



PURCHASE AREA DEVELOPMENT DISTRICT

PERSONNEL POLICIES

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WELCOME STATEMENT

Welcome to the Purchase Area Development District (PADD) staff. You have been chosen to work at PADD because your background indicates that you have the qualifications that characterize successful employees. Successful employees are our most valuable resource. Due to the diverse nature of the work undertaken at PADD, we are expected to perform high quality work, sometimes in limited time. We recognize the commitment required of our employees.

This Personnel Policies Manual has been developed to provide you with information concerning the policies and procedures of PADD. Please take time to read the Manual and discuss any questions you may have with your supervisor.

The dedicated efforts of our past and present employees have made PADD's record one of pride and accomplishment. With a spirit of cooperation and team effort from all employees, our agency can continue to grow and develop. We are happy to have you as a member of our team and we look forward to your contributions to PADD's mission.

Best Wishes,

Executive Director

PURCHASE AREA DEVELOPMENT DISTRICT

EMPLOYEE CERTIFICATION OF RECEIPT OF PERSONNEL POLICIES

This Personnel Policies Manual has been prepared as an overview and summary of the company's policies and procedures that are presently in effect. As policies and benefits are revised, changes will be communicated to you through standard communication channels. Advance notice may not always be possible.

The policies and procedures in this manual constitute guidelines only. They do not constitute part of an employment contract, nor are they intended to make any commitment to any employee concerning how individual employment action can, should, or will be handled.

Purchase Area Development District offers no employment contracts, nor does it guarantee any minimum length of employment. Employment at Purchase Area Development District is "at will", which means either you or the company may terminate employment at any time for any reason. A supervisor of the company has no authority to make any contrary representations to any employee.

This manual is company property. It is your responsibility to become familiar with its contents, for keeping it updated as revisions are issued, for safeguarding it, and for returning it to the company upon termination. If you have questions concerning the contents of this manual, please ask your supervisor.

I certify that I have received a copy of the Personnel Policies Manual of the Purchase Area Development District.

Signature _____ Date _____

EMPLOYER EXPECTATIONS

CODE OF ETHICS

WHEREAS, the General Assembly of the Commonwealth of Kentucky has enacted legislation requiring all cities and counties to enact and enforce a Code of Ethics governing the conduct of public employees and elected officials no later than January 1, 1995; and

WHEREAS, the Purchase Area Development District is comprised of eight (8) county governments and twenty-one (21) cities and is committed to the operation of a regional planning agency that manifests the highest moral and ethical standards among its employees; and

WHEREAS, employment with the Purchase Area Development District is recognized as a public trust requiring diligent effort, personal commitment and sensitivity to the public's confidence in the integrity of its employees.

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the Purchase Area Development District as follows:

Section 1: Title.

This Resolution shall be known as the "Purchase Area Development District Code of Ethics."

Section 2: Purpose and Authority.

It is the purpose of this resolution to establish the Code of Ethics for the Purchase Area Development District and provide for its application.

Section 3: Standards of Conduct.

Board and staff members should demonstrate the highest standards of personal integrity, truthfulness, honesty, and responsibility in the performance of their duties, assignments and tasks in order to inspire public confidence and trust in the Purchase ADD and local government and should seek to improve the quality and image of regional services and local public services. Board and staff members of the Purchase ADD hold positions of public trust and should approach their work with dedication and strive to understand and promote the purpose, role and responsibilities of the Purchase ADD and local governments.

While respecting fully the laws and regulations relating to the public's right to know and public access to matters of public policy, public business and public record, board and staff members should respect and protect privileged information to which, in the course of their official duties, they may have access or be exposed; and board nor staff members should use privileged information acquired in the course of their official duties to further their personal interests.

Board and staff members should be dedicated to the concepts of effective and democratic local government by responsible elected officials and accept and support the decisions of these local officials concerning the objectives and nature of the professional services to be performed, unless the course of action to be pursued involves conduct which is unethical or violates the laws of the Commonwealth.

Section 4. Conflicts of Interest.

Board and staff members should avoid any interest or activity which is in conflict with the conduct of official duties and should avoid the appearance of conflict of interest, seeking or accepting no favor, personal benefit or profit, individually or for family members or friends, secured by privileged information or by misuse of position, public time or public resources.

Board nor staff members should directly or indirectly solicit any payments or accept or receive any payments or gifts of material value-whether it be in the form of objects, money, services, loans, travel, entertainment, hospitality, or favors-that may be intended, perceived, inferred, expected or construed to influence them in the performance of their official duties or reward any official action on their part.

Board nor staff members should engage in, solicit, negotiate for or promise to accept private employment nor should they render services for private interests or conduct a private business, when such employment, service, or business creates a conflict with, impairs or detracts from the proper and faithful discharge of their duties or has the potential for a conflict with their duties or responsibilities.

Board and staff members should never conduct themselves in a manner that gives the impression that they can be improperly influenced in the performance of their professional duties and responsibilities; and staff members in the proper and faithful exercise of those duties and responsibilities should maintain complete impartiality, giving no preferential treatment and showing no favoritism in any manner in conduct of work, performance of services, actions, or attitude.

Board and staff members should refrain from the personal use of any public property, equipment or personnel unless such use has been specifically authorized by the governing body.

Section 5. Nepotism.

The employment of immediate family members of the Area Development District employees is prohibited. Immediate family members are defined as an employee's parent, child, spouse, domestic partner, brother, sister, grandparent, and any step/half relationships within the preceding categories. The policy also prohibits the hiring of any related family members of the Board of Directors. Employees are required to disclose changes in their personal situations, which may be covered under the Nepotism policy.

The policy is intended to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace. It also seeks to avoid the perception of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest.

Section 6. Disclosure Policy.

Employees, board members, and members of their *immediate families* should not be excluded from participation in the programs/services offered by the Area Development District. However, their intent to apply and /or participate in any agency program should be disclosed. Area Development District staff who are approached by co-worker(s) or board/committee member(s) regarding programs/services for themselves or their family member(s) should disclose this request.

The term “immediate family” means wife, husband, son, daughter, grandchildren, mother, father, brother, sister, (includes half-brother or sister), brother/sister-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent and step-child.

Thus, the following disclosure procedures will be applied:

Before proceeding with an application or request, the staff member should report, in writing, the intent to make or process an application to his/her immediate supervisor.

The supervisor should document, in writing to the staff member, his acknowledgement of the disclosure and any further action that may be indicated by the staff member. A copy of this correspondence should be forwarded to his/her immediate supervisor.

In some instances, the supervisor may seek further guidance from his/her supervisors regarding this matter. The facts and circumstances pertaining to the request should be forwarded, in writing, to his supervisor.

Again, the person receiving the correspondence should acknowledge it and document any further action needed to the staff member in writing. This process may continue until it reaches the Executive Director.

The Executive Director will periodically report the findings, of these written proceedings, to the Personnel and Finance Committee.

Any staff member or member of their immediate family (as described above) that will benefit financially from a project recommended and/or developed by the ADD shall be subject to this disclosure policy.

In addition, any staff member who serves on any Board, Commission, or local government should disclose that activity in writing to the Personnel and Finance Committee of the Purchase ADD.

Section 7. Code of Ethics Board.

The Personnel and Finance Committee of the Purchase ADD should serve as the Board to administer the Code of Ethical Conduct. This body should be the custodian of all record regarding this Code of Ethics. A monthly report will be provided to the board members of the area development district of any reported concerns or alleged violations. Any accusations reviewed by the Personnel and Finance Committee that result in the likelihood that a violation exists will be taken in front of the full board and appropriate action will be taken.

PERSONAL CONDUCT

All members of the board and staff shall be expected to act in accordance with the Code of Ethics adopted by the PADD Board of Directors. If the Code of Ethics is violated, then corrective procedures shall be taken through appropriate Disciplinary Procedures.

PRODUCTIVE WORK ENVIRONMENT

It is the policy of PADD that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the ADD and for the benefit of all employees.

Conduct that interferes with operations, discredits the ADD, or is offensive to customers or co-workers will not be tolerated. This includes the use of abusive or vulgar language, profanity, and/or inappropriate jokes.

PET FREE WORKPLACE

The Purchase Area Development District prohibits bringing a pet (a domestic animal kept for pleasure or companionship) to work or having a pet in the Purchase Area Development District- controlled building(s), premises, and PADD vehicles with the exception of service animals.

DISCLOSURE

PADD employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when, during the course of their employment, an individual is in a position to influence a decision that may result in a direct or indirect personal gain for that employee. Any employee having a personal interest in any matter of PADD business dealings shall disclose that interest and refrain from participating in any discussion or decision related to that matter.

No employee shall be allowed to perform services or work in this region for a fee or other remuneration if that service is available from PADD. In addition, no employee shall perform any services or work for a fee or other remuneration if that work is used or becomes a part of a project plan submitted to our agency for review and/or approval.

INQUIRIES AND/OR PRESS RELEASES

The Executive Director must approve all press releases. All inquiries from the press about the business of PADD or about PADD must be referred to the Executive Director. No staff member is authorized to speak to the press on behalf of the District without prior approval.

PUBLIC RELATIONS

Speaking Engagements:

Staff members are encouraged to accept speaking engagements with civic or other appropriate organizations. An outline of prepared remarks should be kept on file with the Executive Assistant.

Public Hearings:

Any staff member presenting a statement at a public hearing on behalf of PADD or a member counsel shall have a written text with one copy kept on file in the district office.

POLITICAL ACTIVITIES BY EMPLOYEES

The purpose and activities of the Purchase Area Development District require continual involvement with political officials and public agencies at all levels of government. This interaction demands the highest level of cooperation and goodwill between PADD staff members and those public officials and agencies with whom PADD deals. Any activities, which might impair or impede such a cooperative relationship, are to be avoided.

It is realized that each staff member has a right and duty to exercise their political rights to support any candidate of their personal choosing. PADD encourages all employees, in their political activities, to avoid conflicts with local government officials. In addition, while representing PADD or on PADD premises, employees cannot display or advocate their personal political preferences.

PADD prohibits the following activities while on or off the job:

- 1) running for political office;
- 2) using official authority to interfere with or affect the result of an election; or

- 3) soliciting or discouraging the political activity of any person who has business pending with PADD.

PARTICIPATION IN COMMUNITY AFFAIRS

It is the policy of the Purchase Area Development District to encourage employees to participate in the community service affairs of charitable, educational, religious, fraternal, and civic organizations.

Employee participation in community activities must not adversely affect the employee's job performance, be detrimental to PADD's interest, or place the employee in a position of serving conflicting interests.

Time spent on community affairs, when not undertaken at the request of management, shall normally be outside of the employee's regular working hours unless prior approval from their supervisor is granted.

PADD may identify certain community activities in which it desires to be represented. An employee may be sponsored for participation or membership in organizations. Employees so designated will represent PADD in the organization and shall be expected to promote PADD's interest.

Involvement in community affairs by an employee/employer shall be upon mutual agreement between the two parties. Under no circumstances shall an employee be forced to be a member.

Employees have a responsibility when expressing opinions in a public forum to make clear whether the opinion is a personal one or an opinion of PADD. The Executive Director must approve any public communication that might be considered as representing PADD in advance.

Employees shall not discuss internal confidential affairs in any public forum

OFFICE DRESS AND PERSONAL APPEARANCE

Employees are expected to present a professional, businesslike image and should wear appropriate, clean, pressed business attire. The following are some examples of inappropriate dress that are not permitted, as they do not present a businesslike appearance. A complete list would be impossible to write.

- 1) Jeans (except on specified days)
- 2) Shorts
- 3) Clothing displaying offensive advertising, pictures, or writing

- 4) Any clothing that reveals bare backs, shoulders, or midriffs, or any form fitting, revealing or provocative clothing
- 5) Athletic wear (sweatsuits, sportswear, etc.)
- 6) Body piercing shall not be visible, except for ear piercing.
- 7) Skirts or dress shall not be more than two inches above the knee.
- 8) Flip Flops
- 9) Tennis Shoes (except on specified days or if required for medical reason)

If you are doing an activity during the workday that requires less than business attire, you may dress accordingly for that period of time.

Supervisors are responsible for determining if the dress and appearance of employees under their supervision is appropriate. If an employee is dressed inappropriately, the following steps shall be taken:

- 1) On the first occasion, the supervisor shall discuss the inappropriate clothing with the employee and review the dress policy.
- 2) On the second occasion, the employee may be sent home to change to appropriate clothing.
- 2) Further violations may result in a meeting with the Executive Director.

At its discretion, the agency may allow employees to dress in a more casual fashion than is normally required. Casual attire may be worn on Fridays. On such occasions, the employees are still expected to present a neat appearance and are not permitted to wear shorts or clothing displaying inappropriate advertising, pictures, or writing. Employee may wear jeans and tennis shoes on the specified casual days when not participating in public meetings.

WORKPLACE HARASSMENT

POLICY AGAINST WORKPLACE HARASSMENT

PADD is committed to maintaining a work environment free of harassment, whether that harassment is based on sex, age, race, national origin, religion, disability, pregnancy, military status or membership in any other legally protected group. Harassment may include, but is not limited to negative stereotyping, actions, words, jokes, comments, threatening or intimidating words or actions based any of these protected statuses.

PADD has a zero tolerance for such harassment and will not tolerate or condone verbal or physical conduct by any employee or outside vendor, supplier or invitee, who harasses, disrupts, or interferes with another's work performance or who creates an intimidating, offensive, or hostile environment. This policy applies to all PADD employees. All PADD employees are expected to refrain from any conduct that rises to the level of harassment based upon any of these above protected statuses. The Workplace Harassment Policy

Certification each employee is required to sign assuring compliance is located at the end of this Manual.

WHAT IS SEXUAL HARASSMENT?

PADD adopts the basic definition of the Equal Employment Opportunity Commission regarding sexual harassment as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when

- Submission to such conduct is an explicit or implicit condition of employment, or evaluation or advancement of an employee.
- Submission to or rejection of such conduct is used as the basis for employment, evaluation or advancement decisions.
- Such conduct has the purpose or effect of unreasonably interfering with individuals work performance or creating an intimidating, hostile or offensive work environment.

WHAT ARE OTHER FORMS OF HARASSMENT?

Harassment may take other forms such as when an employee is subjected to an intimidating or hostile work environment because of the employee's race, age, national origin, religion, disability, pregnancy, military status, or membership in any other legally protected group. This would include disparaging remarks and epithets directed toward an employee based upon these protected statuses. This type of harassment will not be tolerated in the work place by any employee or outside vendor or supplier or invitee.

PROCEDURE FOR FILING HARASSMENT COMPLAINTS

In support of its commitment to maintain an environment free of workplace harassment, PADD will treat all claims confidentially as possible, and will investigate any claims as promptly and confidentially as possible. All employees are required to cooperate in any investigation. If you believe you are being subjected to harassment in violation of this policy, you should immediately report the offending conduct to your immediate supervisor. If you are uncomfortable about reporting it to your immediate supervisor or if your immediate supervisor is the subject of your complaint, you should immediately report the conduct to the Executive Director and/or any Associate Director. In the event the Executive Director is the subject of the complaint, you should report the conduct to your supervisor or an Associate Director.

PADD will conduct an investigation of any reported workplace harassment. The employee reporting the harassing conduct may be required to submit his/her complaint in writing. The appropriate Associate Director shall conduct the investigation and report to the Executive Director. If the subject of the complaint is the Associate Director, the Executive Director

shall conduct the investigation and report to the PADD Personnel and Finance Committee. If the Executive Director is the subject of the complaint, the Chair of the Personnel and Finance Committee shall conduct the investigation and report to the PADD Board of Directors. Other employee witnesses may also be required to submit a written statement regarding any observed behavior. All employees are obligated to cooperate in the investigation, including the employee that is the subject of the complaint.

