



PERSONNEL

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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.
4.0	April 29, 2024	Benn Buys	Updated references to human resources officer throughout; Moved Quality Customer Service, Dress Code, Abusive Conduct Prevention, Substance Abuse, Workplace Harassment from Code of Conduct to this policy; Revised language in Application Process, Disciplinary Action, Termination and Separation, and Working Remotely; Added Legal Review input
5.0	December 7, 2024	Ariane Gibson	Removed references to DHRM, State of Utah rules and inserted the applicable UIPA language to those areas; Updated teleworking to require within the State of Utah; Updated leave policies to reflect separation from the state and adopt UIPA's own policies; Removed Severance and Furlough subsections

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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

- Hatch Act of 1939
- UCA 63a-17-10 Controlled Substances and Alcohol Use
- UCA 63g-2-6 Government Records Access and Management Act

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

- 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.
FLSA Exempt/Non-Exempt	The Fair Labor Standards Act ("FLSA") establishes two broad employment categories, exempt and non-exempt. All Employees, whether full-time, part-time, or temporary, are classified as exempt or non-exempt for overtime and minimum wage requirements. Employees are advised of their particular classification upon being appointed to a UIPA position.
Overtime	Hours worked in excess of 40 hours a week by FLSA non-exempt employees (paid at 1.5) Hours worked plus holidays in excess of 80

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	hours a pay period by FLSA exempt employees (accrued at straight as compensatory time).
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

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.

The chief financial officer(CFO) or designee shall act as the human resources 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 human resources officer will work promptly and equitably to resolve employee complaints relating to work, compensation policies, performance, and benefits.

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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 human resources officer, shall identify essential job functions, required education, experience, skills and abilities, competence, and character.

IX. Application Process

UIPA may choose to transfer or promote an employee from within the organization or seek external candidates to fill new or vacant positions at any time.

- For professional or executive positions which require extensive experience and/or higher education and are deemed critical to the organization, UIPA 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

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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 human resources officer.

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

Employees of 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.

Employees 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.

All aspects of employment within UIPA will be governed on the basis of merit, competence, and qualifications, and will not be influenced in any manner by race, religion, national origin, color, sex/gender, age, protected activity or disability.

All decisions made with respect to recruiting, hiring, and promotions for all job classifications will be made solely on the basis of individual qualifications related to the requirements of the position. Likewise, the administration of all other personnel matters such as compensation, benefits, transfers, reductions in force, training, and education will be free from any illegal discriminatory practices.

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X. Quality Customer Service

Employees will provide quality customer service to the public. Employees will treat co-workers and management with respect. Employees may not cause unnecessary disruption to their co-workers or to the workplace.

Employees may not be insubordinate, disloyal, or disrespectful to the orders of a supervisor or manager unless such order is reasonably believed to be in violation of this policy or other established policy, rule, or statute.

Quality customer service and respect to co-worker and management means:

- Communicating appropriately through:
 - Body language
 - The sound and tone of voice (it's often more important than the words used)
 - E-mail exchanges (sarcasm and arrogance, intended or not, may be perceived by the way words are used)
- Identifying, understanding, and anticipating the needs of others by:
 - Being sensitive to cultural differences
 - Knowing time requirements
 - Being attentive
- Instilling trust and confidence by:
 - Treating customers, co-workers, vendors, and community partners with respect and courtesy
 - Making them feel welcome and important
 - Providing a comfortable environment
 - Staying energized and projecting a positive attitude (you never get a second chance to create a positive first impression)
 - Listening
 - Obtaining feedback
 - Sending clear messages - concise communication
 - Refrain from offensive language and conversation

XI. Dress Code

Employees will be appropriately groomed and dressed for their position. Staff will wear clean and well-maintained attire appropriate to the type of work they do. Shoes are

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required and must also be well-maintained. In compliance with this policy, the following are examples of unacceptable attire:

- Clothing with obscene, foul language, or references to illegal substances
- Halter tops
- Muscle shirts
- Shorts
- Skirts shorter than mid-thigh
- Torn, patched/faded clothing
- Tube tops

XII. Abusive Conduct Prevention

This policy is intended to provide a work environment free from abusive conduct to include physical, verbal, or nonverbal conduct, such as derogatory remarks or insults intended to cause intimidation, humiliation, or unwanted distress. Employees may not intimidate, use physical harm or threats of physical harm against co-workers, management, or the public at any time.

Every UIPA employee is required to take an Abusive Conduct training every two years.

