

**West Hawaii Explorations Academy, PCS
Staff Personnel Policies**

Benefits

Payroll and Payroll Deductions

Payroll deductions will be taken from each paycheck, unless a request is made in writing that a transaction be ceased. Depending on the type of payroll deduction involved, this request may or may not be granted. The time involved in stopping such deductions can be expected to be about 2 to 3 payrolls into the future. The employer shall be responsible for processing all necessary forms and paperwork to ensure that all staff is properly employed as public employees of the State of Hawaii.

Medical and Dental Insurance

Insurance benefits and costs to employees shall be offered and based on those of the HGEA (for classified staff) or HSTA (for certified staff) negotiated terms with the State of Hawaii. The employee's portion of the premium will be deducted equally from the 24 paychecks. Specifics regarding insurance plans and employee contributions are outlined in information packets given to all employees upon hire.

Life Insurance

Life Insurance benefits are provided to employees and shall be based on those of the HGEA (EUTF for classified staff) or HSTA (VEBA for certified staff) negotiated terms with the State of Hawaii.

Retirement

As employees of the State of Hawaii, employees will accrue the same, and not more than, retirement benefits as other HGEA (for classified staff) or HSTA BU-5 (for certified staff) employees employed by the State. Employees thinking of retiring should start the process 1 year prior to their retirement.

Pay Schedule

Returning employees shall be paid on a bi-monthly schedule, consisting of twenty-four (24) equal payments. Pay days fall on the 5th and 20th of each month, with paydays moved forward if these dates fall on a holiday or weekend.

Paid Holidays

The following are paid holidays. Staff shall not be required to work these days.

Admissions Day	Labor Day	Election Day
Veterans Day	Thanksgiving Day	Day after Thanks.
Christmas Day	New Year's Day	MLK Jr.'s Birthday
President's Day	Kuhio Day	Good Friday
Memorial Day	Kamehameha Day	Independence Day

Any new state or federal holiday will also be holidays for our employees.

Sick Leave/Personal Days

The annual amount of sick days and personal days are specified in individual employee contracts. You may contact the Office Manager for assistance in determining what those are. **Contact the Office Manager to confirm all leave accounting information.**

- **HSTA Employees** = 18 days (6 Personal & 12 Sick days)
- **UPW & HGEA** = 21 days for vacation & 21 days for sick leave

When calling in sick, you must notify the office and a Co-Director. Five (5) or more consecutive leave days must be accompanied by a doctor's note to be given to the Office Manager.

Personal Leave

Personal leave requests are to be turned in 2 days prior. However, it would be appreciated if requests were turned in as early as possible since WHEA does not hire substitutes and the rest of the team needs to be aware of your leave. See Office Manager for Personal Leave Request Form.

Bereavement Leave

In the event of the death of a family member the following are applicable: if the family member is in the Hawaii, then the employee has 3 days of leave. If the family member is out of state, then the employee has 5 days of leave. Immediate family members include mother, father, child, spouse, sibling, grandparents, mother-in-law, father-in-law, or other person with whom the employee currently and regularly resides. Additional bereavement leave without pay can be taken at the Director's discretion.

Unpaid Leave of Absence

Leave without pay, short and long term, may be granted to employees by the Director. Long term leaves, such as sabbaticals and leave of absences, must be submitted in writing sixty (60) calendar days prior to start of requested leave. Extensions of leaves may be granted by the Director.

Family Leave

Employees are allowed to apply their sick leave towards a maximum of 20 work days per school year to care for a critically ill family member or for the birth or adoption of an employee's child. Note: When using Family Leave for a critically ill family member, employee needs to provide a doctor's certification (Form 400F) verifying the critical illness. The actual amount of leave for individual employees is defined by the contracts and should be verified with the Office Manager. **Contact the Office Manager to confirm all leave accounting information.**

When less than the employee's total days of leave have been take in a school year, the extra days will accumulate and carry over to the next school year assuming renewal of the contract for the next school year.

Protection of Employees

WHEA Staff members shall be indemnified and defended by the Governing Board from all damages, costs, attorney's fees, and other expenses resulting from lawsuits brought by third parties against the school, the Board, and/or any staff member in the performance and discharge of employment.

In the event of such civil action or proceeding, the employee shall deliver in writing within five (5) business days from the date of service all processes or complaints served upon her/him, or an attested true copy to the Director, who shall promptly furnish copies of pleadings and process to the Attorney General. When the Governing Board has determined that an employee is being sued for action taken during the course of their employment and within the scope of the duties and responsibilities noted within this agreement, the Attorney General/designee will meet and explain legal procedures to the employee.

During all staff meetings, administration and staff shall be allowed to openly discuss plans and procedures related to emergencies or otherwise aiding staff members who have a potentially harmful situation occurring in the classroom or work area. The Director shall give due consideration to employee suggestions when developing or modifying said plan.

