

**Coghlan Law Office**

**bay-area-immigration.com**

**EMPLOYEE**

**HANDBOOK**

San Francisco Office
615 Sansome Street, 2nd Floor
San Francisco, CA 94111

Ph: 415-732-1620

Fx: 415-723-7753

Napa Office

3055 Jefferson St., Ste 6

Napa, CA 94558

Ph: \_\_\_\_\_\_\_\_\_\_

Fx: 707-260-7721

Revision Date: 05-2019

San Rafael Office

3255 Kerner Blvd., Ste. 4

San Rafael, CA 94901

Ph: 415-454-1100

Fx: 707-260-7721

**Table of Contents**

1. **Welcome**

1.1. History, Goals & Culture
1.2. Purpose of Handbook
1.3. At-Will Employment

1. **Workplace Commitments**

2.1. Equal Opportunity Employment

2.2. Non-Harassment / Non-Discrimination

2.3. Drug Free / Alcohol Free

2.4. Open Door Policy

1. **Company Policy and Procedures**

3.1. Code of Professional Conduct

3.2. Dress Code

3.3. Payday

3.4. Company Property

3.5. Privacy

3.6. Personnel Files

1. **Employment Classification**

4.1. Exempt

4.2. Non-Exempt

4.3. Part-Time, Full-Time or Temporary Status

1. **Attendance Policies**

5.1. General Attendance

5.2. Tardiness

5.3. Web Clock

5.4. Breaks

5.5 Birthdays/Celebrations

1. **Leave Policies**

6.1. Vacation

6.2. Sick Leavew

6.3 Paid Family Leave

6.4. Holidays

6.5. Jury Duty

6.6. Voting

1. **Work Performance**

7.1. Expectations

7.2. Reviews

7.3. Insubordination

1. **Discipline Policy**

8.1. Grounds for Disciplinary Action

8.2. Procedures

8.3. Termination

1. **Employee Health and Safety**9.1. Workplace Safety

 9.2. Workplace Security
 9.3. Bank Deposit Safety Protocol

 9.4. Emergency Procedures

**10. Benefits**

10.1. Worker’s Compensation

**11. Termination Policies**

11.1. Voluntary Termination

11.2. Final Paycheck

1. **Acknowledgments of Receipt**

12.1. Employee Copy

12.2. Employer Copy

**Section 1 - Welcome**

* 1. **History, Goals & Culture**

Welcome to the Coghlan Law Office team! We are a full-service bilingual immigration law firm with three offices in the San Francisco Bay Area (San Francisco, San Rafael, and Napa). We specialize in deportation defense, including assistance in securing release from DHS custody, family-based petitions, criminal representation in California courts, and citizenship applications.

The firm focuses on handling criminal cases in light of current immigration law including all forms of post-conviction relief.  You can read details of these services under the "Practice Areas" section of our company’s website. Please review the range of services we offer.

Mr. Stephen Coghlan is the practicing attorney and has many years experience in Immigration Law. Associates Omar Nakib and Nathaniel Nicoll (as well as specialists) are also involved in developing options and services rendered to specific clients.

**1.2 Purpose of this Handbook**

This handbook has been prepared to inform new employees of the policies and procedures of this company and to establish the company’s expectations. It is not all-inclusive or intended to provide strict interpretations of our policies; rather, it offers an overview of the work environment. This handbook is not a contract, expressed or implied, guarantying employment for any length of time and is not intended to induce an employee to accept employment with the company.

The company reserves the right to unilaterally revise, suspend, revoke, terminate or change any of its policies, in whole or in part, whether described within this handbook or elsewhere, in its sole discretion. If any discrepancy between this handbook and current company policy arises, conform to current company policy. Every effort will be made to keep you informed of the company’s policies, however we cannot guarantee that notice of revisions will be provided. Feel free to ask questions about any of the information within this handbook.

This handbook supersedes and replaces any and all personnel policies and manuals previously distributed, made available or applicable to employees.

**1.3 At-Will Employment**

Employment at this company is at-will. An at-will employment relationship can be terminated at any time, with or without reason or notice by either the employer or the employee. This at-will employment relationship exists regardless of any statements by office personnel to the contrary. Only HR staff members are authorized to modify the at-will nature of the employment relationship, and the modification must be in writing.

**Section 2 – Workplace Commitments**

**2.1 Equal Opportunity Employment**

This company is an equal opportunity employer and does not unlawfully discriminate against employees or applicants for employment on the basis of an individual’s race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline and termination.

