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## Hale Zukas

### Letter to Board of Directors from the Personnel Policy Committee

1976

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To: Board of Directors  
Re: Rule 10 of the Personnel Policies

The Personnel Policy Committee feels that the job categories should be established by the Executive Director as they reflect the operating structure of CIL which could be changed by a new director. The Personnel Policy Committee feels that these categories, once established, should not be included in the Policies but as a separate operational manual.

From: The Personnel Policy Committee.

Special Board Meeting Wednesday, Feb. 11, 1976, 6:30 pm 2515 Hillegas

### **Personnel Policies and Rules for the Center for Independent Living, Inc. Final Draft**

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#### **Rule I General Provisions**

##### **Section 1. Violation of Rules:**

Violation of the provisions of the following rules shall be grounds for discharge, rejection, suspension, or other disciplinary action. The Board of Directors shall have final authority to rule on alleged violations.

##### **Section 2. Disclosure of Political or Religious Affiliations:**

No question in any examination, application form or other personnel proceeding shall be so framed as to attempt to elicit information concerning political or religious opinions or affiliations of an applicant, eligible for employment. No appointment to or removal from a position in the CIL shall be affected in any manner by any political or religious opinion or affiliation, race, gender, or sexual orientation.

##### **Section 3. Amendment of Rules:**

These rules may be amended by the Board of Directors in the manner prescribed in the bylaws for amendment of other resolutions. Any recommendations for changes in these policies may be submitted to the Chairperson of the Board of Directors.

#### **Section 4. Waiver of Rights:**

Neither a candidate for employment nor any employee shall be required to sign any document whereby such person waives any right or rights accruing to him/her under these rules.

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## **Rule 2 General Procedure for Applications**

#### **Section 1. Announcement of Interviews:**

Whenever an interview is to be given for a position in CIL, the Executive Director or his/her representative shall cause to be posted at least 15 working days prior to the date of the interview, an official notice inviting the applications of qualified people. The notice shall be posted at appropriate places. The notice shall contain: (a) the title and probable rates of pay of the position to be filled; (b) some typical duties to be performed; (c) minimum qualifications required; (d) methods of securing application forms and final dates on which applications will be accepted. The notice may contain such additional information as seems desirable in the discretion of the Executive Director or his/her representative.

Hiring for temporary employees must be approved by the Executive Director. No person may maintain a temporary position for more than 30 calendar days.

#### **Section 2. Application Forms:**

Applications shall be made on forms provided by the Executive Director. Such forms shall require information covering training, experience, references, and other pertinent information. All applications must have the legal signature of the person applying.

#### **Section 3. Acceptance of Applications:**

A qualified person shall be admitted to an interview who within the period prescribed in the public notices thereof has filed an application upon the form furnished by the Executive Director, and whose application has not been rejected for cause in accordance with these rules, and who presents himself/herself at the time and place designated for the interview.

#### **Section 4. Rejection of Applications:**

The Executive Director or his/her representative may reject the application of a person which is not written on the prescribed form, not filed within the period specified in the public notice of the interview, or which indicates that the applicant does not possess the minimum qualifications for the position.

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#### **Section 5. Notice of Rejection of Application:**

Whenever an application is rejected, notice of such rejection shall be made by mail to the applicant by the Executive Director or his/her representative. Defective applications may be returned to the applicant with notice to amend the same, and the application may be amended and re-filed within 5 (five) working days after receipt of such rejection, the deadline for filing applications notwithstanding.

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## **Rule 3 Hiring Procedures**

### **Section 1. Consideration:**

Priority consideration for new positions will be given to existing staff, former CIL employees laid off for financial reasons, and disabled individuals.

### **Section 2. Hiring Procedure for Non-managerial Jobs:**

Applications for positions in the CIL will be screened by the department or project manager which has the opening. The department or project manager will select no more than 5 nor less than 2 applicants, whose qualifications best fit the needs of the job. The department or project manager will send a written notice of rejection to all other applicants stating reasons for rejection. The department or project manager will set up an interview schedule for the remaining applicants. The interviewing panel will consist of the Executive Director or his/her representative, the manager of the department or project to which the applicants are applying, and a staff member of that department or project. The interview panel will make recommendation to the Executive Director. After all interviews are completed, the panel will recommend one applicant to the Executive Director. Both the Executive Director and the department or project manager must agree upon the suitability of an applicant before he/she is hired. If one of them has an objection another applicant must be sought from the list of interviewed candidates.