Employees who feel they are being subjected to abusive conduct should do the following:

- Document the occurrence
- Continue to report to work
- Identify a witness or witnesses, if applicable
- Report to management or human resources officer

An employee shall file a written complaint of abusive conduct with their immediate supervisor or any other supervisor in their direct chain of command, or the human resources officer. Any supervisor who has knowledge of abusive conduct shall take immediate, appropriate action in consultation with human resources officer and UIPA management to document the action. If an investigation reveals evidence of criminal conduct in an abusive conduct allegation, the executive director or designee and human resources officer, may refer the matter to the appropriate law enforcement agency.

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XIII. Substance Abuse

UIPA is a substance abuse and drug-free workplace and provides a safe and productive work environment for employees and the public by prohibiting employees from unlawfully manufacturing, dispensing, distributing, or using any controlled substance or alcohol during work hours, on UIPA property or while operating a UIPA vehicle while on duty.

Employees shall report to work fit for duty and will not be under the influence of alcohol or illegal drugs, or otherwise impaired due to use or abuse of prescribed drugs.

Employees in highly sensitive positions are subject to random drug or alcohol testing without justification, reasonable suspicion, or critical incident.

Managers who suspect an employee is impaired in the workplace shall contact the human resources officer immediately. Management may take disciplinary action to include dismissal from employment if:

- There is a positive confirmation test for controlled substances.
- Results of a confirmation test for alcohol meet or exceed the established alcohol concentration cutoff level.
- Management determines an employee is unable to perform assigned job tasks, even when the results of a confirmation test for alcohol shows less than the established alcohol concentration cutoff level.
- An employee refuses to submit to a drug or alcohol test.
- An employee substitutes, adulterates, or otherwise tampers with a drug or alcohol testing sample, or attempts to do so.
- An employee manufactures, dispenses, possesses, uses, sells, or distributes a controlled substance.
- An employee fails to complete a prescribed treatment without a valid reason.

Employees must notify their supervisor within five (5) calendar days when convicted under federal or state criminal statute regulating the manufacture, distribution, dispensation, possession, or use of a controlled substance.

Employees with issues related to drugs and/or alcohol use or abuse are encouraged to seek assistance through private services or UIPA's employee assistance programs. Employees who wait to seek assistance until they have been reported to be impaired

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while at work and/or who test positive through a drug/alcohol test are subject to disciplinary action to include termination of their employment with the UIPA.

XIV. Workplace Harassment

This policy is intended to provide employees and customers with a safe and productive work environment free from unlawful harassment based on race, religion, national origin, color, sex, age, protected activity or disability.

Workplace harassment is defined in policy as discriminatory treatment based on race, religion, national origin, color, sex, age, protected activity or disability that is unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and results in a hostile, offensive, or intimidating work environment; or discriminatory treatment based on race, religion, national origin, color, sex, age, protected activity, or disability that results in a tangible employment action against the harassed employee.

Tangible employment action is any action by the UIPA leadership that results in a significant change in employment status such as hiring, firing, failure to promote, demotion, and undesirable assignments; or, a decision that causes a significant change in benefits, compensation decisions or work assignment. Tangible employment action does not include insignificant changes in employment status such as a change of job title without a change in salary, benefits, or duties.

All UIPA employees are to display professionalism in their interactions with co-workers and customers and conduct themselves in such a way that would provide an environment free from unlawful harassment and comply with State and Federal antidiscrimination laws.

Management shall permit employees who allege workplace harassment, retaliation, or both to file an oral or written complaint with their immediate supervisor, any other supervisor within their direct chain of command, or the human resources officer.

Employees who feel they are being subjected to workplace harassment, retaliation, or both should do the following:

- Document the occurrence
- Continue to report to work
- Identify a witness or witnesses if applicable

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- Report it to their supervisor, another member of management or the human resources officer

All complaints of workplace harassment, retaliation or both shall be reviewed and if warranted an investigation initiated by the human resources officer following receipt of the complaint. Managers, supervisors, and all other employees are required to cooperate fully with the investigation and resolution of all complaints. If the investigation determines that harassment or retaliation has occurred, UIPA will take immediate and appropriate action, up to and including termination. If an investigation reveals evidence of criminal conduct in the workplace harassment allegations, the UIPA executive director or the human resources officer may refer the matter to the appropriate law enforcement agency.

No person may retaliate against any employee who opposes a practice forbidden under this policy, or has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing, or is otherwise engaged in protected activity.

Once a complaint has been filed, the accused shall not communicate with the employee who filed the complaint regarding allegations of harassment.

Management's Responsibility

If a supervisor knows or suspects that an employee may be or is being subjected to unlawful harassment, on or off duty, and the unlawful harassment may result in a tangible job action or the creation of a hostile work environment, the supervisor shall notify the human resources officer immediately for consultation and technical assistance. If the supervisor has a conflict of interest, the supervisor shall not interview the complainant or others about the allegation of harassment. (A conflict of interest may arise whenever the supervisor is the alleged harasser or whenever the supervisor has another special status with regard to the complainant or alleged harasser.) The supervisor shall not interview the alleged harasser unless the human resource director or designee has reviewed the allegation and authorized such an interview.