Whenever possible, the company makes reasonable accommodations for qualified individuals with disabilities to the extent required by law. Employees who would like to request a reasonable accommodation should contact HR staff members.

**2.2 Non-Harassment Policy / Non-Discrimination Policy**

This company prohibits discrimination or harassment based on race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and is free from discriminatory practices, including-- without limitation--harassment. Consistent with its workplace policy of equal employment opportunity, the company prohibits and will not tolerate harassment on the basis of race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Violations of this policy will not be tolerated.

Discrimination includes, but is not limited to the following: making any employment decision or employment-related action on the basis of race, color, religion, creed, age, sex, disability, national origin, marital or veteran status, or any other status protected by applicable law.

Harassment is generally defined as unwelcome verbal or non-verbal conduct, based upon a person’s protected characteristic, that denigrates or shows hostility or aversion toward the person because of the characteristic, and which affects the person’s employment opportunities or benefits, has the purpose or effect of unreasonably interfering with the person’s work performance, or has the purpose or effect of creating an intimidating, hostile or offensive working environment. Harassing conduct

includes, but is not limited to: epithets; slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on their protected characteristic.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature, when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment include: unwelcome or unsolicited sexual advances; displaying sexually suggestive material; unwelcome sexual flirtations, advances or propositions; suggestive comments; verbal abuse of a sexual nature; sexually-oriented jokes; crude or vulgar language or gestures; graphic or verbal commentaries about an individual’s body; display or distribution of obscene materials; physical contact such as patting, pinching or brushing against someone’s body; or physical assault of a sexual nature.

**Reporting:**

Any company employee who feels that he or she has been harassed or discriminated against, or has witnessed or become aware of discrimination or harassment in violation of these policies, should bring the matter to the immediate attention of his or her direct manager and/or any other HR staff members. The company will promptly investigate all allegations of discrimination and harassment, and take action as appropriate based on discoveries of the investigation. An investigation and its results will be treated as confidential to the extent feasible, and the company will take appropriate action based on the outcome of the investigation.

No employee will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If an employee feels he/she has been retaliated against, the employee should file a complaint using the procedures set forth above.

**2.3 Drug-Free / Alcohol-Free Environment**

Employees are prohibited from unlawfully consuming, distributing, possessing, selling, or using controlled substances while on duty. In addition, employees may not be under the influence of any controlled substance, such as drugs or alcohol, while at work, on company premises or engaged in company business. Prescription drugs or over-the-counter medications, taken as prescribed, are an exception to this policy.

Anyone violating this policy may be subject to disciplinary action[[1]](#footnote-1), up to and including termination.

**2.4 Open Door Policy and Duty to Inform**

The company has an open door policy and takes employee concerns and problems seriously. The company values each employee and strives to provide a positive work experience. Employees are encouraged to bring any workplace concerns or problems they might have or know about to their direct manager or some other member of management.

In the same way, employees have a duty to inform their direct manager (or any other HR staff member) of any workplace behavior that violates workplace norms or that they suspect is in violation of morally correct and ethical behavior. Knowledge of such behavior and the failure to report it in a timely manner will be considered a violation of this company policy and will be subject to disciplinary action, up to and including termination

**Section 3 – Company Policies and Procedures**

**3.1 Professional Conduct**

This company expects its employees to adhere to a high standard of professional conduct and integrity. This ensures that the work environment is safe, comfortable and productive. Employees should be respectful, courteous, and mindful of others’ feelings and needs. General cooperation between coworkers and managers is expected. Individuals who act in an unprofessional manner may be subject to disciplinary action up to and including termination.

**3.2 Dress Code**

An employee’s personal appearance and hygiene is a reflection on the company’s character. Employees are expected to dress appropriately for their individual work responsibilities and position. Specific guidelines concerning CLO dress code are detailed below:

* No yoga pants or workout clothing
* No jeans (except for Fridays)
* No perfume, scented lotions, or air fresheners
* No low-cut or otherwise revealing shirts
* No mini-skirts
* No heavy makeup (i.e. styles that could be perceived as gang related)
* No tank tops, spaghetti straps, or off-the-shoulder tops
* No sandals or open-toed shoes
* No logo t-shirts

**3.3 Payday**

Payroll is processed on the 11th and 26th day of every month. All hours worked (including flea market and marketing events) must be submitted to Payroll personnel by 10 am on or before these dates.