All employees of PADD have a responsibility to notify the company of any harassment, as soon as possible, so that steps may be taken to protect themselves or others from further harassment.

No person will be reprimanded or retaliated against in any way for initiating an inquiry or complaint in good faith or participating in any investigation in good faith. Falsely accusing another employee of harassment and/or providing false information in the course of an investigation is prohibited and will subject the employee to discipline. If the company determines that harassment has occurred based on an investigation, then the employee who is found to have engaged in the harassment will be subject to appropriate action by PADD up to and including termination, depending on the circumstances. Offending non-employees, customers and suppliers may be asked to leave the premises and not to return.

DRUG FREE WORKPLACE

It shall be the policy of the Purchase Area Development District that its workplace shall be drug-free in compliance with the Drug-Free Workplace Act of 1988 (PL 100-690, Title V, Subtitle D), including any future amendments. This publication provides details of this policy, a statement on dangers of drugs in the workplace, sources of information and assistance and is the basis of the Drug Free Workplace Certification form each employee is required to sign assuring compliance (located at the end of this Manual).

It is the policy of the Purchase Area Development District that no employee shall engage in unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace of the Purchase Area Development District. Controlled substances are those described in KRS 218 A.020 – KRS 218 A.140 or in regulations of the Cabinet for Human Resources, including any future additions or amendments.

The purpose of this policy is to avoid the dangers of drugs in the workplace as described further in this publication. Another purpose is to advise employees of available sources of counseling, rehabilitation and employee assistance.

Each employee is hereby notified that they shall inform the Executive Director within five (5) days of any criminal drug statute arrest and/or conviction. Upon receipt of this information, PADD will take appropriate action.

Any employee violating the terms of this policy statement is subject to immediate dismissal.

Employees found to be abusing drugs, but not convicted of any drug statute violation, will be subject to appropriate personnel action up to and including termination or be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes. The employer is not required to pay for this rehabilitation.

COMPANY PREMISES & OPERATIONS POLICIES

WEAPONS / FIREARMS IN THE WORKPLACE

The possession of weapons inside PADD offices or PADD owned vehicles by employees or members of the public is prohibited. Carrying a weapon inside the facility or PADD vehicles will subject that person to denial of entrance or removal from the premises and disciplinary action if by an employee.

For purposes of this policy, “weapon” shall mean any of the following:

- a. Conducted Electrical Weapons (CEW)s including tasers and stun guns;
- b. Any knives other than ordinary pocket knives or hunting knives;
- c. Billy club, nightstick, or club;
- d. Blackjack or slapjack;
- e. Nunchaku karate sticks;
- f. Shuriken or death star;
- g. Artificial knuckles made from metal, plastic, or other similar hard material;
- h. Oleoresin capsicum (“OC”) or pepper spray.

Exceptions: The prohibitions outlined in this policy shall not apply to persons in possession of valid concealed carry licenses, pursuant to KRS 237.110, sworn law enforcement officers, or other persons who have been granted express written consent by an authorized representative of PADD to carry a weapon into PADD facilities.

Weapons and Concealed Carry Notification: Employees possessing Concealed Carry Licenses, pursuant to KRS 237.110, who intend to carry concealed weapons on their persons on PADD property, including in PADD facilities and in PADD vehicles, shall complete a Weapons and Concealed Carry Notification Form (located at the end of this Manual) and provide a copy of such license to PADD. A copy of the Concealed Carry Notification Form and License shall be kept in the employee’s confidential personnel file for the duration of his/her employment with PADD.

Any employee whose Concealed Carry License or right to possess firearms has been renewed, restricted, suspended, or otherwise revoked, shall immediately report such renewal, restriction, suspension, or revocation to the Executive Director.

Threatening behavior strictly prohibited: No employee, regardless of his/her licensure under KRS 237.110 shall use, discharge, display, or brandish any weapon in violation of the Kentucky Penal Code, nor display or brandish a weapon in a threatening manner, or to otherwise display or brandish his/her weapon in a manner which the Executive Director may interpret to be threatening or harassing in nature.

Violation: Violation of this policy by any employee shall be the basis for discipline up to and including termination. Any violation by a non-employee may result in that person being removed or barred from the PADD's facilities.

EMPLOYEE SAFETY

PADD strives to provide safe working conditions for all employees. We observe the federal and state safety laws. No one will knowingly be required to work in any unsafe environment.

Safety is every employee's responsibility, and all employees are expected to do everything reasonable and necessary to keep the company a safe place to work. The employee should report any unsafe working conditions to an Associate Director so that they may be corrected.

3) Fires and Emergencies

In case of emergency at the main PADD office location, dial 911.

PADD has emergency procedures to follow in case of earthquakes, fire or disaster. Refer to the Emergency Plans for Earthquake, Fire, and Tornado Procedures. Exits, fire extinguishers and first aid kits are located throughout the main PADD office.

4) Accidents

The Kentucky Workers Compensation Law requires immediate and formal notice of accidents and injuries on the job. If you become injured on the job, report this to your supervisor, Associate Director or the Executive Assistant IMMEDIATELY when it occurs, no matter how insignificant the injury may seem.

5) Substance Abuse

Illegal substance use or alcohol use shall not be allowed on the PADD premises. Any violations shall be subject to disciplinary action.

6) Automobile Safety

All employees are expected to operate vehicles in a safe manner and to obey all motor vehicle laws and regulations. Employees who are involved in three (3) motor vehicle accidents within a 12-month period while operating a PADD vehicle, where the accidents are deemed to be the fault of the employee, will be disqualified from operating a PADD vehicle for 12 months.

In accordance with Kentucky state law regarding seat belt usage, employees are required to wear their seat belts at all times when operating the PADD staff cars. Employees shall be required to wear their seat belts in their personal vehicles when they are conducting PADD business.

No employee shall operate the PADD staff cars while under the influence of alcohol or if impaired by medications. No employee shall operate their personal vehicle under the influence of alcohol or impaired by medications during office hours or while conducting PADD business.

Any violations shall be subject to disciplinary action.

TOBACCO FREE

All PADD owned buildings and vehicles are tobacco and vaping free.

OFFICE VISITORS

All visitors must check in with the receptionist and wait until the staff member comes up front to take them back to their office.

Employees are asked to discourage visitors that are not visiting for business purposes.

TELEPHONE USE

The office telephones are for conducting the business of the Area Development District. All personal phone calls should be kept to a minimum during working hours. On occasion, personal calls may be necessary, but we ask your cooperation in limiting them to emergencies or essential personal business and in keeping them brief. Personal cell phones in the office shall be set to vibrate or silent.

Under no circumstances should a personal phone call be made at the switchboard, either by the receptionist, employees, or outside parties.

If you must make personal long-distance calls, it will be necessary to use your personal calling card. Personal long-distance calls shall not be charged on PADD's phone bill. You have the option of using your own personal cell phone or long distance calling card.

CELLULAR PHONE USE

ADD cellular phones are to be used for business purposes; the office must be reimbursed for any personal calls. Associate Directors, Department Heads and the Public Administrative Specialist may be reimbursed for the minimum cost of data plans on their personal phones; this is for the purpose of insuring senior staff have access to business e-mail communication when traveling out of the office. Should the employee being reimbursed not make use of this access to business e-mail, the reimbursement will be discontinued.

ELECTRONIC INFORMATION

Electronic information resources which include, but are not limited to, voice mail, E-mail, the Internet and other network files or accounts, are available to employees of Purchase Area Development District, herein known as PADD. The goal in providing electronic information service to employees is to promote efficiency and excellence in the workplace by facilitating resource sharing, innovation, communication, cooperation, and collaboration. In addition to the following electronic information policies, employees must adhere to the "Workstation Privacy and Security" policies located in the HIPAA section of these (PADD) policies

E-mail and Internet Policy for Purchase Area Development District

- 1) E-mail and the Internet are for conducting the business of the Area Development District.
- 2) Personal E-mails and use of the Internet should be kept to a minimum during working hours.
- 3) Offensive or vulgar E-mail messages such as messages that contain sexual or racial comments are strictly prohibited, in conformity with the company's existing policies against harassment and discrimination.
- 4) Employees may not attempt to gain access to co-worker's e-mail or computer files without prior authorization.
- 5) Employees are prohibited from using E-mail, the Internet, or other parts of PADD's system to transmit confidential or privileged information outside the PADD without prior written permission.

- 6) PADD owns the E-mail and Internet system and the information transmitted and stored within it. Employees have no expectation of privacy or confidentiality in any of their E-mails. Employee E-mail and Internet will be monitored from time to time and is subject to inspection at any time.

Installation or downloading of unauthorized software (including screen savers, wallpaper, games, etc.) will be prohibited on computers owned by the Purchase Area Development District. Authorized software includes software purchased by PADD or software purchased by the employee to be used for work purposes. All software installed on PADD equipment must be legal, registered, and approved by the Network Administrator.

All software media purchased by PADD shall remain in the possession of the Network Administrator and will not be allowed to be copied for home use by PADD employees. Likewise, downloading of software purchased by PADD through a modem connected to the Local Area Network will not be allowed.

Random checks will be made on PADD equipment to verify that there is no illegal software being used. Anyone found to be using such software will be warned and the software deleted. Repeated violations shall be cause for disciplinary action.

The use of electronic information resources is a privilege, not a right. Inappropriate use of these resources may result in disciplinary action. The Executive Director may limit, suspend, or revoke access to electronic resources at any time.

Transmission or intentional receipt of any inappropriate material or material in violation of law or PADD policy is prohibited. This includes, but is not limited to:

- Copyrighted material; threatening or obscene material.
- Material protected by trade secrets.
- The design or detailed information pertaining to explosive devices.
- Criminal activities or terrorist acts.
- Sexism or sexual harassment.
- Creating, downloading, viewing, storing, copying, or transmitting sexually oriented material (e.g., pornography).
- Gambling.
- Illegal solicitation.
- Racism.
- Inappropriate language.
- Use of product advertisement, or political lobbying.
- Using peer-to-peer (P2P) file sharing services, such as Napster, Gnutella, KaZaA.
- Using any software that allows your computer to be shared outside the PADD firewall.
- It is prohibited to reveal personal information, such as: home address, phone

numbers, password, credit card numbers or social security number; this also applies to others' personal information or that of organizations or clients, unless permitted by law.

PADD employees are expected to abide by the generally accepted rules of user etiquette. These rules include, but are not limited to the following:

- Be polite.
- Never send or encourage others to send abusive messages.
- Use appropriate language.
- E-mail is not guaranteed to be private. Anyone on the system has potential access to mail. Whatever is written, sent, or received on an isolated terminal has the potential to be viewed globally.
- Do not use the network in any way that would disrupt network use by others.
- Messages relating to or in support of illegal or inappropriate activities must be reported to an Associate Director.

For purposes of this document, e-mail includes point-to-point messages, postings to newsgroups and list serves and any electronic messaging involving computers and computer networks.

While not an exhaustive list, the following uses of e-mail by individuals or organizations are considered inappropriate and unacceptable at PADD. In general, e-mail shall not be used for the initiation or re-transmission of: chain mail, harassing or hate mail, virus hoaxes, spamming or email bombing attacks, junk mail or false identification.

Vandalism is defined as any malicious attempt to harm or destroy property of the user or another user that are connected to the network, or the Internet system. Vandalism also includes but is not limited to intentional overloading of data on the server, or the uploading, downloading or creation of computer viruses.

SOCIAL MEDIA

Employees may maintain web blogs, may contribute posts to the blogs of other persons, and may maintain and participate in other social media, such as Twitter, Facebook, MySpace, Plaxo and LinkedIn (collectively, "social media"). In some instances, the Area Development District may benefit from appropriate use of social media. Still, these sites have nearly unlimited communications potential, nearly unlimited duration and retention, and, unless the creator restricts access, they may be accessed by anyone around the world with access to the Internet. To protect the Area Development District's interests, employees who participate in social media are expected to abide by the following guidelines:

- PADD time is not to be used for social media, including updating your personal website or profile, unless it is work related or you have received prior authorization from the Executive Director.

- When discussing your work on a social media website, whether at home, work or otherwise, you must abide at all times with all legal and ethical requirements, as well as the PADD's policies.
- You may not disclose via social media any of the PADD's confidential or trade secret information including, without limitation, information about PADD products, services, customers, employees and vendors learned in the course of employment.
- You may not use in social media any materials belonging to the PADD, including promotional and marketing materials, unless you have received prior authorization from the Executive Director.
- You may not use in social media the PADD's logo, letterhead or other trademarked material, including a picture of yourself wearing or displaying the PADD's logo, unless you have received prior authorization from the Executive Director.
- You may not post or publish via social media photographs of yourself in any PADD location or on the PADD's premises unless you have received prior authorization from the Executive Director. Likewise, you may not post photographs of other PADD employees while working at or for the PADD without their express approval to do so.

Finally, when using social media, you must be respectful. You may not post discriminatory, defamatory, libelous or slanderous comments when discussing the PADD, its officers, your supervisors or co-workers, our customers or our competitors on any social media. You should not use social media as a vehicle for personal attacks. Social media postings by you that reflect negatively on the PADD, its employees, vendors or customers, or that otherwise violates any provision of this policy may result in discipline up to and including termination from employment.

Personal Use:

Employees are allowed to have personal social networking sites. These sites must remain personal in nature and be used to share personal opinions or non-work-related information. This helps ensure a distinction between sharing personal and agency views. In addition, employees should never use their PADD e-mail account or password in conjunction with a personal social networking site.

OFFICE EQUIPMENT

Any equipment taken out of the PADD office building must be checked out for professional use only. The staff person who is taking the equipment must return the equipment to its proper location as per the equipment listing. This includes all large and small equipment, including extension cords, cameras, tape measures, etc.

The Executive Director must approve, in advance, any outside agency or organization requesting the use of PADD equipment.

TRAVEL POLICIES

Travel Approval

All out-of-district travel requires prior approval of the immediate supervisor and Associate Director or Executive Director. All in-district travel is to be approved and coordinated by the appropriate supervisor.

Any employee attending a convention, school, workshop, forum or meeting, etc. outside the district shall first secure the written approval of the Associate Director or Executive Director through the employee's immediate supervisor on the proper form. All out of state travel must be approved by the Executive Director.

Airline Reservations

All air travel must have prior approval of the Executive Director and Associate Director. The Executive Assistant will make all airline reservations. Tickets that are purchased without prior approval may not be reimbursed.

Hotel Reservations

Hotel reservations must be made by the Executive Assistant. Requests must be submitted to the Executive Assistant along with a Hotel Reservation Request form and an approved Travel Cost Authorization form.

Any changes in travel plans must be reported to the Executive Assistant to avoid any unnecessary fees charged to the company credit card.

Guaranteed reservations not used will be the personal responsibility of the staff and no reimbursement will be made for the expenses. This action is necessary because this type of expense is unallowable under Federal Management Circulars.

Travel Expenses

Travel expense while in official travel status shall be allowed as follows:

Transportation

- 1) The use of personal automobiles is permitted only upon approval by the Executive Director or Associate Director. Otherwise, Employees are required to use staff cars that are provided for staff use during travel. Should an employee have to utilize their personal vehicle for work related travel, a MapQuest map will be required as backup for all mileage in which reimbursement is requested. This documentation must be submitted with said employees travel reimbursement request each month.