Any substantial complaint, or any repeated minor complaint concerning an employee shall be reported to the employee by the Director. The use of complaints or said complaints shall be covered by *Personnel Information*. Any employee against whom a complaint has been filed, and where the administration deems it to be serious and substantive, will have the opportunity to meet the complainant(s). At the employee's request, the Director or her designee shall be present at such a meeting.

If an employee's presence is required at a conference where a private attorney is in attendance, the employee has the right of legal representation from the Attorney General's office.

No recording device shall be used nor transcription taken in a meeting or conference without the knowledge of the employee.

The Governing Board may maintain a supplemental insurance policy, which will pay for medical, surgical, or hospital services but only to the extent not covered by the employee's health coverage or worker's compensation benefits. No payment will be provided for actions involving misconduct, unauthorized activity, or if the injury was provoked by the employee.

Should an employee require a Hepatitis B inoculation due to exposure to a carrier of Hepatitis B while performing her/his job duties, the Local School Board shall pay reasonable costs to the extent not covered by medical insurance or worker's compensation benefits.

Personnel Files and Records

- Personnel files are maintained in the main office. These files include completed employment applications, other hiring-related documents, performance evaluations, information on other employment-related actions, and other relevant job-related information or documents deemed necessary by the school.
- Employees have the right to inspect and copy information contained in their files or records.
- No information in a personnel file will be disclosed to anyone outside the school without the signed consent of the employee specifically authorizing the release of the

information. The school reserves the right, however, to verify basic information such as employment status and job title, without notification to the individual involved, and to cooperate with any regulatory law enforcement, public safety or medical officials who have a valid need to ascertain limited, specific knowledge about an individual.

- No material derogatory to a employee's conduct, service, character, or personality shall be placed in her/his personnel file unless the staff member has reviewed such material and affixed their signature to the file copy, with the express understanding that such signature in no way indicates agreement with the contents thereof. Employees shall also have the right to submit a written answer to such material and attach to filed copy. If the employee refuses to sign, the Director will sign and annotate the employee's refusal to sign. Derogatory materials which employee's have not been given the opportunity to review shall not be used in any proceedings against them.
- Any derogatory materials in an employee's personnel file shall be destroyed after two (2) years unless the Director determines that the material is currently valid. In such case the derogatory material shall remain in the file for one (1) more year and again be reviewed. Any such material more than five (5) years old shall be destroyed, however, if an employee is found guilty or admits guilt of a crime in a court or if an arbitrator upholds discipline of any employee in a case involving sexual harassment, sexual assault, sexual misconduct, or other criminal activities, the substantiated derogatory materials may remain in the employee's personnel file until the Director deems it unnecessary or a court or an arbitrator orders it removed. If the employee is deemed not guilty of misconduct, all derogatory material shall be promptly destroyed.
- The employee is responsible for seeing that his/her file is kept current and accurate. Any changes in credentials or qualifications should be documented and submitted to the Director in a timely manner.

Academic Freedom and Authorship Policy

1. Academic freedom shall be guaranteed to employees and they shall be encouraged to study, investigate, present and interpret objectively facts and ideas concerning man, society, physical and biological work, and other branches of learning subject to established courses of study.

2. Intellectual Property Rights: The school encourages and supports original product development and ownership by its faculty. Staff may wish at times to enter into agreements with the school to publish or otherwise protect potentially proprietary property.

Employee Unions

Hawaii State Teachers Association (HSTA)

HSTA is the union for certified staff. Dues are paid regardless of membership. Becoming a member of HSTA gives certified employees the right to participate in union elections, to become the school representative for HSTA, and access to available discounts.

Hawaii Government Employee Association (HGEA)

HGEA is the union for all clerical staff, office managers and educational assistances. Dues are paid regardless of membership. Check union handbook for more information on rights and benefits.

United Public Workers (UPW)

UPW is the union for all custodial and facilities managers. Dues are paid regardless of membership. Check the union handbook for more information on rights and benefits.

All employee contracts are made with the GB, they follow the specified union contract negotiated with the State.

Standards of Conduct

It is expected that all employees will apply the highest professional standards to their conduct. At all times, staff members should adhere to the WHEA Code of Ethics. The school expects its employees to establish themselves as appropriate role models and to stress clear, consistent expectations for student performance. Whether in one-to-one or group situations, all employees are expected to balance structure and authority with empathy and compassion.

It is expected that each employee will adhere to the WHEA's Code of Ethics at all times:

1. Be a good role model to students, not their friend. Teach appropriate behavior by example.
2. Apply appropriate interpersonal interactions at all times. Adults must be the role models for appropriate interpersonal behavior. We must maintain the highest standards of behavior in order to help guide our students.
3. Consistently enforce all academic and behavioral expectations of all students. Agree to communicate openly with team members to clarify expectations.
4. Be enthusiastic and positive about your job.
5. Support the school team and its members.
6. Communicate openly with students, parents, and families. Practice correction without invalidation.
7. Maintain the confidentiality of all students and staff members unless information is divulged which requires other professional or legal involvement. Maintain this confidentiality both in and out of the school environment.
8. Believe that all students will be successful and facilitate all students toward success.