Chronic failure to do so will result in disciplinary action. As an employer this firm is required to pay you for all hours worked in a timely fashion. Failing to submit your hours in a timely fashion hinders our compliance and results in unnecessary costs to the employer.

Paychecks are distributed every 15 days. If the pay date lands on a holiday, paychecks will be distributed on the closest business day before the holiday.

The paycheck will reflect work performed for the two-week period. Paychecks include salary or wages earned less any mandatory or elected deductions. Mandatory deductions include federal or state withholding tax, and other withholdings. Elected deductions are deductions authorized by the employee, and may include, for example, contributions to benefit plans. Employees may contact your direct supervisor or any other HR staff member to obtain the necessary authorization forms for requesting additional deductions from their paychecks.

Notify a managerimmediately if your paycheck appears to be inaccurate or if it has been misplaced. The company reserves the right to charge a replacement fee for any lost paychecks. Advances on paychecks are not permitted. Information regarding final paychecks can be found under the termination section of this handbook.

Any change in name, address, telephone number, marital status or number of exemptions claimed by an employee must be reported to any HR staff member immediately.

**3.4 Company Property**

Company property (such as equipment, supplies, vehicles, telephones, computers, and software) is not for private use. These devices are to be used strictly for company business and are not permitted off grounds unless authorized. Company property must be used in the manner in which it was intended. Upon termination, employees are required to surrender any company property they possess (including office keys).

Company computers, internet and emails are a privileged resource and must be used only to complete essential job-related functions. Employees are not permitted to download any “pirated” software, files or programs and must receive permission from their manager before installing any new software on a company computer. Files or programs stored on company computers may not be copied for personal use.

Phones are provided for business use. No texting or calling on your cell phone while in the office. You may give out the office number to anyone who may need to contact you during your office hours (i.e. your children’s school, doctors, childcare providers, etc.). Outside of these types of calls, personal calls should be limited to your break time and--as a courtesy to our clients and to your colleagues—should be taken outside whenever possible. Personal long distance calls are not permitted on company phones.

**Skype is mandatory**. If you do not already have an account, go to [www.skype.com](http://www.skype.com) to create one. Every employee must have a Skype account and must add other Coghlan Law employees to his/her network of contacts. Upon clocking in, every employee must log into his/her Skype account. This is not optional. Skype shows the potential clients that all of the offices are connected and that you have attorneys standing by. When Skyping attorneys, Skype the entire group of attorneys and wait for a reply from whoever is available.

Employees are reminded that they should have no expectation of privacy in their use of company computers or other electronic equipment. Violations of these policies could result in disciplinary action up to and including termination.

**3.5 Privacy**

Employees and employers share a relationship based on trust and mutual respect. However, the company retains the right to access all company property including computers, desks, file cabinets, storage facilities, and files and folders (electronic or otherwise) at any time. Employees should not entertain any expectation of privacy when on company grounds or while using company property.

All documents, files, voice-mails and electronic information (including e-mails and other communications) created, received or maintained on or through company property are the property of the company, not the employee. Therefore employees should have no expectation of privacy over those files or documents.

Do not give out other CLO employees’ personal information to clients or anyone who calls our offices. You may take a message and email the employee in question to make him/her aware that someone would like to speak with him/her, but that is the extent of it. Failure to adhere to this policy will be met with disciplinary action.

**3.6 Personnel Files**

The company maintains a personnel file on each employee. These files are kept confidential to the extent possible. Employees may review their personnel file upon request.

It is important that personnel files accurately reflect each employee’s personal information. Employees are expected to inform the company in a timely manner of any change in name, address, home phone number, home address, marital status, number of dependents, or emergency contact information**. Please make sure that Coghlan Law’s Time Matters database is updated with your most current contact information.**

**Section 4 - Employment Classification**

This company assigns positions, determines wages and compensates employees for authorized overtime in accordance with state and local laws and the Fair Labor Standards Act.

**4.1 Exempt Employees (Salary)**

**Exempt employees** are those that are excluded from the overtime pay requirements of the Fair Labor Standards Act. Exempt employees are paid a **salary** and are expected to work beyond their normal work hours whenever necessary to accomplish the work of the company. Exempt employees are not eligible to receive overtime compensation. Employees should consult with an administrator if they have questions regarding their classification as an exempt employee.

