

**Eastern Idaho Public Health  
Employee Handbook Policy Review  
General Staff Meeting  
October 29, 2015**

New/Revised Policies:

1. Employee Commuting
2. Travel

Unchanged Policies:

1. Family & Medical Leave Act (FMLA)
2. Human Resources Rules and Policies
3. Leave Donations
4. Limited English Proficiency
5. Media Relationships
6. Payroll
7. Problem Solving
8. Reasonable Accommodation

## EMPLOYEE COMMUTING

Generally, commuting is travel between an employee's home and a work location. Travel from home before the regular workday and return to home at the end of the workday is ordinary home-to-work travel and is a normal incident of employment. This is true whether an employee works at a fixed location or at different job sites. Normal travel from home to work is not work time. Costs of the transportation between home and workplace are not reimbursable.

Exceptions:

Employee is assigned on a temporary basis to report outside the area defined as his/her primary work area for full day of work.

1. Primary work area is defined as the area within a 20 mile circle around the location where the employee reports the most days of the week.
2. When an employee is assigned to work at a location outside of his/her 20-mile work area, he/she is authorized to report to the main work location to check out a district vehicle to use for transport to the temporary work location. The employee may also operate his/her own personal vehicle to complete the transportation to the temporary location according to the district's travel policy. Travel time and mileage will be based on map calculations from the office within the 20-mile work area that is closest to the temporary work location.

## TRAVEL

EIPH has adopted the State's travel policies, which are governed by the State Board of Examiners; see their policy #442-50 (lasted amended 8/18/15) for more information at <http://www.sco.idaho.gov/web/sbe/sbeweb.nsf/pages/trvlpolicy.htm>

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***The following are policy additions or modifications to the State Travel Policy that have been adopted by EIPH's Board of Health.***

### **Declared Emergencies**

Should there be a Federal, State or County declared emergency and should there be a need for public health involvement, this travel policy or parts of this travel policy may be modified depending on action taken by EIPH's Board of Health.

### **Travel Authorization**

Official travel must be authorized by the employee's supervisor and Division Director. Out-of-District travel must be authorized in writing (via electronic Travel Requisition). In the event the Division Director is unavailable to authorize the travel, he/she can designate an individual to authorize the travel.

When you plan to make an out-of-district trip, prior approval must be granted by your supervisor and Division Director and an electronic Travel Requisition completed prior to expenses being incurred.

### **Travel Vouchers**

All travel expenses (mileage, meals, etc.) for reimbursement should be recorded electronically on the District's [Travel Expense Form \(Appendix F\)](#) along with the purchase order number approving out-of-district travel. The Travel Expense Form should be submitted to the employee's supervisor for approval and processing for payment as soon as possible following the travel, but in all situations, within two months of travel completion. Failure to comply with this expectation could result in disciplinary action.

When submitting travel vouchers for mileage reimbursement, do not record fractions of miles. Round mileage up to the nearest mile when .5 and over, and down when less than .5. Mileage is figured from employee's home office and until return to that home office. Because of the high cost of processing a travel voucher, employees with vouchers for less than \$20 are encouraged to hold it until the following month; however, in no case should travel vouchers be held longer than two months.

### **Compensatory Time for Travel**

Compensatory time is allowed for travel outside of normal working hours of the employee. Travel time is defined as: from the time the employee leaves their home station (office) until they arrive at their destination (hotel), and from the time an employee leaves their destination (hotel) until they arrive back at their home station. ~~Time spent eating a meal may be counted.~~

### **Meals While Traveling**

There is no reimbursement for meals while traveling unless an overnight stay is involved. Actual cost of each meal need not be broken down on the travel expense voucher for each full day of an authorized trip.

### **Meal Expense Allowed**

~~As per section 11 of the state's Travel Policies and Procedures manual,~~ the Board of EIPH hereby allows home station meal reimbursement to be made when attendance is required for employees as part of their job duties to promote trade or commerce. An example is an assignment made by a Division Director or EIPH Director to attend a luncheon meeting such as the Chamber of Commerce which would promote commerce between the district and other business organizations.

