



# PERSONNEL

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<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



# BP-11 PERSONAL

## Table of Contents

- I. Revision Table..... 4**
- I. Purpose Statement ..... 5**
- II. Regulatory / Legislative Requirements ..... 5**
- III. Scope ..... 5**
- IV. References ..... 5**
- V. Definitions ..... 5**
- VI. Roles & Responsibilities ..... 6**
- VII. Policy..... 6**
- VIII. Hiring ..... 7**
- IX. Application Process..... 7**
  - Application Evaluation and Interviews ..... 8
  - Qualifications for Employment ..... 8
- X. Disciplinary Action ..... 9**
- XI. Termination and Separation ..... 10**
- XII. Work Schedule ..... 10**
- XIII. Working Remotely..... 10**
  - Employee Responsibilities for Remote Working ..... 12
  - Supervisor Responsibilities for Remote Working ..... 13
  - Teleworking and Telecommuting ..... 14
- XIV. Leave and Benefits ..... 15**
  - Annual ..... 15
  - Sick Leave..... 15
  - Bereavement ..... 15
  - Leave Balances for State Employee Transfers..... 15
  - Paid Holidays ..... 15
  - Leave Without Pay ..... 16

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

Salary and Benefits Adjustment .....	16
Severance.....	16
<b>XV. Other Leave Types .....</b>	<b>16</b>
Administrative Leave .....	16
Witness and Jury Leave .....	16
Military Leave .....	16
Furlough .....	16
Family and Medical Leave.....	17
Workers' Compensation Leave .....	17
Parental and Postpartum Leave .....	17

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

### 1. Revision Table

Version	Effective Date	Revision Author	Summary of Revisions
1.1	May 5, 2022	Amy Brown Coffin	Updated to new policy template
2.0	February 27, 2023	Amy Brown Coffin	Updated owner to Benn Buys and Document Number to BP-11; Added Juneteenth to holidays list
3.0	July 17, 2023	Benn Buys	Updated Leave & Benefits and Salary & Benefit adjustments sections to clarify UIPA accruals and differentiate between UIPA and State of Utah employment; Added various leave types that will follow DHRM rules, work schedule, working remotely, and severance.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

### I. Purpose Statement

The policy and the procedures adopted by the organization and in other personnel statements or materials issued by UIPA reflect current policies and procedures.

### II. Regulatory / Legislative Requirements

None

### III. Scope

This policy provides employees of the Utah Inland Port Authority (UIPA) an understanding of the responsibilities and obligations of employment with the UIPA.

### IV. References

- R477-6-8 Employee Benefits
- R477-6-11 Severance Benefits
- R447-7-7 Administrative Leave
- R447-7-8 Witness and Jury Leave
- R477-7-10 Military Leave
- R477-7-13 Leave Without Pay
- R477-7-14 Furlough
- R477-7-15 Family and Medical Leave
- R477-7-16 Workers' Compensation Leave
- R477-7-20 Parental and Postpartum Recovery Leave
- UIPA PO-06 Acceptable Use of Information Technology

### V. Definitions

Term	Definition
Employee	Anyone who receives salary/wage from the organization, including full or part-time staff, and interns.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

Overtime	Hours worked in excess of 40 hours a week by non-exempt employees.
Telecommuting	Working while commuting to or from the UIPA office
Teleworking	Working from a remote site that is not at the UIPA office.
Work Schedule	A plan approved by the employee's supervisor establishing the employee's work hours and location from which the employee will work.
Working Remotely	Telecommuting or teleworking

## VI. Roles & Responsibilities

Please use the job title for the role and describe the responsibilities for this role as it pertains to the policy.

Role	Responsibility
Chief Financial Officer (CFO)	Act as human resources officer
Executive Director	Administer policy and adopt procedures

## VII. Policy

The executive director has the authority to administer policy and adopt procedures and/or guidelines that implement policy that further define the rules governing UIPAs employees. These procedures include establishing leave policies; including sick leave and vacation; setting up performance reviews; establishing employee benefits and giving merit increases. Any procedures established by the executive director that create a cost to UIPA must be within the budget approved by the board.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

The chief financial officer shall act as the human resource officer. The primary responsibility is to ensure that UIPA policies and procedures and treatment of all employees is fair, equitable and consistent with applicable state and federal guidelines. The CFO will work to promptly and equitably to resolve employee complaints relating to work, compensation policies, performance, and benefits. The Department of Human Resource Management (DHRM) may be consulted if needed.

### VIII. Hiring

UIPA is an “Equal Opportunity Employer” and shall comply with the Equal Employment Opportunity Act.

