or disclose information about their own wages or any other employee's wages. We will not discriminate or retaliate against anyone for discussing their wages.

#### **4.14 Pay Equity**

OES is committed to pay equity for employees, without regard to any legally protected characteristic or status. In order to ensure pay equity, we follow these protocols:

- We do not discriminate between employees on the basis of an employee's status as a member of a protected class in the payment of wages or other compensation for work of comparable character;
- We do not pay wages or other compensation to any employee at a rate greater than that at which the employer pays wages or other compensation to employees of a protected class for work of comparable character;
- We do not screen job applicants based on current or past compensation;
- We do not determine compensation for a position based on current or past compensation of a prospective employee (not including a current OES employee during a transfer, move or hire of the employee to a new position with us);
- We do not seek the salary history of an applicant or employee before we make an offer of employment to the prospective employee that includes an amount of compensation.

If you have any questions about our pay equity policy, please contact the Human Resources Office.

## 5. PERFORMANCE EXPECTATIONS

### **5.1 Basic Standards of Conduct**

The OES Mission and Vision Statements (Section 1.2) set forth the basic standards of conduct for OES employees. The Identity Statement (Section 1.3) and OES Community Statement (Section 2.1), both policies of the Board of Trustees, further define these basic standards of conduct. OES employees are required to act in accordance with the letter and the spirit of these policies.

All employees are expected both to remain competent in their particular fields of work and to pursue personal and professional development. All employees are expected to set positive examples for students in conduct, dress/attire, and performance.

All employees are expected to obey all federal, state, and local laws. This expectation applies to employees' conduct at all times. The expectation especially includes all laws regarding minors (for example, the prohibition on contributing to the delinquency of a minor) and OES employees' mandatory reporting obligations (such as reporting suspected child abuse or neglect).

OES will provide training to all faculty and staff on harassment, discrimination, and mandatory abuse and educator sexual misconduct reporting obligations, as well as any other related topics determined necessary by the head of school. All OES employees are required to attend these training sessions when delivered in person, or to complete assigned online training modules, and to practice appropriate, professional behavior in all interactions with students and co-workers. Please refer to our policies regarding Discrimination-Free and Harassment-Free Workplace (Section 2.4), Reporting Educator Sexual Misconduct Involving Students (Section 6.3), and Mandatory Reporting of Child Abuse (Section 6.2) for more details about those policies.

### **5.2 Corrective Action and/or Performance Improvement Plans**

At times, issues may arise in the workplace that require counseling, discipline, and, in some cases, even termination. In most circumstances, we will choose to use a progressive discipline process that gives the employee notice of substandard work performance and/or conduct and an opportunity to correct the problem. In those circumstances, we may follow some or all of these steps before the ultimate discipline of termination. Our progressive discipline options are some or all of the following:

**Verbal Warning:** We will talk to the employee concerning the problem and the need for improvement. Verbal warnings will be documented in writing by the employee's supervisor and delivered to the Human Resources Office for inclusion in the employee's personnel file.

**Written Warning:** We will give the employee a written warning, generally citing the objectionable action and warning of the possible consequences for continued objectionable conduct. The signed written warning will be delivered to the Human Resources Office for inclusion in the employee's personnel file.

**Performance Improvement Plan (PIP):** We will work with the supervisor to document the specific action(s) and work standard(s) that are in need of improvement or below performance expectations. The supervisor will also outline the timeline for job improvement and the follow-up evaluation period(s) for the PIP. The employee, in consultation with the director human resources and division or department head, will determine the timelines for the PIP and any follow up periods. There is no "required" number of steps in this process beyond the initial PIP document. Timelines will be determined based on circumstances in each situation.

**Termination:** We will terminate the employee's employment for failure to correct the workplace performance or conduct.

Nothing in this policy modifies the at-will nature of the employment relationship or requires OES to use progressive discipline in any particular circumstance. Although in many instances OES will decide to follow this procedure, please remember that we are not obligated to follow the steps below. In our experience, progressive discipline is not warranted in all circumstances. For example, the offense may be serious enough to call for immediate termination; progressive discipline may have a very small chance of being successful; immediate termination may better meet business needs; or relationships may have deteriorated to the point where it is in the School's interest that an immediate employment separation occur.

Employees will be asked to acknowledge in writing any written warning or performance improvement plan received. Acknowledgement of the warning does not constitute agreement with the details of the warning. The employee will be provided with the opportunity to provide the employee's perspective on any action/situation cited in the warning.

### **5.3 *Setting Professional Boundaries with Students***

OES is committed to ensuring the safety and well-being of our students. One important way to do this is to maintain healthy relationships and boundaries with students at all times. Modeling appropriate boundaries is an important part of everyone's job at the school. All employees are expected to set and maintain professional boundaries in their relationships with students, both verbally (including appropriate language and topics) and physically (including appropriate physical contact).

This expectation carries over to your use of technology such as email, text messages or social networking sites, or conducting remote learning, for which you are always expected to comply with the Digital Community Norms Policy.

All employees are expected to act as role models at all times. Stay in your professional role whenever you are interacting with students. You are responsible for the impact of your actions, regardless of your intent. If you have any questions about what is appropriate, please contact your supervisor or the director of human resources.

OES prohibits any and all sexual conduct between employees and students. Please see Section 6.3, "Reporting Educator Sexual Conduct Involving Students," for information about the type of conduct that is prohibited and for guidance about reporting suspected misconduct.

#### **5.4 *Fielding Complaints from Students***

Employees are expected to report all concerns regarding student-to-student harassment, bullying (including cyberbullying), hazing, intimidation, or menacing to their department or division head immediately, so action can be taken to prevent the behavior from recurring and offer assistance and support to the aggrieved student. This includes but is not limited to any reports of sexual abuse or misconduct by another student, whether it takes place on or off campus.

#### **5.5 *Bullying and Similar Violent Conduct***

Bullying (including cyberbullying), hazing, harassment, intimidation, or menacing of by employees is strictly prohibited and will not be tolerated. OES does not tolerate bullying or violent behavior by any employee, including managers and other employees in a position of authority.

The following types of unacceptable behavior are examples of bullying or violent behavior:

- Verbal Bullying: slandering, ridiculing or maligning a person or his or her family; persistent name calling which is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks;
- Cyber-Bullying: any bullying occurring transmitted on an electronic device or via social media;
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property;
- Gesture Bullying: non-verbal threatening gestures; and
- Exclusion: socially or physically excluding or intentionally disregarding a person in work-related activities.



Any employee who experiences or observes any behavior that is believed to violate this policy should report the behavior immediately to the employee's division or department head and to the director of human resources.

Employees who violate this policy will be subject to disciplinary action up to and including termination. Depending on the violation, the School may also report misconduct to the State of Oregon Department of Human Services (DHS) or the appropriate law enforcement agency. Faculty holding a Certified Oregon Teaching License and found in violation may also be reported to the Teacher and Standards and Practices Commission, as provided by OAR 584-020-0041, when appropriate.

## **5.6 Prevention of Workplace Violence**

In the interest of preserving a safe and secure workplace environment, the following conduct is absolutely prohibited:

- Intentional acts causing or likely to cause physical injury to another;
- Threats to engage in acts causing or likely to cause physical injury to another (whether serious or made in jest but perceived to be serious);
- Intimidation, harassment, verbal abuse or physical abuse of an employee, student, or other member of the OES community; and
- Possession of explosives, firearms, or other weapons on the premises.

Violations of this policy will lead to disciplinary action up to and including termination. Where appropriate, we will pursue all available avenues of legal recourse including, but not limited to, the filing of criminal charges.

## **5.7 Drug- and Alcohol-Free Workplace**

OES has a continuing commitment to provide its employees with a safe, healthy, and productive work environment free from the effects of alcohol, drugs, and controlled substance abuse. Such abuse affects job performance as well as employee and student safety. OES is committed to deterring such abuse.

We do not allow the use, sale, transfer, or purchase of alcoholic beverages, drugs that are illegal under federal or state law, or other intoxicants at any time while you are at work. Employees may not (1) report to work under the influence of any amount of alcohol, drugs that are illegal under federal or state law (including marijuana), or other intoxicants; (2) become under the influence once on the job; or (3) have alcohol or illegal drugs in the employee's possession when working.

An employee's use of prescription drugs or over-the-counter medicine can pose a significant risk to the employee's own safety and the safety of others. Employees who are medically authorized to use drugs or other substances which may impair job performances are responsible for determining from the prescribing health care

provider whether or not the substance could potentially impair job performance. If the substance could potentially impair performance, the employee must provide written medical authorization from the prescribing health care provider which assures the School that the employee will be able to work safely while taking the medication, in order for that employee to work while using such an authorized drug. If the employee cannot provide this documentation, the employee will be allowed unpaid time off as an accommodation.

When OES has information about an employee's conduct that would cause a reasonable person to believe the employee has used or may be impaired by alcohol or drugs, that employee may be required to submit to alcohol or controlled substance testing and/or evaluation by a substance abuse professional along with the employee's authorization to release the testing results and/or evaluation report to the School. Reasonable suspicion includes specific observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior, or speech of the employee, or being in an accident on school premises that results in physical injury or property damage, if we have good reason to believe alcohol or drug use is likely to have contributed to the incident.

Abiding by the terms of this policy is a condition of employment at OES. Any employee who violates this policy is subject to discipline, up to and including termination. At its discretion, the School may require an employee who violates this policy to participate in and successfully complete a substance abuse assistance or rehabilitation program and agree in writing to special conditions for continued employment. Nothing in this policy modifies the at-will nature of our employment relationship or requires OES to continue to employ an employee in any particular circumstance.

Questions on this policy or issues related to drug or alcohol use in the workplace may be directed to your supervisor or the director of human resources without fear of reprisal.

Bus Drivers: All bus drivers are subject to random drug and alcohol testing. The random drug and alcohol testing will be administered in compliance with the Department of Transportation's rules.

Exception for School Functions: There may be some adult school functions where beer or wine may be served (for example, social events or banquets). Consumption of alcohol may be approved by the head of school in these situations.

Notwithstanding the consumption of alcohol, all employees are expected to act in a professionally appropriate manner at all times (for example, employees are expected to abide by our Discrimination-Free and Harassment-Free Workplace Policy, Section 2.4). Employee chaperones at OES events may not consume any alcohol before or during their chaperoning responsibilities. A designated OES employee must remain on site throughout the duration of the event.

*Voluntary Assistance: If you have a drug or alcohol problem that has not resulted in and is not the immediate subject of disciplinary action, you may request approval to take unpaid time off to participate in a rehabilitation or treatment program. OES will not take any disciplinary action against you for making such a request for help if you come to us **before** your drug or alcohol use has a negative effect on your work performance or the OES community at large. We will work with you to find an appropriate treatment program and to identify benefits that may be available to help deal with the problem; these benefits may include the Employee Assistance Plan, a personal leave of absence, using accrued unused sick pay, and health insurance. Any request for assistance and any treatment program will be kept as confidential as possible under the circumstances.*

## **5.8 Tobacco-Free Environment**

We are committed to providing a safe and healthy environment for our students, faculty, staff, and visitors. In keeping with this philosophy, we maintain a tobacco-free work and living environment. For employees, this applies both on OES property and when off campus as part of Oregon Episcopal School's trip or travel program or participating in other OES business. This policy of maintaining a tobacco-free environment also applies to any visitors or contractors on OES property.

Smoking, vaping (e-cigarettes) or other use of tobacco or inhalant delivery systems is not permitted anywhere on OES property at any time. The definition of OES property for the purpose of this policy includes all land, buildings, structures, parking lots, and vehicles owned by or leased to the School. Smoking, vaping (e-cigarettes), or other use of tobacco or inhalant delivery systems is also prohibited during work time off campus on public property adjoining or approaching OES property, where a faculty or staff member may be visible to students and/or their family members. Failure to comply with this policy may lead to disciplinary action up to and including termination.

## **5.9 Confidentiality**

Employees are expected to respect and maintain the confidential nature of all confidential, sensitive, or proprietary information concerning OES. Confidential information includes all information that is not generally available to the public, such as students' contact information and education records, business or operating plans, finances and other financial information, legal affairs, personnel files, donor information, marketing strategy, and any other information or confidences relating to the school and our students. This information must not be disclosed to anyone outside OES, without express permission, either during employment or after termination.

Employees are expected to show the highest regard for the privacy of each member of the OES community whether a student or family member, employee, volunteer, or donor. In addition, employees must strictly observe the confidentiality of records and other information associated with students, employees, and the School. Employees

should exercise caution when discussing any confidential information and do so only when necessary and appropriate in the context of school operations. Care should be taken to prevent discussions from being overheard by others not directly involved.

Calls, letters, or other forms of communication from legal counsel not representing OES should immediately be directed to the head of school, or, in her absence, to the chief financial officer.

Employees may not disclose confidential information or use confidential information to further their personal interest or that of any person or entity other than OES. Use or disclosure of these records or other confidential information in violation of this policy could be cause for immediate termination.