### **Meals for Off-Site Extended Clinic Operations**

EIPH's Board of Health has also approved the following policy for Meals for Offsite Extended Clinic Operations. All of the following criteria must be met:

1. The clinic is offsite and preplanned with approval of the EIPH Director.
2. Location or scheduling conflicts do not lend themselves to a meal break.
3. The District's mission is furthered by specialty clinic activities that would not normally occur on a daily basis.
4. The clinic has an intended duration of 6 hours or more and interrupts a meal time.
5. There is not adequate staff available to operate a continuous clinic with direct public contact and allow staff to leave for a meal break.
6. The per attendee cost of the meal does not exceed the allowable partial day per diem reimbursement, pursuant to Appendix B of State Travel Policy.
7. Food and drink must be provided on-site.

### **Meetings Dealing with Non-Employees and Employees**

This policy covers reimbursement for District sponsored meeting and trainings for official District business where attendees are both District employees and non-employees. Examples include medical review boards, public health preparedness training, meetings with elected officials, or other parties with which the District meets for official business. The meeting does not need to meet the mandatory attendance, duration, and requirement for number of attendees as required per section 11 of the state's Travel Policy and Procedures manual. For meals and or refreshments, the per-person cost should not exceed the State's policy for partial day meal rates. Understanding that the number of attendees can be affected by no-shows the purchaser should strive to keep the per person expectation as reasonable as possible.

### **Registration Fees**

Registration fees which are required for conferences require a receipt for reimbursement on your travel voucher. These should be paid ahead of time if at all possible. Your supervisor or Fiscal Office staff can instruct you on how to accomplish this.

### **Third-Party Reimbursement**

When a third party is expected to reimburse a District employee for travel expenses, that information, along with the name and billing address of the third party must be included on the travel request. Travel expenses will be submitted to the District as usual on a travel voucher. The third-party reimbursement will then be made to the District, or endorsed in the District's favor. For instance, if the Department of Education intends to reimburse your travel expenses for attending a conference in Boise, you would complete the District travel expense voucher as you normally would. Then when the reimbursement check arrives from the Department of Education, it will be signed over to the District.

### **Board of Health Meetings Meals and Refreshments**

Meals and/or refreshments are allowed for Board of Health meetings regardless of number of attendees or length of meeting.

## FAMILY & MEDICAL LEAVE ACT (FMLA)

This is Idaho Division of Human Resources Policy (IDHR) that is applicable to all State of Idaho executive branch agencies, including EIPH. To access the policy, click here: [Section 4: FAMILY & MEDICAL LEAVE ACT \(FMLA\)](#).

### General Information

The Family and Medical Leave Act (FMLA) is a federal law which entitles eligible employees to unpaid, job protected leave, under qualifying circumstances, as follows: (1) for a qualifying health condition of the employee or a family member; (2) for the birth or adoption of a child; and (3) for specific purposes to family members of qualifying military service members. Employees may, at their discretion, elect to use accrued vacation leave, sick leave, and/or compensatory balances concurrently while on FMLA leave (as appropriate).

To qualify for FMLA leave, the employee must meet eligibility criteria, must submit a written request, and upon return to work must provide a medical release (as appropriate). The employee must provide 30 days advance notice when the leave is “foreseeable.”

In the event an employee does not request FMLA leave for time off work for a qualifying health condition, EIPH will designate the employee’s absence as FMLA leave (as appropriate).

Each agency must notify employees of their rights under the FMLA. To meet this requirement, each agency must post in a prominent place in the workplace the [Family and Medical Leave Act Poster](#) (posted in the Employee Lounge in the Idaho Falls office). In addition, each agency must either: (1) include the information contained in the Family and Medical Leave Act Poster in its employee handbook; or (2) provide a copy of the information contained in the Family and Medical Leave Act Poster to each new hire.

This policy is not intended to be all-inclusive. The exceptions and unique situations regarding FMLA benefits are too numerous and complex to address in a single policy. EIPH employees should contact the Human Resource Specialist to discuss their situation, which will determine the appropriate FMLA form(s) that need to be completed.

### IDHR FMLA Policy - Table of Contents

*General Information*

*Employee Eligibility*

*Quantity of and Allowable Purposes for FMLA Leave*

*Definition of “Serious Health Condition”*

*Use of Paid Leave*

*Types of FMLA Leave*

*Calculating Eligibility*

*FMLA and Worker’s Compensation*

*FMLA Procedures*

*Benefits and Employee Rights*

## HUMAN RESOURCE RULES & POLICIES

### RULES OF THE DIVISION OF HUMAN RESOURCES AND IDAHO PERSONNEL COMMISSION

The rules of the Division of Human Resources and Idaho Personnel Commission are adopted pursuant to Section 67- 5309, Idaho Code. The Division of Human Resources and Idaho Personnel Commission shall perform such duties and exercise such authority as has been or may be conferred upon them by law. The Division shall determine the policies of the Idaho Personnel System and make such rules as are necessary for the administration of the Personnel System. These rules shall be cited as [IDAPA 15.04.01](#) and are accessible at <http://dhr.idaho.gov/rules.html>.