**4.2 Non-Exempt Employees (Hourly)**

**Non-exempt employees** are those eligible for overtime pay of 1.5 times the **regular hourly rate** of pay for all authorized hours worked over 40 per work week. All overtime must be approved by your direct supervisor and any other HR staff member in advance. Employees should consult with an administrator if they have questions regarding their classification as a non-exempt employee. Holidays are not paid.

**4.3 Part-Time, Full-Time or Temporary Status**

Part-time or full-time status depends on the number of hours per week an employee works. Regular employees who work fewer than 40 hours/week receive part-time classification. Part-time employees are not eligible for employee benefits as described in this handbook. Regular employees who work at least 40 hours/week receive full-time classification.

From time to time the company may hire employees for specific projects or periods of time. Temporary employees may work either part-time or full-time, but generally are scheduled to terminate by a certain date. Temporary employees who remain on duty past the scheduled termination remain classified as temporary. Only HR staff members can reassign positions or redistribute duties. If an employee is leaving, he/she cannot assign their successor. Additionally, any change in schedule should be proposed, approved and produced in writing (new employee offer letter) for both the employee and employer’s records. This small step can avoid significant misunderstandings.

**Section 5 – Attendance Policies**

**5.1 General Attendance**

The company maintains normal working hours of 9 a.m. to 5 p.m. Hours may vary depending on work location and job responsibilities. Managers will provide employees with their work schedules. Unless prior approval has been granted, employees are not authorized to work on days they are not scheduled. Should an employee have any questions regarding his/her work schedule, the employee should contact his/her manager.

Attorneys will be in the office from 9:00 a.m. to 4:30 p.m., Monday through Thursday, unless there is a hearing scheduled for earlier. On Fridays, an attorney will be present from 9:30 a.m. to 12:00 p.m. unless an afternoon hearing is scheduled, in which case the attorney will stay until the hearing is finished.

The company does not tolerate absenteeism without excuse. Employees who will be late should notify a direct manager in advance, or as soon as practicable in the event of an emergency. If an employee is absent, ***notification via email to a direct supervisor is required***. *I****f an employee does not have access to email, a text should be sent to the employee’s direct office supervisor.*** Chronic absenteeism may result in disciplinary action.

On alternating weeks, CLO hosts office-wide Monday GoTo Meetings at 1:00 p.m. and Thursday training sessions from 3-5 p.m. Google Calendar is blocked for this time frame. Attendance is mandatory, and failure to attend may result in disciplinary action.

Currently the calendar is blocked off for these meetings. Regardless of whether we have a meeting or not, those blocked off times should remain clear of client appointments.

Employees who need to leave early, for illness or otherwise, must inform a manager before the meeting begins. Unauthorized departures may result in disciplinary action.

**5.2 Tardiness**

Employees are expected to arrive on time and ready for work. An employee who arrives after their scheduled arrival time is considered tardy. The company recognizes that situations arise which hinder punctuality. In these situations, please contact the front desk of your office as soon as possible to let him/her know you are running late. Regardless, excessive tardiness is prohibited and may be subject to disciplinary action up to and including termination. ***You will be assigned a specific schedule and must adhere to it. All modifications must be approved in writing by HR staff members.***

**5.3** Monitor your own hours. Currently we do not have a payroll company or direct deposit. There is a time sheet on the google drive. Your timesheet must only reflect the hours you have worked. Claiming wages for which you were not working is considered dishonest and is stealing from the company. this is a terminable offense.

**Web Clock - WE ARE IN THE PROCESS OF SWTICHING PAYROLL COMPANIES (11/2018)**

You must keep track of your own hours, independent of whether or not you are on payroll. You must clock in and out using Web Clock (<https://www.payrollservers.us/webclock/default.aspx>) every day you work.

You must regularly check your timecard for missed punches, requested sick hours (on the form), and requested marketing hours and report any missing hours to HR in a timely manner.

Management will not send emails to track down missing punches. ***Also, you may clock in ONLY 10 minutes before your scheduled start time.***

* User ID: your employee number
* Password: as assigned (first letter must be capitalized).
* Clicking on the blue “time card” link will show you your hours to date.

You cannot have someone else clock in or out for you. **You may not clock in remotely (i.e. from your cell phone).** Clocking in remotely is claiming wages/pay for time you are not working. Therefore, you are being deceitful and stealing from the company. This is a terminable offense.