Nothing in this policy is intended to prohibit activities protected by law such as performing mandatory child abuse or educator sexual misconduct reporting obligations, engaging in protected concerted activity (such as discussing terms and conditions of employment with coworkers or nonemployees) or acting as a whistleblower (such as by reporting safety concerns or illegal conduct to outside agencies, or participating in a government investigation). Employees are free to disclose this type of information and will not be disciplined for doing so.

#### **5.10 Conflict of Interest**

OES has high standards concerning our relationships with employees, parents, students, donors, and the general public. To avoid any actual or potential conflict of interest, employees must avoid all conflicts or apparent conflicts between their individual interests and the interests of OES. To avoid a conflict, the employee, a member of the employee's household, a close friend, or a family member must not obtain a personal or financial interest in any contract, subcontract, agreement, or other business relationship that could be interpreted by OES or the Board of Trustees as creating a conflict of interest. OES asks that employees take seriously this fundamental duty of loyalty to the employer. Administrators, and any other employees designated by the head of school, are required to sign a conflict of interest agreement as a requirement of their position with OES. Violation of this policy may be grounds for disciplinary action up to and including termination of employment.

If an employee has any questions regarding a possible conflict of interest that may arise, the question should be discussed immediately with the employee's supervisor or the appropriate department or division head.

#### **Gifts to Employees Policy**

Individual employees may not accept gifts of significant monetary value from families, vendors, or donors to the School. Inexpensive or handmade tokens of appreciation are acceptable as is the gift of a book to the Library, for example. Those wishing to honor an employee in a more substantial way may designate a contribution to the OES annual fund as a tribute gift.

### **5.11 Fundraising for OES or Other Nonprofits**

No individual or group solicitation of funds may be undertaken by any department, class, team, club, or individual on behalf of OES, its students, programs, constituencies, faculty, or other nonprofit organization without the prior written approval of the Office of Advancement. Student fundraising is generally discouraged, except through specific endeavors vetted, facilitated, and approved by the OES Office of Community Engagement in collaboration with the Office of Advancement. All associated materials must also be approved prior to their distribution.

### **5.12 Contact with Media, Law Enforcement, Government Agencies, etc.**

OES strives to ensure that official contact with the media, law enforcement agencies, government agencies, and other organizations and persons outside the OES community are accurate, well-informed, helpful, and consistent. Therefore, the office of the head of school will act as the clearinghouse for all inquiries regarding OES, its operations, students, and employees, or regarding events that might be of public concern.

Employees are not authorized to respond on OES's behalf or in a representative capacity to outside inquiries, or to otherwise provide information on OES's behalf regarding OES to the media, law enforcement agencies, government agencies or other organizations and persons outside the OES community without the permission and approval of the head of school, unless required by law.

Nothing in this policy is intended to prohibit activities protected by law such as mandatory child abuse or educator sexual misconduct reporting or engaging in protected concerted activity (such as discussing terms and conditions of employment with coworkers or nonemployees) or whistleblower acts (such as reporting safety concerns or illegal conduct to outside agencies, or participating in a government investigation). Employees are free to disclose this type of information when they are engaging in protected concerted activity and will not be disciplined for doing so. We encourage, but do not require, employees to notify the head of school of any such concerns before notifying anyone outside the School.

This policy does not apply to information that is routinely provided to persons outside the OES community in the course of an OES employee's job, such as information provided to prospective students by the Admissions Office, the comments of an athletic coach regarding OES's performance in a sporting event or a teacher commenting on the success of a student project that is of interest to the community.

If any employee has any questions about whether to provide information to an outside source, the employee should seek guidance from the head of school.

### **5.13 Computer Use**

The following guidelines should be followed by any employee who uses an OES computer:

- The OES network, computers, printers, services, and Internet access are provided for academic and staff work—that is to say, our electronic equipment is only for business use. OES equipment and services should not be used for entertainment purposes or personal business.
- Employees should not have any expectation of privacy using the OES network and voicemail systems. Authorized employees of OES may inspect the contents of computers, servers, laptops, and voicemail or electronic mail as necessary to locate needed information or to assure compliance with this or any other policy. Therefore, personal files, information, or materials should not be on school computers.
- Unless you are authorized to access electronic information as part of your job, permission must be obtained before accessing or using the files or materials of other faculty, staff, or students. Inappropriate access, use, alteration, or deletion of others' files may lead to discipline.
- OES cannot guarantee the absolute protection and preservation of employee files and materials. OES does not accept responsibility for the loss of materials (for example, due to system failures, viruses, accidents, or other problems) and the resulting loss of work or time incurred by employees.
- All software on school computers must be licensed by the school. Employee-owned software (including game, entertainment, and financial software) should not be installed on school computers. If an employee intends to install any software not provided by OES on an OES computer, even if used for OES business, this must be discussed with and approved by the director of IT prior to installation.
- Permission or licensing is required for the use of copyrighted material from the Internet. Illegally distributed music, video, and software should not be accessed, stored, or used on school equipment or through school services.
- Employees may not use OES's electronic mail and voice system to create, send, or receive any defamatory, harassing, or threatening messages. The presence of inappropriate materials on school computers or using the school's network to create, access, send or receive inappropriate materials may lead to disciplinary procedures, including dismissal in some cases. Offensive or inappropriate materials include written or visual materials of a sexual nature, or anything regarding race, age, sex, sexual orientation, gender identity or expression, religious or political beliefs, veteran status, national origin, or disability that could be reasonably perceived as being offensive.

- School laptops are for employee use. School laptops are not intended as a replacement for home computers. At home, OES or school laptops should be used by the employee, and not by the employee's spouse or children.
- Computers that are the property of OES must be returned promptly upon separation of employment from OES.
- Employees are prohibited from any unauthorized access to OES's stored data (for example, medical, financial, and enrollment records). If there is a question about whether access is authorized, employees must seek advance supervisor approval. Improper access could result in termination and, where appropriate, the School will report suspected criminal violations.

#### **5.14 Email Policy**

##### **Email Messages Contribute to the School's Professional Image**

When sending emails, treat them as formally as you would if you were sending a letter, bearing in mind that they may be forwarded to unintended recipients. Emails used inappropriately could be embarrassing or damaging to the School's reputation. For example:

- Avoid inappropriately informal language.
- Check the text carefully for typing errors.
- Consider asking your supervisor to review and authorize an email before sending it.
- Remember that the laws of copyright and defamation also apply to emails.

Be careful of email "threads" (email exchanges which include the text of the original email and all subsequent responses, often circulated to an increasing number of recipients). They can contain comments and information not appropriate for additional recipients.

When sending personal emails (and see further below on the extent to which this is permitted), remember that the email will still be associated with the School, as it will come from you "@OES.edu." Please try to avoid any content which could cause embarrassment for the School if it became public.

##### **Use of the OES Email System**

Always use the OES email system for business emails, even when you are working outside the office (for example, from a laptop or home computer).

Do not forward your business email to another external business address or personal email account. Doing so may compromise the confidentiality of the communication or disclose confidential business matters.

OES email accounts may not be used for the distribution of any literature, petitions or surveys, fundraising or requests for support for any political, charitable, religious, or other cause, or for the sale of merchandise or raffle tickets, with the exception of school-sponsored programs. Mass distribution email (i.e., emails to all students or all employees) should only be used for the news and business of the School. It should not be used to promote personal causes or financial interests, or to forward chain emails or other attachments.

Mass distribution email (emailing to all students or all staff) should only be used for the news and business of the School. It should not be used to promote personal causes or financial interests, or to forward chain emails or other attachments. When it comes to politics, religion, or personal beliefs or causes, we must be respectful of others who may have a different view. Also, emails often contain pictures or attachments that overuse IT resources which may slow down the email system or take up space in email in-boxes.

If you feel a need to send a mass distribution email, please ask yourself first, is it intended to promote school business or news? Thanking or congratulating colleagues for a job well done or for support provided is appropriate; presenting school news is also acceptable use. **Personal views, religion, politics, solicitations, or chain emails are not appropriate for a mass OES email.**

Nothing in this policy is intended to prohibit activities protected by law such as engaging in protected concerted activity (such as discussing terms and conditions of employment with coworkers or nonemployees) or whistleblower acts (such as reporting safety concerns or illegal conduct to outside agencies, or participating in a government investigation). Employees are free to disclose this type of information when they are engaging in protected concerted activity and will not be disciplined for doing so. We encourage, but do not require, employees to notify the head of school of any such concerns before notifying anyone outside the School.

### **Is Email Appropriate?**

Email is the preferred method of distributing messages or documents internally. Increasingly this is also true for external communications. As with all forms of communication, you should consider whether it is appropriate to your circumstances before using it. For example, should you also send (or ask to receive) hard copies of letters or agreements?

### **Double-check Your List of Addresses before Sending**

There are two main reasons for this: confidentiality (it is all too easy to select the wrong addressee for an email, or for the recipient to do this when responding) and courtesy (lengthy address lists or indiscriminate use of the "reply all" button quickly lead to messages becoming junk mail). Email is a near instant form of communication and messages typically cannot be recovered once they are sent. If you do inadvertently send confidential information to the wrong recipients, contact your manager or director.



## **Outgoing Attachments: Verify That You Have Attached the Correct Document, Check Format and Size**

Avoid attaching a document if an email would do instead (for example, if the document is very short). Always check that you have attached the correct document or version of a document: double click on the attachment icon to open and check the document before sending the email. Ensure that any amendments you want to make to the document are saved in your original document and reattach the document to your email. Check with the party to whom you are sending a document to make sure it is in a format that is compatible with their systems. Contact your IT staff for assistance with conversion to compatible software. Check with your IT staff before sending large images by email, as these can cause delays in the email system.

## **Handle Incoming Attachments Carefully**

Incoming email attachments must be treated carefully because of the risk of virus infection. Do not open attachments from unknown senders. Should you receive an email from an unknown source, we recommend that you do not open it—especially if it has an attachment, because it may contain a virus that could infect our system. The consequences for the School's systems could be devastating, resulting in the loss of data, compromise of data security and/or rendering computers unusable. Extreme vigilance is required. If you have any questions about whether to open an email, please ask the IT Department.

### **5.15 Data Breach**

OES stores protected and sensitive information electronically and in hard-copy. The School takes its duty to safeguard data very seriously. Every employee is accountable for understanding the data security rules and laws relating to that employee's position and diligently enforcing these rules. Employees are expected to affirmatively seek out the help needed to fully understand how to protect data stored by the School. The IT Department can assist employees if they have any questions about electronic data. Employees must immediately report any security concerns and suspected data breaches to the director of human resources and the CFO.

### **5.16 Copyright Issues**

It is the legal and ethical responsibility of the OES community (students and employees alike) to respect the intellectual property of others, whether that property is available in printed or electronic form. Accordingly, employees must follow the following guidelines:

- All printed and electronic material, including material available on the Internet, should be assumed copyright protected. It is not necessary for

material to bear a copyright notice or the copyright symbol to carry copyright protection.

- If there is any doubt as to whether the material in question falls within the public domain, permission should be sought from the owner.
- Only a portion of copyrighted material may be used, as established by the Agreement of Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with Respect to Books and Periodicals. While it is lawful to use small portions of a volume of copyrighted material, using a significant portion may be a violation of copyright law.
- Copying or otherwise duplicating material from textbooks, workbooks, periodicals, music recordings, computer software, or other copyrighted material instead of purchasing the material is strictly prohibited. In other words, while duplicating copyrighted material for educational purposes is legal, duplicating it for the purpose of avoiding purchase is not.
- Do not copy, distribute, or use protected material without including the notice of copyright present in the original work. The following is a satisfactory notice:  
NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.
- Materials obtained from the Internet or other electronic sources may not be duplicated or disseminated without the express written consent of the owner. For specific guidelines concerning electronically available material or posting material on the Internet, consult the School's AUP (Acceptable Use Policy). This policy can be obtained from the director of IT or the employee's department or division head.
- For specific guidelines concerning the educational fair use of copyrighted material, see Copyright.gov at:  
[www.loc.gov/teachers/usingprimarysources/copyright.html](http://www.loc.gov/teachers/usingprimarysources/copyright.html).

In addition to the general policies stated above, the following guidelines can also help guide the employee in relation to copyrighted material:

- Copyrighted material may not be posted on the School's website or otherwise be disseminated over the Internet without the owner's express written consent.
- Electronic images should not be copied and posted on the School's website or otherwise be disseminated over the Internet without the owner's express written consent.
- Substantial portions of copyrighted material available on the Internet should not be downloaded for personal or class use, unless such use conforms to the fair use factors set forth in the Copyright Act.

- Access to and use of the School's electronic resources, including access to the Internet, is contingent on compliance with copyright law. Any violation of copyright law will result in the loss of access to such resources.

#### **5.17 Personal Cell Phone, Smart Phone, and Tablet Computer Use**

OES recognizes that while at work, employees may occasionally need to attend to personal business using their personal cell phone, smart phone, tablet computer, or similar electronic device. Personal calls and texting should be kept to a minimum and must not interfere with the employee's job performance. Personal phones should not be used during class or in public places except in an emergency.

