

ARTICLE VII - JOB DESCRIPTIONS

Individual job descriptions shall be made available for all staff positions.

ARTICLE VIII - EVALUATIONS

Written job evaluations shall be conducted annually. When commenting on an employee's overall performance during the evaluation period, supervisors may consider additional factors such as: experience and training of the employee, and individual productivity. Any employee dissatisfied with the evaluation may note that dissatisfaction in writing and have it attached to the evaluation and submitted to the Executive Director.

Any employee whose work does not merit a satisfactory evaluation may be placed on probation for a period not to exceed ninety (90) days. This probation must include written notification to the employee of the probation as well as steps to be taken to get off probation. During the time of probation, the employee is to be given every opportunity, including intensive supervision, to bring the performance up to levels of acceptable standards. Failure to improve will result in termination. An employee who improves satisfactorily must be so informed, in writing, at the end of the probationary period. A performance evaluation shall be completed at the end of the probationary period.

ARTICLE IX - DATA PRIVACY

Section 9.1 - Philosophy

Northwest Community Action, Inc. employees and board members shall adhere to the provisions of the Agency's Data Privacy Policies and procedures enacted by State or Federal Government.

Section 9.2 - Personnel Files

A. Employee personnel file shall contain appropriate personnel information such as: application for employment, resume, reference letters, evaluation results, disciplinary action, etc. These records and information contained in them fall under two different classifications of data; public and private.

1. Public Data - Sixteen (16) items about every employee are public information:

- a. Name
- b. Education & Training
- c. Work History
- d. Veteran Status
- e. Test Scores
- f. Rank on Eligibility Tests
- g. Work Availability
- h. Current Salary
- i. Fringe Benefits
- j. Other remuneration beyond salary (including expense reimbursement)
- k. Job Title
- l. Job Description
- m. Dates of First & Last Employment
- n. Status of Complaint(s) against Employee
- o. Whether such complaint(s) eventuated in disciplinary action
- p. Final disposition of such complaints

2. Private Data

All other personnel data (including but not limited to, birth date, social security number, gender, race, home address, and telephone number) are private.

B. The following material will be kept in each employee's personnel file.

- 1. Employee application
- 2. Resume and/or professional credentials where applicable
- 3. Position description
- 4. Documentation of salary history while employed by the Agency
- 5. Personnel actions
- 6. Performance evaluations
- 7. Awards
- 8. Adverse actions
- 9. Dispositions of adverse actions
- 10. Required medical information where appropriate

Section 9.3 - Record Retention

A. All past and present employee personnel records will be reviewed annually in September, the beginning of each program year. Material no longer relevant will be removed from the file.

1. Performance appraisals, positive or negative, will be retained for five (5) years. All performance appraisals over five (5) years old will be removed.
2. Personnel files of employees voluntarily or involuntarily terminated will be stored in a locked file cabinet located at NWCA Main Office for eight (8) years.
3. Personnel files of employees voluntarily or involuntarily terminated of eight (8) years ago will be destroyed.

B. At no time will any employee of NWCA collect data on or maintain a private file on any employee of NWCA; only exception being that Supervisors may maintain a working file in regards to employee evaluation.

Section 9.4 - Authorization

A. All performance appraisals/evaluations must be signed and dated by both supervisor and employee before incorporation into the employee's personnel files. Should an employee refuse to sign said appraisal/evaluation, then the supervisor shall make a notation on the form indicating the employee's refusal prior to incorporation into the employee's personnel file.

B. Employees must receive a copy of any disciplinary notices incorporated into their personnel files and must be told whether those notices will be added to their personnel files.

Section 9.5 - Security

A. Personnel files are stored in a locked cabinet at NWCA Main Office. Cabinet(s) are unlocked at the beginning of the work day (8:30 a.m.) and locked at the end of the work day (5:00 p.m.) The Fiscal Director is responsible for the security of the personnel file.

B. Participant files are stored in locked cabinets located near the employees responsible for their respective programs. Cabinets are unlocked at the beginning of the work day (8:30 a.m.) and locked at the end of the work day (5:00 p.m.). Program Directors are responsible for assigning person(s) responsible for the program file - its contents, internal and external access, and security.

Section 9.6 - Access to Employee Information

A. Information contained in NWCA personnel files is, with few exceptions, public in nature. As such, State statute requires that these records be maintained in a fashion that will allow - with appropriate supervision and during reasonable hours - public inspection. Given this legal status, the issue of access control becomes largely a matter of policy making that is best divided into three categories.

1. Individual Access

- a. All Agency employees have the right to inspect and verify the accuracy of their personnel files during normal working hours, from 8:30 a.m. to 5:00 p.m., Monday through Friday, by contacting the Fiscal Director. Under no circumstances should personnel files ever leave the office.
- b. Employees have the right to an appropriate explanation of the contents and meaning of those records.
- c. Employees desiring access to their personnel file who are unknown to the Fiscal Director may be required to provide identification.

2. Administrative and Managerial Access

- a. The Executive Director and Fiscal Director have complete access to the personnel file for business purposes - personnel administration, staff management, and disciplinary action.
- b. Beyond administrative requirements, information to Program Directors will be limited to that directly related to work performance and employment decisions. All other employee information, such as benefits, payroll deductions, etc. have no value in supervisory matters and will not be accessible.
- c. Access to specific data may be granted by the Fiscal Director to other Agency employees if a definite business need is demonstrated.
- d. All employees of NWCA are expected NOT to discuss confidential information pertaining to Agency employees or participants, outside the scope of their employment. A breach of this provision may be cause for disciplinary action

3. External Requests for Employee Information

The Agency's policy on processing external request for employee data on procedures used in gathering information for its own files.

- a. Employee data will not be released by telephone. Organization(s) requesting such information will be instructed to submit their request under letterhead stating the purpose for which the data will be used with written authorization from the responsible organizational authority.
- b. Only that information classified PUBLIC by Minnesota Statute 15.1692 will be released without additional authorization from the individual about whom the request is being made. Information deemed private will not be provided without written authorization from the employee. Obtaining such authorization is the responsibility of the individual requesting the information.
- c. Beyond the stipulation of point 3.b, the only types of data that will be released under any circumstances are those objective, factual data which have hard copy documentation. Specifically, personal opinions, work appraisals, and personality analyses, where they exist, will never be released.
- d. Every personnel file will include a data release log that will contain the date of each information request or employment validation, the name of the requesting authority, and the actual information that was released.

Section 9.7 - Contesting Accuracy

- A. All employees have the right to contest the accuracy or completeness of information stored on them with this Agency, upon written request. That request must include both identification of the incorrect or incomplete information and the employee's suggested correction or addition. Employees will be informed within thirty (30) days of the Agency's disposition of their request. Information determined to be incorrect or incomplete will be corrected.
- B. Employees have the right to appeal an adverse determination of their request for correction of information stored with this Agency. Information an employee still believes to be incomplete or incorrect MAY NOT be disclosed by this Agency without inclusion of the employee's statement of disagreement.

Section 9.8 - Staff Education

A. All Program Directors will be informed of data privacy regulation changes on an on-going basis. Program Directors are expected to share this information with their subordinates.

B. In-house training sessions will be held as needed.

ARTICLE X-STAFF AND SPECIAL MEETINGS

Regular and special staff meeting shall be held for general discussion of project activities, financial reporting, and directives of future activities. Attendance requirements shall be posted or delivered where applicable.

ARTICLE XI - SALARIES AND PROMOTIONS

Section 11.1

Federal and State minimum wage laws concerning salaries shall be adhered to.

Section 11.2

The Board of Directors shall set the initial salary and increment of the Executive Director.

Section 11.3

Initial salaries and increments of the Program Directors and administrative staff, other than the Executive Director, shall be determined by the appropriate Executive Board Committee, or the Executive Director, or when applicable the appropriate Program Advisory Committee, subject to approval of the Board of Directors.

Section 11.4

Initial salaries and increments of all other program staff shall be determined by the Executive Director, appropriate Program Director, and when applicable, the appropriate Program Advisory Committee.

Section 11.5 - Overtime

Nonexempt Employees