**5.4 Breaks**

Employees are entitled to two 10-minute breaks for every 4 hours worked.

You must take a lunch break if you work over 5 hours. Thirty minutes are automatically deducted from your timecard for every 5 hours worked. Lunch breaks must be taken by 2:00 p.m. and at staggered times to ensure that someone is always present in the office to assist clients and answer phones*. \*\*****No more than two support staff should take lunch at the same time out of courtesy to our clients and your peers. Lunch breaks are 30 minutes long, and the clock runs from the time you leave to get lunch until you finish eating or return. If an employee abuses this policy, he/she will be required to clock in and out for lunch breaks.***

Whenever possible, please avoid taking a break at your desk so that you can enjoy it uninterrupted. For offices with a break room/Area, use it.

**5.5 Birthdays/Celebrations**

Birthdays are not paid. You are also expected at work if your birthday falls on your regular schedule. (If you wish to have it off, make sure that you request it off at least 7 days in advance).

Please let your manager know if you would like your birthday celebrated. A typical birthday celebration consists of cookies/cake/candles.

Luncheons are at the discretion of management and are usually reserved as a “going away” celebration on your last day.

**Section 6 – Leave Policies**

**6.1 Vacations**

Barring emergencies, time off must be requested at least 7 days in advance. A time-off request is made by filling out the “Time-Off Request” form found on the Google Drive/new <http://immigrationformprep.com/hr/> website and submitting it to any HR staff member. Coghlan Law is flexible in approving time off when doing so would not interfere with company operations. Paid vacation days for eligible employees are granted only on a full-day or half-day basis and are **based upon an employee’s average work day hours.**

Salary Employees – receive all approved time off as paid.

Regular Employees – do not have paid vacations until after 36 months of continuous full time employment, up to one week paid. An employee can request more vacation time, but anything past a week will be unpaid.

Employees must earn and accrue vacation benefits before they may be used. Vacation benefits do not necessarily accrue during any period of extended leave of absence.

Employees should consult HR staff members if there are any questions regarding eligibility for paid vacation time to avoid any misunderstanding or miscommunication.

It is also worth noting, that if you leave Coghlan Law, and return as a re-hire, your rate will be per your employee offer letter and sick time and vacation time start at 0.

Any arrangements made with management that do not follow the above guidelines must be in writing and signed by a manager in order to be honored. **Verbal arrangements will not be honored.**

**6.2 Sick Leave**

Situations may arise where an employee needs to take time off to address medical or other health concerns. CLO sick leave policy is as follows:

* Sick days are granted on a paid basis to regular employees who have worked for Coghlan Law continuously for over 90 days since 07/01/2015. Employees cannot start using accrued sick days until the 90th day of employment, after which the employee can use paid sick leave as it is accrued.
* An employee can use paid sick time for an existing health condition or preventive care for themselves or a “family member.” Under the Healthy Workplaces, Healthy Families Act (the Act), family member is defined as a child, parent (including parent-in-law), spouse or registered domestic partner, grandparent, grandchild or sibling.
* Paid sick leave may be used for an employee who is a victim of domestic violence, sexual assault or stalking.
* Paid sick leave must be provided when the employee makes an oral or written request. Please use the “Paid Sick Leave” request form found on <http://immigrationformprep.com/hr/>. Fill it out and submit it in a timely fashion to Steven Smulewitz, who currently processes payroll. (05-2019)
* Requests for paid sick leave for days an employee does not normally work will not be honored. (for example, if you don’t typically work Saturdays, you cannot request sick time for Saturday)
* Coghlan Law reserves the right to request an official doctor’s note from an employee who has requested paid sick leave.
* If the need for paid sick leave is foreseeable (such as a scheduled dr. appt), an employee must provide “reasonable” advance notice to management. If the need is unforeseeable, the employee need only give notice as soon as practicable, as may occur in the case of unanticipated illness or a medical emergency.
* The employee can decide how much paid sick leave he/she needs to use.

MO Special Request: If possible, please try not to schedule your doctor appointments on a Thursday that might interfere with training. Trainings are mandatory.

**How NOT to abuse sick pay**:

* Do not request sick pay to cover vacation time.
* Do not request sick pay to excuse tardiness.

Employees may consult Steven Smulewitz, who currently processes payroll regarding the amount of (paid) sick leave they have accrued for the calendar year in question.