OES assumes no responsibility for lost, damaged, or stolen cell phones, smart phones, tablets or any other personal property of employees.

#### **5.18 Recording Conversations**

It is unlawful to covertly record a live, in-person communication without the consent of all parties involved. Employees may not record conversations during work time without the full consent of everyone who could be recorded. This means you may not use a smartphone or other device to record coworkers, supervisors, students, or parents during work time without their consent.

#### **5.19 Social Media**

While the School encourages employees' use of social media, personal social media use should never harm OES's employees, students, or families. All OES policies, including but not limited to those regarding discrimination, harassment, retaliation, bullying, student relationships, professional communication, confidentiality, prevention of workplace violence, and mandatory child abuse and educator sexual misconduct reporting, extend to employees' communication online and/or with students at all times. All communications to students, including but not limited to communication via various forms of social media, such as, posting platforms (e.g. Facebook, Twitter, Instagram, Pinterest, Reddit,), messaging platforms (e.g. Facetime, IM, WhatsApp, Reddit, SnapChat), and gaming platforms and websites (e.g. Xbox, PlayStation, Valve, World of Warcraft) should be related to school activities and not be personal in nature. If a student reaches out to you for emotional support, you should immediately refer the student to the appropriate division counselor.

All communications with students, including but not limited to email, texting, social media, and phone calls, should be related to school activities and not be personal in nature. Employees may not include current students, regardless of age, or former students under age 18 as online "friends," "followers," or other similar terminology used by various sites. Exception: employees may "friend" and "follow" their own relatives.

Employees wishing to create a social networking relationship with students for school-related and/or work-related reasons must receive approval from their supervisors and provide them with access to the social network.

Employees (especially when using social media) remain responsible for protecting access to the School's intellectual content, confidential data, and electronic property. The School's Confidentiality Policy (Section 5.9) applies at all times. Unauthorized disclosure, copying, or misuse of confidential information is a violation of our policies and will lead to discipline.

In accordance with Oregon's social media laws, the School will not (1) require an applicant or employee to provide personal password(s) to access the applicant's or employee's personal social media account(s); (2) force an applicant or employee to allow OES to view their accounts; (3) force an applicant or employee to "friend" OES; (4) require an applicant or employee to establish or maintain a personal social media account; or (5) require an applicant or employee to allow OES to advertise on his or her personal social media account. However, OES does retain the right to conduct a legitimate employment investigation and access personal social media sites available to the general public as part of such a work-related investigation into any compliance with applicable laws, regulations, or work-related employee misconduct.

When using social media, employees are expected to follow OES's Digital Community Norms Policy:

[http://www.oes.edu/uploaded/New\\_Site/Business\\_Office/OES\\_DigiComm\\_Norms.pdf](http://www.oes.edu/uploaded/New_Site/Business_Office/OES_DigiComm_Norms.pdf)

## **5.20 Adhering to OES Brand**

Any use of OES's name or logo/visual representation(s) must be authorized by the school prior to use. School-related accounts, including Google sites, Blogspots, YouTube channels, etc., must be appropriate in content, and presentation must follow the OES Brand Style Guide for use of logos, wordmarks, and colors. The Style Guide and various logo files are available through the Marketing & Communications Office. Official school social media accounts also fall under the direction of the Marketing & Communications Office.

## **5.21 Use of Personal Vehicles for OES Business**

School vehicles should be used for the transport of groups larger than one carload. OES faculty may use their personal vehicles to transport small groups of students, subject to the following rules:

- Personal vehicles may be used when school vehicles are not available or when school vehicle use is not convenient or practical.
- Any employee transporting students in a personal vehicle for a school function must have a valid driver's license and proof of current insurance.

- Personal vehicles should not generally be used to augment transportation provided by school vehicles.
- Vehicles must be in safe operating condition, equipped (including traction devices as required) and operated in compliance with all applicable laws and regulations, including any required DEQ inspections.
- Vehicles must not be loaded beyond their capacity.
- Safety belts must be properly worn by the driver and all passengers.
- Smoking and/or consumption of alcoholic beverages is not allowed at any time in any vehicle transporting students.
- Drivers may not use a cell phone at any time while driving.
- The vehicle owner's insurance policy provides primary coverage for any liability.

Employees may not use an OES-owned vehicle for personal purposes, including commuting to or from OES. Failure to comply with this policy may lead to disciplinary action up to and including termination.

## **5.22 Student Volunteers and Performers at OES Events**

OES values and encourages student volunteers and performers at OES events where adults are the primary audience. The policy below sets out best practices for the safe and appropriate involvement of students in such events.

In the case where students will be volunteering at OES events where adults are the primary audience:

- Students must have an OES faculty or staff member whose primary responsibility is to chaperone the students throughout the event. The chaperone is expected to actively organize, monitor, and respond to the students. Chaperoning should be the faculty or staff member's only responsibility at the event.
  - In the case of chaperoning volunteers, the ratio of students to adults should be no more than 10:1.
  - In the case of a performance, the ratio of students to adults should be no more than 20:1.
- For off-campus events, students must have written permission from parents. Permission forms should include all details of the event and be specific about the parent's and student's responsibilities.
- Upper School students may earn on- or off-campus service learning credits.

OES students are not invited as guests to events where alcohol is served. OES adults supervising students at events where alcohol is present are responsible for the experience of their students. In particular, supervising adults must appropriately restrict student access to alcohol and should manage a student's exposure to any event guests who may be intoxicated. Additionally, OES adults supervising students at OES events may not consume alcohol before or during chaperoning responsibilities.

### **5.23 Use of School Property and Equipment**

Any request for personal use of other OES facilities and/or equipment must be submitted to the Facilities department and the request will be reviewed. Personal use of OES facilities and/or equipment is allowed under very limited conditions and generally only when the use is connected to school-related business activities. Personal use of OES athletic equipment and/or participation in non-work-related fitness activities (on-campus yoga classes, for example) during non-work time is entirely voluntary and not a work requirement.

### **5.24 Other Employment**

Employees are expected to devote their best efforts to the interest of OES and the conduct of its affairs. OES recognizes the employee's right to engage in activities outside of OES employment that are of a private nature and unrelated to our school, and OES encourages outside activities that may enhance the employee's professional contribution. However, employees may not engage in outside work that will interfere with the duties of their primary job with OES or have a negative impact on the School's reputation. Any questions regarding a possible conflict with outside employment should be discussed immediately with the employee's supervisor.

Employees may tutor non-OES students for pay, outside of school hours and off campus, as long as this does not interfere with their school duties. Employees are discouraged from privately tutoring OES students for pay during the school year, except in unusual circumstances, and only with the approval of their supervisors. (An exception is made for music teachers offering private lessons to students on campus.) OES is willing to help families find outside tutoring help when needed. In no case (other than music) may employees tutor students currently in their classes.

## 6. REPORTING RIGHTS AND RESPONSIBILITIES

### **6.1 *Resolving and Reporting Work-Related Complaints and Conflicts***

OES strives to provide a respectful and productive work environment. Employees are expected to exhibit high standards of personal and professional integrity and treat each other with respect and dignity. When issues arise, it is important that each of us act in good faith, with fairness and mutual respect to reach a solution.

There are appropriate channels available to deal with conflicts and complaints:

- When possible, coworkers and colleagues should attempt to resolve differences with each other directly. The Cascade Employee Assistance Program (EAP) can assist by helping clarify the issues and offering tips and guidance on conflict resolution. Often this will mean finding a mutually convenient time to sit down and resolve the issue privately and respectfully.
- When employees have concerns, their supervisors should be given an opportunity to address them. Questions or concerns about job duties, work hours, compensation, departmental policies or procedures should be discussed with the employee's immediate supervisor.
- Faculty unable to resolve conflicts should consult the division head.
- Staff unable to resolve conflicts involving a supervisor should bring the concern to their division head or the head of school.
- Complaints involving a division head should be brought to the attention of the associate head of school.
- Complaints involving violation of policies and/or discriminatory practices involving the head of school should be brought to the attention of the chair of the Audit Committee. The Audit Committee is a subcommittee of the Board of Trustees. To make a report email [confidential@oes.edu](mailto:confidential@oes.edu).

If the employee's complaint is not resolved to that employee's satisfaction at the first level, the employee may take it to the next level of authority. OES will attempt to address and rectify complaints promptly.

Any employee who believes that the employee (or someone the employee knows) is being discriminated against or harassed should immediately contact the supervisor, any division or administrative department head, the director of human resources, or the head of school to report the concerns. (Please see the Discrimination-Free and Harassment-Free Workplace Policy in Section 2.4 of this handbook for more information.)

## **6.2 Child Abuse Prevention Policy**

Oregon Episcopal School does not tolerate, and unequivocally opposes, any form of child abuse or neglect. OES follows all of Oregon's laws regarding prevention, identification and mandatory reporting of child abuse and sexual misconduct by school employees (see ORS Chapter 419B and ORS Chapter 339). These laws require that any employee having reasonable cause to believe that a child (that is, a person under the age of 18) has suffered abuse, a person has abused a child, or a school employee has engaged in sexual misconduct with a student, must report or cause a report to be made to the appropriate authorities. A suspicion of abuse is all that is necessary to report.

The purpose of this Child Abuse Prevention Policy is to ensure the safety of our students. The policy is congruent with the OES Mission Statement and in full compliance with Oregon laws regarding prevention, identification and reporting of child abuse and sexual misconduct by school employees.

Abuse is defined as follows:

- Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.
- Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child.
- Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS chapter 163.
- Sexual abuse, as described in ORS chapter 163.
- Sexual exploitation, including but not limited to: (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution as described in ORS 167.007 or a commercial sex act as defined in ORS 163.266, to purchase sex with a minor as described in ORS 163.413 or to engage in commercial sexual solicitation as described in ORS 167.008.
- Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child.



- Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare.
- Buying or selling a person under 18 years of age as described in ORS 163.537.
- Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.
- Unlawful exposure to a controlled substance, as defined in ORS 475.005, or to the unlawful manufacturing of a cannabinoid extract, as defined in ORS 475B.015, that subjects a child to a substantial risk of harm to the child's health or safety.

### **Reporting Process:**

**All employees of Oregon Episcopal School are mandatory reporters. They are required by law to report suspected child abuse. All employees are also required by law to report suspected sexual misconduct by any OES employee.**

**Any employee who has reasonable cause to believe that an adult has engaged in child abuse (as defined by Oregon's mandatory reporting laws) or educator sexual misconduct is required to report their suspicions to a law enforcement agency or the Department of Human Services (DHS). The employee should also immediately report these suspicions to the head of school or the director of human resources, as well as division counselors.**

The division counselor will promptly assist the reporting employee to properly document the report and cause the report to be made to the Oregon Department of Human Services (DHS), also known as Child Protective Services (CPS). The counselor will also notify the head of school of all reports made to DHS. Copies of the current mandatory reporting laws, as well as addresses and telephone numbers for DHS and other law enforcement agencies, are on file with the Office of the Head of School, all division heads, all supervisors, the school nurse, and all counselors.

Due to reporting requirements, an employee is not permitted to maintain total confidentiality to a student (or parent or other adult) who informs the employee of a concern of child abuse or sexual misconduct if the concern leads the employee to believe the information should be reported.

Training on the prevention and identification of abuse and sexual misconduct, as well as the employees' reporting obligations, is provided on an annual basis for all OES school personnel. Separate training is also available for parents and/or guardians of OES students, and the students themselves (in an age-appropriate manner).

OES will not tolerate any retaliation against an employee who reports abuse or sexual misconduct in good faith.

### **6.3 Reporting Educator Sexual Conduct Involving Students**

OES prohibits any and all sexual conduct between employees and students. All school employees are subject to this policy.

“Sexual conduct” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are:

- Sexual advances or requests for sexual favors directed toward the student; or
- Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student’s educational performance or of creating an intimidating, hostile or offensive educational environment.

“Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer; and for which there is no sexual intent.

Examples of sexual conduct prohibited under this policy include, but are not limited to:

- Any verbal or physical conduct that is sexual in nature and directed toward a student;
- Any conduct of a sexual nature that creates an offensive, intimidating or hostile educational environment;
- Any activity directed towards establishing a sexual or romantic relationship by the employee, such as sending intimate letters, engaging in sexualized dialogue in-person or through a technological forum, or dating a student;
- Any sexual advances (overt or otherwise) or requests for sexual favors, on or off the campus, even if a student encourages or appears to encourage such advances or requests;
- Any sexual conduct by an employee with a student, regardless of the student’s age;
- Any sexual conduct by an employee with a former student under 18 years of age;
- Any sexual conduct by an employee with a former student within 90 days of that student graduating or leaving OES;
- Any sexual relationship by an employee with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship;
- Any conduct that violates the School’s harassment and discrimination policies; and

- Any conduct that constitutes a crime under Oregon’s criminal code (ORS Chapter 163) or meets the definition of “abuse” under ORS 419B.005 or “sexual conduct” under ORS 339.370.