UIPA complies with state laws prohibiting nepotism or the employment of relatives. Except as allowed by state law, UIPA prohibits UIPA employees from employing, appointing, voting for the appointment of, directly supervising, or being directly supervised by the employee’s relative. Relative is defined as any of the following relationships:

- Father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

New positions must be approved by the executive director with budget authorization from the CFO.

Job descriptions are prepared according to duties and qualifications required for successful job performance. The job description, as approved by the CFO, shall identify essential job functions, required education, experience, skills and abilities, competence, and character.

### IX. Application Process

Whenever possible UIPA will promote or transfer employees from within, provided the internal candidate is qualified for the position.

UIPA may choose to seek external candidates to fill new or vacant positions at any time.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

- For professional or executive positions which require extensive experience and/or higher education and are deemed critical to the organization, the CFO may recruit applicants without advertising for the position. UIPA retains the discretion to solicit candidates for positions by any means possible ensuring that applicants recruited meet the minimum qualifications for the positions and complete all pre-hire testing and background checks.
- UIPA may choose to post job openings. If posted, qualifications and length of opening will be publicly available.
- UIPA may choose to post openings and independently recruit concurrently.
- UIPA conducts a background check of applicants being considered for employment, which may include, but is not limited to, an evaluation of the applicant's personal and professional background, educational experience, and criminal history check. If an employee or applicant has falsified any item of information on the personnel application or has engaged in conduct inconsistent with standards of conduct outlined in these policies, UIPA may terminate the employee or remove the applicant from consideration for employment.

### Application Evaluation and Interviews

The evaluation of an applicant for employment will generally include one or more of the following processes; however, other evaluation methods may be used with the approval of the executive director or CFO.

- Review of applicants resume or application
- Performance test
- One-on-one or panel interview
- Assessment of other job-related qualifications identified by a job analysis

### Qualifications for Employment

Employees of the UIPA must be of good character. In verifying character, UIPA may fingerprint candidates and, before hire, conduct a thorough criminal history check. Potential employees may also be subject to a drug test prior to or subsequent to an offer of employment.

Employees of the UIPA must be citizens of the United States or legal aliens permitted to work in the US. Applicants are required to submit all documents relating to citizenship or status necessary for compliance with state or federal laws at the time of offer.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board





## BP-11 PERSONAL

Must meet the minimum qualifications including education, experience and skills and be able to perform the essential job duties outlined in the job description with or without accommodations.

### X. Disciplinary Action

Supervisors may take formal disciplinary action after consultation with the executive director and CFO. The disciplinary action must be in writing, signed and addressed to the employee being disciplined. The employee must be advised of the type, reason, and effective date of the disciplinary action to be taken.

Types of misconduct include:

- Violations of the laws of the United States or the State of Utah
- Conduct on or off the job that discredits UIPA or affects the employee's ability to perform effectively (commission of an act or acts offending to public morals or decency)
- Commission of any act, alone or with others, for the purpose of causing any employee to be either unfairly or dishonestly affected
- Violations of the policies of the UIPA
- Abuse of alcohol or controlled substances while working in a manner that adversely affects performance
- Poor driving records where driving is a required job duty
- Reprehensible or indecent language bringing discredit upon the UIPA
- Using official authority to influence or coerce any political action
- Dishonest in word or conduct
- Unauthorized use or abuse of the UIPA vehicles, equipment, or property
- Involvement of the UIPA with the employee's creditors due to the employee's failure to properly arrange personal financial matters

Employees whose conduct constitutes grounds for disciplinary action are subject to one or more of the following:

- Informal Warning
- Formal Warning
- Suspension
- Demotion
- Termination

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

### XI. Termination and Separation

UIPA requests that employees who voluntarily leave employment provide two-weeks advance written notice. Whenever possible, an “Exit Interview” will be conducted through the Human Resource office.

Upon termination, employees will receive compensation for accrued eligible compensatory, excess, and annual time. Employees terminated for cause may not be eligible for compensation.

### XII. Work Schedule

Full time employees are expected to work 80 hours per pay period.

The standard workday at UIPA is a minimum of eight hours, plus uncompensated time taken during lunch, with the offices open to serve the public from 8:00 am to 5:00 pm. Flex schedules are available at the discretion of the supervisor.

Upon approval, an employee may work required hours outside of the normal operating office hours.

Employees may take a 15-minute compensated break period for every four hours worked. Break periods may not be accumulated to accommodate a shorter workday or longer lunch period.

Supervisors shall document and maintain all approved overtime hours and verify that there are sufficient funds in the budget to compensate for overtime.