- 2) The mileage compensation for board members and staff using personal vehicles shall be at the rate authorized by the Personnel and Finance Committee or the PADD Board. The mileage compensation shall not exceed an amount equivalent to mileage to and from the PADD office and the employee's destination. For example, an employee cannot travel directly to a work destination from his or her home and request mileage compensation in excess of the trip had he or she driven from the PADD office. However, if the actual mileage to and/or from the employee's work destination is less than mileage to and/or from the PADD office, no mileage would be compensated.
- 3) Public transportation shall be utilized at reasonably economical means. For air travel, less than first class shall be used, if available.
- 4) For major trips where an employee chooses to drive rather than fly, the lesser of cash in lieu of plane fare or mileage reimbursement shall be paid. The payment of such mileage will be based on the most direct route from the point of departure to the point of destination.
- 5) Under justifiable circumstances and for expediency, the Executive Director may authorize other travel means including chartered aircraft.
- 6) Employees should carpool whenever possible when attending meetings in the same general locations.
- 7) Staff and board members are paid for the following whether they drive their own car or a staff car:
 - a) Actual expenses for parking, tolls, taxicabs and shuttle buses will be reimbursed, provided a receipt is presented. No reimbursement shall be claimed without a receipt.
- 8) PADD assumes no responsibility for traffic violations incurred by staff while on agency business, whether they are in their personal car or a staff car.
- 9) If you are involved in an accident, no matter how trivial the accident or damage may appear, you must call the police and immediately report to the Receptionist or your immediate supervisor.

Hotel

- 1) Hotel expenses shall be reimbursed at the single room rate plus taxes. If two staff members are sharing a room, the double room rate will be reimbursed. PADD is exempt from sales tax. Some hotels will honor this exemption, and others will not.

- 2) PADD does not pay for meals, personal phone calls, or movies charged to the room. PADD will pay the hotel phone access fee.

Per Diem

The standard rate of per diem allowance shall be paid for meals reimbursement in-lieu-of submitting receipts for any trips outside the PADD 8 county district for overnight travel.

Rate of reimbursement for per diem will follow the Kentucky Subsistence and Incidentals reimbursement schedule when traveling out of district overnight.

Reimbursement of Travel Expenses

- 1) Employees will be reimbursed the cost of meal tickets when they are required for attending business lunch meetings in the district. The ticket receipt must be attached to your travel voucher.
- 2) Employees may request a travel advance if their travel expenses are estimated to exceed a reasonable amount. Travel advances will only be issued for the actual amount of hotel expenses.
- 3) An expense voucher to which all receipts required by adopted travel regulations have been attached shall be submitted for all reimbursable expenses.
- 4) Travel expenses must be itemized and properly identified on a Travel Expense Voucher Form. Each employee is responsible for filling out and turning in their Travel Expense Voucher Form to their Supervisor and Associate Director by the designated date.
- 5) It shall be the responsibility of each employee submitting a Travel Expense Voucher Form to ensure that the voucher is mathematically correct and to certify by his/her signature that all expenses claimed are proper and correct.
- 6) The appropriate Associate Director shall review the Travel Expense Voucher Form for completeness and conformance to these regulations and initial his/her approval.
- 7) All Travel Expense Voucher forms must be submitted to the Finance Department.

Executive Director Travel

All out of state travel for the Executive Director shall be approved by the Personnel and Finance Committee.

Board Travel

Purchase Area Development District Board members will be eligible to attend conferences, where PADD participates, at District expense only if they have participation on site in at least two-thirds of the Board meetings for the previous 12 months or two-thirds of the meetings since the effective date of their appointment to the Board, if they have been members of the Board less than one year. Board members meeting these criteria may be eligible to attend one out-of-state conference at PADD expense. Exceptions to this policy may be granted by the Executive Director and Board Chairman when determined to be in the best interest of the District.

Board members that carry designated responsibility for the District such as Board officers, committee chairmen, or other Board members designated by the Board may attend any additional conference authorized by the Executive Director. Transportation to and from the conference will be arranged through the PADD by the most efficient and economical means available. Any Board or staff wishing to travel by other means than the above group must have approval of the Executive Director for reimbursement.

Allowable costs to be claimed on a travel voucher for out-of-district travel can include:

- Mileage of privately-owned vehicle;
- Actual toll charges;
- Parking fees;
- Actual room costs;
- A per diem allowance;
- Cab fares;
- Registration fees;
- Air accommodations;
- Rental car use;
- Tips are reimbursable at a rate of 15 percent of the per diem/state subsistence allowance for meals; and,
- Other expenses incurred which the Executive Director or his designee authorizes and approves prior to the occurrence.

OFFICE SOLICITATION

It is the office policy not to allow any outside commercial solicitation. Prohibited types of activities include the following:

- The sales of commercial or for-profit products such as Avon, Tupperware, jewelry.
- Commercial products or list to purchase products that are left in the kitchen or lobby area.
- The advertising of commercial product.

The following types of activities are allowed if they can be dealt with discretely:

- Community charities, e.g., blood drive, March of Dimes, Relay for Life.
- A one-time announcement, via e-mail or voice mail, for nonprofit fund-raisers, e.g., Girl Scout Cookies, School Projects. No door-to-door solicitation.
- The PADD family socials, e.g., baby showers, wedding showers, farewell gift.
- State-implemented raffles.

Any solicitation that is permitted should not interfere with company time or personnel work time.

WORKING CONDITIONS & BENEFITS

WORK HOURS

Standard Work Week and Hours

The standard workweek shall begin at 12:01 a.m. on Sunday morning and end at midnight on Saturday night. The standard workweek shall consist of 37.5 hours. The standard workday is 7.5 hours per day.

The standard office hours shall be from 8:00 a.m.- 4:30 p.m. Monday through Friday. It is expected that you arrive by 8:00 a.m. and that you leave no earlier than 4:30 p.m. if you are working the standard office hours. If you work at a Career Center, it is expected that you arrive and leave at your assigned work hours.

Employees are required to account for any time out of the office and their whereabouts during normal office hours, by signing out at the receptionist desk. The sign out sheet includes:

- Date and time expected to be out of the office
- Reason for being out of the office (such as work related, annual leave, sick leave, etc.)
- Specific whereabouts (such as Department of Local Government in Frankfort, Judge's office at Courthouse, type of meeting, or home if on leave)

If you are unexpectedly out of the office or delayed beyond your expected return time, you are to contact the receptionist or your immediate supervisor.

Non-Standard Work Hours

When the nature of the work requires working hours other than the standard work hours, the Associate Director may adjust hours accordingly, upon the approval of the Executive Director

PROMPTNESS

All employees are expected to be prompt in reporting to work in the morning and returning from lunch or other office absences.

Supervisors will exercise the primary management-level responsibility to control employee attendance. Excessive tardiness and/or absences are undesirable performance factors and shall be managed by the immediate supervisor. Employees engaging in this behavior will be subject to discipline, up to and including termination.

MEAL AND BREAK PERIODS

Employees are to be allowed a one-hour unpaid lunch period as close to the middle of the employee's work shift as possible, and two ten-minute paid rest periods during their shift, one during the first part of their shift and one during the second part of their shift. The standard lunch hour is from 12:00 Noon to 1:00 PM.

Part-time employees working less than 37.5 hours per week shall be allowed a lunch period if they are scheduled to work five consecutive hours during any workday.

Employees shall not be required to take a lunch period no sooner than three hours or no later than five hours from the time their work shift commences.

Employees classified as non-exempt personnel (those not exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for their lunch periods unless they are required to work during their lunch periods. Lunch periods are for a one-hour period. In no instances, shall non-exempt personnel take less than thirty minutes for a lunch period, in order to avoid working overtime hours in excess of 40 hours per week.

Lunch periods are to be arranged so at least one employee is available to operate the telephone switchboard at all times.

Employees on their lunch period are not permitted to interfere with other employees who are continuing to work.

A kitchen is provided for employee breaks and meals at the PADD office. In order to maintain a professional atmosphere, meals should not be eaten in open areas visible to guests, with the exception of meals served during meetings.

HOLIDAYS

Paid holidays observed by the PADD will conform to the schedule of holidays observed by the Commonwealth of Kentucky.

Reasonable time off to vote shall be granted.

- 1) New Years Eve
- 2) New Years Day
- 3) Martin Luther King Day
- 4) Good Friday - Office closes at 12:00 noon. (Staff given 3.5 hours off)
- 5) Memorial Day
- 6) Fourth of July
- 7) Labor Day
- 8) Veterans Day
- 9) Thanksgiving Day
- 10) Friday after Thanksgiving
- 11) Christmas Eve
- 12) Christmas Day

Regular full-time employees and temporary employees who regularly work 37.5 hours per week shall receive paid holidays.

INCLEMENT WEATHER POLICY

With hazardous driving conditions always a possibility, the Purchase Area Development District has issued an inclement weather policy, which applies any time of the year.

The Purchase Area Development District offices remain open and working hours do not alter due to weather conditions. An employee who chooses not to report to work or chooses to leave early because of adverse weather conditions has the option to take sick or annual leave. If sick leave time has been exhausted annual leave should be taken. In the event that sick leave and annual leave has been exhausted the employee will take leave without pay. The appropriate Associate Director must approve all absence because of adverse weather.

- Employees who are on prearranged annual or sick leave shall charge leave as originally requested.
- Where operational needs allow, except for an employee in mandatory operations, management shall make every reasonable effort to arrange schedules, so an employee can have the opportunity to make up time rather than charge it to leave.
- An employee shall not make up time if the work would result in the employee working more than 40 hours in a workweek.
 - Time lost shall be made up within four months from the absence.

- If an employee transfers or separates from employment before the leave is made up, the leave shall be charged to annual or sick leave or deducted from the final paycheck.
- ◆ If catastrophic, life-threatening weather conditions occur, as created by a tornado, flood, ice storm or blizzard, and it becomes necessary for authorities to order evacuation or shutdown of any PADD office(s), the following shall apply:
 - An employee who is required to evacuate or who would report to a location that has been shut down, shall not be required to make up the time lost from work during the period officially declared hazardous to life and safety.
 - An employee who is required to work in an emergency situation shall be compensated.

Only the Executive Director has the authority to close the Purchase Area Development District offices. Managers do not have the authority to send employees home because of weather conditions. Questions concerning this matter should be directed to the appropriate Associate Director.

LABOR LAWS, OVERTIME AND COMPENSATORY LEAVE POLICY

I. Kentucky Wage and Hour Laws

A. Compliance

PADD shall comply with the provisions of the applicable state and federal wage and hour laws.

II. Standards

PADD shall comply with the applicable provisions of the state and federal wage and hour laws. Each employee shall be classified as exempt or non-exempt according to the definitions contained in the applicable regulations. The classification of exempt or non-exempt is used only to determine if the applicable overtime provisions apply to the employee.

A. Classifications

- 1) The following shall be used to identify the classification of each employee.

Exempt - Exempt employees, as defined in the applicable regulations, are exempt from overtime pay.

Non-exempt - Non-exempt employees, as defined by the applicable regulations, are subject to overtime pay in the manner prescribed in this

policy.

- 2) PADD shall review each employee's position duties and responsibilities and apply applicable exemption tests to determine if an employee is exempt or non-exempt. If an employee changes positions, the exemption tests shall be applied to the new position.

B. Recordkeeping

PADD shall maintain records for each employee identifying their classification as either an exempt or non-exempt employee.

III. Approval of Hours in Excess of Standard Work Hours

A. Standard Work Hours

PADD's standard work hours shall consist of 7.5 hours per day and 37.5 hours per workweek. The standard workweek is defined in the Work Hours Policy.

B. Prior Approval

All non-exempt employees must receive prior approval from their Associate Director or the Executive Director for any hours to be worked in excess of the standard work hours including the following:

- 1) hours in excess of 7.5 hours per work day; or
- 2) hours outside assigned working hours; or
- 3) hours in excess of 37.5 hours per work week.

C. Emergencies

Hours to be worked in excess of standard work hours resulting from emergency situations where an employee cannot obtain prior written approval due to both the Associate Director and the Executive Director being out of the office will be reviewed on an individual basis by the Associate Director and the Executive Director.

D. Modification of Work Schedules

PADD reserves the right to modify work schedules in any given workweek so that an employee shall not work in excess of 40.0 hours per workweek.

IV. Non-Exempt Employees

Non-exempt employees, as defined by the applicable regulations, are subject to overtime pay in the manner prescribed in this policy.

A. Computing Overtime Hours

Only actual hours worked per workweek will be used for purposes of computing overtime hours for non-exempt employees. Any time taken as annual leave, sick leave, holiday, or any leave of absence shall not constitute working hours for the purpose of computing overtime hours.

B. Rate of Overtime Pay

Employees classified as non-exempt shall earn overtime pay at the rate of one and one-half times their regular rate of pay for actual hours worked in excess of 40 hours per workweek.

C. Payment for Actual Overtime Hours Worked

Non-exempt employees whose actual hours worked exceed 40 hours per work week shall be paid for the overtime hours in the pay period immediately following the pay period in which the overtime occurred.

D. Donated Time

Non-exempt employees shall not donate work time to PADD at any PADD office or other location.

E. Compensatory Time

Hour for hour compensatory time, as a rule, shall not be allowed. However, where the programs of PADD would require a non-exempt employee to work in excess of 37.5 hours during a work week, that employee will be given hour for hour compensatory leave time up to 2.5 hours. Requests for use of time must be submitted in advance to the supervisor and Associate Director and shall be used within the same week it was earned. Under no circumstances shall a non-exempt employee work more than 40 hours in a given week without the express consent and approval of their Associate Director and the Executive Director. In the event a non-exempt employee is required to work more than 40 hours in a work week, the employee shall be entitled to compensatory leave at a rate of one and a half hours off for every hour worked in excess of 40. The compensatory leave must be taken within the next pay period and under no circumstances is any employee permitted to accrue compensatory leave beyond the next pay period it was earned.

V. Exempt Employees

Exempt employees, as defined in the applicable regulations, are exempt from overtime pay.

Under certain circumstances such as times when an exempt employee has worked a substantial amount of time beyond 40 hours in a workweek, compensatory time for some portion of hours worked beyond 40 hours in a work week may be taken if approved by the appropriate Associate Director and Executive Director. Exempt employees are not entitled as a matter of right to compensatory leave except if permitted by the appropriate Associate Director and Executive Director. Under no circumstances shall the exempt employee be permitted to accrue compensatory leave time.

VI. Time Records

- 1) Exempt and non-exempt employees are required to fill out monthly time records showing the daily hours worked. The time records indicate the number of hours worked in a week.

Non-exempt employees shall utilize the following points in filling out time records:

- a) Non-exempt employees are not permitted to begin work before their normal starting time or continue to work after their normal quitting time without prior approval of their Supervisor and Associate Director or Executive Director.
- b) Non-exempt employees are required to take scheduled lunch breaks.
- c) Non-exempt employee time records shall be checked and signed by the Supervisor and Associate Director or Executive Director.
- d) The Associate Director shall authorize overtime of non-exempt employees on the time records.
- e) Unapproved absences shall not be considered as hours worked for pay purposes. Associate Directors shall inform non-exempt employees if they will not be paid for certain hours of absence.
- f) The filling out of another employee's time record or the falsifying of any time record is prohibited and may be grounds for disciplinary action, up to and including termination.

VII. Violation of Policy

Any employee who violates any part of this policy will be subject to disciplinary action.

PAY PRACTICES, PERIODS AND PROCEDURES

Employees shall be compensated twice monthly on the 15th and the last day of each month. In the event the payday occurs on a weekend, employees will be compensated prior to the close of business on the last working day.