It is the employee’s responsibility to set and maintain boundaries. As an adult and an educator, you are presumed to be in a position of power over students and the perceived or actual wishes or behavior of a student will not alter or excuse your responsibility. There is never legal consent to sexual contact between an OES student and an OES employee. Sexual behavior between adults and students is considered a serious breach of trust and is prohibited, whether on or off the school campus.

### **Reporting Process**

**An employee who has reasonable cause to believe that an OES employee, contractor, agent, or volunteer has engaged in sexual conduct with a student is required to immediately report their suspicions to the director of human resources or the head of school, even if it is only a suspicion and regardless of how the employee became aware of the matter.**

The initiation of a report in good faith about suspected sexual conduct will not adversely affect any terms or conditions of employment or the work environment of the complainant. The School will not tolerate retaliation against anyone who makes a good faith report.

**The School will refer the report of suspected sexual conduct for investigation by DHS and the TSPC or ODE, as appropriate.** Employees who are not licensed by the TSPC will be investigated by the ODE for suspected sexual misconduct that involves a student. Employees are expected to cooperate fully in misconduct investigations. If an employee refuses to participate or cooperate at any stage of an investigation for whatever reason, including but not limited to pending criminal charges, the school reserves the right to take action, including terminating the employee.

OES is required by law to verify with the ODE whether it has an ongoing investigation or a substantiated report of sexual misconduct for an applicant who is not licensed with TSPC before hiring that individual as a school employee. We also are required to verify with the ODE whether it has an ongoing investigation or a substantiated report of sexual misconduct for any contractor, agent, or volunteer who is not licensed with TSPC before we accept any services from that individual.

*For more information, see the ODE’s [Sexual Misconduct Reporting Guide](#).*

### **Consequences of Violating This Policy**

Reports of educator sexual misconduct are taken seriously with the safety and well-being of all students as the first priority. Violation of this policy will result in discipline up to and including termination. The School has the right to remove the employee from school property at any time and/or deny all further contact with students at

any time, including upon the School's initial intake of a report of suspected sexual misconduct.

Substantiated reports of sexual misconduct will be documented in the employee's personnel file and disclosed to prospective employers. The School's obligation to report a crime (such as a sex crime or other abuse subject to the mandatory child abuse reporting laws) or disclose substantiated sexual misconduct to prospective employers does not end if/when the employee's employment is terminated.

#### **6.4 Whistleblower Policy: Reporting Suspected Misconduct, Dishonesty, or Fraud**

OES strives to uphold the highest possible standards of ethical, moral, and legal conduct. The School is committed to maintaining a workplace where employees, officers, and trustees are free to raise concerns in good faith regarding our governance practices. Consistent with this commitment, this policy provides an avenue for employees, officers, and trustees to report concerns about suspected misconduct, dishonesty, noncompliance with laws, or fraud without fear of retaliation. This policy and reporting procedure is not intended for reporting of day-to-day matters, such as student disciplinary issues, employment issues, general complaints, or other matters that are regularly handled through other policies and procedures.

##### **Scope**

The reporting procedure outlined in this policy should be used to report suspected misconduct, dishonesty, legal noncompliance, conflict of interest, or fraud in the operation of the organization (collectively referred to as "Suspected Violations"), including but not limited to:

- Theft or other misappropriation of OES assets;
- Deliberate misstatements, falsification or other irregularities in OES financial reports or records;
- Noncompliance with state or federal laws;
- Misuse of OES resources;
- Illegal activities;
- Forgery or alteration of documents;
- Violations of state or federal laws; or
- Any other form of fraud or malfeasance.

##### **Procedure**

Reporting Suspected Violations: Employees, officers, and trustees may report Suspected Violations to the head of school or to the chair of the Audit Committee verbally or in writing. The chair can be reached at [confidential@oes.edu](mailto:confidential@oes.edu).

Anonymous Reporting: Employees, officers, and trustees are encouraged to disclose their identity when reporting Suspected Violations because appropriate follow-up

questions and investigation may not be possible unless the source of the information is identified. However, anonymous reports of Suspected Violations will be treated in the same manner as any other reports. The employee, officer, or trustee may make the anonymous report to the head of school or to the chair of the Audit Committee verbally or in writing. The chair can be reached at confidential@oes.edu.

Timing: The earlier a Suspected Violation is reported, the easier it is to take effective action. Employees, officers, and trustees are therefore encouraged to make a report as soon as they become aware of a Suspected Violation.

### **Investigating a Suspected Violation**

Once a Suspected Violation is reported to the head of school or to the chair, the head of school and chair will initially assess the matter and recommend further action to the Audit Committee, if appropriate, which may include further investigation, corrective action, disciplinary action, reporting the matter to the proper authorities or other appropriate action. The Audit Committee may enlist Committee members, employees of the School and/or outside legal counsel, accountants or other advisors, as appropriate, to conduct the investigation. Investigations will be handled with sensitivity, discretion, and confidentiality to the fullest extent practicable under the circumstances, but complete confidentiality cannot be guaranteed, particularly if it will inhibit a thorough investigation.

If the investigation reveals that wrongdoing has taken place, prompt and effective remedial action will be taken. This may include disciplinary action, termination, legal action or other corrective measures to prevent further violations.

### **Safeguards**

No Retaliation: No employee, officer, or trustee who reports a Suspected Violation in good faith shall suffer any harassment, retaliation, or adverse employment consequences for making the report. Any person who participates in the investigation of a Suspected Violation shall not suffer any harassment, retaliation, or adverse employment consequences. Any harassment, retaliation, or adverse employment consequences should be reported to the chair. An employee, officer, or trustee who retaliates against a person for reporting a Suspected Violation in good faith or for participating in the investigation of a Suspected Violation shall be subject to disciplinary action, up to and including termination of employment or other authorized sanction. This policy is intended to encourage and enable employees, officers, and trustees to report Suspected Violations within the organization prior to seeking resolution outside the organization.

Furthermore, no employee, officer, or trustee shall be adversely affected because that individual refuses to carry out a directive which, in fact, constitutes misconduct, dishonesty or fraud, or which violates state or federal law.

Acting in Good Faith: Anyone reporting a Suspected Violation should be acting in good faith and have reasonable grounds for believing the information disclosed

indicates misconduct, dishonesty, violation of a state or federal law, or fraud. Making allegations that prove not to be substantiated and that were made maliciously or with the knowledge that they were false will be viewed as a serious offense and will lead to disciplinary action up to and including termination.

## **7. SAFETY POLICIES**

### **7.1 General Workplace Safety**

OES strives to provide a safe campus for employees, students, parents, and visitors. All employees are responsible for protecting their own safety as well as the safety of others. There may be safety rules designed and adopted for specific jobs, divisions, and departments. Employees should maintain safe work practices at all times and obey all applicable safety rules. Any employee who is unsure of safety rules should ask the employee's supervisor, the safety manager, a Safety Committee representative, or the director of human resources. Any employee that observes unsafe conditions, practices, or equipment, should report them immediately to the supervisor, safety coordinator, Safety Committee representative or the director of human resources.

All employees should familiarize themselves with the school evacuation plan in case of an emergency. This flipchart of safety information is located in each building on the OES campus. Depending upon an employee's job assignment, the employee may be required to take a First Aid and CPR class and to keep the certification current. First Aid and CPR responders are available in all campus buildings and classroom and student areas.

### **7.2 Work-Related Accidents**

An employee who is injured on the job should report the injury to the school nurse, safety coordinator, or Human Resources Office as soon as possible, and in any case, no later than 24 hours following the incident. Injured employees are required to complete certain injury reporting forms, and may be asked to participate in an investigation.

Injured employees may see their own physician or, for immediate treatment, may go to any Providence Occupational Health Clinic. OES may provide transportation via car, taxi, or ambulance, if necessary. It is the employee's responsibility to keep the supervisor informed of the employee's medical status and availability for work. The employee must make sure that the employee's health care provider completes the appropriate work release forms and forwards them to the School. When possible, OES will attempt to return injured employees to modified work or temporary light duty tasks until released by a physician for full duty. Please inform the attending physician that a temporary light duty/modified work program is available. This program is administered by the Office of Human Resources in collaboration with the safety manager. If the employee has any questions about the temporary light duty/modified work program, or any question concerning worker's compensation insurance or claims, the Human Resources Office can assist.

### **7.3 Safety Committee**

The Safety Committee consists of key decision makers, appointed supervisors, and employees representing every major work area. The Safety Committee conducts

regular inspections and safety walk-throughs of work areas, investigates and discusses accidents and injuries, and makes suggestions to the administration to improve safety and/or safety awareness. Please become familiar with the Safety Committee representatives as these employees are resources for all. All employees are encouraged to volunteer to serve on the Safety Committee.

#### **7.4 *Campus Security: Keys and Key Cards***

Employees are responsible for helping to maintain a safe and secure environment on our campus. This responsibility includes maintaining close control over one's keys, monitoring others who are using school buildings, and taking care to see that rooms and buildings are secured. All employees are expected to follow these guidelines:

1. When using buildings during off-hours (e.g., evenings and weekends), an employee who unlocks a building entrance door should lock it after passing through. Be sure that all areas are locked before leaving. Any doors found open should be locked.
2. Supervision policies for students and guests:
  - a. If students or guests ask an employee for access to a locked room and the employee determines the request is reasonable and appropriate, the employee should normally unlock the room (keeping the key in the employee's possession). If, in unusual circumstances, it is appropriate to loan a key to a student, the employee must require that the key be returned immediately.
  - b. An employee who unlocks a room for a student or guest should remain with the person and lock the door upon exit. The employee may let someone stay in a room unattended if the employee will be within hearing distance of the room while it is being used.
3. Key checkout policies and procedures:
  - a. Certain keys are issued only with the approval of the appropriate program or building supervisor.
  - b. Keys may be obtained from the Buildings & Grounds (B&G) office only.
  - c. A \$50 fee is charged for the replacement of lost key sets.
  - d. Keys issued by B&G office may not be copied except with prior permission of the B&G office.
  - e. Keys must be returned to the B&G office upon termination of employment with OES.
  - f. Seasonal employees must return keys at the end of the season.

#### **7.5 *Communicable Diseases***

OES asks that employees stay home when they are sick, especially if they have a fever. If an employee starts to feel sick at work or believes that the employee has contracted a communicable illness, the employee should inform the supervisor and go home or seek medical attention immediately.



The restrictions in this communicable disease policy set forth below are not designed to address the common cold or everyday flu, but rather those illnesses or diseases that have been identified as being more serious in nature. For this purpose, communicable diseases include, but are not limited to, conjunctivitis (pink-eye), measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), Severe Acute Respiratory Syndrome (SARS), COVID-19 (coronavirus), Norovirus, and Tuberculosis. Other communicable diseases may be included when it is determined to be in the School's best interests and in accordance with information received through the Centers for Disease Control and Prevention (CDC). OES asks that employees err on the side of caution and consult a physician when in doubt about a communicable disease.

If it is determined that an employee may have a communicable disease that could pose a risk to the health of other employees or students, then at OES's sole discretion, the employee may be sent home (or otherwise assigned duties to minimize the risk of contagion). The employee may be placed on leave until a medical release is obtained or until OES has a reasonable basis to believe that the employee does not pose a risk to others. Employees on leave pursuant to this policy must generally use accrued sick leave first; then accrued vacation time; and finally extended sick leave, if eligible. While an employee is absent from work, the employee's functions may be reassigned.

The School will not discriminate against any job applicant or employee based on the individual having a communicable disease. However, OES reserves the right to ask an employee who shows signs and symptoms of a communicable disease to seek medical evaluation and provide a medical release prior to returning to work when appropriate. The School will work with the employee to determine if any accommodations need to be made or precautions taken to protect employees and students. OES reserves the right to exclude a person with a communicable disease from workplace facilities, programs and school-sponsored functions if the School finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of other employees, students and visitors.

The School will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain confidentiality about persons who have communicable diseases. Employees who qualify under applicable laws, policies, and programs, such as our Family and Medical Leave Policy (FMLA), Accommodations for Individuals with Disabilities Policy (ADA), Workers Compensation Policy, or Long Term Disability Policy will also be guided by those corresponding policies.

If at any time you have questions or concerns regarding this policy, please immediately bring that question or concern to your supervisor or the Human Resources Office. Please see our COVID-19 Pandemic Addendum for more information related specifically to expectations surrounding COVID-19.

## **7.6    *Natural Disaster***

In the unforeseen event of an earthquake or other natural disaster, employees are requested to remain on campus to assist the student body, provided employees feel safe doing so. Please do not take any unnecessary risks or put yourself in imminent danger in response to a catastrophe. Do not sacrifice your own safety to assist others.

## **8. BENEFITS**

### **8.1 Eligibility for Benefits**

OES makes payments to workers' compensation and unemployment insurance for all employees as required by law.

OES also offers various types of insurance benefits (for example, medical, dental, and vision insurance) to our regular employees who are scheduled to work 1,000 hours or more during a calendar year (or in the case of Faculty, employees who work 20 hours or more per week during the academic year). Depending on the benefit, regular part-time employees may be eligible to receive prorated benefits based upon the hours worked or FTE determined.