IDAPA 15.04.01.008 states, "These rules apply to Public Health Districts even though specific references are to state employees." Therefore, all district employees will conform and comply with these rules.

Examples of items addressed in the rules:

- ***Basic Merit Requirements***
- ***Discrimination Prohibited***
- ***Conflict of Interest and Personal Conduct***
- ***Nepotism***
- ***Classification System***
- ***Reduction in Force***
- ***Probation***
- ***Disciplinary Actions***
- ***Appeal Procedures***
- ***Performance Evaluations***
- ***Leaves***

The following human resource policies are applicable to all State of Idaho executive branch agencies, which includes EIPH and can be found at <http://dhr.idaho.gov/policies.html>. EIPH has adopted the State's HR policies; however, in some circumstances, EIPH has expanded the policy to be more specific to our agency. Refer to the individual policies included in this handbook for more information.

- Compensation
- Vacation Leave
- Sick Leave
- Family & Medical Leave Act (FMLA)
- Special Leaves
- Leave Donations
- Telecommuting
- Domestic Violence

### ON-CALL TIME

On-call time will be granted to employees who are designated by their supervisor or the EIPH Director to be on-call according to specific criteria for full or partial on-call shifts. The rate at which time off with pay will accumulate is one hour of On Call Time Earned (OCE) will be earned for each weekday during which an individual is required to be on-call; for each weekend day or holiday, two hours OCE will be earned, up to a total of no more than 10 hours per week. Any time actually worked while in on-call status will be coded as actual time and will be added to the time earned for being in on-call status.

### OVERTIME

The Division Director or EIPH Director will determine the necessity for overtime work. All overtime must be approved in advance. All overtime worked will be documented on the employee's time sheet and approved by the supervisor before being compensated in cash or by compensatory time off.

No employee will accrue more than forty (40) hours of compensatory time without the prior written approval of their supervisor, Division Director, and EIPH Director. Supervisors will be held accountable for managing these accruals. Division Directors, Administrators, and employees should work cooperatively to select dates to discharge accrued compensatory time which will least interfere with normal District services. Employee preference should be supported if possible.

## **PERFORMANCE EVALUATIONS**

Idaho law mandates that performance evaluations be completed at certain times during a person's employment. In special circumstance probation evaluations (longer than 1,040 hours) may be extended for an additional time period as approved by the EIPH Director. A performance evaluation is to be completed at the conclusion of approximately 520 hours for full time employees or 3 months of service for part-time employees, informing employees of areas of his/her performance that may need improvement and then again prior to the completion of 1,040 hours (full-time employees) or 6 months of service (part-time). After attaining permanent status (the successful completion of 1,040 hours), a performance evaluation shall be done at least annually, or as often as deemed necessary by the immediate supervisor. Employees should have a current evaluation on file at the time of separation of employment.

A Health District performance evaluation form will be required to substantiate any advancement or change in an employee's status or salary. The performance evaluation form must bear an overall rating factor of no less than **"Achieves"** performance standards in order to be awarded a merit increase. The evaluation form submitted previously may be used if it is no more than twelve (12) months old and is certified as being current by the Director.

## **PROFESSIONAL DUES**

The District is not responsible for payment of professional dues. Employees may attend professional association meetings, but may be expected to pay applicable membership dues.

## **REPORTING CONCERNS**

The Division of Human Resources follows the FLSA and all applicable federal and state laws and rules regarding employee compensation. Any employee who believes that a problem exists in regard to hours of work, whether a position is covered or exempt, or any issue related to hours of work and overtime compensation is encouraged to report the issue to their supervisor or Division Director as soon as possible. The Division Director will take prompt action to correct problems identified and communicate the action to the employee. No employee will be subject to retaliation for reporting a wage and hour concern.

## **TIME WORKED FOR MORE THAN ONE STATE DEPARTMENT**

The state is considered a single employer for determining the number of hours worked. If an employee works for more than one state department, the employee's combined service will be subject to applicable laws and DHR rules governing overtime.