### XIII. Working Remotely

Working remotely is an option, not a universal employee benefit or right, which may be incorporated in an employee’s work schedule with approval of an employee’s supervisor. An employee is not required to work remotely, unless a different agreement is established between the employee and the employee’s supervisor, and an employee may return to a full-time office arrangement at any time, except as provided herein.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

There are specific positions within the organization that may be mandated to be present in the office on a daily basis. These positions will be designated by the Executive Director and/or their designee.

The employee's supervisor may approve remote work, when the employee:

- has a satisfactory attendance record;
- meets performance goals and expectations; and
- consistently demonstrates the ability to complete tasks and assignments in alignment with expectations

Newly hired employees may be given time to demonstrate these measures while teleworking.

When considering whether to approve a remote working the employee's supervisor should consider whether:

- an employee can maintain or increase personal productivity;
- the nature of the employee's work and responsibilities is conducive to remote work without causing significant disruption to performance or service delivery;
- remote work can be accomplished with no additional cost to UIPA;
- remote work is consistent with the needs of UIPA, customers, and the employee;
- the needs and schedules of co-workers can be balanced with the needs of the requesting employee; and
- approval or denial of the employee's request is consistent with UIPA's response to requests from other similarly situated employees.

Human Resources shall review and make a recommendation to the Executive Director on an employee request for a modified remote work plan based on ADA.

An employee is accountable for the work performed while working remotely and may be asked to verify hours and work performed via a work log.

Working remotely does not affect an employee's salary, job responsibilities, benefits, or the amount of time the employee is expected to work.

An employee working remotely is held to the same performance expectations as an employee who does not work remotely. If an employee is not meeting those expectations:

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

- the employee may be required to return to traditional working arrangements at the UIPA office; and
- the employee may be subject to a performance improvement plan or other disciplinary action, up to, and including, termination.

The Executive Director or their designee may terminate or suspend an arrangement to work remotely at any time and for any reason.

If a supervisor approves a remote work plan where an employee is scheduled to work remotely 100% of the time, the employee will always have access to workspace at the UIPA building.

Any hardware or software purchased by UIPA remains the property of UIPA and shall be returned at the request of management. UIPA-owned software may not be duplicated without formal, written authorization.

### Employee Responsibilities for Remote Working

An employee utilizing a remote work plan has certain responsibilities depending upon the circumstances, including, but not limited to, the following:

1. Maintaining established performance standards;
2. Ensuring that the alternative worksite is appropriate and provides the work environment, connectivity, technology, resource access, safety, and security consistent with the work in which the employee is engaged;
3. Establishing and providing home internet for the purposes of remote work. Internet service must be of sufficient speed to support all work-related applications, systems, and devices. All initial set up costs, or costs associated with a remote worker changing locations are the responsibility of the remote worker. Any service or performance related issues with internet need to be addressed immediately by the remote worker. Failure to immediately address such issues can lead to suspension or termination of the Remote Work Agreement. Remote worker's in-home internet service for personal use during non-work hours is not regulated by this policy unless state equipment is being utilized. State owned equipment is always subject to the UIPA Internal Policy PO-06 Acceptable Use of Information Technology;
4. Providing office equipment (desk/chair) at the work location that is conducive to a safe and comfortable work environment;
5. Maintaining flexibility and responsiveness to the needs of the supervisor, work team, and agency (communication and collaboration);

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

6. Management may require a teleworker to attend in person meetings, conferences, or other activities away from the teleworker’s primary work location. Mileage to and from the required activity will be reimbursed according to UIPA policy. Mileage to and from the office will not be reimbursed.
7. Documenting all time in accordance with established DHRM time and attendance policies;
8. Complying with DHRM rules and practices pertaining to requesting and obtaining approval for leave, overtime, or any change to the employee’s agreed-upon work schedule outlined in the Employee’s Acknowledgement and Remote Work Agreement form;
9. Complying with all applicable federal, state, and municipal laws as well as state and DHRM rules and agency policies, including those dealing with time reporting and overtime;
10. Maintaining effective communication with supervisors and other employees with whom communication is essential for successfully implementing the arrangement;
11. Maintaining confidentiality of work-related information in the remote work environment in accordance with federal, state, and municipal laws and DHRM rules and agency policies. Unauthorized disclosure will subject the employee to penalties provided by law, as well as disciplinary action initiated by the UIPA, up to and including termination of employment.
  - a. Security of digital information must comply with DTS standards.
  - b. Printed information must be returned to the UIPA or destroyed based on applicable records retention schedules and practices;
12. Adhering to UIPA Internal Policy PO-06 Acceptable Use of Information Technology;
13. Forwarding calls from the employee’s office phone to the employee’s personal phone, or answering calls through an appropriate application, while working remotely to ensure the customer needs are met;
14. Maintaining a high level of customer service at all times;
15. Maintaining a professional appearance in dress and hygiene while working Remotely;