Certain other benefits have different eligibility requirements (for example, tuition remission). Eligibility requirements appear at the beginning of each policy below.

Information concerning our current insurance policies—including eligibility requirements, waiting periods, and coverage—can be obtained from the Human Resources Office. While we have established these benefits with the intent that we will maintain them for an indefinite period of time, we have the right to change premium values, change employee costs, and to make any other changes in our insurance benefits, including discontinuing them altogether.

For more information about any of the benefits listed below, please contact the Human Resources Office or consult the [Employee Benefits Guide](http://www.oes.edu/employees) available at [www.oes.edu/employees](http://www.oes.edu/employees).

### **8.2 Workers' Compensation Insurance**

Eligibility: All employees.

All OES employees are covered by workers' compensation insurance. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Any employee who suffers a work-related injury or occupational illness that requires medical treatment and prevents the employee from working will likely be eligible for workers' compensation. To file a claim, please see the Human Resources Office.

### **8.3 Employee Assistance Program**

Eligibility: All regular employees.

Coverage begins on the first day of the month following the employee's date of hire. If the employee is hired on the first of the month, the insurance benefits will be effective that day.

OES provides free, confidential counseling and referral and other personal assistance services through the Employee Assistance Program (EAP). This benefit is available to employees and their immediate family members, including children up to age 26. Please check with the Human Resources Office or any school counselor for information about the program.

#### **8.4 Health Insurance**

**Eligibility:** All regular employees who work 1000 or more hours during a calendar year (or in the case of faculty, employees who are scheduled to work 20 hours or more per week on a regular basis during the academic year).

**Coverage** begins on the first day of the month following the employee's date of hire. If the employee is hired on the first of the month, the insurance benefits will be effective that day.

**Cost:** Employees share the premium cost with OES. The amount contributed by the employee is based on the employee's FTE. For purposes of allocating the premium cost, eligible employees fall into two categories: three-quarter to full-time (.75–1.0 FTE) and half- to three-quarter time (.50–.74 FTE).

Changes in coverage can be made as follows:

- Personal coverage or dependent coverage may be added or dropped within 30 days of a "qualifying event" (e.g. marriage, birth, dependent's loss of other coverage) or at open enrollment, which typically occurs in December with an effective date of January 1 each year.
- Coverage for a new child must be arranged within 30 days of his or her birth or adoption;
- Other enrollment changes can be made only at open enrollment.

#### **8.5 Life and AD&D Insurance**

**Eligibility:** All regular employees who are scheduled to work 1000 hours or more during a calendar year on a regular basis (or in the case of faculty, employees who are scheduled to work 20 hours or more per week on a regular basis during the academic year).

**Coverage** begins on the first day of the month following the employee's date of hire. If the employee is hired on the first of the month, the insurance benefits will be effective that day.

OES pays the premium for group term life insurance and accidental death and dismemberment (AD&D) insurance for eligible employees. The amount of coverage is 1 times the employee's annual salary, up to \$200,000. Employees may pay for supplemental group life insurance or supplemental AD&D insurance for themselves or their dependents. The insurance carrier determines coverage limits and a medical questionnaire may be required.

## **8.6 Long-Term Disability Insurance**

Eligibility: All regular employees who are scheduled to work 1000 hours or more during a calendar year on a regular basis (or in the case of faculty, employees who are scheduled to work 20 hours or more per week on a regular basis during the academic year).

Coverage begins on the first day of the month following the employee's date of hire. If the employee is hired on the first of the month, the insurance benefits will be effective that day.

OES provides a long-term disability benefits plan to help eligible employees cope with an illness or injury that results in a long-term absence from employment. Benefits are payable after a 90-day waiting period and pay 60 percent of the employee's monthly wage up to a maximum monthly benefit of \$3000. Eligible employees are required to purchase long-term disability insurance under OES's group long-term disability plan; employees pay this premium in order to have any benefits paid under the policy be tax-free to the recipient. Monthly premiums for this coverage are deducted from salary.

## **8.7 Section 125 Flexible Spending Account**

Eligibility: All regular employees who are scheduled to work 1000 hours or more during a calendar year on a regular basis (or in the case of Faculty, employees who are scheduled to work 20 hours or more per week on a regular basis during the academic year).

Coverage begins on the first day of the month following the employee's date of hire. If the employee is hired on the first of the month, the insurance benefits will be effective that day.

Eligible employees may participate in OES's flexible spending account. The account allows employees to pay with pretax dollars for certain health insurance premiums, certain non-covered medical, dental, and vision care expenses, child care expenses, and work-related transportation expenses. Participating employees must provide written authorization for deduction of pretax dollars from their paychecks. This benefit must be elected each year during open enrollment if the employee desires to participate in this benefit option. The specific plan details are contained in the Employee Benefits Guide that all employees receive when first eligible for benefits. The guide is also available on the [Employees](#) page of [www.oes.edu](http://www.oes.edu).

## **8.8 403(b) Retirement Plan**

Eligibility: Employees who have completed one hour of service; and work at least 1000 hours per calendar year.

OES offers a 403(b) retirement plan through VALIC. Employer contributions will be made for participants who are making the required monthly contribution listed below.

Participant contribution 2.5% = Employer Contribution 4%

Participant contribution 5% = Employer Contribution 7.5%

Plan contributions, including employer contributions and participant plan contributions, are fully vested immediately. Contributions to the retirement plan may begin or be modified at the start of any pay period once eligibility is satisfied. Please see the Human Resources Office for enrollment information, to schedule an appointment with an investment advisor, or for a copy of the summary plan document.

## **8.9 Meal Program**

Eligibility: All employees.

When the kitchen is in operation during the academic year, OES provides one meal per day to every employee who works at OES. Food should be consumed in the dining area.

Additional meals are available (at a charge) with 24-hours' notice to the food service manager. If proper notice is not received, employees must wait until all dorm students have been served to determine whether enough food is available. Employees must pay for any additional meal or charge the meal to a specific budget account. Parents and guests are also expected to pay for their meals or, when appropriate, charge a budget account.

All meals or food or drink items available in the dining hall beyond one meal per day must be paid for by the employee. This includes beverages and all food items. Any additional meals must be reported, either directly to the Business Office, or on the device at the start of the hot meal line. Charges for those meals will be deducted from the employee's paycheck.

Employees involved in the dorm program and their spouses and children are entitled to eat all their meals free of charge during the academic year when the kitchen is in operation. In some cases, these meals may be recognized as compensation to the employee.

OES expects exempt employees to act in a supervisory role while eating in the dining hall in order to ensure the safety and appropriate conduct of OES students. Nonexempt employees do not have this responsibility.

## **8.10 Facilities and Equipment Use**

Eligibility: All employees.

With pre-approval, OES allows employees to use its facilities and equipment for very limited personal use. Use of OES computers is described in the Computer Use Policy (Section 5.13). There is a charge for the personal use of campus facilities, spaces, property, and equipment (i.e. private tutoring, classes, music lessons/sessions, sports camps, etc.) for which the employee may or may not charge a fee to their students.

All use of equipment must be pre-approved to ensure there are no conflicts with availability.

## **8.11 Professional Growth and Development Opportunities**

Eligibility: All employees.

Professional growth and development refers to the on-going enhancement of one's professional abilities, attitudes, and performance, which may include some attention to facets of personal growth, and/or any endeavor that enhances one's ability to contribute to our community.

All OES employees are encouraged to engage in opportunities for professional growth and development. Applications for approval for time off and/or funding should be submitted to the employee's supervisor. Sources of available funds include a summer stipend; tuition reimbursement; the Mary Stephenson Award; and other annual budget items.

### Summer Stipends

Projects will be considered on the basis of their appropriateness in serving the mission of OES; priorities set by divisions and/or OES as a whole; the probable extent of their effect within the OES educational community; their promise for faculty/staff personal and professional growth and development; equity in stipend and grant disbursement; and the amount of funds available. Sometimes we may be able to fund requests only partially. OES especially encourages collaborative projects involving two or more colleagues. Request forms are normally distributed prior to spring break and are due back following the break. Decisions are generally made by mid-April unless it is necessary to know earlier because of registration requirements. Those receiving summer stipends are expected to: (1) remain at OES for at least a year thereafter; (2) present a written summary of the project or activity to the appropriate division head.

### Tuition Reimbursement for Credit Courses

Grant for Graduate Programs for Faculty and Undergraduate or Graduate Programs for Staff

**Faculty:** A faculty member who wishes to pursue an accredited graduate program leading to an advanced degree in a field relevant to that employee's job duties may receive 50 percent of tuition costs, up to a program cap of \$15,000, subject to the limitations described below. The tuition benefit will be paid out over a three year period. The faculty member must have completed two years of teaching at OES and be in good standing before applying for graduate program funding. The faculty member must sign an agreement to return to and remain at OES for two years upon completion of the program. If this two-year commitment is not fulfilled, the faculty member will be obligated upon departure to repay the funding received. These requests will be decided individually by the head of school and division heads and are subject to availability of funds. Only one faculty member may begin this program in any given year.

**Staff:** A staff member who wishes to pursue an accredited undergraduate or graduate program leading to a degree in a field relevant to that employee's job duties may apply to receive 50 percent of tuition costs, up to a cap of \$15,000, subject to the limitations described below. The tuition benefit will be paid out over a three year period. The staff member must have completed two years of employment at OES and be in good standing before applying for funding. The staff member must sign an agreement to return to and remain at OES for two years upon completion of the program. If this two-year commitment is not fulfilled, the staff member will be obligated upon departure to repay the funding received. These requests will be decided individually by the head of school and relevant department head and are subject to availability of funds. Only one staff member may begin this program in any given year.

#### The Mary Stephenson Award

Leigh D. Stephenson-Kuhn, former parent, trustee, and Board president, established the Mary G. Stephenson Memorial Endowment Fund (the "Fund") in 1996 in memory of his wife. The Fund endows an annual award to the OES faculty member or members who has or have excelled in challenging and inspiring students to question, to think, to speak out, and to care. The recipient may be any one or more faculty at any grade level, preschool through high school. Faculty may apply on their own behalf or may nominate a colleague. Decisions will be made by the division heads and the head of school, and will be based on the value of the proposal and on the teacher's excellence.

#### Other Growth and Development Opportunities

Faculty, administrators, and staff may submit requests for funds to attend conferences, workshops, or classes, or to renew professional certifications required by their positions. Requests for partial tuition reimbursement for accredited degree programs will also be considered. In all cases the PGD curriculum must be relevant to job duties. The employee's division or department head or supervisor has the authority to approve requests, subject to any budget limitations. These grants may cover registration, supplies, and reasonable travel, lodging, and meal expenses. Depending on OES's investment in the growth and development opportunity,



employees receiving funds may be expected to present a written summary to the appropriate division or department head, and remain at OES for at least one year thereafter or be required to reimburse OES for the expenses incurred by the School.

### **8.12 Years of Service Recognition Policy**

Eligibility: All employees.

All employees, regardless of FTE, are recognized for their years of service every five years. The manner of recognition will be approved annually by the Administrative Team. The anniversary date is determined by the academic year in which a person began employment in a regular position (as opposed to a temporary, on call, or seasonal position) at OES.

- If an employee leaves and returns to OES in or within one year, that gap year is not included in the calculation of total years of employment.
- If an employee returns to employment after a period of more than one year, their years of service are “zeroed out” and accrue starting with the year they return.

### **8.13 OES Tuition Remission for Children of Employees**

Eligibility: Regular employees working at least .75 FTE.

All regular employees working at least .75 FTE are entitled to 50 percent tuition remission for up to two children attending OES, assuming the children meet admission standards and continue to meet the minimum standards for re-enrollment. Enrollment is never guaranteed for any children of OES employees.

In the event an employee’s employment ends before or during the school year for which tuition remission is applied, OES reserves the right to revoke the tuition remission (in the event the employee’s employment ends before the school year begins) or apply tuition remission only on a pro rata basis (reflecting the portion of the school year that the employee is employed at OES) and requiring tuition with no remission for the remainder of the school year.

The total cost of the program is capped annually at 3.5 percent of gross tuition. In years in which the cap would be exceeded, tuition remission is allocated pro rata to all qualifying children of eligible employees.

Any employee eligible for tuition remission who demonstrates a need for flexible tuition in excess of the remission amount may apply for flexible tuition through the standard application process. Employee parents who do not qualify for tuition remission may similarly apply for flexible tuition through the standard application process available to all OES families.

#### **8.14 Enrollment Contracts for Children of Employees**

Eligibility: Regular employees working at least .5 FTE.

All regular employees working at least .5 FTE who are expected to return the following school year are not required to pay an enrollment deposit for their children's enrollment contracts. These employees are also entitled to a waiver of the service fees on tuition payment plans.

#### **8.15 Bus Transportation for OES Employees and their Children**

Eligibility: All employees.

Children of OES employees may ride OES buses to or from school up to eight (8) times per school year, and employees may ride OES buses at any time, at no cost, subject to the following conditions:

- Space must be available on the bus. Employees must check with and obtain permission from the Transportation administrative assistant at least one day prior to the intended use; and
- Employees and their children must be picked up or let off at regularly scheduled stops.