## **WORKING "OFF THE CLOCK" PROHIBITED**

Great care must be taken to ensure employees do not eat lunch at their desks and continue to work or be interrupted by work requests, phone calls, etc. If such work is expected or permitted by the supervisor, the entire lunch or break must be considered work time. Employees and their supervisors who permit or engage in working without reporting such time may be subject to discipline, up to and including dismissal.

## LEAVE DONATIONS

This is Idaho Division of Human Resources Policy (IDHR) that is applicable to all State of Idaho executive branch agencies, including EIPH. To access the policy, click here: [Section 6: LEAVE DONATIONS](#).

### **General Information**

With appointing authority approval, state employees may donate accrued vacation leave to an eligible State employee for use as paid sick leave. [Ref. Idaho Code § 67-5334(g)] All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating vacation leave. Misuse of donated leave will be grounds for disciplinary action.

### **Receiving Donated Leave**

To receive donated leave, an employee must:

- be eligible to accrue sick and vacation leave; and
- have exhausted all of their accrued compensatory time, sick, and vacation leave; and
- be suffering from a serious illness or disability, or have a family member with a serious illness, disability or death and funeral in the family necessitating the employee's absence from work. (Ref. Statewide Policies Section 3D for definition of family member); and
- not exceed the maximum of one-hundred and sixty (160) hours of donated leave per fiscal year.

EIPH employees who need to request leave donation should contact EIPH's Human Resource Specialist for assistance.

### **Donating Leave**

To donate leave, an employee must:

- donate a minimum of four (4) hours;
- have at least a one normal pay period number of hours of accrued vacation after the donated leave is deducted [Ref. Idaho Code § 67-5334(g)]; (example: if you are set up as 80 hours for a normal pay period, you would need to have 80 hours of accrued vacation; if you are set up as 105 hours for a normal pay period, you would need to have 105 hours of accrued vacation).
- Not exceed the maximum of eighty (80) hours accrued vacation leave per fiscal year.

### **Conversion Details**

Donated vacation leave will be converted to sick leave on a one-hour to one-hour basis, and will be paid out at the receiving employee's current salary. Any unused leave that has been donated to an employee will remain in their sick leave accrual balance until used. Any unused leave cannot be returned to the employee who made the donation.

### **Fiscal Obligation**

The organizational unit of the receiving employee will assume the financial responsibility for all donated leave used by the receiving employee.

### **Confidentiality**

The names of employees' donating time will be kept private and in most cases, will not be provided to the employee who receives the donated leave. This confidentiality is intended to preclude any repercussions for employees who do not donate leave as well as for those who do donate.

The nature of the "serious illness or injury," causing the employee to request and receive donated leave, will also be kept private; this information will not be shared with other employees who are being asked to donate leave without the express written permission of the employee requesting donating leave.

### **Leave Transfer/Receipt Form**

Required forms for transfer or receipt of leave time can be found on the Idaho State Controller's website ([www.sco.idaho.gov](http://www.sco.idaho.gov)) by clicking on Payroll, Forms, Payroll/Personnel Forms, EIS-180-Sick/Vacation Leave Transfer. Again, EIPH employees requesting a leave transfer should contact EIPH's Human Resource Specialist for assistance.

Click here to access the form: [TRANSFER OF VACATION HOURS/RECEIPT OF SICK HOURS FORM](#)

## LIMITED ENGLISH PROFICIENCY

### BACKGROUND

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin by any entity that receives federal financial assistance. Under Title VI of the law, entities that receive federal financial assistance from Health and Human Services are required to take the steps necessary to ensure that individuals with limited English proficiency (LEP) can meaningfully access the programs and services. LEP persons are entitled to receive free interpreter services. Services to LEP persons are to be provided as effectively as those provided to persons proficient in English. LEP persons should not be subjected to unreasonable delays, nor should they be limited to participating in a program or activity on the basis of English proficiency.

## **POLICY**

It is the policy of the EIPH to provide LEP persons with interpreters as needed. Client language needs are met through “on-staff” translators. A list of EIPH’s “on-staff” translators is maintained on the District's intranet site. Whenever the need arises for a translator, EIPH’s bilingual staff will be the first resource utilized by district personnel.