### **Section 3. Hiring Procedure for New Projects or Departments:**

In the case of a new project or department which has no existing staff, the above rules shall apply. However, the interviewing panel shall consist of the Executive Director or his/her representative and the manager of the project or department to which applicants are applying.

### **Section 4. Hiring Procedure for the Executive Director:**

There will be a Search Committee appointed by the Board of Directors. The committee will consist of no more than 9 and no less than 5 individuals. There will be an equal number of non-staff

Board members and staff members, and the remainder of the

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committee will be non-staff, non-Board members of CIL. They will present no fewer than 3 and no more than 5 applicants to the Board of Directors for consideration.

### **Section 5. Hiring Procedure for Department and Project Managers and the Deputy Director:**

Applications for positions of department and project managers and the Deputy Director will be screened by the Executive Director or his/her representative. The Executive Director will select no more than 5 nor less than 2 applicants whose qualifications best fit the needs of the job. The Executive Director will send a written notice of rejection to all other applicants stating reasons for rejection. The Executive Director or his/her representative will set up an interview schedule for the remaining applicants. The interview panel will consist of the Executive Director, the Chairperson of the Board of Directors and the Ombudsperson. The interview panel will make recommendation to the Executive Director. After all interviews are completed the panel will recommend one applicant to the Executive Director.

### **Section 6. Creation of New Positions:**

Before new paid positions are created they will be discussed at managers' meetings. This excludes temporary positions of three months duration or less and persons being hired for six months or less to replace employees

on leave.

**Section 7. Additions to Interviewing Committees:**

The Executive Director may add to any interviewing committee any individual he/she feels is qualified on the basis of training and experience to evaluate applicants. Such persons will act as non-voting consultants but may otherwise participate fully in committee deliberations.

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**Rule 4 Termination of Employment**

**Section 1. Firing Procedure:**

Upon unsatisfactory performance by any employee, an informal discussion shall be held between the employee and his/her supervisor. If the problem is not resolved through this method, the appropriate department or project manager shall issue a written warning to the employee setting out in detail the specific complaint. A copy of this warning shall be kept in his/her personnel file. This warning shall constitute a two week probationary period. If, after this period, the employee has not corrected his/her performance, the department or project manager may take up with the Executive Director or his/her representative the possibility of the employee's dismissal. Dismissal shall be effected by agreement of the department or project manager and the Executive Director. Under extreme situations the Executive Director may require that the probationary period be served in suspension with pay and that the person so affected remain absent from the premises of the Center for Independent Living.

**Section 2. Appeals:**

Employees have the right of appeal to a board consisting of the Chairperson of the Board of Directors, the Executive Director and a non-staff Board member. The appeals board shall hear from the appellant and the department or project manager. The appeals board must act within a period not to exceed 5 working days from the date of filing the appeal.

**Section 3. Probation:**

An employee shall be allowed two periods of probation per 12 month period. After that the employee may be dismissed with two weeks notice. If, during a single 12 month period, an employee serves a probationary period and is retained by the CIL and subsequently demonstrates unsatisfactory performance, dismissal proceedings may be initiated immediately.

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**Section 4. Severance Pay:**

Any employee being fired will be given two weeks severance pay upon immediate dismissal, provided funds are available.

**Section 5. Layoff Procedures:**

Any employee being laid off shall receive two weeks notice. If a position having substantially the same duties and responsibilities reopens within 24 months the person laid off for financial reasons shall have the right to reinstatement if qualified.

**Section 6. Quitting:**

Any employee terminating his/her employment shall notify the Executive Director and the department or project manager, in writing, two weeks prior to departure.

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**Rule 5 Initial Probationary Period****Section 1. Length of Probationary Period:**

All original and promotional appointments shall be tentative and subject to a probationary period. Except as hereinafter otherwise provided, such probationary period shall be six months of actual service.

**Section 2. Reports on Probationers:**

It shall be the duty of the probationer's supervisor, during the probation period of each employee, to investigate thoroughly his/her adjustment, capacity, and general acceptability to determine whether the probationer is fully qualified for permanent status.

At the end of 3 months, the supervisor must make a written evaluation of the probationer. The evaluation will include a place for the probationer to sign it to signify that he/she has read the evaluation. There will also be a place for the person being evaluated to make comments as to whether they agree with the evaluation and why.

After 6 months a written statement must be put in the employee's file as to performance and recommending retention, dismissal, or other action.

**Section 3. Objectives of Probationary Period:**

The probationary period shall be regarded as an intrinsic part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for eliminating any probationary employee whose performance does not meet the required standards of work.

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**Rule 6 Leaves****Section 1. Determination of Times at Which Vacation Shall be Taken:**

The times during the fiscal year at which an employee shall take his/her vacation shall be determined by the department or project manager with due regard for the wishes of the employee and particular regard for the needs of the department or project.

**Section 2. Length of Vacation:**

Each employee is entitled to vacation leave of four weeks per fiscal year. Each such employee shall be entitled to take, during the fiscal year, only such actual vacation leave as s/he earns. Vacation leave is accrued monthly at a rate of 14 hours per month for full-time employment and at a corresponding rate for part-time employment.

**Section 3. Notification of Vacation Leave:**

Employees shall notify department or project managers two weeks ahead of their planned leave if that leave is to be longer than three consecutive days. Managers shall notify their supervisor, the Executive Director shall notify the Deputy Director.

#### **Section 4. Holidays:**

The following are days on which CIL will be closed:

1. New Year's Day
2. Memorial Day
3. July 4th
4. Labor Day
5. Thanksgiving
6. Friday after Thanksgiving
7. Christmas Day

An employee may take one additional day that is contiguous to Christmas Day.

Optional Holidays - Employees may take three "optional" days from the following list:

1. Martin Luther King's Birthday
2. Malcolm X's Birthday
3. Columbus Day
4. Employee's Birthday
5. Washington's Birthday
6. Yom Kippur
7. Rosh Hashanah
8. Day around Christmas holidays
9. Other day of significance to employee

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In the event one or more holidays fall within a vacation leave, such holidays shall not be charged as vacation leave, and the vacation leave shall be extended accordingly.

#### **Section 5. Deferred Vacation:**

Employees are strongly urged not to defer vacation leave more than one year, but if special circumstances arise, such deferrals are possible if they have the approval of the department or project manager and the Executive Director.

#### **Section 6. Death Leave:**

In the case of death within the family of an employee, such employee shall be entitled to remain absent from duty with pay, in order to attend the funeral or memorial services, for a period not exceeding three working days; provided that if the funeral or memorial services are to be conducted out of the State of California, such employee shall be entitled to remain absent from duty with pay, in order to attend such services, for a period not exceeding five working days.

If a person has to extend the period for religious reasons, they shall notify the Executive Director.

Leave of absence with pay because of death in an employee's family is allowed for the purpose of attending funeral or memorial services, and such leave shall not be charged against vacation or personal leave which an employee may be entitled to, but shall be in addition thereto.

**Section 7. Personal Leave:**

All employees shall be entitled to take personal leave with full pay for personal need, including sickness, disability, personal crisis, or mental stress.

**Section 8. Earning of Personal Leave:**

Each employee shall be credited with three weeks of personal leave with full pay for each fiscal year of service. This leave is accrued monthly at a rate of 10 hours per month for full-time

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employment and at a corresponding rate for part-time employment.

In circumstances of exceptional need, personal leave may be extended with the approval of the Executive Director.

**Section 9. Accumulation of Unused Personal Leave:**

Such personal leave as provided for in Rule 6, Section 8, when not used, shall be cumulative; the accumulated unused period of personal leave shall not exceed one hundred and fifty working days, regardless of the length of service. When said maximum of one hundred and fifty days has been reached, and thereafter part of said maximum may subsequently be replenished at the applicable rate provided in Rule 6, Section 8.

Only three weeks of personal leave per year may be taken for the reasons set forth in Rule 6, Section 7, any leave taken beyond that in a given year may only be taken for reasons of physical illness, including maternity and paternity leave.

The Executive Director may require certification of the particular situation when accumulated leave is being taken.