**6.3 Paid Family Leave**

Paid Family Leave is a California law that provides income replacement for employees covered by State Disability Insurance (SDI). An employee may submit a claim for PFL insurance benefits for the following reasons:

* To care for a seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner.
* To bond with the employee’s new minor child or the new minor child of the employee’s spouse or registered domestic partner.
* To bond with a minor child in connection with the adoption or foster care placement of the child with the employee or the employee’s spouse or registered domestic partner.

A serious health condition means an illness, injury, impairment, or physical or mental condition of a patient that involves inpatient care in a hospital, hospice, or residential medical care facility. This includes any period of incapacity (e.g., inability to work, attend school, or perform other regular daily activities) or any subsequent treatment in connection with such inpatient care; or continuing treatment by a physician/practitioner unless complications arise. Cosmetic treatments, the common cold, influenza, earaches, upset stomach, minor ulcers, and headaches other than migraine are examples of conditions that do not meet the definition of a serious health condition for purposes of PFL benefits.

The law provides up to 6 weeks of partial pay—55% of your weekly wage up to a maximum benefit. The law does not guarantee job protection. However, many workers qualify for 12 weeks of job-protected leave under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). Apply for PFL online at www.edd.ca.gov. If you have any questions about PFL, you can call the EDD at 1-877-BE THERE (877-238-4373).

For more information on PFL, visit this website:

<http://paidfamilyleave.org/ask-us/what-is-paid-family-leave>

**6.4 Holidays**

Coghlan Law Office observes at least the following holidays:

* New Year’s Day
* Martin Luther King, Jr. Day
* Memorial Day
* Independence Day
* Labor Day
* Thanksgiving
* Christmas Day

**Holidays are observed on an unpaid basis for non-exempt employees.**

**6.5 Jury Duty Time Off**

The company understands that occasionally employees are called to serve on a jury. Employees who are selected for jury duty must provide a copy of their jury summons to a manager. Time taken for jury duty is granted on a paid basis (based on an employee’s average work day) for the first day.

**6.6 Voting Time Off**

Employees are encouraged to participate in elections. The company grants incremental time off to cast a ballot in an election. As per California law, up to 2 hours are paid should an employee request time off to vote.

**Section 7 – Work Performance**

**7.1 Expectations**

The company expects every employee to act in a professional manner. Satisfactory performance of job duties and responsibilities is essential to this expectation. Employees should attempt to achieve their job objectives, and act with diligence and consideration at all times. Poor job performance can result in disciplinary action up to and including termination.

Please be aware that pets and children are under no circumstances allowed at work. If you cannot find child care or pet care, please inform your manager in advance and take the day off unpaid.

**7.2 Reviews**

The company may periodically evaluate an employee’s performance. The goal of a performance review is to identify areas where an employee excels and areas that need improvement. The company uses performance reviews as a tool to determine pay increases, promotions and/or terminations. Generally speaking, management will schedule performance reviews, but employees may—at any time—request a performance review.

All performance reviews are based on merit, achievement and other factors may include but are not limited to:

* Quality of work
* Attitude
* Knowledge of work
* Job skills
* Attendance and punctuality
* Teamwork and cooperation
* Compliance with company policy
* Past performance reviews
* Improvement
* Acceptance of responsibility and constructive feedback

**Employees should note that a performance review does not guarantee a pay increase or promotion.** Written performance evaluations may be made at any time to alert employees to unacceptable behavior or performance. Evaluations or any subsequent change in employment status, position or pay does not alter the employee’s at will-relationship with the company.

Please forward any questions about performance expectations or evaluation to the manager conducting the evaluation.

**7.3 Insubordination**

Managers and employees should interact with mutual respect and common courtesy. Employees are expected to take instruction from managers or other persons of authority\* (described below). Failure to comply with instructions or unreasonably delaying compliance is considered insubordination. Acts of insubordination are subject to disciplinary action up to and including termination.

If an employee disagrees with a manager, the employee should first try to mediate the situation by explaining his/her position. If possible, a compromise might be met and accusations of insubordination avoided.

**“Other persons of authority”**

* Owner
* Attorneys
* Satellite Office Supervisors
* Other Managers (see Management Organizational Chart attached)

**Section 8 – Discipline Policy**

**8.1 Grounds for Disciplinary Action**

The company reserves the right to discipline and/or terminate any employee who violates company polices, practices or rules of conduct. Management reserves the right to decide if an offense deserves a verbal warning, a written warning; a write-up; a mandate of unpaid suspension of 1, 2, or 3 days; or immediate termination. Typically three write-ups will result in termination. All written disciplinary actions expire in one year.