#### **8.16 Extension Program for Children of Employees**

Eligibility: All regular employees.

After School Program: Employees with children enrolled in the Lower School and Middle School may use the Extension Program services for their children as follows:

- Lower School Drop-in: Employees receive eight hours of drop-in home base per month per student at no charge during the academic year. Unused hours are not bankable. In the cases of two parents who work at OES, this benefit is per student rather than per parent.
- Middle School Drop-in: This program is offered at no charge.
- After School Classes: Employees receive 20 percent off after-school classes, automatically applied by the Extension Office. Employees that receive flexible tuition will receive 50 % off after-school classes, automatically applied by the Business Office. Private lessons do not apply.

Summer Program: Employees that work during the summer receive 50 percent off summer classes. Employees that do not work in the summer receive 20 percent off summer classes. Summer class discounts should be applied by employees during the registration process by applying a waiver code at check-out. Waiver codes will be issued by contacting the Extension Office. Summer flexible tuition opportunities and procedures will be announced each year.

**For additional assistance**, employees are encouraged to apply for summer flexible tuition through the application found on the Program Information page of the summer website at <https://www.oes.edu/summer> Contact the Extension Program at [extension@oes.edu](mailto:extension@oes.edu) for more information.

## 9. TIME OFF: PAID LEAVES OF ABSENCE

### 9.1 *Holidays*

Eligibility: All regular employees.

In most years, OES recognizes 16 holidays and holiday periods. Regular employees will be paid at their regular rate of pay for an observed holiday, provided they are normally scheduled to work on that day. Eligible employees will be paid for the number of hours they would ordinarily be scheduled to work.

New Year's Day (2 days)	Memorial Day
Martin Luther King Day	Independence Day
President's Day	Thanksgiving Break (3 days)
Good Friday	Christmas Break (5 days)
Labor Day	

The holiday schedule is published each year. The schedule is subject to change based on the needs of the School. Employees who wish to celebrate a holiday not listed on the schedule may use a personal day, vacation day, or request an unpaid day.

If an employee is asked to work on an OES-observed holiday, that employee will be paid straight time for the hours worked. Subject to supervisor approval, the employee may elect to take another day off as the holiday. An employee who works a schedule that includes Saturday and/or Sunday may take off another day with supervisor approval when the holiday falls on a regularly scheduled day off.

Floating holidays: year-round staff have an additional two floating holidays they may use by requesting these days of their supervisors. This is a "use it or lose it" benefit awarded on July 1. Unused floating holidays are never cashed out; in other words, employees are not entitled to compensation for unused floating holidays at any time, including upon termination of employment. Floating holiday hours should be used in increments of at least two hours.

Flex days: academic-year employees may convert up to two of their accrued paid sick days per year to observe religious holidays that are not recognized by the OES-paid holiday calendar. Those using flex days for religious holidays should use the benefit in increments of at least two hours and inform payroll to make sure the days are recorded properly.

## **9.2 Paid Sick Leave**

Eligibility: All employees.

### **Accrual**

Employees begin accruing sick time on the first day of employment and earn one (1) hour of sick time for approximately every 22 hours worked. Employees may accrue up to a maximum of 60 days of sick leave. When the employee reaches the 60-day maximum, additional sick leave will not accrue until the sick leave balance falls below 60 days.

### **Use**

Employees may use sick time as it is accrued. Sick leave may be used in increments of one hour. Sick leave must be used if an employee is absent for a qualifying reason and the employee has accrued unused sick leave.

Employees are entitled to use sick time for the following purposes:

- For an employee's or family member's mental or physical illness, injury or health condition, or need for medical diagnosis of these conditions, or need for preventive medical care. "Family member" means a spouse or domestic partner, grandparent or grandchild, parent-in-law, or biological, adoptive, or foster parent or child.
- To care for an infant or newly adopted child under 18, or for a newly placed foster child under 18, or for a child over 18 if the child is incapable of self-care because of mental or physical disability.
- To care for a family member with a serious health condition.
- To recover from or seek treatment for a serious health condition that renders the employee unable to perform at least one of the essential functions of the employee's job.
- To care for a child of the employee who is suffering from a non-serious illness, injury, or condition.
- To deal with the death of a family member by attending the funeral or alternative, making arrangements necessitated by the death of a family member, or grieving the death of a family member.
- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent for proceedings related to domestic violence, harassment, sexual assault, or stalking.
- To seek medical treatment, recover from injuries, or obtain services related to domestic violence, sexual assault, harassment or stalking incidents to the employee or employee's minor child or dependent.
- For certain public health emergencies.
- For academic-year employees only: for observance of religious holidays not recognized by the OES paid holiday calendar, up to two days per school year.

### ***Notices and Verification by the Employee***

If the need for sick time is foreseeable, the employee needs to provide as much advance notice as possible of the need to use sick time. The employee should try to make every effort to schedule the leave so it does not unduly disrupt our operations. If the need for sick time is unforeseeable, the employee should provide notice to their supervisor as soon as possible.

We also require employees to provide notices, verifications, and certifications for using sick time under certain circumstances. For example, OES may request a medical note (confirming the valid need for sick leave and/or the employee's ability to return to work) when an employee is sick for more than five consecutive days.

Any sick leave used must be reported on the employee's time sheet. The employee will be paid only for the regularly scheduled hours that were missed. When an employee is off work due to illness or on FMLA/OFLA leave, that employee must exhaust all accrued sick leave before taking leave without pay. If an employee will be using sick leave for a serious medical condition for themselves or a family member, they should notify the Human Resources Office so the time off can be tracked if appropriate as FMLA and/or OFLA protected leave.

### ***Notices and Verification by OES***

In addition to providing a written notice to employees of the requirements of the law (posted with our notices of other employment laws), we will provide at least quarterly notifications to employees of the amounts of accrued and unused sick time.

### ***Pay***

Sick leave is paid at the employee's regular rate of pay.

If an employee is sick for a day, that employee will be paid only for the regularly scheduled hours that were missed. For example, an employee who was scheduled to work a six-hour day but misses work will use and be paid for six hours of sick leave.

Accrued unused sick leave is never cashed out; in other words, employees are not entitled to compensation for unused sick days at any time, including upon termination of employment. See the COVID-19 Pandemic Addendum for information related to additional sick leave due to pandemic-related illness.

<h3><b><i>9.3 Extended Sick Coverage</i></b></h3>
---

Eligibility: All regular employees who have been employed at OES for at least one year.

Extended sick coverage is intended to help cover an employee's compensation when that employee has used all accrued sick leave and/or accrued vacation time

and is personally suffering from a non-work-related, long-term illness or injury that would qualify the employee for long-term disability insurance, but the employee has not yet fulfilled the waiting period for long-term disability insurance benefits. The employee must be totally unable to perform the essential functions of the job and awaiting long-term disability insurance, as certified by an appropriate health care provider.

Extended sick coverage provides the employee with one-half the usual salary or wage until the first of the following occurs: (a) the employee is released to work (whereupon a temporary modified job may be available and at the School's discretion, may be offered in lieu of extended sick coverage), (b) the employee is eligible for long-term disability, or (c) the employee has been on extended sick coverage for 90 days. Under no circumstances will extended sick coverage be available for more than a total of six months (a) in any 12-month period, or (b) for any additional absences related to the same illness, disease, injury, or condition.

#### **9.4 Personal Days**

Eligibility: All regular employees.

##### **Accrual**

All employees accrue two days (16 hours) per year at the beginning of the fiscal year on July 1. Personal days will be prorated for employees who begin employment after July 1 or those who work less than full time. Example: a regular part-time employee (.50 FTE) would accrue eight hours.

##### **Use**

Personal days are to be used for personal business or unforeseen circumstances such as inclement weather, and not for illness or vacation. Supervisor approval is required before taking a personal day. The employee should provide as much advance notice as possible to the supervisor if that employee needs to use a personal day. Personal days may be taken in two-hour increments. Personal days may not be combined with paid vacation days and may not be taken on the last week of school or work, or immediately before or after a school vacation or paid holiday, or combined with parental leave, except with advance written permission from the employee's supervisor.

Unused personal days may not be carried over from year to year and are not cashed out at any time, including upon termination of employment. This is a "use it or lose it" benefit.

#### **9.5 Vacation (Staff)**

Eligibility: Year-round staff working at least half time (.50 FTE).

##### **Accrual**

Vacation leave accrues incrementally on a monthly basis. Vacation accrual rates are based on the employee's benefit effective date, which is typically the first of the month following hire. Vacation accrues as follows:

<b><u>Service at OES</u></b>	<b><u>Annual Accrual</u></b>
Hire through the end of year four	10 days
Beginning of year five through the end of year nine	15 days
Beginning of year 10	20 days

One day equals the number of hours regularly worked. For a full-time employee one day is equal to eight hours. For a half-time employee one day is equal to four hours, for example.

Maximum accrual is 30 days, at which point employees will stop accruing vacation. Accrual will restart when the balance falls below 30 days.

For returning regular staff who left prior OES employment in good standing and are reemployed with the School within five years of the separation date, the level of vacation accruals will be based upon total years of employment in regular positions (not temporary, less than half-time, or seasonal).

Prospective employees possessing at least 10 years of equivalent experience with a previous employer may qualify to begin employment with 15 vacation days per year.

### ***Use***

Vacation should be used in at least two-hour increments. Vacations should be scheduled as far in advance as possible and must be coordinated and pre-approved by the employee's supervisor.

With the supervisor's approval, employees may use up to 10 days of vacation before it is accrued.

Staff will be paid all their accrued unused vacation (up to 30 days maximum) in their final paycheck.

With supervisor and Human Resources Office approval, employees possessing at least 10 years of documented equivalent experience with a previous employer may qualify for 15 vacation days per year.



## **9.6 Vacation (Administrators)**

Eligibility: Administrators.

### ***Accrual***

Full-time administrators are front-loaded 25 days (200 hours) of vacation on July 1.

Administrators may carry over a maximum of 10 days of unused vacation from one fiscal year (July 1–June 30) to the next.

### ***Use***

Vacation may be used in at least two-hour increments. Administrator vacation is designed to be used primarily when school is not in session over holidays and during the summer for most positions; however, with the approval of the head of school it may be used at other times.

Unused vacation will not be cashed out in an Administrator's final paycheck. This is a "use it or lose it" benefit.

## **9.7 Clarification re: Vacation for Faculty and Academic Year Staff**

Faculty and staff who work the academic year do not accrue paid vacation, *per se*. OES expects its faculty and academic year staff to work from mid-August to mid-June and to take vacation only when school is not in session, such as over the winter and summer breaks.

## **9.8 Jury Duty or Witness Subpoena Leave**

Eligibility: All employees.

Many employees will be required to fulfill their duties as citizens by completing jury duty. In addition, employees may be required to respond to witness subpoenas. All employees will be granted paid leave at their regular rate of pay for the period of time that they are required to serve on jury duty or respond to a witness subpoena up to a maximum of 10 days per calendar year. Non-exempt employees will be granted additional unpaid time off to fulfill jury duty, if necessary; however, exempt employees will be paid for all time off to fulfill jury duty. Employees who are paid their regular wages while they serve on a jury are required under Oregon law to waive the daily juror fee they would normally be paid by the state.

If an employee's absence will create undue hardship or extreme inconvenience, OES may ask that employee to request to be excused from duty or to have it postponed.

Employees should advise their supervisors immediately if they are called for jury duty or subpoenaed to be witnesses. When not required to report to court on a given day or dismissed after reporting, the employee must return to work unless

travel time or distance makes this impractical. Employees should notify their supervisors as soon as they know they will be able to return for a half a day or more.

## **9.9 Parental Leave**

Eligibility: All employees.

OES offers parental leave to support our employees—regardless of gender—as they strive to balance their work with the wonderful role of becoming parents or growing their family. Any employee who takes parental leave under this policy will receive two weeks' paid leave at their regular rate of pay.

Employees taking parental leave under this policy may be eligible for additional unpaid leave under our Family and Medical Leave Policy (Section 10.1). Please see that policy for more information about leave under OFLA and FMLA, two laws that provide legal rights and responsibilities for eligible employees. Our Parental Leave Policy is intended to overlap with, not contravene, our Family and Medical Leave Policy.

An employee who is either (1) not eligible for Family and Medical Leave and wants to take additional leave beyond the two weeks of leave granted by this policy; or (2) eligible for Family and Medical Leave and wants to take additional leave beyond the amount the employee is entitled to take off under that policy, should speak to the department or division head about taking additional time off. At the discretion of the department or division head, OES may provide a finite unpaid parental leave to the employee.

No benefits are accrued, earned, or paid for by OES during the unpaid leave of absence, except as required by law. This means an employee on parental leave does not receive holiday pay and does not accrue sick leave or vacation while out on leave. Similarly, faculty do not earn teaching experience credit during the leave. For employees eligible for family leave under our Family and Medical Leave Policy, we continue your health care coverage under our group plan on the same terms as if you had continued to work during the time you are covered under OFLA/FMLA. In accordance with applicable law and the terms of our health care coverage plans, eligible employees may choose to prepay their group medical insurance coverage during approved unpaid leaves of absence. When an employee has been out on leave for over 12 weeks, the employee is no longer considered an “active employee” for purposes of our health care coverage, and the employee will need to elect coverage under COBRA to stay on our group health plan. Please also note that if you fail to return to work after parental leave, unless it is related to medical or other reasons not within your control, we may seek reimbursement of insurance premiums we paid during your leave.

Employees who work 10 months out of the calendar year but who are paid on a 12-month basis should be aware that an unpaid leave taken during the school year may affect their monthly compensation. Feel free to contact the Human Resources Office

for assistance in understanding the impact of an unpaid leave on your compensation.

### **9.10 Bereavement Leave**

Eligibility: All employees.

Employees will be given five paid days off for bereavement leave at the regular rate of pay the employee would normally receive during this five-day absence to travel to and/or attend the funeral or memorial service of an immediate family member, which is defined as an employee's spouse; same sex domestic partner; biological, adoptive, stepchild, foster child (and any person with whom the employee has a *loco parentis*, i.e., in place of parents, relationship); parent (biological parent or an individual who stands or stood *in loco parentis*); parent-in-law; grandparent; and grandchild.

We provide additional unpaid time off for bereavement leave in accordance with the Oregon Family Leave Act (OFLA). Please refer to our Family and Medical Leave Policy (Section 10.1) for details if you need to take additional time off for bereavement leave. Employees who are not eligible under OFLA should speak to their supervisor about taking additional time off.

### **9.11 Renewal Grants for Faculty**

Eligibility: Faculty (\*) who have been employed at OES for at least twelve (12) consecutive years and who have taught or been directly involved in the OES academic program at a .75 FTE level or above for at least eight (8) years out of twelve are eligible to apply for an OES Renewal grant. Up to six (6) awards are available annually; *additional grants, or "pulling forward" proposals from faculty who have not yet completed twelve (12) years at OES but who have met the other criteria, may be possible in certain years to facilitate the smooth administration of the program and to maximize participation.*

*Note: "Faculty" is defined as those who receive a teaching agreement each academic year. Administrators, Extensions Staff Members, and Assistant Teachers are not eligible for Renewal Grants.*

Grant Details: Renewal Grants are a \$5000 taxable stipend. Faculty may, with the approval of their Division Heads / Supervisors, be away from campus for up to two weeks (10 days) of school as part of the Renewal Grant. The awards require a proposal in which the faculty member explains how the Award would "contribute to their personal and professional renewal" (see following page). Faculty who have already been awarded Sabbaticals are not eligible for a Renewal Grant until they have completed at least twelve (12) consecutive years following the start of this program in 2019-20. Faculty are eligible for Renewal Grants after every twelve-year period of service; however, priority in any given year will be given to those who have

not yet received a Renewal Grant or Sabbatical. (In the first years of the program, preference will be given to those faculty members who have seniority at the school, who have not yet taken sabbaticals, and who submit an appropriate proposal.) Faculty are required to return to OES for at least one full academic year following a renewal grant.

Proposal Process: Faculty who are eligible and who wish to submit a proposal for a Renewal Grant should do so by May 15 of the academic year *prior to* when they propose to take the grant. In 2019-20, proposals will be due on or before Monday, December 16 and are to be taken during the 2019-20 academic year or prior to the end of the fiscal year on June 30, 2020. Proposals should contain the following information:

- Description of Proposal: Faculty should include specific details of the proposal and how it will lead to “personal and professional renewal.” The proposal should include a full description of the plans, including dates (if applicable) that the faculty member is requesting to be away from school during the academic year; an estimate of expected expenses; and any other information that may be helpful to understand the proposal. Proposals do not have to be directly connected to a faculty member’s principal responsibilities at OES. However, the following guidelines apply:
  - Stipend funds are not to be used to pay for personal expenses or debts not associated with the grant proposal.
  - While specific proposals will vary widely, the goal is for faculty members to have significant experiences that they would not otherwise have had the opportunity to pursue. Note that “significant experiences” is intentionally defined broadly to encourage creative and individualized proposals. (Examples might include: domestic or foreign travel; participating in special programs (e.g., meditative retreats, professional development opportunities, etc.); visiting other schools or colleagues, etc.)
- Selection Criteria: The Renewal Grant program has been structured to provide as many eligible faculty members to participate as possible. As such, the Committee’s sincere hope is that all proposals will be accepted, provided they meet the above guidelines. That said, the Grant Committee, which is composed of the Head of School, Associate Head of School, Division Heads, and, after the initial year of the program, a prior Renewal Grant awardee, reserves the right to return proposals to applicants for additional information or to strengthen the proposal as first presented. In years in which there are more faculty proposals than available grants, selection criteria may include a

faculty member's tenure at the school; the number of grants awarded in each of the three divisions at OES; the overall quality of the proposal; and the proposed timing of the grants.

## 10. TIME OFF: UNPAID LEAVES OF ABSENCE

Employees may request an unpaid leave of absence for many different reasons, including caring for themselves or a sick family member; spending time with a newborn or newly adopted or fostered child; serving in the military; or for other personal reasons. Some leaves of absence are governed by state or federal laws, while others are granted solely at OES's discretion. If you have questions about unpaid leave, please contact the Human Resources Office.

### 10.1 *Family and Medical Leave*

There are two laws—one federal, one state—under which we provide eligible employees up to 12 weeks of unpaid job-protected leave (and in certain limited circumstances, more than 12 weeks of leave) during a 12-month period in certain qualifying situations. Although the laws are similar and overlap in many ways, there are some differences between them. In some cases, you may be eligible under one law but not the other by virtue of the number of hours you work and the time period you have been employed with us. In other cases, the type of leave taken may be covered under one law but not the other. More commonly, both laws will apply to your leave and the leave taken under both laws will run concurrently during your time off.

**OFLA:** If you have been employed at least 180 days immediately preceding the date your leave would begin and you have worked an average of 25 hours per week during that time period, you may be eligible for family and medical leave under the Oregon Family Leave Act (OFLA).

**FMLA:** If you have been employed for at least 12 total months (not necessarily consecutive) without a break in service of seven or more years and have worked at least 1,250 hours during the 12-month period before your leave commences (about 24 hours per week), you may be eligible for family and medical leave under the Family and Medical Leave Act (FMLA).

**Reasons for Taking Leave:** OFLA and/or FMLA leave may be taken for the following reasons:

- Due to your own serious health condition that makes you unable to perform your job ("**Medical Leave**").
- Due to your incapacity due to pregnancy, prenatal medical care, or childbirth ("**Medical Leave**").
- To care for your family member who has a serious health condition ("**Medical Leave**").

**a)** FMLA only: For the purpose of FMLA leave, “family member” means an employee’s spouse, parent, and children.

**b)** OFLA only: For the purpose of OFLA leave, “family member” includes an employee's spouse; same sex domestic partner; biological, adoptive, stepchild, foster child (and any person with whom the employee has a *loco parentis*, i.e., in place of parents, relationship); parent (biological parent or an individual who stands or stood *in loco parentis*); parent-in-law; grandparent; and grandchild.

- To care for a newborn, adopted, or foster child (“**Family Leave**”). Family leave must be used within the first 12 months from the birth, adoption or foster placement, unless we agree to postpone it.
- OFLA only: To care for your child if that child is suffering from an illness, injury, or condition that is not a serious health condition, but requires that you be caring for the child (“**Sick Child Leave**”). We may consider the availability of another family member to provide home care for the child when determining whether you are eligible for this leave.
- OFLA only: To attend a family member’s funeral or alternative to a funeral, to make arrangements necessitated by the death of a family member, or to grieve the death of a family member (“**Bereavement Leave**”). Employees who want to take this leave must provide notice and take the time off within 60 days of the date on which the employee receives notice of the death, and may only take up to two weeks off.

### **Military Family Leave Entitlements under FMLA:**

- Eligible employees whose spouse, son, daughter, or parent is on covered active duty or has been called to covered active duty in the Armed Forces may use their 12-week leave entitlement under FMLA only to address certain qualifying exigencies (“**Qualifying Exigency Leave**”). Qualified exigencies may include attending certain military events, arranging for alternative child care or dependent parent care, 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 military service member who has a serious illness or injury if you are the service member’s spouse, son, daughter, parent, or next of kin (“**Military Caregiver Leave**”). This leave extends to current members of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness (as defined by FMLA, distinct from the definition of “serious health

condition”); or a veteran who was discharged and released under 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.

**Definition of Serious Health Condition:** For purposes of Medical Leave, a “**serious health condition**” is defined as any illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents you from performing the functions of your 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 three 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 under FMLA and OFLA.

## **Details of Leave**

**Twelve-Month Period:** The School’s leave year begins on September 1 and ends on August 31 for all leave except Military Caregiver Leave. For Military Caregiver Leave, the 12-month leave usage period begins on the date Military Caregiver Leave is first taken.

**Duration of Leave:** Medical, Family Leave, or Qualifying Exigency Leave may be taken for a total of 12 weeks in every 12-month period. Military Caregiver Leave may be taken for up to 26 weeks in a 12-month period that commences from the date the leave is first taken; provided, however, that any leave taken within the 12-month period for Family, Medical or Qualifying Exigency Leave shall count against the total 26 week allotment of Military Caregiver Leave.

**Additional Leave under State Law:** Under OFLA, an eligible female employee may take an additional 12 weeks off within any year for any other purpose listed above if she took leave because her pregnancy or childbirth disabled her from performing any available job offered to her by the OES. Also, any eligible employee (regardless of gender) who takes 12 weeks of OFLA Family Leave may take up to an additional 12 weeks of Sick Child Leave within the 12-month period to provide home care to an ill or injured child.

**Notice:** Employees must give notice of the intent to use leave under this policy. Employees must provide notice as soon as possible after learning of the need for leave.

*When you know of your need for leave in advance:* except in unusual circumstances, we expect reasonable advance notice of your need for leave. If your need to take leave is foreseeable more than 30 days before the leave is



expected to begin, we request notice as soon as possible, but in no case less than 30 days before your leave is expected to begin.

*If your need to take leave is unforeseeable:* you (or your representative, if you are unable to give notice) must provide notice as soon as possible, generally on the day you learn of your need for leave or the next business day. Your delay in providing notice may delay our ability to approve the leave and may result in a postponement or denial of your leave. You generally must comply with our normal call-in policy.

If you are already approved to take OFLA and/or FMLA leave for an OFLA/FMLA-qualifying reason and need to request additional leave for the same reason (for example, you have already been approved for intermittent OFLA/FMLA leave and intend to take time off for that purpose), then to provide sufficient notice, each time you request leave for an OFLA/FMLA-qualifying reason, you must either mention the OFLA/FMLA-qualifying reason or request "OFLA/FMLA" leave. Simply "calling in sick" is not sufficient notice of the need for OFLA/FMLA leave and will not be considered OFLA/FMLA leave. You must also follow the regular reporting methods that are approved in our policy. This means you must notify us prior to the beginning of your normal workday about an absence or late arrival or you will be in violation of the leave requirements and your absence will not be considered a part of approved OFLA/FMLA leave.

**Certification:** Before we can formally approve Medical Leave or Military Caregiver Leave, you must provide medical certification of your serious health condition, the serious health condition of your family member, or the serious injury or illness of a covered service member. The Human Resources Office will supply a form for you to use. In certain cases, we may provisionally approve your leave while you are waiting for the appropriate written certification normally from a health care provider. Except in unusual circumstances we will expect you to return a completed medical certification to us within 15 days of our request. In some circumstances we may request an additional medical opinion at our expense.

Medical verification will not be required to substantiate your need to be absent to provide Sick Child Leave unless you are absent for this purpose more than three workdays in a 12-month period.

Your failure to provide a timely, complete, and sufficient medical certification, or to cooperate with inquiries to clarify, authenticate or verify a medical certification, may result in a postponement or denial of your leave.

We may require periodic re-certifications of a serious health condition.

Before we can formally approve Qualifying Exigency Leave, you must provide a copy of the service member's active duty orders or other military documents. You must also provide a certification documenting the qualifying exigency and leave requested. The Human Resources Office will supply a form for you to use. We may provisionally approve your leave while you are waiting for the orders and

written certification. Except in unusual circumstances, we will expect you to return the orders and completed certification to us within 15 days of our request.

**Intermittent Leave:** Your doctor may determine that it is medically necessary for Medical Leave or Military Caregiver Leave to be taken on an intermittent or reduced schedule basis (e.g., fewer hours worked per week). We will require specific certification of such medical need for intermittent leave, including periodic re-certifications for leave based on a serious health condition. When the need for leave is for planned medical treatment or is otherwise foreseeable, then we request that you to consult with us concerning the scheduling of leave and to make a reasonable effort to schedule your leave so that it does not unduly disrupt our operations. In addition, Qualifying Exigency Leave may be taken on an intermittent or reduced schedule basis. We generally do not grant family leave on an intermittent basis. During certain intermittent leave, for example, during leave due to planned medical treatments, we may find it necessary to transfer you voluntarily on a temporary basis to another position with equal pay and benefits in order to maintain continuity and consistency within the affected work area.

**Pay:** Leave under this policy is unpaid (except for Bereavement Leave, in which case regular employees receive up to five paid days off at their regular rate of pay). If you have accrued unused paid time (such as sick leave, vacation, or bereavement leave), you must use all such time while taking leave under this policy; once you exhaust your paid leave, the remaining time off will be unpaid.

**Benefits:** We continue your health care coverage under our group plan on the same terms as if you had continued to work, but you do not accrue fringe benefits (like vacation or sick leave) while on unpaid leave.

**Coordination with Other Leaves:** If you are diagnosed with a disability that is unrelated to pregnancy, but prevents you from performing the essential duties of your job, and if your doctor requires you to be on leave for more than 12 weeks, you may be eligible for a finite extended leave of absence. If you are on time loss for workers' compensation, you will be required to use your FMLA leave in conjunction with your time off. You will not be required to use your OFLA leave in conjunction with workers' compensation leave resulting from an accepted workers' compensation injury. Please also see our Parental Leave Policy (Section 9.9).

**Return from Leave:** If the leave was related to your own serious health condition, you will be required to provide us with a certification from your health care provider certifying your fitness to return to work and that you are able to perform the essential functions of your position. (Human Resources will supply a form for you to use.) In most circumstances, you can return from approved leave to your former position or in some cases, an equivalent position with equal pay and benefits. If you fail to return, unless it is related to medical or other reasons not within your control, we may seek reimbursement of insurance premiums we paid during your leave.

**Special Rules for “Instructional Employees”:** FMLA and OFLA have special rules that affect “instructional employees” who take intermittent leave or leave on a reduced schedule, or who take leave near the end of an academic term. Instructional employees are those employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting—including faculty and athletic coaches, among others. Please contact the Human Resources Office if you are an instructional employee who seeks to take leave under this policy, so we can explain these special rules to you.

**Notice to Employees Who Work Less than Year-Round:** Academic Year Staff and any Faculty who work 10 months out of the calendar year but who are paid on a 12-month basis should be aware that an unpaid leave taken during the school year may affect their monthly compensation.

## **Employer Responsibilities**

Eligibility Notice. Once OES is on notice of a request for time off under this policy, we will inform the employee requesting leave whether the employee is eligible under OFLA and FMLA. If they are eligible, our notice will specify any additional information required as well as the employees’ rights and responsibilities. If not eligible, we will provide a reason for the ineligibility.

Designation Notice. We will also inform the employee if the requested leave will be designated as OFLA and/or FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If we determine that the leave is not OFLA/FMLA-protected, we will notify the employee.

Unlawful Acts. Under OFLA and FMLA, an employer is not allowed to:

- Interfere with, restrain, or deny the exercise of, or the attempt to exercise, any OFLA/FMLA right.
- Discriminate or retaliate against an employee or prospective employee for having exercised or attempted to exercise any OFLA/FMLA right.
- Discharge or in any other way discriminate against any person, whether or not an employee, for opposing or complaining about any unlawful practice under OFLA or FMLA.
- Discharge or in any other way discriminate against any person, whether or not an employee, because that person has:
  - Filed any charge, has instituted, or caused to be instituted, any proceeding under or related to OFLA or FMLA;
  - Given, or is about to give, any information in connection with an inquiry or proceeding relating to any right under OFLA or FMLA; or
  - Testified, or is about to testify, in any inquiry or proceeding relating to a right under OFLA or FMLA.

**Complaint Procedure:** We are committed to ensuring that OES does not interfere with, restrain, or deny the exercise of any right provided under FMLA or OFLA. If you believe that this policy has been violated, then you are strongly encouraged to bring any concerns to your supervisor or to the director of human resources. There will be no retaliation or discrimination against anyone who opposes any practice made unlawful by FMLA or OFLA, or for involvement in any proceeding under or related to FMLA or OFLA. While we hope that all employees will feel comfortable using our internal complaint procedures, you are also entitled to file a complaint with the US Department of Labor or the Bureau of Labor and Industries or bring a private lawsuit if you believe we have violated your rights.

Employees who intend to request a leave under this policy or who have questions related to the policy are encouraged to contact the Human Resources Office for guidance and assistance. See the COVID-19 Pandemic Addendum for information about additional leave under FMLA relating to the pandemic.

### **10.2 Leave for Spouses of Military Personnel**

**Eligibility:** Employees who work an average of at least 20 hours per week and who are spouses of military personnel deployed or on leave from deployment during times of military conflict.

Eligible employees may take up to 14 days unpaid leave from work per spousal deployment, before deployment and/or during leave from deployment. To be eligible, the military personnel must be a member of the Armed Forces of the United States, the National Guard, or the Reserves and notified of either (a) an impending call or order to active duty, or (b) impending leave from deployment. The employee must provide us with notice of his or her intention within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment. The employee may choose to substitute any accrued paid leave for any part of the leave. This leave counts as OFLA leave. See a supervisor or consult the Human Resources Office for additional details regarding this unpaid leave.

### **10.3 Leave for Military Service or Training**

**Eligibility:** All employees.

In accordance with applicable law, OES grants eligible employees an unpaid leave of absence as required for military service or training. All employees may use any available vacation time for military leave. If an exempt employee provides services to OES for only a portion of the workweek due to an absence for military service or training, the employee will be compensated for the full workweek, although any military pay received for any normal work days can be offset against the salary due. Employees must provide written notice at least 30 days in advance of the anticipated start of such duty or training, or as soon as practicable. Employees who serve for more than 30 days will become responsible for the full cost of health benefits at the end of that month, and must indicate their intention to continue coverage. Employees who serve for 30 days or less will have continued medical and

dental coverage as if they had never left. The accrual of other benefits, such as vacation time and sick leave, will be suspended while the employee is on leave and will resume upon return to active employment. Employees returning from active duty must apply for reemployment in accordance with applicable state and federal laws. If eligible for reinstatement, efforts will be made to return employees to their previous positions or to the positions they would have had, had they not taken time off for military service in accordance with applicable law. Returning employees will be treated as though they were continuously employed for the purpose of determining benefits based on length of service, such as vacation accrual.

#### **10.4 Veterans Day Leave**

Eligibility: Employees who have served on active duty in the armed forces for at least six months and received an honorable discharge (this includes employees who served in a reserve or National Guard unit and were deployed or served on active duty for at least six months).

OES will provide unpaid time off for Veterans Day if the employee is normally required to work on this day. The employee is required to provide at least three weeks' notice of the intent to take time off for Veterans Day and provide to the Human Resources Office documents showing that veteran status as defined by Oregon law. The employee may choose to substitute any accrued paid leave for the unpaid day off.

OES retains the option to deny this requested time off if in OES's determination this leave would create a significant economic or operational disruption or undue hardship. If the employee does not take time off on Veterans Day, the employee will be allowed to take another unpaid day off within one year of this holiday in order to honor the employee's military service.

#### **10.5 Leave for Oregon Crime Victims**

Eligibility: Employees who have worked an average of 25 hours or more per week in the 180 days immediately preceding the first day of the requested leave.

If an employee or an immediate family member is a victim of a crime, the employee may be eligible for an unpaid leave of absence to attend any related criminal proceedings. The employee must provide OES with reasonable advance notice of any such proceedings. If the employee's leave would create an undue hardship on OES, the leave may be limited and we will ask you to request that the court take the employee's work schedule into account when scheduling the proceedings. The employee may choose to substitute any accrued paid leave for any part of the leave.

#### **10.6 Leave for Victims of Domestic Violence, Harassment, Stalking, or Sexual Assault**

Eligibility: All employees.

In accordance with the law, OES provides reasonable unpaid leave for eligible employees who are victims (or parents/guardians of minor/dependent victims) of domestic violence, harassment, sexual assault, or stalking. Unpaid leave under this policy may be requested for the following purposes: to seek law enforcement assistance or legal help; to obtain medical treatment or recovery; to attend counseling from a licensed mental health professional; to seek services from a victim service provider (for example, a domestic violence shelter or rape crisis center); or to relocate a residence or secure an existing home.

The employee may choose to substitute any accrued paid leave for any part of the leave.

Employees may be asked to provide certification of the need for leave, including police reports or documentation from a court, attorney, or health care professional.

### **10.7 Other Leave without Pay: Personal Leave**

Eligibility: All employees.

At the discretion of the head of school, OES may provide a finite personal leave of absence without pay to an employee when it is determined that the leave will benefit both the employee and OES. All accrued vacation, sick leave, and paid personal days, if applicable, must be exhausted before a leave of absence without pay is granted. No benefits are accrued, earned, or paid for by OES during such an unpaid leave of absence, except as required by law.

In accordance with applicable law and the terms of such plans, eligible employees may choose to prepay their group medical insurance coverage during approved unpaid leaves of absence. Faculty will not earn teaching experience credit during an unpaid personal leave of absence.

Depending on the length of the leave, OES will try to return you after a personal leave of absence to your pre-leave position, but we cannot guarantee it in all situations.

Employees who work 10 months out of the calendar year but who are paid on a 12-month basis should be aware that an unpaid leave taken during the school year may affect their monthly compensation.

## **11. REDUCTION IN HOURS AND TERMINATION OF EMPLOYMENT**

### ***11.1 Effect of Declining Enrollment, Financial Difficulties, or Other Change***

From time to time, it may be necessary to reduce OES's work force based upon our changing needs. As a result of a decline in enrollment, financial difficulties, or unexpected changes, the head of school (after consultation with the Board and appropriate Administrators) may determine that it is necessary to reduce staff, faculty, salaries and/or work schedules or to take other cost-cutting steps to assure the short- and long-term stability of OES. The School will try to provide advance notice of any such action to the affected employees, but advance notice may not always be possible or practical. In particular, school enrollment or enrollment in a particular program may not justify retention of all existing employees, including Faculty who received contracts or Staff who received wage adjustment letters the preceding spring. In this event, it may be necessary for OES to reduce or eliminate a position for that school year. In making the decision to reduce or terminate employment, the head of school (in consultation with the appropriate Administrators) will consider the needs of the program, the suitability of Faculty, Administrators and Staff, and the seniority of the employees being considered for the reduction, but these may not be the sole criteria considered. The decision to reduce or eliminate a position will be made at the head of school's sole discretion.

### ***11.2 Reduction in Work Hours***

In the event an employee's regular hours are reduced and the employee is no longer eligible for certain benefits due to a change in work schedule:

- OES will notify the employee of any rights to continue group health insurance under COBRA;
- OES will cash out any accrued vacation (up to 30 days) on the next payday, if the employee no longer accrues vacation; and
- If the employee's FTE drops such that a child or children eligible for tuition remission will no longer be eligible, the remission will continue through that academic year. Any additional assistance for future academic years will be decided on a case-by-case basis by the head of school.

### ***11.3 Voluntary Separation and Retirement***

OES requests that an employee give at least two weeks' notice before resigning employment. An employee who terminates employment voluntarily with notice of at least 48 hours will be issued a final paycheck on the final day worked, unless the last day falls on a weekend or holiday. In that case, the final paycheck will be issued on the next business day. An employee who terminates employment voluntarily with less than 48 hours' notice, excluding weekends and holidays, will be issued a final paycheck within five days, excluding weekends and holidays, or on the next regular payday, whichever comes first.

Staff employees will be paid any accrued unused vacation (up to 30 days) upon termination.

Upon separation of employment, employees must immediately return all school property such as equipment, laptops, cell phones, keys, name badge, credit cards, etc.

OES highly values the experience of its veteran teachers and derives great benefit when retiring faculty members return to substitute teach. Nonetheless, for administrative reasons and for the well-being of both the teacher and the School, retiring teachers will be subject to a six-month waiting period before returning to substitute.

Optional exit interviews are available to all voluntarily separating employees. The exit interview provides important information to OES regarding how it can improve the employee experience. Please consult the Human Resources Office for more information.

#### **11.4 Involuntary Termination and/or Nonrenewal of Contract**

All employees at OES are employed at will. At-will employees may be terminated from employment at any time, with or without notice, and with or without cause. This includes employees who receive employment contracts.

Any employee who is terminated involuntarily will be issued a final paycheck on the final day of employment or by the end of the next business day.

Staff will be paid any accrued unused vacation (up to 30 days) upon termination.

Upon separation of employment, employees must immediately return all school property such as equipment, laptops, cell phones, keys, credit card, etc.

#### **11.5 References**

All requests for employment verification should be directed to the Human Resources Office. If contacted by a potential employer for a reference for a former employee, the School will ordinarily only disclose the employee's length of employment and position title. We may also disclose information about your employment that we believe is pertinent to keeping students and coworkers safe from potential harm. Please note that in the event we are contacted by an education provider, we are required by law to make certain disclosures, including any substantiated reports of sexual misconduct or child abuse by the employee.

Contact the Human Resources Office if you wish the School to release any additional information, in which event you will be required to sign a release.