**Section 10. Maternity and Paternity Leave:**

- A) Female employees shall be entitled to take six months of maternity leave per pregnancy without pay.
- B) An employee may take maternity leave commencing at any time during her pregnancy.
- C) An employee may elect to apply all or any portion of any accumulated vacation leave and/or personal leave toward the period of time during which maternity leave was taken; provided that no more than the accumulated vacation leave and 150 days of accumulated personal leave may be so applied. Upon such election, the employee shall be paid for such period of maternity leave toward which vacation leave and/or personal leave is applied as if vacation leave and/or personal leave had been taken.
- D) Male employees shall be entitled to take six months of paternity leave per pregnancy without pay.

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- E) An employee may take paternity leave commencing at any time during the pregnancy of the mother of his unborn child, or within the first six months of the child's life.
- F) An employee may elect to apply all or any portion of any accumulated vacation leave and/or personal leave toward the period of time during which paternity leave was taken. Upon such election, the employee shall be paid for such period of paternity leave toward which vacation leave and/or personal leave is applied as if vacation leave and/or personal leave had been taken.

No employee shall lose a job solely as a result of taking maternity or paternity leave.

**Section 11. Notice of Leave Taking:**

In order to receive compensation while absent on personal leave, the employee shall notify CIL prior to or within two hours after the time set for beginning his/her daily duties, unless exceptional circumstances prohibit it.

**Section 12. Leave Without Pay:**

An employee who is granted a leave of absence without pay and who is off the payroll for less than two pay periods, shall receive his/her earned personal and vacation leave credit. If s/he is off the payroll for two or more successive pay periods, s/he shall not earn personal and vacation leave credit for the additional time that s/he is off the payroll. All leaves of absence must be approved by the department of project manager and the Executive Director/or his/her representative.

The employee's job will be guaranteed for six months only during the time leave is being taken.

**Section 13. Non-Salaried and Temporary Employees:**

All employees being paid by the hour and not on a salary basis shall accrue the same vacation and personal leave, at the same rate as salaried employees. Temporary employees (of three months or less) shall be entitled to earn personal leave but not vacation leave.

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Consultants or contractual labor are entitled to neither vacation leave nor personal leave.

**Section 14. Jury Duty:**

Every employee who is called or required to serve as a trial juror shall be entitled to absent himself/herself from his/her duties with pay, during the period of such service or while necessarily being present in court as a result of such call.

**Section 15. Accumulated Personal Leave:**

When an employee terminates his/her employment or is terminated, s/he is entitled to collect all accumulated vacation leave.

**Section 16. Negative Leave Balance:**

Upon termination of employment, the employee must reimburse CIL for any unearned leave that s/he has taken. The accounting department may deduct the owed amount from the employee's last check.

**Section 17. Hours and Days of Work:**

Hours and days of work shall be governed by rules established by the Executive Director.

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**Rule 7 Financial Considerations****Section 1. Cost of Living:**

Once yearly, on or about January 1, there will be a review of all salaries for an across-the-board cost of living increase. The accounting department shall submit a report on the feasibility of such an increase.



**Section 2. Raises:**

There will be an annual review of all salaries for raises by the Executive Director and the department or project managers. A written report by the Executive Director, Deputy Director, Ombudsperson and the accounting department on raises and their feasibility shall be available to everyone.

The Ombudspersons and the accounting department shall be present at all deliberations.

**Section 3. Overtime:**

CIL shall not pay anyone for overtime until CIL can pay for all overtime for all employees. However, anyone called out on a client emergency can be paid overtime. Overtime may be in the form of compensation time or money.

**Section 4. Salary Advances:**

Salary advances will be available to employees in cases of emergency, but must have the approval of the Executive Director and the accounting department.

**Section 5. Travel Expenses:**

Mileage will be paid for approved business trips when an employee uses a vehicle that is not owned by CIL, at a rate comparable to that paid by government and private industry. Drivers, who are not CIL employees, will be compensated at the going attendant rate.

**Section 6. Speaking Engagements:**

If an individual receives a cash honorarium for making a presentation, written or oral, on behalf of CIL at the request

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of an outside organization, s/he will be entitled to keep 50% and will turn the other 50% in to the accounting department.

**Section 7. Worker's Compensation:**

All employees are covered by a worker's compensation plan required by the state.

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**Rule 8 Personnel Procedures****Section 1. Orientation:**

Within the first month of a new employee's service, s/he must undergo a period of orientation to acquaint him/her with the procedures, policies, philosophy and activities of CIL. It will be the responsibility of the department manager or employee's supervisor to see that this is done.

**Section 2. Time Sheets:**

Time sheets are required of all personnel for salary payment. Each employee is responsible for filling out his/her own time sheet. Department or project managers must certify the time sheets and turn them into the accounting department.

### **Section 3. Personnel Files:**

A confidential personnel file will be kept on every employee. The file shall contain: a) a job description; b) letter of employment; c) time sheets; d) W-4 tax form; e) job application; f) evaluations; g) all necessary information on the health insurance plan. These files shall be kept by the Executive Director or his/her designee. Every employee has the right to see their own file at any time. It is the sole right of the employee to release any information in his/her file.

### **Section 4. Evaluations:**

Evaluations of employee's job performance will be written for every employee once yearly. Staff will be evaluated by their department or project manager. Managers will be evaluated by their staff individually, as well as the Executive Director and the Deputy Director. Staff evaluations will be solicited anonymously. The Executive Director and the Deputy Director will be evaluated by the managers, the Board of Directors and the administrative staff. The Executive Director and the Deputy Director will evaluate employees who are not in a specific department or project, and those people in the administration. These evaluations shall be kept in the employee's personnel file.

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### **Section 5. Availability of Salary Information:**

Information concerning the working hours and salaries of all employees and consultants shall be available to all employees upon request.

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## **Rule 9 Appeals and Hearings**

### **Section 1. Complaints:**

Any employee in CIL shall have the right to appeal through the staff-elected Ombudsperson to the Board of Directors relative to any situation affecting his/her employment status, conditions of employment, or implementation and enforcement of these personnel policies and rules. The Ombudsperson, if unable to resolve the difficulty by working with the Executive Director and other staff, as necessary, will then bring the complaint before the Board of Directors. Complaints must be filed in writing by the Ombudsperson with the Chairperson of the Board. It shall be the duty of the Ombudsperson or the Chairperson to inform each of the Board members, the Executive Director, the department or other persons complained against of the filing and contents of the complaint before the Board.

### **Section 2. Investigations and Hearings:**

Upon receipt of any complaint from the Ombudsperson, which will be countersigned by the Vice-Chairperson of the Board, the Chairperson shall pole the Board as to whether to investigate the complaint and hold a hearing. In cases where the employee is entitled to a hearing, and the Board deems it advisable to hold a hearing, the Board shall have 5 working days in which to set a date for the hearing. The hearing shall be held withing 10 working days of the time the complaint was brought before the Board.

Whenever a hearing on any complaint is to be held, the Chairperson shall notify the person requesting the hearing, the Executive Director and other persons from whose action the appeal is being made, of the time and place of the hearing.

Unless incapacitated, the person making the complaint shall appear personally before the Board of Directors at the hearing.

Upon conclusion of any investigation or hearing, the Board shall cause its findings and recommendation to be prepared in writing. Such findings shall be countersigned and filed as a permanent record by the Board. The Chairperson of the Board shall deliver a copy of such findings and recommendation to the

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to the Executive Director and to the employee affected by such findings and recommendation.

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## **Rule 10 Structure**

### **Section 1. Job Categories:**

The Executive Director shall establish job categories for all positions held at CIL, and a salary range for each category.

### **Section 2. New Positions:**

Positions hereafter established shall be allocated to the appropriate category by the Executive Director. No vacant position shall be filled or new position established and filled until such position has been allocated to a category.

### **Section 4. Determination of Categories:**

In determining what positions are to be allocated to a category, consideration shall be given to the complete specification, rather than to particular examples of duties or responsibilities.

### **Section 5. Application of Established Salary Ranges:**

Employees appointed to a position in CIL shall be paid a salary within the range established for the category to which the position is allocated.

## **Appendix I**

All personnel are expected to assist disabled personnel in simple tasks that the disabled personnel cannot physically do themselves.

All personnel shall be encouraged to seek job related training and will be given time off with pay, not to exceed 15% of their scheduled hours, to pursue such training, unless circumstances warrant more time. Personnel may be requested to pursue such training by their supervisor.