PADD utilizes direct deposit through a local bank for employees' payroll. A Direct Deposit Authorization Form shall be submitted to the Finance Department.

FRINGE BENEFITS

PADD provides a comprehensive package of employee benefit programs for its employees.

Complete and official details of insurance and benefit plans are contained in the individual booklets that employees receive when they are enrolled in the plan. The descriptions listed below are only brief summaries for your general information.

Our group health and dental insurance plans may be continued after you terminate employment under the provisions of the federal law of the Consolidated Omnibus Reconciliation Act (COBRA). Your health insurance plan booklet defines the COBRA continuation coverage available after termination.

The following benefits are available to regular full-time employees. Part-time and temporary employees are not eligible for participation.

Health Insurance:

Because the PADD is part of the state insurance, the PADD will follow the state guidelines for insurance withholding.

Dental Insurance:

PADD provides dental insurance to regular full-time employees.

Life and Disability Insurance:

Life insurance is effective immediately upon employment. Disability insurance is effective after 60 work days. The PADD pays 100% of both premiums.

Social Security and Medicare Taxes

Regular full-time employees are exempt from Social Security taxes.

Part-time and temporary employees not eligible for the retirement program are subject to social security taxes.

All employees hired after 3/31/86 are subject to Medicare taxes.

Unemployment Compensation:

All employees are covered under the State Unemployment Act. PADD pays the entire cost of unemployment compensation.

Workers Compensation:

PADD operates under the provisions of the Kentucky Workers Compensation Act that provides benefits for injuries incurred while on the job. PADD pays the entire cost of the Workers Compensation Insurance policy.

RETIREMENT

PADD employees participate in the Kentucky County Employees Retirement System (CERS) and the Kentucky Public Employees Deferred Compensation Plan (401-K) and the Purchase Area Development District KY 401A Plan.

PADD shall contribute the required percentage for eligible employees who participate in the CERS Pension Plan. In addition, the employee is required to make a mandatory contribution of 5.00% to the CERS Pension Plan through payroll withholding. Employees hired after September 1, 2008, are required to contribute an additional 1% unless they had prior participation in the Kentucky retirement system plan. The Board of Directors of the Kentucky Retirement Systems determines the employer rate for the Kentucky CERS. The employee rate is established by legislation by the Kentucky General Assembly.

Participation in the 401-K plan will range from required minimum of 1% to the Kentucky Public Employees Deferred Compensation Plan (401K) allowed maximum of adjusted gross annual compensation. The district has an incentive program in place to match certain levels of employee contributions.

Temporary employees participate in the CERS plan for each month they average working 100 or more hours after they have completed twelve months of employment.

Part time employees participate in the CERS plan each month they average working 100 or more hours.

All retiring employees are asked to give appropriate notification dependent upon their retirement plan.

Retiring employees shall be eligible to reapply for future employment. All CERS guidelines will be followed.

ANNUAL LEAVE POLICY

PADD encourages and requires each regular full-time employee to take annual leave as paid time off away from work. The purpose of annual leave is to provide the employee a restful break and/or to handle personal matters.

Annual leave may be taken in 15-minute increments. Any portion of 15 minutes shall be counted as 15 minutes.

All annual leave must have the prior approval of your supervisor and the Associate Director. In their absence, another Associate Director or the Executive Director may approve annual leave. Prior to taking annual leave, the employee shall inform their supervisor and the receptionist when they plan to leave the office and when they will be returning.

Regular full-time employees shall earn annual leave based on years of service as follows:

Years of Service	Monthly Accrual Schedule
0 – 5 Years	1 day per month or 7.5 hours
6 - 10 Years	1 ¼ days per month or 9.5 hours
11-15 Years	1 ½ days per month or 11.25 hours
16 Years and over	1 ¾ days per month or 13.25 hours

The maximum accumulation of annual leave for any employee shall not exceed 40 days or 300 hours at the end of the calendar year.

An employee shall be paid for the remaining balance of their annual leave, not to exceed 40 days or 300 hours, at their termination date, provided he/she has given a minimum of two weeks' notice and is up-to-date with all programmatic job responsibilities (i.e. case notes, home visits, reports, etc.). Annual leave payout due to involuntary termination is at the discretion of the Executive Director.

SICK LEAVE POLICY

Sick leave may be granted for personal illness, hospitalization, or doctor's appointment of an employee. Sick leave may be used for six to twelve weeks for maternity care or care of an adoptive child. This policy shall be adhered to in accordance with the Family Medical Leave Act (FMLA) policy.

An employee may also use their sick leave for the hospitalization or illness of an immediate family member, when necessary. Immediate family shall be defined as: spouse, children, foster children, step-children, parents, and significant others living in the employee's household.

An employee may use sick leave for bereavement as defined in the Bereavement Policy. Regular full-time employees shall earn sick leave at a rate of 1.25 days or 9.5 hours per month. Sick leave may be taken in 30-minute increments. Any portion of 30 minutes shall be counted as 30 minutes. The maximum accumulation of sick leave for any employee shall not exceed 120 days or 900 hours at the end of the calendar year. Sick leave is forfeited at the time the employee leaves employment. Temporary and part-time employees shall not earn sick leave.

The employee shall notify their supervisor as soon as possible of any sick leave. The employee shall submit sick leave for doctor's appointments for approval in advance by their supervisor. If an employee calls in sick, the employee shall complete a sick leave record immediately upon their return to work and submit it to their supervisor for approval. PADD may require a doctor's excuse for more than 3 consecutive days of sick leave.

If an employee is on disability or medical disability leave of absence, the employee must return to work when their doctor or if appropriate, a company-appointed doctor determines that the employee is able to resume normal duties.

Once an employee meets the requirements of the long-term disability policy and is eligible to receive disability benefits, they will no longer be on paid sick leave. The employee shall retain any accumulated balance of sick leave they have at that time and this sick leave will be available to them upon their return to work.

PADD may require an employee who has been on extended sick leave to submit a doctor's release that states that the employee may return to work and state any limitations, if applicable.

PADD shall pay the employer portion of the premiums for health, dental, disability and life insurance for employees on involuntary leave without pay until such time that the employee is eligible for benefits under PADD's long-term disability insurance. Before the employee is eligible for long-term disability benefits, the employee shall be responsible for only their portion of the insurance premiums.

Once the employee is eligible for long-term disability benefits, the total premiums for health, dental, disability and life insurance shall become the responsibility of the employee.

If an employee does not return to work after taking involuntary leave without pay and is not eligible to receive disability benefits under PADD's long-term disability policy, then the employee must reimburse PADD for the insurance premiums paid by PADD for the employee during the time they were on involuntary leave without pay.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

As provided by the 1993 Family and Medical Leave Act (FMLA), all eligible employees shall be entitled to take up to 12 weeks of unpaid, job-protected leave during any 12-month period for specified family and medical reasons.

Covered Family and Medical Reasons. An eligible employee shall be entitled to 12 weeks of unpaid leave during a 12-month period for one or more of the following reasons:

1. the birth or placement of a child for adoption or foster care;
2. to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
3. to take medical leave when the employee is unable to work because of a serious health condition;
4. a serious health condition, which shall be defined as an illness of a serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice, or residential medical care facility, or would consist of continuing care provided by a licensed health care provider.

An employee may take leave if a serious health condition makes the employee unable to perform the functions of his/her position. Employees with questions about whether specific illnesses are covered under this policy or under PADD's sick policy are encouraged to meet with their department Associate Director and the Associate Director of Finance.

Employee eligibility. An employee shall be entitled to family leave when he/she meets the following criteria:

1. The employee has worked for at least 12 months for PADD. The 12 months need not have been consecutive. (If the employee was on the payroll for part of a week, PADD will count the entire week. PADD considers 52 weeks to be equal to 12 months.)
2. The employee has to have worked for the employer for at least 1,250 hours over the 12 months before the leave would begin.
3. The employee must work in an office that employs 50 or more employees, or there must be 50 employees within 75 miles of the office or worksite. At

PADD, all employees work within a 75-mile radius of PADD's office.

Calculation of Leave. Eligible employees can use up to 12 weeks of leave during any 12-month period. PADD will use a rolling 12-month period measured backwards from the date an employee uses any FMLA leave. Each time an employee uses leave, PADD computes the amount of leave the employee has taken under this policy, subtracts it from the 12 weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken 5 weeks of leave in the past 12 months, he or she could take an additional 7 weeks under this policy. Should the full amount of FMLA leave be exhausted by the employee during the rolling 12-month period, his or her employment may be terminated.

Maintenance of Benefits. An employee shall be entitled to maintain group health insurance coverage on the same basis as if he/she had continued to work at PADD. To maintain uninterrupted coverage, the employee will have to continue to pay their share of insurance premium payments. This payment shall be made either in person or by mail to the PADD Finance Department by the 25th day of the month. If the employee's payment is more than 30 days overdue, then the coverage will be dropped by PADD.

If an employee informs PADD that he/she does not intend to return to work at the end of the leave period, PADD's obligation to provide health benefits ends. If an employee chooses not to return to work for reasons other than a continued serious health condition, PADD will require the employee to reimburse PADD the amount that PADD contributed towards the employee's health insurance during the leave period.

Certain types of earned benefits such as seniority may not be accrued during the leave period. However, the use of family of medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Job Restoration. An employee who utilizes family or medical leave under this policy will be restored to the same job or a job with equivalent status, pay, benefits, and other employment terms.

PADD reserves the right to request a fitness for duty certification from the employee's health provider.

PADD may choose to exempt certain highly compensated, "key" employees from this job restoration requirement and not return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If PADD deems it necessary to deny job restoration for a key employee on FMLA leave, PADD will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Use of Paid and Unpaid Leave. If an employee has accrued paid leave of less than 12 weeks, the employee will use paid leave first and take the remainder of the 12 weeks as unpaid

leave. The use of the employee's sick and other accrued leave shall run concurrently with FMLA leave.

Intermittent Leave and Reduced Work Schedules. In certain cases, intermittent use of the 12 weeks of family or medical leave or a part of a reduced work week may be allowed by PADD. Employees wishing to use leave intermittently or to utilize a reduced workweek for birth or adoption purposes will need to discuss and gain approval for such use from the Executive Director.

Employees may also use family or medical leave intermittently or as part of a reduced workweek whenever it is medically necessary. If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the PADD's operations. This provision is subject to the approval of the health care provider.

In some cases, PADD may temporarily transfer an employee using intermittent or a reduced workweek to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

PROCEDURES:

Procedure for requesting leave. All employees requesting leave under this policy must complete the Family/Medical Leave form available from the Associate Director of Finance.

When an employee plans to take leave under this policy, the employee must give PADD 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is possible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to PADD's operations. While on leave, employees are requested to report weekly to PADD regarding the status of their medical condition, and their intent to return to work.

Procedure for Notice and Certification of Serious Health Condition. On occasion, PADD may require the employee to provide notice of the need to utilize leave (where it is possible to know beforehand) and/or may require the employee to provide certification of an employee's or immediate family member's serious health condition by a qualified healthcare provider. The employee should try to respond to such a request within 5 days of the request or provide a reasonable explanation for the delay.

Qualified health care providers include: Doctor of Medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners and nurse-midwives authorized to practice under State law and performing within the scope of their practice under state law; and Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.

When seeking certification of a serious medical condition, an employee should ensure that

the certification contains the following:

1. Date when the condition began; expected duration; diagnosis; and a brief statement of treatment.
2. If employee is seeking medical leave for his/her own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee's position.
3. For a seriously ill family member, the certification should include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
4. If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, PADD may ask for a second opinion. PADD will pay for the employee to get certification from a second doctor, which PADD will select. If there is a conflict between the original certification and the second opinion, PADD may require the opinion of a third doctor. PADD and the employee will jointly select the third doctor, and PADD will pay for the opinion. The third opinion will be considered final.

LEAVE OF ABSENCE WITHOUT PAY

The Executive Director may authorize up to 30 calendar days for leave without pay.

BEREAVEMENT LEAVE POLICY

The purpose of the bereavement pay policy is to prevent the loss of wages at an already difficult time. As such, it allows up to a maximum of three (3) days regular pay for lost time during regularly scheduled workdays. It does not apply to days when the employee is not scheduled to work.

An employee may use up to 3 days, this may include the day of death up to one day after the burial, bereavement leave with pay for working time lost in connection with the death or funeral of someone in your immediate family. The employee's immediate family includes spouse, father, mother, children, step-children, grandchildren, grandparents, brother, sister, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, spouses grandparents, or any person who has assumed a parental relationship with the employee, and any member of the employee's household.

For any other family members, up to 1 day of sick leave may be used to attend the funeral.

For non-family deaths, an employee may use annual leave to attend the funeral. In the event that an employee attends the funeral or visits the funeral home of a PADD associate, the time shall be considered work and not be counted toward sick or annual leave, as approved by the Supervisor/Associate Director.

MILITARY LEAVE OF ABSENCE POLICY

Extended Military Leave

In a declared war, a military leave of absence without pay will be granted if an employee is inducted or recalled to active duty in the Armed Forces of the United States for a period of up to four years (plus any involuntary extension for not more than one year).

Employees who perform and return from military service in the Armed Forces, the Military Reserves, or the National Guard will retain such rights with respect to reinstatement, seniority, annual leave, layoffs, compensation, and length of service pay increases as required by applicable federal and state laws.

Short-Term Military Leave for Training

PADD will adhere to KRS 61.394 that states, "All officers and employees of this state, or of any department or agency thereof who are members of the national guard or any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or of the United States under competent orders, for a period in any calendar year not to exceed that specified in this section. Officers or employees while on leave shall be paid their salaries or compensations for a period or periods not exceeding 15 calendar days or 10 working days if the employee's position is based upon a 5-day workweek; 12 days if the employee's position is based upon a 6-day workweek; 15 days if the employee's position is based upon a 7-day work week, in any one federal fiscal year."

PADD will pay the full salary of an employee for up to 10 working days for the annual military leave.

VOTING DAY POLICY

PADD encourages employees to fulfill their civic responsibilities by voting and may take whatever reasonable time is necessary to do so, up to four (4) hours. In order to ensure PADD business is not interrupted, employees must coordinate their time off for voting with their immediate supervisor.

Entitled to vote means that you are a registered voter and are eligible to vote in the election for which you are requesting voting leave. Any employee who exercises their right to voting leave under this section but fails to cast a vote, under circumstances which did not prohibit them from voting, will be subject to disciplinary action, up to and including termination.

JURY DUTY POLICY

PADD encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Any employee who is called to serve as juror will receive time off with pay for any regularly scheduled work time lost due to such service. Employees shall remit any jury duty pay they receive from the court to PADD. Employees shall remit the jury duty notice to PADD to receive time off with pay.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Any applicable benefits will remain in effect and unchanged for the full term of the jury duty absence. Accrual for benefits calculations, such as annual leave, sick leave, or holiday benefits, will not be affected during jury duty leave.

WITNESS DUTY POLICY

Employees may be required to appear in court for witness duty, to give depositions, or after being subpoenaed.

The subpoena should be shown to the employee's supervisor immediately after it is received so that the work schedule can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report to work whenever the court schedule permits.

Any employee, who has been subpoenaed as a witness, or to give a deposition, on a work related matter, will receive paid time off for the entire period when the employee does not have a vested interest.

Any applicable employee benefits will remain in effect and unchanged for the full term of time off for witness duty or giving a deposition. Accrual for benefits calculations, such as annual leave, sick leave, or holiday benefits, will not be affected during witness leave or while giving a deposition.

PROFESSIONAL DEVELOPMENT TRAINING

For courses taken per management's specific request, all costs for tuition, books, and travel (if applicable) may be paid by PADD at the time the cost is due. Examples include training related to specific programs at PADD or training offered to grantors. Employees may also request to attend professional development training specifically related to their job. Examples include seminars, computer training, or continuing education needed to retain job related certification or a state license.

Employees who request professional development training must obtain approval from their Supervisor and Associate Director. The Associate Director shall consider the following factors in evaluating requests for professional development training assistance and recommending approval to the Executive Director:

- a. the nature and purpose of the course of study;
- b. the direct relationship between the course and the employee's job responsibilities;
- c. the employee's level of responsibility and length of service; and
- d. the estimated cost.

The Executive Director shall authorize final approval.

Employees who are taking continuing education hours to maintain licenses not required for employment with PADD will be required to pay their own costs; but will not be required to take annual leave to attend training, based on supervisor approval.

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

In accordance with OMB Circular A-87, Cost of Principles for State and Local Governments, PADD will pay the cost of membership in business, technical and professional organizations provided:

- 1) the benefit from membership is related to the grant program;
- 2) the expenditure is for agency membership;
- 3) the cost of the membership is reasonably related to the value of the services or benefits received; and
- 4) the expenditure is not for membership in an organization which devotes a substantial part of its activities to influencing legislation.

The Executive Director will determine if costs are allowable. Final approval must come from the Executive Director.

EMPLOYMENT POLICIES

CIVIL RIGHTS COMPLIANCE

PADD shall operate in compliance with the regulations issued by the U.S. Department of Commerce in implementing the Civil Rights Act of 1964, and all requirements attendant thereto, and designated as Part 8 of Subtitle A of Title 15 of the Code of Federal Regulations which prohibits discrimination on the basis of race, religion, color, sex, age, national origin, or disability.

The Civil Rights Act of 1991, in terms of coverage, amended Section 1981 to provide all types of employment decisions or practices claimed to be racially biased are actionable under Section 1981. Such decisions or practices include discharges, impositions of discipline, furnishing of unequal benefits, or claims of racial harassment, as well as refusals to hire or promote.

The Act of 1991 amends the coverage of Title VII to make it unlawful, in connection with the selection of applicants for employment or promotion, to adjust the scores of, use different cutoff scores for, or alter the results of, employment related tests based on the race, color, religion, sex, or national origin of the test taker. This prohibits the practice of treating the test scores of minority applicants differently (i.e., "race norming") in order to increase the pool of minority candidates.

The 1991 Act also amends both Title VII and the Americans with Disabilities Act to cover U.S. citizens employed overseas by U.S. controlled companies unless such coverage would violate the law of the foreign country.

The 1991 Act extends anti-discrimination protection to, and provides varying procedural remedies for employees of the U.S. House of Representatives, the U.S. Senate, various agencies set up by Congress, appointees of the President, and appointees of State or locally elected officials

The Act also is not to be considered to affect court-ordered remedies, affirmative action, or conciliation agreements, which are in accordance with the law.

Additionally, it is a fundamental policy of PADD to provide equal opportunity to all its employees and applicants for employment and to assure that there will not be discrimination against any persons on grounds of color, religion, sex, national origin, age, physical or mental disability, or any other characteristic protected by law.

In accordance with the Older Americans Act Section 307(a) (11), preference shall be given to individuals age 60 or older for any staff position (full or part-time) in Area Agencies on Aging for which such individuals qualify.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the PADD that employment decisions shall be based on merit, qualifications, and competence.

Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, age, physical or mental disability, or any other characteristic protected by law.

In addition, it is PADD's policy to provide an environment that is free of unlawful harassment of any kind, including that which is sexual, age-related, or ethnic. This policy governs all aspects of employment, promotion, assignment, discharge, and other terms and conditions of employment.

AMERICANS WITH DISABILITIES ACT

PADD shall adhere to the requirements of the 1990 Americans with Disabilities Act by:

- 1) not denying a job to an individual because of a disability if the individual is qualified and able to perform the essential functions of the job, with or without reasonable accommodation.
- 2) making reasonable accommodations when an individual has a disability and is otherwise qualified.
- 3) not lowering the existing performance standards for a job when considering the qualifications of an individual who has a disability if the standards are job-related and uniformly applied to all employees and candidates for that job.
- 4) only using job-related and business necessity criteria when screening applicants.
- 5) not accepting applications for employment unless there is a vacancy. Unsolicited resumes shall be returned upon receipt, unless there is a vacancy.

MINORITY RECRUITING, HIRING AND REPORTING

PADD recognizes the value of a diverse workforce. All job openings not filled internally are advertised in the regional newspaper of record, posted in area career centers, posted to the PADD website, and provided to the career placement office at the regional university. Furthermore, in addition to the statement of EEO compliance, the following statement shall be added to all job advertisements, "Minority candidates are encouraged to apply". Minority hires will be tracked annually and kept on file for five years.

PERSONNEL FILES AND RECORDS RETENTION

It shall be the policy of PADD to maintain personnel records for employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

Access to Personnel Files

Upon written request, an employee shall have the right to examine his/her personnel file. An employee may comment, in writing, on any item in his/her file. Written comments shall be made a part of his/her file and shall be attached to the specific record or document to which they pertain.

The employee shall make an appointment with the Associate Director of Finance to inspect their file. All inspections must be conducted in the presence of the Associate Director of Finance.

Employment-Related Information to be kept in Personnel Files

Only relevant and objective employment-related information shall be kept in personnel files. Each personnel file shall include, but not be limited to, for each employee:

- 1) employee name and address
- 2) title of position(s) held
- 3) classifications
- 4) rates of compensation
- 5) all changes in status including evaluations, promotions, demotions, layoffs, transfers, disciplinary actions, commendations, awards, and preliminary and other supporting documentation for each action.
- 6) the complete record and supporting documentation for each personnel action.
- 7) Drivers license copy
- 8) Social Security card copy
- 9) Degree Documentation Credit Reports and Criminal Records Checks, if applicable
- 10) I-9 Forms and EEO Data

Non-Job Related Documents to be Kept Separate from Personnel Files

- 1) Medical Information, such as work-related injury reports

Personnel Records Retention

Personnel records shall be kept in accordance with the State's model for ADDs Records Retention Schedule.

EMPLOYMENT

The Executive Director shall be the Executive Officer of the Purchase Area Development District and its committees (as defined in the Bylaws) and shall be responsible for the day to day operation of the District. All staff shall serve at the pleasure of the Executive Director and be subject to his/her direction.

The Executive Director shall be employed by and serve at the pleasure of the Board of Directors. The Executive Director's salary shall be set by the Personnel and Finance Committee.

Any other professional staff positions may exist subject to the recommendation of the Executive Director and authorization of the Personnel and Finance Committee.

The Executive Director shall be employed subject to: (1) advertisement for such position in at least the newspaper of record in the Purchase and posting at area career centers; (2) screening of applicants by a Personnel and Finance Committee; and (3) confirmed by the full board of directors.

All Associate Director positions shall be employed subject to: (1) authorization of position; (2) advertisement for such position in at least the newspaper of record in the Purchase and posting at area career centers; (3) must be approved by the Personnel and Finance committee.

All professional, supervisory, and non-supervisory staff shall be employed subject to: (1) authorization of position; (2) advertisement for such position in at least the newspaper of record in the Purchase and posting at area career centers; (3) screening of applicants by a departmental committee; (4) recommendation by the appropriate Associate Director; and (5) confirmed by the Executive Director.

All Purchase Area Development District employees must undergo a pre-employment drug test. Random tests will be conducted on all employees holding a Commercial Drivers Licenses (CDL). If there is a qualifying event (fatality or driver cited for a moving violation and either the vehicle is towed from the scene or someone is medically evacuated from the scene) the driver must be drug tested within 32 hours and an alcohol screen within 2 hours but not later than 8 hours after the accident.

Some employees based on work responsibility and/or grant requirements must also submit to credit report and/or criminal record checks.

The Executive Director is authorized to determine and staff any and all clerical and/or part time positions. The Executive Director is authorized to determine and contract for any services necessary.

Employees shall receive a salary not to exceed that authorized by the Personnel and Finance Committee. The Executive Director may at any time establish salaries for any position less than that authorized by the Personnel and Finance Committee.

JOB DESCRIPTIONS

Each employee shall have a job description. These job descriptions help employees and supervisors communicate about the employee's job responsibilities. Job descriptions are only guidelines and can normally be expected to change over time.

From time to time, employees are expected to perform duties and handle responsibilities that are not part of their normal job. If the new duties and responsibilities remain a significant part of the assignment, the job description may be changed. The job description shall be used to determine employees' classifications under the Fair Labor Standards Act.

Employees and supervisors shall review the employee's job description during the course of the Employee Job Evaluation.

A job description shall include:

- Position Title
- Essential Job Function
- Other Job Responsibilities
- Education Requirements
- Experience Requirements
- Skill Requirements

DEFINITIONS OF EMPLOYMENT STATUS

Staff members will be classified in one of the following areas with the explained eligibility or ineligibility for benefits.

Regular Full-Time Employee

Staff members who work 37.5 hours per week on a regular basis, in a regular position and who are entitled to receive full fringe benefits.

Part-Time Employee

Staff members who regularly work less than 37.5 hours per week in a regular position and receive no benefits. Part-time employees are eligible to join the Kentucky County Employees Retirement System pension plan if they average working 100 hours per month.

Temporary Employee

Staff members, including interns, who are hired to provide services, sometimes of a technical nature for a specific project, for a time period agreed upon (in writing and before commencement of employment) between the temporary staff member and PADD.

A temporary employee is an employee, either full time or part-time, who:

- 1) works hourly on an as-needed basis;
- 2) completes a specific job; or
- 3) works a specific time period.

Temporary employees who regularly work 37.5 hours per week shall receive normal paid holidays. A temporary employee shall not receive any other fringe benefits.

A temporary employee is eligible to participate in the Kentucky County Employees Retirement System pension plan if they average working 100 hours or more per month after they have completed twelve months of employment.

ORIENTATION AND TRAINING

It is the policy of the Purchase Area Development District (PADD) to provide orientation programs for new employees and to conduct or support training programs as deemed appropriate.

Orientation and Training Procedure:

- 1) The Human Resources Specialist is responsible for the overall development and coordination of the orientation program and for implementing the portions that cover corporate history, philosophy, policies, benefits and new employee files and documentation.
- 2) Each Supervisor or Associate Director is responsible for orientation as it applies to introducing the new employee to the specific job and department and may select a co-worker to serve as a sponsor to facilitate the new employee's transition.
- 3) Supervisors or Associate Directors are responsible for recommending employees for special training programs, for providing on-the-job training, or for arranging on-the-job trainers. Such training will normally be conducted during regular working hours.

- 4) The Associate Director and the Executive Director shall approve employee participation in continuing education and/or training programs when such instruction is deemed beneficial or considered necessary for satisfactory job performance.
- 5) PADD will provide special training programs for safety and health matters when deemed necessary, or as required by government regulation. PADD will support, where feasible and practical, education programs to enhance employee awareness and understanding of serious diseases.
- 6) Orientation and training programs sponsored or conducted by PADD may be evaluated periodically as to the quality and content of the instruction and the results.

PROMOTIONS AND SALARY SCHEDULES

Purpose

It is PADD's intent to maintain a program of internally and externally equitable salaries.

Promotion and Demotion

In order for a promotion to be approved, the position must have adequate funding. The Executive Director must approve all staff promotions.

Demotion may result from decreased funding, program changes, or reorganization. All demotion actions will be made in writing and specify the reason(s) for the demotion.

Transfers

The Executive Director may transfer employees between work units, programs, or between job classifications. A transfer is a reassignment from one position to another position with similar duties and responsibilities. This may or may not result in a change of pay.

Annual Adjustment

A one-time annual adjustment for the fiscal year may be given to employees after approval by PADD's Personnel and Finance Committee and based on available funding.

Bonuses, awards, one (1) time salary adjustments, special salary enhancements, or severance pay for any employee, unless severance pay is provided pursuant to a contract approved by the board, that do not constitute a permanent change in the employee's salary, shall not be made or awarded to any employee of PADD.

All employees shall be on probation for a period of six (6) months following employment, and if retained as permanent employees at the completion of six (6) months' probation, they may have their salary schedules reviewed by the Executive Director. After satisfactory completion of the six (6) months' probation period, the Executive Director is authorized to adjust staff salaries up to five (5) percent.

EMPLOYEE JOB EVALUATION PROCEDURE

Evaluations shall be completed on an annual basis.

- 1) Each Associate Director and the immediate supervisor, if applicable, shall work together to complete an Employee Evaluation Form for each staff member which they supervise.
- 2) The Executive Director shall review all employee evaluation forms.
- 3) The Executive Director shall evaluate the Associate Directors and the Executive Assistant, along with any other staff under the Executive Director's direct supervision.
- 4) Each Associate Director and the immediate supervisor and the appropriate staff member shall discuss and sign the Employee Evaluation Form. At this time, the staff member or supervisor may bring up any problems or areas of concern.
- 4) If the Associate Director, the immediate supervisor and the staff member cannot resolve a problem area, or the staff member does not concur in the Associate Director and the immediate supervisor's evaluation, the staff member shall have the right to request the Executive Director review the situation. This request should be made within seven days of the Associate Director, immediate supervisor and staff member's discussion regarding the evaluation.

The Personnel & Finance Committee shall do an annual review of all staff positions and salaries

COMPENSATION POLICY

Purpose

The Purchase Area Development District Office strives to be the best organization in which its employees can work. Everything the Purchase Area Development District Office does is for the benefit of its employees and community. The Purchase Area Development District Office values its employees and their contributions to its success.

As an employer, Purchase Area Development District Office believes that it is in the best interest of both the organization and its employees to fairly compensate its workforce for the

value of the work provided. It is Purchase Area Development District Office's intention to use a compensation system that will determine the current market value of a position based on the skills, knowledge and behaviors required of a fully competent incumbent. The system used will be objective and nondiscriminatory in theory, application and practice. The organization has determined that this can best be accomplished by the finance department, immediate manager, and executive director.

Compensation Criteria

- The compensation system will price positions to market by using local, national and industry specific survey data.
- The market data will primarily include similar organizations; and will address significant market differences due to geographical location.
- The system will evaluate external equity, which is the relative marketplace job worth of every position directly comparable to similar jobs, factored for general economic variances and adjusted to reflect the local economic marketplace.
- The system will evaluate internal equity, which is the relative worth of each job in the organization when comparing the required level of job competencies, formal training and experience, responsibility, and accountability of one job to another and arranging all jobs in a formal job grading structure.
- The compensation system must be flexible enough to ensure that the company is able to recruit and retain a highly qualified workforce, while providing the structure necessary to effectively manage the overall compensation program.

Responsibilities

The board of directors of the Purchase Area Development District Office is responsible for reviewing recommendations made by the executive management team and will give final approval for the compensation system that will be used by the organization.

On an annual basis, the board of directors will review and approve, as appropriate, recommended changes to position range movement as recommended by executive management and as determined through the vendor's market analysis process.

As part of the annual budgeting process, the board of directors will review and approve, as appropriate, funds to be allocated for total compensation, which would include base salaries variable based and all other related expenses, including benefit plans as recommended by executive management.

The board shall set the position level, pay range and specific components of the total compensation package for the Executive Director.

Management Responsibility

The director is responsible and accountable to the board of directors. In that capacity, he or she is charged with ensuring that the organization is staffed with highly qualified, fully competent employees and that all programs are administered within appropriate guidelines and within the approved budget.

The salary budget should include a gross figure for the following budget adjustments, but the individual determinations for each employee's salary adjustment should be the exclusive domain of the director: determining the appropriate head count, titles, position levels, merit and promotional increases, and compensation consisting of salary for all positions except that of the director.

The director is charged with the responsibility of ensuring that the total compensation program is managed for consistency and equity.

Types of Positions within Pay Levels

Level 1- Clerical

Level 2- Specialist

Level 3- Mid-Level Managers with direct reports

Level 4- Associate Directors

Level 5- Executive Director

EMPLOYEE REFERENCES

The Executive Director of PADD shall be the only employee authorized to provide job reference information on existing and former PADD employees.

Verification of employment, specifically the dates of employment and an employee's job title may be provided by the designated employee who maintains the personnel records. No employees, other than those designated above, shall give out any employment information on any existing or former PADD employee.

This policy should not be construed to mean that employees of PADD are prohibited from providing a personal reference for an individual. Personal references should remain personal and should not indicate, in any way, that the reference is from PADD. Specifically, a personal reference shall not contain any employment information, shall not be issued on PADD or PADD-related letterhead, and shall not reference the sender's job title.

EMPLOYEE GRIEVANCE PROCEDURE

Any employee who has a grievance pertaining to personnel policies, office procedure or other working conditions shall be entitled to submit a grievance in writing to his/her immediate Supervisor and Associate Director. Only current employees are entitled to submit a grievance. Employees who have been terminated from employment for any reason are not provided any grievance rights. Issues related to termination are not within the scope of this grievance policy and are specifically excluded and not grievable.

If the grievance cannot be resolved to the mutual satisfaction of the employee, Supervisor and Associate Director within 5 working days, it shall be forwarded by the employee in writing to the Executive Director. A meeting between the aggrieved party, immediate Supervisor, Associate Director and Executive Director shall take place within 10 working days or as soon thereafter as the parties can reasonably meet. The Executive Director shall render a written decision on the grievance within 10 days after the hearing which shall be the final resolution of the grievance.

No employee will be penalized, formally or informally, for presenting a grievance in a reasonable business-like manner.

This grievance procedure shall not be considered or treated by any employee as a modification to the at will status of any employee.

EMPLOYMENT AT WILL

Any employee may voluntarily leave employment or be terminated by the Purchase Area Development District for any reason any oral statements or promises to the contrary are disavowed and should not be relied on by any prospective or existing employee. Nothing in this manual shall be treated as or considered to be a modification of the employment at will status.

VOLUNTARY TERMINATION

An employee shall submit written notice of voluntary termination of employment to the Executive Director through his or her Associate Director. Prior to leaving, the employee must report personally to Human Resources for an exit interview before his/her final payroll check and other benefits are paid.

All employees, with the exception of employees in Associate Director, and the Executive Director positions, shall give a minimum of 14 calendar days of notice of resignation. Individuals in Associate Director roles shall provide a minimum of 45 days' notice and the Executive Director shall give a minimum of 90 days' notice of resignation.

INVOLUNTARY TERMINATION

1) Involuntary Termination Due to Reduction in Force or Funds

An employee may be terminated due to a reduction in force, reduction in funds or similar circumstances. Staff shall receive written notice of termination 30 calendar days in advance of termination when possible.

2) Involuntary Termination Due to Other Reasons

Employees may be terminated immediately for reasons that include but are not limited to employee misconduct, failure to perform satisfactorily, insubordination, excessive absences, violation of PADD policies and procedures or similar circumstances. Conviction of a felony is immediate grounds for dismissal. This provision is not intended to provide the sole reasons that may justify an involuntary termination but is intended only to provide examples of common events that will typically result in an involuntary termination. Other reasons and events not listed above could occur resulting in a termination. Nothing herein is intended to modify the employment at will status of any employee.

3) Suspension or Dismissal

The Executive Director shall have the authority to suspend any employee without compensation up to 10 working days.

The Executive Director shall have the authority to dismiss any employee for reason of misconduct, failure to perform satisfactorily, insubordination, excessive absences or similar circumstances as set forth herein.

The Board of Directors may suspend without compensation or dismiss the Executive Director.

WHISTLEBLOWER POLICY

I. Purpose

To ensure that the Purchase Area Development District, a Kentucky not-for-profit corporation doing business under the assumed name of the "PADD" maintains an effective, easy-to-use mechanism for employees to raise concerns regarding potentially unlawful or unethical behavior within the organization and that ensures protection against retaliation for the whistleblower.

II. Policy

It is PADD's policy that no retaliation shall occur against any employee who internally reports a concern about potentially unlawful or unethical conduct (Whistleblower). Each employee has an obligation to report in accordance with this Whistleblower Policy: (a) questionable or improper accounting or auditing practices, (b) suspected unlawful conduct, and (c) violations or suspected violations of PADD policy (collectively referred to as "Concerns" from this point forward).

A. No Retaliation

This policy is intended to encourage and enable employees to raise Concerns for prompt internal investigation and appropriate action. No employee who in good faith reports a Concern shall be subject to retaliation in any form for making the report. An employee who retaliates against someone who has made a good faith report about a Concern is subject to discipline up to and including termination of employment.

B. Reporting Concerns

1. In most cases, employees should first discuss their Concern with their immediate Supervisor or Associate Director. If, after speaking with his or her supervisor or Associate Director the Whistleblower continues to have reasonable grounds to believe the Concern is valid and the supervisor is not responsive, the Whistleblower should then report the Concern in writing to the Executive Director.
2. If the supervisor is a subject of the Concern, or if the Whistleblower is uncomfortable speaking with his or her supervisor or Associate Director for any reason, the Whistleblower should report his or her Concern to the Executive Director. If the Executive Director is the subject of Concern, the Concern should be reported to the PADD's Chairman of the Board.
3. A member of the PADD's Board of Directors may make a good faith report, in writing, of a Concern to the Chairman of the Board. If making a written report, please be sure to include all relevant information know, including names of PADD employees believed to be involved, dates, etc.

C. Handling of Reported Concerns

1. Investigation Procedure: All Concerns will be dealt with promptly and a manner intended to protect confidentiality, consistent with the need to conduct a full and fair investigation.
 - a. Concerns Not Involving the Executive Director

Following a preliminary assessment, if the individual initially receiving the Concern believes the Concern warrants further investigation, the Executive Director shall be responsible for investigating the Concern and reporting the results of this further investigation to the Personnel and Finance Committee of the Board of Directors. When feasible and appropriate, and with the guidance of legal counsel, such assessment and reports may be made in a writing marked confidential.

If the investigation indicates that there has been or likely has been a violation of law, accounting or audit standards, or PADD policy, then the Personnel and Finance Committee who receives the report of the results of the investigation shall consult with the PADD's Executive Director to determine the appropriate follow-up action and conclusion.

b. Concerns Involving the Executive Director

If the Executive Director is the subject of Concern, the Chairman of the Board who initially received the Concern, shall conduct a preliminary assessment. If the preliminary assessment reveals that the Concern warrants further investigation, the Chairman of the Board shall report the Concern directly to the PADD's Personnel and Finance Committee. The Personnel and Finance Committee will engage the PADD's attorney to further investigate the Concern and report back to the Personnel and Finance Committee of the Board on the results of the investigation for appropriate follow-up action and conclusion.

2. Follow-Up with Whistleblower.

The Whistleblower will be informed of the progress and/or outcome of the investigation unless: (1) the Whistleblower indicates his or her preference not to be informed, (2) this would be detrimental to the Whistleblower, PADD or the investigation, or (3) there are other, sound reasons not to inform the Whistleblower. The individual or committee responsible for investigating the Concern is also responsible for determining whether follow-up with the Whistleblower would be detrimental or whether other reasons exist not to inform the Whistleblower. The individual or committee is also responsible for informing the Whistleblower if the concern has been settled or closed.

3. Cooperation.

All employees are required to cooperate in the investigation of Concerns, which may include steps such as personal interviews and requests for and review of documents. Employees must not discuss the investigation, including any interviews or document requests, with anyone unless specifically instructed that they may do so.

D. Acting in Good Faith

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information provided in a reported Concern indicates a violation of law, accounting or audit standards, or PADD policy. The act of making allegations that prove to be unsubstantiated, or which are made maliciously, recklessly, or with knowledge of their falsity, will be viewed as a serious disciplinary offense.

E. Confidentiality

Reports of Concerns, and any investigations regarding Concerns, shall be kept confidential to the extent possible and lawful, consistent with the need to conduct an adequate investigation.

III. Responsibility

The Executive Director shall ensure that this policy is implemented. It is the responsibility of all directors, officers, and employees to comply with this policy and report Concerns in accordance with this policy.

IV. Effective Date

This policy is effective as of January 1, 2012. A review of this policy will take place periodically at which time amendments to the policy may be made as necessary.

RULES AND REGULATIONS
GOVERNING ACCESS TO THE
PUBLIC RECORDS OF
PURCHASE AREA DEVELOPMENT DISTRICT

INTRODUCTION

House Bill 138, passed by the 1976 Kentucky General Assembly, established the policy that public records of public agencies are open for inspection and copying by any person. The Act also requires agencies to develop and display rules and regulations that will insure efficiency and timely action in response to applications for inspection of public records. All records shall be kept in accordance with the State's Records Retention Schedule for Area Development Districts. The purpose of this document is to establish these rules and regulations of Purchase Area Development District, a public agency under State Law.

SECTION I - DEFINITIONS

The following terms, when used in these regulations, shall have the meaning ascribed to them in this section, except where the context clearly indicates or requires a different meaning:

- A. "Public Agency" shall mean every county and city governing body, council, school district board, special district board, municipal corporation, court or judicial agency, and any board, department, commission, committee, subcommittee, ad hoc committee, council or agency thereof; and other body which is created by state or local authority in any branch of government or which derives at least twenty-five percent (25%) of its funds from state or local authority.
- B. "Public Records" means all books, papers, maps, photographs, cards, tapes, discs, recordings or other documentary materials regardless of physical form or characteristics, which are repaired, owned, used, in the possession or retained by a public agency. "Public records" shall not include any records owned by a private person or corporation that are not related to functions, activities, programs or operations funded by state or local authority. "Public records" shall not include any records that have been excluded by Section III.
- C. "Official Custodian" means the chief administrative officer or any other officer or employee of a public agency who is responsible for the maintenance, care and keeping of public records, regardless of whether such records are in his actual personal custody and control. The official custodian for this agency shall be the Executive Director, whose mailing address is P.O. Box 588, 1002 Medical Drive, Mayfield, Kentucky 42066.
- D. "Custodian" means the official custodian or any authorized person having personal custody and control of public records. The custodian having personal custody of most of the public records of this agency is the Executive Director.
- E. "District" shall mean the Purchase Area Development District.
- F. "Person" shall mean a human being who makes a bodily appearance before the office of the custodian and makes a request for inspection of public records.
- G. "Requests" shall mean an oral petition by any person, or at the option of the custodian and completion of a written application, that clearly states the specific public record or records that are desired for inspection and/or duplication.
- H. "Reasonable Fee" or "Fee" shall mean the fair payment required by a public agency for making copies of public records which shall not exceed the actual cost thereof and shall not include the cost of staff time required. The fee charged by this agency for making copies shall be 10 cents per page.

SECTION II - PROCEDURES FOR REQUESTING PUBLIC RECORDS

The following procedures shall be followed by both persons making a request to inspect

public records of this agency and by the official custodian and/or custodians of those public records:

- A. Initial Request with Immediate Inspection - As defined in Section I and subject to the limitations set forth the Section III, any person desiring to inspect or copy the public records of this agency shall make a request and/or complete a written application for such records at the office of the Executive Director during regular office hours, which are from 8:00 A.M. to 4:30 P.M., Monday through Friday of each week except legal holidays. If the custodian determines that a person's request is in compliance with the open records law and that the requested records are immediately available, the custodian shall deliver such records for inspection. Suitable facilities shall be made available in the District office; for the inspection and no person shall remove original copies of public records from the office of any public agency without the written permission of the official custodian of the record. The applicant shall have the right to make abstracts of the public records, and to obtain copies of all written public records. When copies are requested, the custodian may require a written request and advance payment of the prescribed fee as defined in Section I - H.
- B. Referral to Proper Custodian - If the Executive Director does not have custody or control of the public record or records requested, then he/she shall so notify the applicant and shall furnish the name and location of the custodian of the public record, if such facts are known to him.
- C. Public Records Not Immediately Available - If the public record is in active use, in storage or not otherwise available, the official custodian shall immediately so notify the applicant within three (3) days (excepting Saturdays, Sundays, and legal holidays). The notice must provide a detailed explanation of the cause for the delay and the place, time and earliest date on which the public record will be available for inspection and/or duplication.
- D. Refusal of Unreasonable Requests - If the application places an unreasonable burden in producing voluminous public records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the public agency, the official custodian may refuse to permit inspection of the public records. However, refusal under this section must be sustained by clear and convincing evidence.
- E. Time Limitation/Denial of Inspection - This agency, upon any request for records made under this Act, shall determine within three (3) days (excepting Saturdays, Sundays, and legal holidays) after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the three (3) day period, of its decision. An agency response denying, in whole or in part, inspection of any record shall include a

statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld. The response shall be issued by the official custodian or under his authority, and it shall constitute final agency action. A copy of the written response denying inspection of a public record shall be forwarded immediately by the agency to the Attorney General of the Commonwealth of Kentucky.

- F. Miscellaneous Regulations - No official of the agency shall willfully conceal or destroy any record with the intent to violate the provisions of the Act or these rules and regulations. Any person shall have access, to any public record relating to him or in which he is mentioned by name, upon presentation of appropriate identification, subject to the provisions of Section III of these rules and regulations.

SECTION III - PUBLIC RECORDS PROTECTED FROM DISCLOSURE

The following public records are excluded from the application of the Act and these rules and regulations, and shall be subject to inspection only upon order of a court of competent jurisdiction:

- A. Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.
- B. Records confidentially disclosed to an agency and compiled and maintained for scientific research, the regulation of commercial enterprise, including mineral-exploration records, unpatented, secret commercially valuable plans, appliances, formulae, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities obtained from a person and which are generally recognized as confidential, or for the grant or review of a license to do business and if openly disclosed would permit an unfair advantage to competitors of the subject enterprise. This exemption shall not, however apply to records the disclosure or publication of which is directed by other statute.
- C. Public records pertaining to a prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the Commonwealth. Provided, however, that this exemption shall not include those records pertaining to application to agencies for permits or licenses necessary to do business or to expand business operations within the state, except as provided in paragraph B above.

- D. The contents of real estate appraisals, engineering or feasibility estimates, and evaluations made by or for a public agency relative to acquisition of property, until such time as all of the property has been acquired; provided, however, the law of eminent domain shall not be affected by this provision.
- E. Test questions, scoring keys and other examination data used to administer a licensing examination, examination for employment or academic examination before the exam is given or if it is to be given again.
- F. Records of law enforcement agencies or agencies involved in administrative adjudication that were compiled in the process of detecting and investigating statutory or regulatory violations if the disclosure of the information would harm the agency by revealing the identity of informants not otherwise known or by premature release of information to be used in a prospective law enforcement action or administrative adjudication. Unless exempted by other provisions of this act, public records exempted under this provision shall be open after enforcement action is completed or a decision is made to take no action. Provided, however that the exemptions provided by this subsection shall not be used by the custodian of the records to delay or impede the exercise of rights granted by this Act.
- G. Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency.
- H. Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended.
- I. All public records or information the disclosure of which is prohibited by federal law or regulation.
- J. Public records or information the disclosure of which is prohibited or restricted or otherwise made confidential by enactment of the General Assembly.
- K. Public records the disclosure of which would have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to: (a) criticality lists resulting from consequence assessments; (b) vulnerability assessments; (c) antiterrorism protective measures and plans; (d) counterterrorism measures and plans; (e) security and response needs assessments; (f) infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems; (g) the following records when their disclosure will expose a vulnerability referred to in

this subparagraph: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency; and (h) records when their disclosure will expose a vulnerability referred to in this subparagraph and that describe the exact physical location of hazardous chemical, radiological, or biological materials.