If EIPH employees are not available for interpretation services, utilize World Wide Interpreters by dialing [REDACTED] [REDACTED]. Press 1 for Spanish and press 2 for all other languages. World Wide Interpreters provides access to interpreters who speak more than 150 languages. Demographic studies indicate non-Spanish speaking LEP individuals constitute less than 1% of all individuals served by the EIPH.

Any employee who uses the World Wide Interpreters service is required to notify the Fiscal office of:

1. the date the service was used,
2. the language translated, and
3. the district program using the translation service.

## **Printed Materials**

EIPH’s essential printed forms are also made available in Spanish for those clientele utilizing the District’s services and programs.

## **PROCEDURES**

### **Language Identification**

**On-site:** A chart of various languages is located at the front desk of each office to enable LEP persons to point to their language.

1. If the client is able to read, identify the language using the chart.
2. If the client is unable to read and the language cannot be identified, use the World Wide Interpreters service to help identify the language. Once the language is identified, use in-house bilingual staff, if available, to assist with the client request.
3. If there is no bilingual staff for the identified language, a staff member will use the World Wide Interpreters service to determine needs and schedule an appointment for service if necessary.
4. Inform the client that arrangements will be made to have an interpreter present at no cost to him/her.
5. Schedule an appointment and secure an interpreter.

### **Telephone Calls**

1. If an individual calls seeking services and he/she speaks little or no English or Spanish, the World Wide Interpreters service may be used to determine the client needs.
2. Determine the client’s need, gather necessary information, and convey to the client what the next step will be.

### **Interpreter Services**

- Whenever possible, prior scheduling will be made to use bilingual staff so that their other duties may be adequately covered.
- Bilingual staff will charge their time spent interpreting directly to the program for which they are providing the service.
- When a client is scheduled, it is the responsibility of the program providing the service to schedule an interpreter and provide the client a written reminder (in person or via mail) of the appointment.
- Whenever possible, trained interpreters will be used.
- If the client has a Medicaid card, non-staff interpretive services will be charged against the card.
- If a client refuses interpreter services or prefers to use family or friends to interpret, documentation must be made in the client record that interpreter services were offered at no cost to the client and they refused.

### **Translation**

- When possible, EIPH will use trained translators. Since there is no professional organization and very few trained translators in the area, bilingual staff and trained interpreters may also be used to translate documents.
- EIPH will request that vital documents provided by the State or other sources also be provided in Spanish.

- Reputable Internet sites (CDC, etc.) are used for specific disease and health information in Spanish and other languages.

**Filing a Complaint**

Despite the best intentions of EIPH, if an individual believes she/he has been discriminated against, she/he should contact the EIPH’s Director at (208) 522-3163, or the Idaho Human Rights Commission at (208) 334-2873.

## An Interpreter Will Be Provided At No Cost To You

	<b>Amharic</b> አማርኛ ከቋንቋዎ ላይ ያመልከቱ	<b>Kirundi</b> ikirundi tumbera ururimi rwawe	
	<b>Arabic</b> اللغة العربية أشركي لغتك وسننادي المترجم حالاً.	<b>Korean</b> 한국말 당신이 쓰는 말을 지적하세요.	
	<b>Burmese</b> ဝဇာ သင့်ဘာသာစကားကိုညွှန်ပြပါ။	<b>Mandarin</b> 國語 請指認您的語言。	
	<b>Bosnian</b> Bosanski Odaberite vas jezik	<b>Nepali</b> नेपाली आफ्नो भाषालाई देखाउनुहोस्	
	<b>Cantonese</b> 廣東話 唔該點出您講嘅語言。	<b>Russian</b> Русский Язык Укажите, на каком языке Вы говорите	
	<b>Farsi</b> فارسی کمی زبان خود را	<b>Somali</b> Soomaali Ku tilmaan luuqaddaada	
	<b>French</b> Français Montrez-nous quelle langue vous parlez.	<b>Spanish</b> Español Señale su idioma.	
	<b>Hindi</b> हिन्दी अपनी भाषा इशारे से दिखाइये ।	<b>Swahili</b> Swahili Onyesha lugha yako	
	<b>Japanese</b> 日本語 あなたの話す言葉 を指さしてください	<b>Tigrinya</b> ትግርኛ ናብቋንቋኹምአለዩ	
	<b>Karen</b> ကညီ ဇူးနဲနဲနဲနဲနဲနဲနဲ	<b>Vietnamese</b> Tiếng Việt Chỉ rõ tiếng bạn nói.	

**Point to your Language**



**MEDIA RELATIONSHIPS**

The media is an important means of maintaining a strong public image related to EIPH's mission, role, programs, services, and staff. EIPH will respond professionally, accurately, and quickly to media requests.

Media requests will be coordinated by the Public Information Officer (PIO) or designee. In the absence of the PIO or back-up PIO, media requests will be directed to the appropriate Division Director.

In the event of a public health emergency, refer to the Annex B (Risk Communication) of the District's Public Health Preparedness Plan for media response protocol.

District employees have the right as private citizens to voice their opinions. It is important, however, for employees to point out to the media whether they are representing EIPH or they are simply sharing their personal opinions.

## **PAYROLL**

EIPH's payroll is processed through the Idaho State Controller's Office, and therefore is subject to state policies and procedures.

For payroll purposes, a workweek is defined as Sunday through Saturday. There is a lag time of two (2) weeks between submittal of timesheets and actual payment for those hours. Employees are paid every other Friday for services rendered in the previous pay period.

Direct deposit of an employee's pay is mandatory. Paychecks bear the date of the Friday pay date - checks are deposited into an employee's account at the financial institution of their choosing, in time to be available at the opening of business that day. The only exception to this rule is if the regular payday falls on a paid holiday, the paychecks will be deposited on the date of the preceding Thursday and be available to employees on that day. The state will not issue advance payment for wages for any reason.

### **Employees' Responsibility**

- Each employee is responsible for entering his/her own time and corresponding coding into I-Time by the end of the day on the last day worked in the pay period (typically payday Friday), but in all cases, no later than 12:00 p.m. on the Monday following payday. If an employee is going to be out of the office at the time it is due, the time entry should be completed prior to leaving. Employees who do not submit a time sheet in the appropriate time frame will not receive a paycheck for that pay period. Their unpaid time will be added to the next payroll period.
- Supervisors and Division Directors will have until Tuesday at 12:00 p.m. to review and approval all employee time sheets. Prior to approving the time sheet, the supervisor will check for errors and return the time sheet to the employee for corrections. If an error is found, and the employee is unavailable to make corrections, a supervisor may change incorrect time codes or coding, but may not change an employee's actual time.

If a correction needs to be made to the actual time and the employee is not available, the supervisor should contact the Human Resources Specialist who will make the correction as appropriate. Written documentation of correction will be kept in Human Resources, with the employee signing the corrected time sheet as soon as they are available.

- The Human Resources Specialist (the Chief Payroll Officer or CPO) will review the time sheets and make appropriate corrections before submitting the final payroll at 11:00 a.m. on Wednesday.

On occasion, due to holidays or other extenuating circumstances, the above schedule may require adjustment. When this occurs, the Human Resource Specialist will be responsible for notifying all employees and supervisors of the revised payroll processing schedule.

### **Termination Pay**

Per State of Idaho policy, terminating employees cannot receive early payoffs. An employee who terminates either voluntarily or involuntarily will receive normal wages for hours worked on the regularly scheduled pay dates. Any vacation balances will be paid off in a lump sum with the last pay check, along with any remaining comp time (for eligible employees).

## **PROBLEM-SOLVING**

In accordance with Division of Human Resources (DHR) Rule 200 (IDAPA 15.04.01.200), each agency must maintain written employee problem-solving process procedures. These procedures apply to classified employees only.

## **PURPOSE**

Classified employees with permanent, provisional, or entrance probationary status are eligible to use a formal conflict resolution process called Problem Solving. This is a chain of command process that includes meeting with the immediate supervisor, filing for problem-solving, meeting with one or two additional levels of management, and receiving a final decision from EIPH's Director. The procedure is for any job-related matter EXCEPT the following:

1. Compensation, except as it applies to alleged inequities within a particular agency or department;
2. Termination during the entrance probationary period;
3. Items set forth in IC 67-5315(2) (dismissals, demotions, and suspensions); and
4. Involuntary transfers.

Employees and supervisors are strongly encouraged to engage in this informal problem solving meeting in order to identify the precise matter(s) at issues, discuss ways to resolve the matter(s), and hopefully resolve the matter(s) at the lowest possible level, consistent with the intent of the Problem-Solving Procedure.

## **Sexual Harassment and other Illegal Discrimination**

Complaints alleging sexual harassment or other illegal discrimination based on race, color, sex, national origin, religion, age, or disability may be filed using the Problem-Solving procedure, but should be filed in accordance with the procedures outlined in the [\*Sexual Harassment and Other Prohibited Discrimination Practices\*](#) policy in this handbook.

## **Prohibitions**

No employee shall be disciplined or otherwise prejudiced in his or her employment for exercising his or her rights under the problem solving procedure. No supervisor or any other official of EIPH may retaliate against an employee for:

- Filing under this problem solving procedure;
- Participating as a witness or an employee representative; or
- Assisting another employee in preparing a filing.

## **Representation**

An employee has the right to be represented by anyone he or she chooses at each step of the procedure, except for the initial discussion with the immediate supervisor or during mediation. Employees are responsible for notifying representatives of the time and place for meetings. The schedule limitations of the employee's representative shall not unreasonably delay the process. The employee is responsible for compensating a representative and for paying the representative's expenses.

## **PROCEDURE**

### **Step 1: Filing for Problem-Solving**

Eligible employees are required to file for Problem-Solving in writing no later than ten (10) working days after being notified of, or becoming aware of the issue or problem, or when discussions with the immediate supervisor to resolve the issue have reached an impasse. A [\*Problem-Solving Request Form \(Appendix C\)\*](#) should be used to file for Problem Solving. If the filing alleges an ongoing pattern of harassment or illegal discrimination, the filing shall be considered timely if filed within then (10) working days after the last allegedly offensive action. The time limit for filing for problem-solving does not include days the employee is away from work due to illness or other approved leave. The ten (10) working day calculation does not include the day on which the problem occurred, but does include administrative leave. Problem-solving forms must be filed with the employee's immediate supervisor.

### **Step 2: Meeting with Division Director**

The employee will meet with Division Director no later than five (5) working days after filing for problem-solving. The Division Director may consult with the employee's immediate supervisor to determine who may be best able to resolve the problem in this meeting with the employee. The Division Director will also take into account the employee's preference in deciding who should be present. Since the goal of this procedure is to resolve problems at the lowest level possible, this meeting may involve the immediate supervisor and any additional people who may be helpful in resolving the issue(s).

### **Step 3: Meeting with Human Resources**

The employee will meet Human Resources no later than five (5) working days after meeting with the Division Director. Human Resources will consult with other supervisors involved to determine who may be best able to resolve the problem in this meeting with the employee. Human Resources will also take into account the employee's preference in deciding who should be present. Since the goal of this procedure is to resolve problems at the lowest level possible, this meeting may involve the immediate supervisor and any additional people who may be helpful in resolving the issue(s).

### **Step 4: Final Decision from Director**

EIPH's Director, or designee, may consult with the employee, immediate supervisor, Division Director, Human Resources and any others who participated in the problem-solving procedure in order to determine how best to resolve the issue(s). The employee will receive a final decision from the Director or designee no later than five (5) working days after meeting with Human Resources.

The problem-solving process ends with the decision of the Director or designee. Problem-solving decisions are not generally appealable to the Idaho Personnel Commission.

#### **Waiver of Intermediate Steps and Time Period**

The intermediate steps of the Problem-Solving procedure may be waived upon mutual agreement of the employee and the supervisor, Division Director, and/or Human Resources, depending on the issue. Internal time periods of the procedure may be extended when the employee, immediate supervisor, Division Director, Human Resources, or Director is not available due to illness or other approved leave, but in no case longer than ten (10) working days after that individual's return unless expressly agreed upon by both parties.

Time limits specified for requesting the next level of review cannot be extended except when the employee is absent from work due to illness or approved leave. If the next level of review is not requested within established time frames, or on the day the employee returns to work from an approved absence, the matter will be considered resolved or dropped.

#### **Leave Issues**

The employee and other staff involved, upon approval of their respective immediate supervisors, will be allowed regular work time to participate in problem-solving discussions.

#### **Optional Mediation Step**

Mediation is an optional method of dispute resolution. It may be requested at any time by the employee or by others involved in the problem-solving process. The employee and EIPH must both agree to mediation, and also agree to the mediator. Employee representatives are not allowed in the mediation process. Mediation will be scheduled within five (5) working days of the agreement, if possible, and all other time frames will be put on hold until the conclusion of the mediation process. If mediation is not successful, the employee must request to continue problem solving within five (5) days of the conclusion of the mediation or the matter is considered resolved.