The following actions are unacceptable and considered grounds for disciplinary action or termination. This list is not comprehensive; rather, it is meant merely as an example of the types of conduct that this company does not tolerate. These actions include but are not limited to:

* Failing to comply with any/all deadlines;
* Insubordination or refusal to comply with directives;
* Disrespecting managers and/or co-workers; and
* Failing to adequately perform job responsibilities;
* Engaging in acts of discrimination or harassment in the workplace;
* Possessing, distributing or being under the influence of illicit controlled substances;
* Being under the influence of a controlled substance or alcohol at work, on company premises, or while engaged in company business;
* Unauthorized use of company property, equipment, devices or assets;
* Damage, destruction or theft of company property, equipment, devices or assets;
* Removing company property without prior authorization or disseminating company information without authorization;
* Falsification, misrepresentation or omission of information, documents or records;
* Lying to colleagues or clients;
* Chronic or unexcused absenteeism or tardiness;
* Disclosing confidential or proprietary company information without permission;
* Illegal or violent activity; intimidating your peers;
* Falsifying injury reports or reasons for leave;
* Possessing unauthorized weapons on premises;
* Disregard for safety and security procedures;
* Any other action or conduct that is inconsistent with company policies, procedures, standards or expectations.

This list exhibits the types of actions or events that are subject to disciplinary action. It is not intended to indicate every act that could lead to disciplinary action. The company reserves the right to determine the severity and extent of any disciplinary action based on the circumstances of each case.

**8.2 Procedures**

Disciplinary action is any one of a number of options used to correct unacceptable behavior or actions. Discipline may take the form of oral warnings, written warnings, formal write-ups, probation, unpaid suspension of up to 3 days, demotion, discharge, removal or some other disciplinary action, in no particular order. The course of action will be determined by the company at its sole discretion as it deems appropriate.

**8.3 Termination**

Employment with the company is on an at-will basis and may be terminated voluntarily or involuntarily at any time.

Upon termination, an employee is required:

* to continue to work until the last scheduled day of employment;
* to turn in by their due date and no later that the employee’s last day of work all reports and paperwork for which the employee is responsible;
* to return all files, documents, equipment, keys, access cards, software or other property belonging to the company that are in the employee’s possession, custody or control, and turn in all passwords to his/her manager.

**Section 9 – Health and Safety**

**9.1 Workplace Safety**

The company takes every reasonable precaution to ensure that employees have a safe working environment. Safety measures and rules are in place for the protection of all employees. Employees should maintain work areas in a safe and orderly manner, free from hazardous conditions. Employees who observe an unsafe practice or condition should report it to a direct immediately. Employees are prohibited from making threats against anyone in connection with his/her work or engaging in violent activities while in the employ of the company. Any questions regarding safety and safe practices should be directed to your direct supervisor.

In the event of an accident, employees must notify their direct manager immediately. Report every injury, regardless of how minor, to a manager immediately. Physical discomfort caused by repetitive tasks must also be reported.

Employees should recognize any potential fire hazards and be aware of fire escape routes and fire drills. Do not block fire exits, tamper with fire extinguishers or otherwise create fire hazards.

Common Hazard: Space heaters are strongly discouraged as employees tend to forget to turn off appliances which can result in a fire.

**9.2 Workplace Security**

Employees must be alert and aware of any potential dangers to themselves or their coworkers. Take every precaution to ensure that your surroundings are safe and secure. Guard personal belongings and company property. Visitors should be escorted at all times. Report any suspicious activity to a manager immediately. **Always lock the door if you are the only one in the office and also in the early morning hours before appointments or late evening after appointments are finished.**

Every office must have an alarm system installed. Any calls from the alarm company regarding “missed test or signals” must be addressed immediately

**9.3 Bank Deposit Safety Protocol**

In order to ensure employee safety when traveling to the bank to make a deposit, ***always conceal your deposit envelope***. Also, if by mid-week your office already has a sizeable amount to deposit, make one deposit mid-week and another at the end of the week to reduce both the amount of money kept in the office and the amount you must carry to the bank to deposit.

If you feel safer doing the deposit with a partner, please do so.

Before leaving the office to deposit funds, be sure to record all payments both in Time Matters and on the deposit log, and be sure to make copies of all checks and money orders.

In the unlikely event someone asks for your deposit money, give him/her the money without hesitation. Your safety is of utmost importance. Also***, file a police report immediately.***

**9.4 Emergency Procedures**

In the event of an emergency, dial 911 immediately. If you hear a fire alarm or other emergency alert system, proceed quickly and calmly to the nearest exit. Once the building has been evacuated, only a manager may authorize employees to reenter.

Never hesitate to dial 911 under any circumstances in which you feel afraid or threatened.

**Section 10 – Benefits**

**10.1 Workers’ Compensation**

As required by law, the company provides workers’ compensation benefits for the protection of employees with work-related injuries or illnesses.

Workers’ compensation insurance provides coverage to employees who sustain job-related injuries or illnesses. **If an employee is injured or becomes ill as a result of his/her job, it is the employee’s responsibility to immediately notify his/her manager of his/her injury in order to receive benefits.** Report every illness or injury to your manager, regardless of how minor it appears. The company will advise the employee of the procedure for submitting a workers’ compensation claim. If necessary, injured employees will be referred to a medical care facility. Employees should retain all paperwork provided to them by the medical facility. Failure to report a work-related illness or injury promptly could result in denial of benefits. An employee’s report should contain as many details as possible, including the date, time, description of the illness or injury, and the names of any witnesses.

A separate insurance company administers the worker’s compensation insurance. Representatives of this company may contact injured employees regarding their benefits under the plan. Additional information regarding workers’ compensation is available upon request.

**Section 11 - Termination**

**11.1 Voluntary Termination**

The company recognizes that personal situations may arise which require a voluntary termination of employment. Should this occur, the company requests that, if possible, the employee provide written notice at least two weeks in advance. This request does not alter an employee’s at-will relationship with the company.

All rights and privileges of employment with the company terminate upon the date of separation. As further discussed in Section 8.3, terminated employees are required to return all company property assigned to them. Failure to do so may result in the withholding of their final paycheck.

**11.2 Final Paycheck**

Employees who are terminated will be given their final pay check immediately. Should the employee be unable to personally retrieve his/her paycheck, it will be mailed to the address on file in Time Matters.

Acknowledgement of Receipt for Employee Handbook
**(Employee Copy – Keep with your handbook)**

I acknowledge that I have received a copy of the Employee Handbook. I understand that I am responsible for reading the information contained in the Handbook.

I understand that the handbook is intended to provide me with a general overview of the company’s policies and procedures. I acknowledge that nothing in this handbook is to be interpreted as a contract, expressed or implied, or an inducement for employment, nor does it guarantee my employment for any period of time.

I understand and accept that my employment with the company is at-will. I have the right to resign at any time with or without cause, just as the company may terminate my employment at any time with or without cause or notice, subject to applicable laws. I understand that nothing in the handbook or in any oral or written statement alters the at-will relationship, except by written agreement signed by the employee and HR staff members.

I acknowledge that the company may revise, suspend, revoke, terminate, change or remove, prospectively or retroactively, any of the policies or procedures outlined in this handbook or elsewhere, in whole or in part, with or without notice at any time, at the company’s sole discretion.

(Signature of Employee & Printed Name)

(Date)

(Company Representative)

Acknowledgement of Receipt for Employee Handbook
**(Email the signed acknowledgment to HR staff members)**

I acknowledge that I have received a copy of the Employee Handbook. I understand that I am responsible for reading the information contained in the Handbook.

I understand that the handbook is intended to provide me with a general overview of the company’s policies and procedures. I acknowledge that nothing in this handbook is to be interpreted as a contract, expressed or implied, or an inducement for employment, nor does it guarantee my employment for any period of time.

I understand and accept that my employment with the company is at-will. I have the right to resign at any time with or without cause, just as the company may terminate my employment at any time with or without cause or notice, subject to applicable laws. I understand that nothing in the handbook or in any oral or written statement alters the at-will relationship, except by written agreement signed by the employee and HR staff members.

I acknowledge that the company may revise, suspend, revoke, terminate, change or remove, prospectively or retroactively, any of the policies or procedures outlined in this handbook or elsewhere, in whole or in part, with or without notice at any time, at the company’s sole discretion.

(Signature of Employee & Printed Name)

(Date)

(Company Representative)

1. Written warning; formal write-up; unpaid suspension of 1, 2, or 3 days; termination [↑](#footnote-ref-1)