Confidentiality

In order to perform their jobs effectively, WHEA employees have access to and discuss confidential and personal information about students as it relates to their education or other aspects of their school experience. Discussion of such information outside of a confidential, professional context is potentially harmful to the student being discussed and, by extension, to the school. The safety and security of students is paramount to WHEA. As a result, WHEA employees must not discuss confidential information concerning students outside of a professional context.

Use of Drugs and Alcohol

All employees are forbidden to use or possess alcohol or illegal drugs at any time during the work day or anywhere on school premises. Violators will be subject to immediate discipline and legal action.

Smoking

In compliance with state law and in keeping with WHEA 's policy to maintain a smoke-free environment, no tobacco products may be used by students, employees, or visitors within the school facilities, on school grounds, or in school vehicles. Further, no employee of the school may use tobacco products in the presence of students on or off school property.

Harassment

It is the goal of WHEA to promote a workplace that is free of any type of harassment or bullying.

Harassment is the act of systematic and/or continued unwanted and annoying actions of one party or a group, including threats and demands. The purposes may vary, including racial prejudice, personal malice, or any means of instilling fear. It is illegal discrimination.

Workplace Bullying

Refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s).

Sexual Harassment

Sexual harassment is a form of sex discrimination that is prohibited in the workplace. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term of 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 substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Any employee of the school who violates this policy against sexual harassment shall be disciplined accordingly.

The legal definition of sexual harassment is broad and, in addition to the above, other sexually-oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

Retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated by WHEA .

If any employee believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with the Co-director or the Governing Board, verbally or in writing.

When a complaint has been received, appropriate corrective action will be taken in a fair and expeditious manner. Any investigation will be conducted in such a way as to maintain the confidentiality to the extent practicable under the circumstances. Typically, an investigation would include private interviews with the person filing the complaint, with witnesses (as appropriate), and with the person alleged to have committed sexual harassment. When the investigation has been completed, the results will be conveyed to the person filing the complaint and the person alleged to have committed the conduct, to the extent appropriate.

If it is determined that inappropriate conduct has occurred, WHEA will act promptly to eliminate the offending conduct and, where it is appropriate, will also impose disciplinary action. Such action may range from referral to counseling to termination from employment or other such forms of disciplinary action as seemed appropriate under the circumstances.

Employee Discipline

Computer Use Policy

WHEA encourages the use of electronic media and associated services by employees. All employees have the responsibility to use these resources in a professional, ethical, and lawful manner. The following guidelines have been established for using email and the internet. No policy can lay down rules to cover every possible situation. Instead, it is designed to set forth general principles when using electronic media and services.

Prohibited Communications

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

- Discriminatory or harassing
- Derogatory to any individual or group
- Obscene, sexually explicit or pornographic
- Defamatory or threatening
- In violation of any license governing the use of software.

Personal Use

The computers, electronic media and services provided by WHEA are primarily for school use to assist employees in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for school purposes.

Access to Employee Communications

Generally, electronic information created and/or communicated by an employee is not reviewed by the school. However, employees should not assume electronic communications are completely private. Accordingly, if they have sensitive information to transmit, they should use other means.

WHEA retains the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy, and other school policies.

Software

Unauthorized downloading of any unauthorized software is strictly prohibited. Employees should contact the system administrator if they have any questions.

Security/Appropriate Use

Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by administration, employees are prohibited from engaging in, or attempting to engage in:

1. Monitoring or intercepting the files or electronic communications of other employees or third parties;
2. Hacking or obtaining access to systems or accounts they are not authorized to use;
3. Using other people's logins or passwords; and
4. Breaching, testing, or monitoring computer or network security measures.

No email or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials excepts as permitted by the copyright owner.

Participation in Online Forums

Employees should remember that any messages or information sent on school-provided facilities to one or more individuals via an electronic network – for example, internet mailing lists, bulletin boards, and online services – are statements identifiable and attributable to WHEA.

WHEA recognizes that participation in some forums might be important to the performance of an employee's job. For instance, an employee might find the answer to a technical problem by consulting members of a group devoted to that technical area.

Violations

Any employee who abuses the privilege of their access to email or the internet in violation of this policy will be subject to corrective action.

Equipment Use Policy

Employees may use school equipment outside of the school for job-related purposes with notification and documentation provided to the Office Manager and/or Director.

Employees are prohibited from using school equipment for personal purposes unless approval is obtained from the Co-Directors. Documentation must be provided to the Office Manager.

Employees who use school equipment for personal purposes accept full and unconditional responsibility for any equipment damage or loss and will reimburse the school within a reasonable time for the applicable repair/replacement cost.

Student Medication

At no time is an employee of the school to administer student medication nor shall they supply any student with internal or external medications. The exception of this rule will include the Co-Directors or their designees, who will be able to administer prescription drugs to students under the supervision and guidance of a medical professional.

Approved by WHEAPCS GB: _____ Date: