

# Family & Medical Leave Act

## Summary

The Family and Medical Leave Act (FMLA) provides employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave.

## Manager Responsibility:

- Email or call Leave of Absence Department
- Provide Leave of Absence Department with necessary information when a team member notifies you time away from work is needed as defined under FMLA
- Do not term a team member for requesting leave

## Team Member Responsibility:

- Notify manager of need for leave as soon as possible
- Provide documentation to support the need for leave
- Provide periodic status reports
- Provide medical documentation to Leave of Absence Department allowing the team member to return to work

## Important Contact Information

### Leave of Absence Department:

[leaves@goodwillaz.org](mailto:leaves@goodwillaz.org) or (602) 535-4100 option 6

### Did you know?

- Not all requests for leave are approved.

# Americans with Disabilities Act

## Summary

In enacting the Americans with Disabilities Act of 1990 (ADA), Congress intended that the Act “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities” and provide broad coverage.

The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or team member, unless doing so would impose an undue hardship on the operation of the employer’s business.

## Manager Responsibility:

- Immediately let HR Leaves know when a team member requests a reasonable accommodation due to a disability
- Notify HR Leaves when a team member returns with restrictions
- Once a request for accommodation has been made, HR Leaves will initiate the accommodation process

## Team Member Responsibility:

- Notify manager of need for accommodation as soon as possible
- Provide documentation to support the need for accommodation
- Provide periodic status reports
- Immediately let manager know if leave is due to work place injury

## Did You Know?

Not everyone with a medical condition is protected by the law. In order to be protected, a person must be qualified for the job and have a disability as defined by the law.

### **A person can show that he or she has a disability in one of three ways:**

- A person may be disabled if he or she has a mental or physical condition that substantially limits a major life activity (such as walking, talking, seeing, hearing, or learning).
- A person may be disabled if he or she has a history of a disability (such as cancer that is in remission).
- A person may be disabled if he is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if he does not have such an impairment).

# Attendance Policy

## Summary

**Absence:** Anytime a team member fails to report to work for a full shift, except for authorized leave.

**Early Out:** A team member's departure from work before the end of his/her shift without prior approval from the manager.

**Late Arrival:** Failure to clock in and be at assigned workstation on time at the start of a shift.

**Late Return:** Failure of a team member to be at the assigned workstation at the end of a break or meal period. A team member will be considered late if the team member is in the workplace, but is not at the assigned workstation at the time he/she was to return from the break or lunch period.

**No Call/No Show:** Failure to call in to the supervisor or show up to the worksite within one hour of scheduled shift time. Texting, emailing, or leaving messages with co-workers (instead of the manager in charge) is unacceptable. Family members, co-workers or friends may not call in to the manager on the team member's behalf.

**Occurrence:** The documentation of each unscheduled Absence, Late Arrival, Late Return, Early Out, or No Call/No Show.

## Manager Responsibility:

- Accurately document team member occurrences
- Ensure schedules are entered in KRONOS
- Add sick / vacation time as applicable and add comment in KRONOS
- Talk with team member about consecutive occurrences

## Team Member Responsibility:

- Immediately call manager if you will be late or need to leave early
- Obtain manager preapproval for all planned time off
- Talk with manager should you need leave or an accommodation

## Did You Know?

- Team members may receive one occurrence for each unauthorized Absence.
- Team members may receive one occurrence for each unauthorized Late Arrival, Late Return and Early Out of more than 1 hour.
- Team members may receive a .5 occurrence for each unauthorized Late Arrival, Late Return and Early Out of less than 1 hour.
- Team members may receive one occurrence for each unauthorized No Call/No Show. A No Call/No Show within first 90 days of employment may result in termination.

# Drug and Alcohol Policy

## Summary

Goodwill of Central and Northern Arizona (GCNA) strives to maintain a workplace free of illegal drugs and alcohol. The purpose of the Drug and Alcohol Policy is to:

- Establish company wide standards regarding a drug and alcohol free workplace.
- Establish guidelines for the consistent handling of team member alcohol and drug use and testing in the workplace.
- Define GCNA's position with regard to hiring and promoting team members that are drug and alcohol free through the consistent administration of drug and alcohol testing.
- Reduce the risk of accident injury on the job caused by alcohol and drug use.

## Manager Responsibility:

- Immediately report any suspected use of drugs/alcohol to your supervisor and HRBP.
- Contact MBI or local approved vendor for onsite reasonable suspicion screening after partnering with supervisor and HRBP.

## Team Member Responsibility:

- Once notified of the requirement for any drug and/or alcohol test, the impacted team member(s) must comply and immediately submit to a test. Refusal to consent to a test, inability to produce a specimen test within 3 hours of arriving at the facility, failure to appear in the allotted time for a test, and/or production of an altered or substituted specimen may result in disciplinary action, up to and including termination.

## Did You Know?

If you suspect a team member at work is under the influence of alcohol or drugs, complete the Reasonable Suspicion Form and contact your HR Business Partner ASAP.

# Age Discrimination

## Summary

Age discrimination involves treating an applicant or employee less favorably because of his or her age. The Age Discrimination in Employment Act (ADEA) forbids age discrimination against people who are age 40 or older.

## What to do:

- Address situations as soon as they arise
- Make age neutral decisions
- Ensure terminations are based on performance
- Be aware employers can't terminate at a certain age

## What not to do:

- Allow employees to tease others because of age
- Ask age related questions at interviews
- Approach layoffs or promotions based on age

## Did You Know?

**Q:** Which employers are covered by the ADEA?

**A:** The ADEA applies to employers with 20 or more employees, but some states have enacted similar laws that cover employers with fewer employees. Check your state law to ensure compliance.

**Q:** May I ask job applicants for their age?

**A:** If there are minimum age requirements, the employer may ask whether the individual meets that requirement without asking for a specific age.

**Q:** Can my company limit jobs to individuals under a certain age?

**A:** In general, an employer may not exclude workers over the age of 40 from a job because of their age. In very rare cases, age limits may be permitted as a bona fide occupational qualification (BFOQ) under the ADEA.

# Workplace and Sexual Harassment

## Workplace Harassment Summary

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

## Sexual Harassment Summary

It is unlawful to harass a person (an applicant or employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

## What to do:

- Respond quickly
- Take the allegation seriously
- Address any behavior that may be perceived as harassment
- Be empathetic, but remain neutral
- Investigate and get the facts
- Discuss next steps

## What not to do:

- Promise confidentiality
- Send the employee out to confront the accused
- Appear to take sides in the situation
- Make assumptions about the accused or the victim
- Consider gender (i.e., a female cannot harass a male)