## APPENDIX C: PROBLEM-SOLVING REQUEST FORM

(Page 1 of 3)

**TO:** \_\_\_\_\_  
**Supervisor Accepting Problem-Solving Request**

**FROM:** \_\_\_\_\_  
**Employee Requesting Problem-Solving**

**DATE:** \_\_\_\_\_

The employee requesting problem-solving sets forth the following:

1. I seek resolution of the following job-related matter(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheet if necessary)

2. My suggested solution(s) is/are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheet if necessary)

3. Please indicate who you wish to have attend the problem-solving meetings:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

**APPENDIX C: PROBLEM-SOLVING REQUEST FORM (continued)**

(Page 2 of 3)

**FOR DIVISION DIRECTOR:**

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The Division Director who met with the employee sets forth the following:

After attending the problem-solving meeting with the employee, my suggested solution(s) to the matter(s) is/are:

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(Attach additional sheet if necessary)

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Division Director's Signature

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Date

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The employee accepts/rejects (please circle) the suggested solution(s).

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Employee's Signature

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Date

**APPENDIX C: PROBLEM-SOLVING REQUEST FORM (continued)**

(Page 3 of 3)

**FOR HUMAN RESOURCES**

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Human Resources, who met with the employee sets forth the following:

After attending the problem-solving meeting with the employee, my suggested solution(s) to the matter(s) is/are:

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(Attach additional sheet if necessary)

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Human Resources Representative

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Date

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The employee accepts/rejects (please circle) the suggested solution(s).

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Employee's Signature

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Date

## REASONABLE ACCOMMODATIONS

It is the policy of EIPH to provide reasonable accommodations for qualified individuals with disabilities who are employees or applicants for employment. EIPH will adhere to all applicable federal, state and local laws, regulations and guidelines with respect to providing reasonable accommodations as required affording equal employment opportunity to qualified individuals with disabilities. Reasonable accommodations shall be provided in a timely and cost-effective manner.

Employees are responsible to inform their Supervisor, Division Director, Human Resource Specialist, or EIPH Director that they need an accommodation. Whether the employee's request is communicated verbally or in writing, the [\*Request for Reasonable Accommodation Form \(Appendix D\)\*](#) should be used to document the request and to initiate dialogue about it.

The determination of "qualified individual with a disability" is a case-by-case process, depending on the circumstances of the particular employment situation. When a qualified individual with a disability requests an accommodation, the employee's supervisor, Division Director, Human Resources Specialist, and EIPH Director will meet and determine what accommodations can reasonable be provided that is effective for that individual.

**APPENDIX D: REQUEST FOR REASONABLE ACCOMMODATION FORM**

(Confidential)  
Page 1 of 2

Date: \_\_\_\_\_

1. Name of Individual Requesting Accommodation: \_\_\_\_\_

2. Title: \_\_\_\_\_

3. Work Location: \_\_\_\_\_

4. Immediate Supervisor: \_\_\_\_\_

5. Nature of the qualifying disability (attach medical verification, if appropriate):  
\_\_\_\_\_  
\_\_\_\_\_

6. Requested or suggested accommodation to enable you to perform the essential functions of the job (please attach a job description, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* \* \* \* \*

7. Supervisor's recommendation and comments:  
Approximate cost of the requested accommodation: \_\_\_\_\_

\_\_\_\_\_ Recommend Approval          \_\_\_\_\_ Recommend Disapproval

Comments: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX D: REQUEST FOR REASONABLE ACCOMODATION FORM (continued)**

(Confidential)

Page 2 of 2

8. Division Director's approval or referral:

\_\_\_\_\_ Approved

\_\_\_\_\_ Referred

(Any requested accommodation for which disapproval is contemplated or which involves structural change, or any other unusual accommodation request, will be submitted to the EIPH Director for review before a decision is acted upon.)

Division Director's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

9. Reasonable Accommodation Review (only if required; see Step 8):

\_\_\_\_\_ Concur

\_\_\_\_\_ Deny

\_\_\_\_\_ Modify

Comments: \_\_\_\_\_

\_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date recommendation communicated to Director: \_\_\_\_\_

10. Appeal or Problem Solving Requested:

\_\_\_\_\_ Yes

\_\_\_\_\_ No

11. Final Disposition:

Director's Decision

\_\_\_\_\_ Concur

\_\_\_\_\_ Deny

\_\_\_\_\_ Modify

**This form, when completed, is to be retained in a confidential file in Human Resources.**