- L. Public or private records, including books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics, having historic, literary, artistic, or commemorative value accepted by the archivist of a public university, museum, or government depository from a donor or depositor other than a public agency. This exemption shall apply to the extent that nondisclosure is requested in writing by the donor or depositor of such records but shall not apply to records the disclosure or publication of which is mandated by another statute or by federal law.

No exemption shall be construed to prohibit disclosure of statistical information not descriptive of any readily identifiable person. In addition, if any public record contains material which is not excepted, the Agency shall separate the excepted and make the non-excepted material available for examination.

No exemption shall be construed to deny, abridge, or impede the right of a public agency employee, an applicant for employment, or an eligible on a register to inspect and to copy any record including preliminary and other supporting documentation that relates to him. A public agency employee, applicant, or eligible shall not have the right to inspect or to copy any examination or any documents relating to ongoing criminal or administrative investigations by an agency.

The provisions of this Section shall in no way prohibit or limit the exchange of public records or the sharing of information between public agencies when the exchange is serving a legitimate governmental need or is necessary in the performance of a legitimate government.

OPEN MEETINGS OF PUBLIC AGENCIES

To provide greater access to government, the 1974 Kentucky General Assembly passed the Open Meetings Act, which requires that public agencies open most of their meetings to the public.

Section I- Public Meeting/Public Agency Defined

- A. "Public meeting" is defined as all gatherings of every kind, including video

teleconferences, regardless so where the meeting is held, and whether regular or special and informational or casual gatherings held in anticipation of or in conjunction with a regular or special meeting.

- B. "Public Agency" includes committees, subcommittees, ad hoc committees, and advisory committees created by a public agency.

Section II- General Requirements for Public Agency

The time and place of the meeting shall be convenient to the public. The regular meeting schedule and meeting minutes should be made available. Public attendance and news media coverage must be permitted without condition.

The open meetings statutes are designed to prevent government bodies from conducting business at such inconvenient times or locations as to effectively render public knowledge or participation impossible, not to require such agencies to seek out the most convenient time or location.

Section III- Requirements for Holding Special Meetings

The presiding officer or a majority of the members may call a special meeting. Members and media should be notified of the date, time, place, and agenda of the special called meeting no later than twenty-four hours prior to the meeting. The information must be posted in conspicuous place in the facility where the special meeting will be held, and in the agency's headquarters. A written notice must be transmitted by facsimile, mailed, or personally delivered to all public agency members and media organizations. A written notice of special meetings may be transmitted by electronic mail to public agency members and media organizations that have filed a written request with the agency indicating a preference to receive email notification and have included their email address.

In the case of an emergency which prevents the public agency from complying with these requirements, the agency must make a reasonable effort to notice the members of the agency, media organizations which have filed a written request to be notified, and the public, of the emergency meeting. At the beginning of the emergency meeting, the person chairing the meeting must describe for the record the emergency which prevented compliance with the notice provisions, and these comments should appear in the minutes. Discussions and actions at the emergency meeting must be limited to the emergency for which the meeting was called.

Section IV- Requirements for Conducting Closed Sessions

The Open Meetings Act permits a public agency to discuss certain subjects in a closed or executive meeting if notice is given in the regular meeting of the general nature of the

business to be discussed, the reason for the closed session, and the specific exception authorizing the closed session. A closed session may be held only after a motion is made and carried in open session, and no final action may be taken in closed session. The exceptions to the Open Meetings Act are found at KRS 61.810(1).

The Open Meetings Act prohibits any series of less than quorum meetings, where the members attending one or more of the meetings collectively constitute at least a quorum of the members of the agency, if the meetings are held to avoid the requirements of the Act. This prohibition does not restrict discussions between individual members if the purpose of the discussion is to educate the members on specific issues.

Section V- Violation of the Open Meetings Act

If a person believes that a public agency has violated the Open Meetings Act, he or she may file a written complaint with the presiding officer of the agency. The complaint must state the circumstances of the violation and what should be done to correct it.

Within three business days of receipt of the complaint, the public agency must decide whether to correct the violation and notify the complaining party of its decision in writing. If the agency believes that no violation has occurred and rejects the proposed remedy, it must issue a written response which cites the statute authorizing its actions and briefly explain how the statute applies.

An appeal may be filed by the complaining party to the Attorney General for review of the agency's action within sixty days of receipt of the agency's response. The appeal must include a copy of the written complaint and a copy of the agency's response. The Attorney General will review the appeal and issue a decision stating whether the agency violated the Open Meetings Act within ten business days. Both the complaining party and the agency will receive a copy of the decision. At that time, both may appeal the Attorney General's decision to the circuit court of the county where the public agency has its principal place of business or where the violation occurred. If an appeal is not filed within thirty days, the Attorney General's decision has the force and effect of law and can be enforced in circuit court.

If the complaining party prevails against an agency in circuit court, he may be awarded costs, including attorney's fees, if the court finds that the violation was willful. The court may also award the complaining party up to \$100 for each violation.

LIMITED ENGLISH PROFICIENCY (LEP) POLICY

Purpose

The purpose of the PADD Limited English Proficiency Plan is to ensure equal access to the

services provided by the District.

Service Area and Description

PADD serves the Kentucky Counties of Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Marshall and McCracken. The following LEP demographics for the PADD service area were obtained from the U.S. Census Bureau:

Ballard County

	<u>Number</u>	<u>Percent</u>
LANGUAGE SPOKEN AT HOME		
Population 5 years and over	7,772	100.0
English only	7,619	98.0
Language other than English	153	2.0
Speak English less than "very well" □	54	0.7
Spanish	93	1.2
Speak English less than "very well" □	45	0.6
Other Indo-European languages	33	0.4
Speak English less than "very well" □	7	0.1
Asian and Pacific Island languages.	24	0.3
Speak English less than "very well" □	2	-

Calloway County

LANGUAGE SPOKEN AT HOME		
Population 5 years and over	32,511	100.0
English only	30,833	94.8
Language other than English	1,678	5.2
Speak English less than "very well" □	698	2.1
Spanish	780	2.4
Speak English less than "very well" □	282	0.9
Other Indo-European languages	512	1.6
Speak English less than "very well" □	188	0.6
Asian and Pacific Island languages.	301	0.9
Speak English less than "very well" □	205	0.6

Carlisle County

LANGUAGE SPOKEN AT HOME		
Population 5 years and over	5,032	100.0
English only	4,997	99.3
Language other than English	35	0.7
Speak English less than "very well" □	14	0.3
Spanish	25	0.5

Speak English less than "very well" □	8	0.2
Other Indo-European languages	8	0.2
Speak English less than "very well" □	6	0.1
Asian and Pacific Island languages.	-	-
Speak English less than "very well" □	-	-

Fulton County

	<u>Number</u>	<u>Percent</u>
LANGUAGE SPOKEN AT HOME		
Population 5 years and over	7,282	100.0
English only	7,122	97.8
Language other than English	160	2.2
Speak English less than "very well" □	13	0.2
Spanish	108	1.5
Speak English less than "very well" □	4	0.1
Other Indo-European languages	52	0.7
Speak English less than "very well" □	9	0.1
Asian and Pacific Island languages.	-	-
Speak English less than "very well" □	-	-

Graves County

LANGUAGE SPOKEN AT HOME		
Population 5 years and over	34,584	100.0
English only	33,113	95.7
Language other than English	1,471	4.3
Speak English less than "very well" □	676	2.0
Spanish	936	2.7
Speak English less than "very well" □	547	1.6
Other Indo-European languages	390	1.1
Speak English less than "very well" □	104	0.3
Asian and Pacific Island languages.	134	0.4
Speak English less than "very well" □	25	0.1

Hickman County

LANGUAGE SPOKEN AT HOME		
Population 5 years and over	4,985	100.0
English only	4,910	98.5
Language other than English	75	1.5
Speak English less than "very well" □	40	0.8
Spanish	40	0.8
Speak English less than "very well" □	20	0.4
Other Indo-European languages	21	0.4
Speak English less than "very well" □	16	0.3

Asian and Pacific Island languages.	14	0.3
Speak English less than "very well" □.	4	0.1

Marshall County

	<u>Number</u>	<u>Percent</u>
LANGUAGE SPOKEN AT HOME		
Population 5 years and over	28,535	100.0
English only	28,039	98.3
Language other than English	496	1.7
Speak English less than "very well" □.	269	0.9
Spanish	246	0.9
Speak English less than "very well" □.	138	0.5
Other Indo-European languages	153	0.5
Speak English less than "very well" □.	79	0.3
Asian and Pacific Island languages.	85	0.3
Speak English less than "very well" □.	46	0.2

McCracken County

LANGUAGE SPOKEN AT HOME		
Population 5 years and over	61,594	100.0
English only	60,193	97.7
Language other than English	1,401	2.3
Speak English less than "very well" □.	415	0.7
Spanish	839	1.4
Speak English less than "very well" □.	282	0.5
Other Indo-European languages	412	0.7
Speak English less than "very well" □.	92	0.1
Asian and Pacific Island languages.	123	0.2
Speak English less than "very well" □.	41	0.1

Purchase Region

LANGUAGE SPOKEN AT HOME		
Population 5 years and over.	182,295	100.0
English only	176,826	96.9

Source: <http://ksdc.louisville.edu/>
Table DP-2. Profile of Selected Social Characteristics: 2000

Providing Program Access to LEP Persons

- www.freetranslation.com is used to translate agendas into Spanish.

- With adequate notice PADD will make request to use Murray State University's Community Interpreters Program to provide information in other languages.
- PADD will track LEP encounters and modify the existing process to meet the needs of the service area as necessary.

PROCUREMENT POLICY

All procurements made by the PADD involving the expenditure of federal or state grant funds will be made in accordance with the following procurement policy.

Procurement transactions, regardless of method or dollar value, will maximize open and free competition. The District shall not engage in procurement practices which may be considered restrictive in trade.

All purchases must first be initiated by completion of a Purchase Request form. This form must be approved by your supervisor and then submitted to the Officer Manager for review and approval/denial for ordering based on the following Procurement Policy. The Office Manager may take any requests to the Executive Director or his/her designee for further approval, as he/she deems necessary. The Office Manager will be responsible for placing all orders, unless otherwise designated.

The Executive Director or his/her designee will review all purchases to prevent duplication and to ensure that costs are reasonable.

SECTION 1 Methods for Procurement

Small Purchases

- A. For purchases of less than \$500, efforts will be made to get the lowest and best price, but written records of such efforts are not necessary.
- B. Purchases, which cost between \$500 and \$1,000, require three over-the-telephone quotations of rate, price, etc. A memorandum will be prepared setting forth the date the calls were made, parties contacted, and prices obtained.
- C. Purchases of supplies, equipment and services, which cost between \$1,000 and \$30,000 will require written estimates but no legal advertisement is required. The District will solicit written responses from at least three vendors, and if no such responses are available, a statement explaining the procurement will be prepared and filed.

Kentucky State Price Contract

The Kentucky State Price Contract allows local units of government and area development Districts to purchase items listed on the State Price Contract. This essentially means that the state has gone through the bidding process and has awarded contracts to specific vendors for specific items. Even when buying on the State Price Contract, prices should be compared to other vendors for the best available price.

When the State Price contract is used, documentation should be filed that show the purchase was completed on a valid State Price Contract along with the vendor's identification number.

Competitive Sealed Bids

Bidding will be employed when detailed specifications for the goods or services to be procured can be prepared and the primary basis for award is cost. When the cost of a contract, lease or other agreement for materials, supplies, equipment of contractual services, other than those personal or professional, exceeds 30,000, an Invitation for Bids (IFB) notice will generally be prepared. This notice will be published at least once in a newspaper notice and will appear not less than seven (7) days and not more than twenty-one (21) days before the due date for bid proposals. The District may also solicit sealed bids from responsible prospective suppliers by sending them a copy of such notice.

The IFB will include a general description of the goods or services to be procured, the bid deposit and bond performance required (if applicable), the location where bid forms and specifications may be secured, the time and place for opening bids. Also, whether the bid award will be made on the basis of the lowest bid price or the lowest evaluated price. The newspaper notice must also contain language that calls to the attention of bidders all applicable requirements, which must be complied with in regard to particular state or federal regulations.

Sealed bids will be opened in public at the time and place stated in the IFBs. The bids will be tabulated by the District at the time of bid opening. The results of the tabulation and the bid documents will be examined for accuracy and completeness by a review committee, which will make recommendations to the District. In addition, the committee will determine that all firms are responsive and responsible. The District will make the decision as to who the contract shall be awarded. After the bid award is made, a contract will be prepared for execution by the successful bidder. After the contract is signed, all bid deposits will be returned to all unsuccessful bidders.

The District may cancel an Invitation for Bid or reject all bids if it is determined that such is in the best interests of the District. The District may allow a vendor to withdraw a bid if requested at any time prior to the bid opening. Bids received after the time set for bid opening shall be returned to the vendor unopened.

Competitive Negotiation

The District will utilize competitive negotiations, regardless of contract amount, upon a written determination that:

- A. Specifications cannot be made specific enough to permit the award of a bid on the basis of either the lowest bid price or the lowest evaluated bid price (in other words, bidding is not feasible).
- B. The services to be procured are professional services or personal in nature. With the exception of procurement of certain professional services (principally engineering, auditing and legal services), competitive negotiations will proceed as follows:

Proposals will be solicited through newspaper advertisement; additionally, a Request for Proposal may be prepared and mailed to qualified vendors. The newspaper advertisement must be published at least seven (7) days and not more than twenty-one (21) days before the date for receipt of the proposals. The RFP will describe services needed and identify the factors to be considered in the evaluation of proposals. The RFP will also state where further details regarding the RFP may be obtained. The RFP will call attention to the same regulation discussed in the bidding process. Requests for Proposals will always include cost as a selection factor.

Award must be made to the offeror whose proposal is determined by a review committee to be the most advantageous to the District. Evaluations must be based on the factors set forth in the Request for Proposal. The review committee may contact the firms regarding their proposals for the purpose of clarification and record the nature of the clarification. If it is determined that no acceptable proposal has been submitted, all proposals may be rejected. New proposals may be solicited on the same or revised terms or the procurement may be abandoned.

For the procurement of certain professional services, an alternative to RFPs may be used. The District may make public a Request for Qualifications. RFQs are handled in a similar method to RFPs with the exception that cost is not a factor in the initial evaluation. A review committee will evaluate the responses and rank them by comparative qualifications. The highest scoring person or firm will be contacted, and the selection committee will negotiate cost. If the committee is unable to negotiate a satisfactory cost arrangement, the second highest scoring person or firm will be invited to negotiate. The committee will maintain a written record of all such negotiations.

Non-Competitive Negotiations

Non-competitive negotiations may be used for procurements in excess of 30,000 when bidding or competitive negotiations are not feasible. The District may purchase goods and services through non-competitive negotiations when it is determined by the District that competitive negotiation or bidding is not feasible and that:

1. An emergency exists which will cause public harm as a result of the delay caused by following competitive purchasing procedures, or
2. The product or service can be obtained only from one source, or
3. The contract is for the purchase of perishable items purchased on a weekly or more frequent basis.
4. Only one satisfactory proposal is received through RFP or RFQ, or
5. The state has authorized a particular type of non-competitive negotiation.

Procurement by non-competitive negotiation requires the strictest attention to the observation of impartiality toward suppliers.

SECTION 2. Contracts or Purchase Orders

Generally, all procurement in excess of \$1,000 will be memorialized and supported by a written contract or Purchase Order. Where it is infeasible or impractical to prepare a contract, a written finding to this effect will be prepared and some form of documentation regarding the transaction will also be prepared. The contractual provisions required by OMB Circular A-102, Attachment "O", will be included in all contracts.

SECTION 3. Documentation

All source documents supporting any given transaction (receipts, purchase orders, invoices, RFP/RFQ data, and bid materials) will be retained and filed in an appropriate manner. Where feasible, source documents pertinent to each individual procurement shall be separately filed and maintained. Where it is infeasible to maintain individual procurement files, source documents will be filed and maintained in a reasonable manner (examples include chronologically, by vendor, by type of procurement, etc.). Whatever form of documentation and filing is employed, the purpose of this section is to ensure that a clear and consistent audit trail is established. At a minimum, source documentation data must be sufficient to establish the basis for selection, basis for cost (including the issue of reasonableness of cost) and basis for payment.

SECTION 4. Locally Owned, Minority Owned, Female Owned and Small Businesses

Efforts will be made and documented to solicit participation of locally owned, minority owned, female owned and small businesses. Where feasible, evaluation criteria will include a factor with an appropriate weight for these firms. A list of locally owned, minority owned, female owned, and small businesses located within the trade region shall be maintained and utilized when issuing IFBs, RFPs and RFQs. This list shall also be consulted when making small purchases.

SECTION 5. Code of Conduct

5.1 Conflict of Interest

No elected official, employee or designated agent of the District will take part or have an interest in the award of any procurement transaction if a conflict of interest, real or apparent, exists.

A conflict of interest occurs when the official, employee or designated agent of the District, partners of such individuals, immediate family member, or an organization which employs or intends to employ any of the above has a financial or other interest in any of the competing firms.

5.2 Acceptance of Gratuities

No elected official, employee or designated agent of the District shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, subcontractors or potential subcontractors.

5.3.1 Penalties

Any employee or designated agent of the District who knowingly and deliberately violates the provisions of this code will be subject to dismissal by the District.

Any contractor or potential contractor who knowingly and deliberately violates the provisions of these procurement standards will be barred from future transactions with the District.

SURPLUS PROPERTY

Surplus property is generated primarily through the normal use of property or the procurement of replacement materials. Instead of storing the property for an indefinite period, the agency should move forward with the declaration and disposal process for the surplus property.

The disposal process begins with a determination that the property no longer is needed or has become unsuitable for public use. The Network Administrator and Office Manager are responsible for maintaining the inventories and for initiating the disposal process that is completed when the items are properly disposed of and removed from the appropriate inventories.

The Jackson Purchase Local Officials Organization (JPLOO) Executive Committee, upon recommendation of PADD staff, makes all declarations of Surplus Property.

Surplus Property may be disposed of through one of the following options:

- (1) Transfer to another public agency (local government or non-profit agency);
- (2) Trade-In (to offset cost with vendor of replacement item);
- (3) Sale to the general public (sealed bid or auction after public advertisement); or,
- (4) Trash (after determining surplus property has no reasonable value).

The best method of disposal for surplus property depends on several factors related to surplus property: type, quality, quantity, condition, availability of recipients, etc. In general, the idea is to dispose of surplus property as efficiently as possible within the established requirements of the Commonwealth of Kentucky. Furthermore, requirements of the original funding source/program that provided for the initial purchase will not be usurped.

Exception to Surplus Property Policy:

When the PADD acquires a piece of property that was not for a public purpose, there will be an exception to the normal surplus property process. Examples of properties not acquired for a public purpose could include:

- Property or equipment that is acquired through the Business Lending Programs to protect/secure the PADD's loan position and balances.
- Property acquired through the Housing programs to protect/secure the PADD's loan position and balances.

In any case where this exception is utilized, the following steps will be taken:

1. Staff will make a recommendation to the appropriate committee or corporation that the property was not acquired for a public purpose and an alternate method of disposal is being recommended.
2. The approved committee or corporation recommendation and alternate method of disposal then will be presented to the full board of directors for approval.
3. When disposal of the property is completed, a report will be made to the appropriate committee/corporation and full board of directors.

CONTRACT APPROVAL PROCESS

The executive director has the authority to sign continuation contracts, defined as ongoing contracts without significant changes in scope of work. New contracts at a total dollar

amount greater than \$100,000 are to be presented and approved at the board level, contracts less than \$100,000 but greater than \$30,000 are to be presented and approved at the Personnel & Finance Committee level, and the executive director has the authority to sign contracts at amounts less than \$30,000. A list of the new contracts, less than \$100,000, will be shared with the full PADD Board on a quarterly basis. Cancellation of any contract will follow the above process, dependent upon the financial level of the contract.
Dated this 16th day of September 2013.

AMENDMENTS

These personnel policies may be amended at any regular full Board meeting or any meeting of the Personnel and Finance Committee within seven (7) days written notice.

WORKPLACE HARASSMENT POLICY
ACKNOWLEDGEMENT AND RECEIPT CERTIFICATION

By signing below, I acknowledge that I have been provided a copy of the Policy Against Workplace Harassment and have been granted full opportunity to read it. I understand that PADD has a zero-tolerance for workplace harassment and further understand that the policy sets forth procedures for reporting any conduct considered by me to be in violation of the policy. I agree to follow and abide by this policy as an employee of PADD.

Employee Signature

Printed Name

Date _____

WEAPONS AND CARRY CONCEALED NOTICE FORM

Employee Name: _____

Employee Address: _____

Employee Phone Number: _____

I, _____, am licensed to possess concealed deadly weapons
(EMPLOYEE NAME)
pursuant to KRS 237.110 (“CCDW License”). I intend on carrying a concealed firearm(s) or other deadly weapon(s) either on my person or in my personal vehicle during my employment with PADD.

Please initial:

_____ : I understand that I, and I alone, am responsible for any weapon which I carry on my person or in my personal vehicle during my employment with PADD. PADD will not be responsible for theft, loss, or damage of any weapon which I carry on my person or in my vehicle during my employment. Further, PADD will not be held liable for my use or misuse of any weapon which I carry on my person or in my personal vehicle during my employment with PADD.

_____ : I have read and understand PADD’s Weapons/Firearms policy.

_____ : I agree that I will not use any weapon or firearm in any manner proscribed as unlawful under the Kentucky Penal Code.

_____ : I agree that I will not display or brandish any weapon or firearm in any manner with the intent to threaten a fellow employee, or member of the public, except under circumstances proscribed as lawful under the Kentucky Penal Code.

_____ : I agree to immediately notify PADD if my CCDW license has been renewed, restricted, suspended, or revoked.

_____ : I have provided a copy of my KRS 237.110 CCDW License to PADD.

Employee Signature Date

Executive Director Signature Date

Supervisor Signature Date

Purchase Area Development District

Security Policy

Effective Date: January 1, 2015

Updated: April 7, 2015

Effective security is a team effort involving the participation and support of every Purchase Area Development District (PADD) employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly. These rules are in place to protect the employee and the PADD. Inappropriate use exposes the PADD to risks of malicious attacks, compromise of network systems and services, and legal issues. This policy applies to the use of information, electronic and computing devices, and network resources to conduct PADD business or interact with internal networks and business systems, whether owned or leased by PADD, the employee, or a third party. All employees, contractors, consultants, temporary, and other workers at PADD and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with PADD policies and standards, and local laws and regulation.

Appropriate measures must be taken when using workstations to ensure the confidentiality, integrity and availability of sensitive information, including protected health information (PHI) and that access to sensitive information is restricted to authorized users.

Employees using workstations shall consider the sensitivity of the information, including PHI that may be accessed and minimize the possibility of unauthorized access.

Employees with access to PHI shall ensure their workstations are used for authorized business purposes only. Employees with access to PHI shall exit all running applications and close open documents before securing their workstation when leaving their area to prevent unauthorized access.

Securing Workstations

All computing devices must be secured with a password-protected screensaver with the automatic activation feature set to 10 minutes or less. You must lock the screen

( Windows Logo Button + **L** on your keyboard) or log off when the device is unattended.

User ID and Password Guidelines

Your User ID and Password are an important deterrent to intrusion ... the first and sometimes only line of defense protecting PADD resources. Each user is responsible for every action initiated by that account.

It is **not appropriate** to use your PADD email address or login credentials for personal matters such as personal online shopping, personal social media, or other non-official capacity uses. These activities should be conducted using personal email addresses and accounts that are not associated with your PADD identity.

In situations where the use of your PADD account or email is appropriate for use in a non-PADD system for professional purposes, you should always use a password that is not the same as, or similar to, your official password used for PADD systems.

All passwords should meet or exceed the following guidelines

Strong passwords have the following characteristics:

- Contain at least 8 alphanumeric characters.
- Contain at least one number (for example, 0-9).
- Contain at least one special character (for example, !\$%^&*()_+|~-=\`{}[]:"';'<>?,/).

Poor, or weak, passwords have the following characteristics:

- Contain less than eight characters.
- Can be found in a dictionary, including foreign language, or exist in a language slang, dialect, or jargon.
- Contain personal information such as birthdates, addresses, phone numbers, or names of family members, pets, friends, and fantasy characters.
- Contain work-related information such as building names, system commands, sites, companies, hardware, or software.
- Contain number patterns such as aaabbb, qwerty, zyxwvuts, or 123321.
- Contain common words spelled backward, or preceded or followed by a number (for example, terces, secret1 or 1secret).
- Are some version of "Welcome123" "Password123" "Changeme123"

You should never write down a password. Instead, try to create passwords that you can remember easily. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase, "This May Be One Way To Remember" could become the password TmB1w2R! or another variation.

(NOTE: Do not use either of these examples as passwords!)

Passwords must not be shared with anyone. All passwords are to be treated as sensitive, confidential PADD information.

Passwords must not be inserted into email messages or other forms of electronic communication. Do not reveal a password on questionnaires or security forms.

Passwords should not be stored in Internet browsers.

Do not share PADD passwords with anyone except supervisors, including co-workers or family members.

Keep all passwords in a secure location and not attached to any computer equipment. Do not store passwords in a file on a computer system or mobile device (phone, tablet) without encryption.

Any user suspecting that his/her password may have been compromised must report the incident and change all passwords.

Software Installation

To avoid the exposure of sensitive information contained within PADD's computing network, the risk of introducing malware, and the legal exposure of running unlicensed software, employees may not install software on computing devices operated within the PADD network or belonging to the PADD. Software requests must be first approved by the direct supervisor and Assistant Director then made to IT staff. All software requests must comply with national, international, and commercial software license laws along with PADD security policies regarding proper acquisition, use, duplication and distribution of copyrighted software

Virus Prevention

Antivirus software should be running on your system at all times.

NEVER open any files or macros attached to an email from an unknown, suspicious or untrustworthy source. Delete these attachments immediately then 'double-delete' by emptying your Trash. Unexpected files or macros received from known sources should be verified before opening.

Never download files from unknown or suspicious sources.

Avoid direct disk sharing with read/write access unless there is absolutely a business requirement to do so.

Always scan a removable device from an unknown source for viruses before using it.

Backup critical data on a regular basis and store the data in a safe place.

Immediately notify IT staff if malicious activity is suspected. Do not attempt to eradicate a virus or use the affected machine until IT staff have been notified so the problem can be addressed.

Internet Services

Capabilities for the following standard Internet services will be provided to users as needed:

- E-mail -- Send/receive E-mail messages to/from the Internet (with or without document attachments).
- Navigation -- WWW services as necessary for business purposes, using a hypertext transfer protocol (HTTP) browser tool. Full access to the Internet.
- File Transfer Protocol (FTP) -- Send data/files and receive in-bound data/files, as necessary for business purposes.
- Telnet -- Standard Internet protocol for terminal emulation.

Management reserves the right to add or delete services as business needs change or conditions warrant. ***All other services will be considered unauthorized access to/from the Internet and will not be allowed.***

If sensitive information is sent via the Internet or other unsecured media transmission facility, the information must be sent encrypted.

Bandwidth both within the company and in connecting to the Internet is a shared, finite resource. Users must make reasonable efforts to use this resource in ways that do not negatively affect other employees.

Only access Internet websites and protocols that are deemed appropriate for PADD's business environment. The following protocols and categories of websites should be avoided: Adult/Sexually Explicit Material and Chat & Instant Messaging.

Portable Devices, Media and Cloud Services

The PADD discourages the placement (download, copy, or input) of confidential data on portable devices. Storage on such devices is permitted only if the following requirements have been satisfied:

- Use is restricted to specific individuals requiring such data to perform their job duties;
- Storage is for a limited, defined period of time as required to perform specific job duties;
- Approval has been obtained by the system/data owner for such;
- Information should be abbreviated, if possible, to limit exposure (i.e. last 4 of SSN); and
- Sensitive data has been encrypted.

Unencrypted storage of confidential data on portable devices, media, and/or cloud services is strictly prohibited.

Mobile Devices

Mobile devices such as smart phone and tablets offer great flexibility and improved productivity for employees. However, they can also create added risk and potential targets for data loss. As such, their use must be in alignment with appropriate standards and encryption technology should be used when possible.

The loss or theft of any mobile device containing PADD data must be reported immediately to IT staff.

If your PADD email account is setup on your personal smartphone and/or you have PADD- related data on your personal smartphone, you must have Auto-lock enabled (1 minute) with a passcode enabled and it must not be jailbroken or rooted.

Voicemail

Voicemail boxes may be issued to PADD personnel who require a method for others to leave messages when they are not available. Voicemail boxes must be protected by a password which must never be the same as the last four digits of the telephone number of the voicemail box.

Voicemail passwords, like computer passwords, must not be shared with anyone. All passwords are to be treated as sensitive, confidential PADD information.

Keyless Entry System

Any keyless entry cards that are lost must be immediately reported to IT Staff to avoid any potentially unauthorized access to the building. The lost key will be deactivated, and a new key will be issued. If the lost key is found, please return it to IT Staff.

Employee Status Changes

Communicate with IT staff both employee and non-employee terminations and status changes immediately to ensure proper deletion/revision of user access.

Backup

Onsite backup will be performed in machine readable format in the event operating data is lost, damaged, or corrupted and to avoid having to reenter the data from source material. Offsite backup designed for longer term protection will be in a more sterile format and provide protection against threats potentially damaging to primary site and data.

Security Incident Handling

Keep a log of pertinent information during security incidents that are under investigation, including action taken.

Inform appropriate personnel (i.e. IT Staff, Executive Director, Assistant Directors,

Finance). Release of information during a security incident must be authorized by the Executive Director or Assistant Director.

Follow-up analysis – after an incident has been fully handled and all systems are restored to normal mode of operation, a follow-up analysis should be performed. All involved parties should meet and discuss the actions taken and lessons learned. All existing procedures should be evaluated and modified as needed.

For incidents involving deception and fraud, additional notification may include police department and others depending upon severity of the incident at the discretion of the Executive Director.

Following activities are strictly prohibited:

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by PADD.

-Accessing data, a server or an account for any purpose other than conducting PADD business, even if you have authorized access, is prohibited.

-Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).

-Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

- Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).