### Supervisor Responsibilities for Remote Working

A remote worker’s supervisor has certain responsibilities, which include, but are not limited to the following:

1. Setting forth appropriate measures to protect confidential information;

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

2. Ensuring that customer service is not adversely affected by the telework arrangement;
3. Clearly defining and setting forth the telework employee's responsibilities;
4. Maintaining frequent and effective communication with remote employees;
5. Ensuring there is not a hardship or burden placed on other employees (additional work, etc.);
6. Maintaining responsibility and accountability for treating all remote and non-remote employees similarly in acts involving managerial discretion, including but not limited to:
  - a. distribution of assignments among employees in the work unit;
  - b. use of appropriate tracking and communication tools;
  - c. performance management with both informal and formal feedback;
  - d. performance coaching;
  - e. learning and development;
  - f. reassignment, promotion, retention, and discipline;
7. Providing advance notice, if practicable, to remote employees regarding requests to report to the regularly assigned office location (notice is not required and does not absolve an employee's responsibility to be physically present upon request);

### Teleworking and Telecommuting

An employee's supervisor may require a teleworker to attend meetings, conferences, or other activities at the UIPA office or another location away from the employee's standard teleworking locale.

An employee who is teleworking is considered to be in an official duty status during designated work hours. Except for situational telework, routinely providing dependent or adult care while in official duty status is prohibited during telework.

A teleworking employee shall maintain a designated workspace at the alternative work location, and worker's compensation liability will be limited to the designated workspace.

On-site visits by the UIPA may be made for the purpose of retrieving equipment and other UIPA property in the event of employee illness or termination. While traveling to and from the UIPA office, an employee may telecommute on public transport and count the employee's active work time as part of the employee's work hours.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

### XIV. Leave and Benefits

UIPA will follow R477-6-8 Employee Benefits for benefit eligibility. Full-time, benefitted employees receive following leave benefits:

#### Annual

Total annual accrued leave shall not exceed a balance of 320 hours.

Hours per Pay Period	UIPA Years of Service
4	<4
5	5-9
6	10-19
7	>20

#### Sick Leave

Employees will accrue four hours per pay period.

#### Bereavement

Employees may use up to 24 work hours of bereavement leave, at the discretion of the Executive Director or designee.

#### Leave Balances for State Employee Transfers

Effective July 1, 2023, UIPA will not carry over leave balances or accrual rates granted during employment for the State of Utah. UIPA will make it clear to any new or prospective hires that this organization is separate and distinct from the State of Utah.

#### Paid Holidays

- Dr. Martin Luther King Day
- Presidents Day
- Memorial Day
- Independence Day
- Juneteenth
- Pioneer Day
- Labor Day

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board



## BP-11 PERSONAL

- Columbus Day
- Veteran’s Day
- Thanksgiving
- Day After Thanksgiving
- Christmas Day
- New Year’s Day

### Leave Without Pay

UIPA will follow R477-7-13 for Leave Without Pay.

### Salary and Benefits Adjustment

Employees may choose from the menu of options provided by the state.

UIPA will strive to provide a matching salary increase for what the state provides as approved by the legislature on an annual basis.

Every three years a market comparability study will be completed with the assistance of the Human Resource Management office to ensure salaries are in line and UIPA has the ability to keep the best employees within the market.

### Severance

UIPA will follow R477-6-11 for Severance Benefits.

## XV. Other Leave Types

### Administrative Leave

UIPA will follow R447-7-7 for Administrative Leave.

### Witness and Jury Leave

UIPA will follow R447-7-8 for Witness and Jury Leave.

### Military Leave

UIPA will follow R477-7-10 for Military Leave.

### Furlough

UIPA will follow R477-7-14 for Furlough.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board





## **BP-11 PERSONAL**

### **Family and Medical Leave**

UIPA will follow R477-7-15 for Family and Medical Leave.

### **Workers' Compensation Leave**

UIPA will follow R477-7-16 for Workers' Compensation Leave.

### **Parental and Postpartum Leave**

UIPA will follow R477-7-20 for Parental and Postpartum Recovery Leave.

<b>Document Number:</b>	BP-11	<b>Version:</b>	3.0
<b>Effective Date:</b>	December 2019	<b>Last Revision Date:</b>	July 17, 2023
<b>Policy Owner:</b>	Benn Buys	<b>Approved By:</b>	UIPA Board