The human resource officer shall maintain and store a separate record of all unlawful harassment complaints and investigations. Supervisors shall not keep any additional separate files regarding complaints or investigations of unlawful harassment.

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Records relating to reporting and investigation of unlawful harassment are classified as protected under the Utah Government Records Access and Management Act (GRAMA), Utah Code Annotated §63-2-101, et seq.

XV. Disciplinary Action

Supervisors may take formal disciplinary action after consultation with the executive director and human resources officer. 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 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 UIPA
- Dishonest in word or conduct
- Unauthorized use or abuse of the UIPA vehicles, equipment, or property
- Involvement of 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

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XVI. 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 officer.

XVII. Work Schedule

Full-time employees are expected to work 80 hours per pay period (FLSA exempt) and 40 hours per pay period (FLSA non-exempt).

The standard workday at UIPA is 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.

Employees must have prior authorization from their manager to ensure that there are sufficient funds in the budget to compensate for overtime.

XVIII. 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.

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:

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- 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.

The human resources officer 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:

- 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.

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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. Must agree to a Remote Working Agreement indicating their primary and alternative (if applicable) remote work address that must be approved by the executive director and human resources officer with the primary address required to be within the state of Utah.
4. 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 UIPA equipment is being utilized. UIPA owned equipment is always subject to the UIPA Internal Policy PO-06 Acceptable Use of Information Technology;
5. Providing office equipment (desk/chair) at the work location that is conducive to a safe and comfortable work environment;
6. Maintaining flexibility and responsiveness to the needs of the supervisor, work team, and organization (communication and collaboration);

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7. 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.
8. Documenting all time in accordance with established time and attendance policies;
9. Complying with UIPA policies 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;
10. Complying with all applicable federal, state, and municipal laws as well as UIPA policies, including those dealing with time reporting and overtime;
11. Maintaining effective communication with supervisors and other employees with whom communication is essential for successfully implementing the arrangement;
12. Maintaining confidentiality of work-related information in the remote work environment in accordance with federal, state, and municipal laws and UIPA 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;
13. Adhering to UIPA Internal Policy PO-06 Acceptable Use of Information Technology;
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;
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;

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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.

XIX. Leave and Benefits

UIPA provides employees with important benefits to help contribute to their quality of life as well as their families. Regular UIPA employees who work 20 hours or more per week are eligible for all benefits. Benefitted eligible part-time employees who work

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between 20 and 40 hours per week earn pro-rated vacation hours based on hours worked and leave taken during the pay period.

Vacation

Vacation Accrual and Forfeiture

Vacation accruals are based on years of service at UIPA or as otherwise approved by the executive director.

Accrued vacation hours in excess of the following schedule will be forfeited at the end of the then-current calendar year (12/31):

Hours per Pay Period	UIPA Years of Service	Maximum before Forfeiture
4	<5	320
5	5-9	350
6	10-19	380
7	>20	410

If an employee is going to exceed this level by the end of calendar year, it is essential that time off be taken before the end of the year with manager approval or the excess hours will be forfeited.

Payout of Vacation upon Termination

Employees who terminate employment with UIPA (voluntary, involuntary, or through retirement) receive pay for unused earned vacation at their current rate of pay. Earned vacation time is defined as time earned through the termination date. The final pay period accrual will be prorated based on paid hours recorded on the employee's timesheet through the last day of work. Any vacation paid out due to termination is not considered retirement eligible.

Effect of Paid and Unpaid Leave

If an employee takes leave with pay, vacation continues to be earned as a prorated amount based on leave hours used. If an Employee takes leave without pay, no vacation hours are earned.

Scheduling Vacation

In scheduling vacations, UIPA tries to accommodate employee preferences. However, if an Employee requests vacation leave during busy periods or at times when co-workers have already requested vacation, alternate plans may need to be made.

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Managers are responsible for coordinating and approving in advance the vacation schedules of Employees to ensure that peak workload periods and staffing requirements are considered.

Requesting Vacation: Employees must give notice before taking vacation by requesting leave from the Manager as they have outlined. All requests for vacation must be approved in advance by the Manager.

Advances of Unearned Vacation: UIPA does not permit the advancing of unearned vacation time except for extraordinary circumstances with the permission of the executive director.

Coordinating Vacation with Other Types of Leave: If a holiday observed by UIPA falls on a regularly scheduled workday during an employee's vacation, the holiday will be paid for and not treated as a vacation day.

Sick Leave

Paid sick leave is provided to eligible employees. Employees may use paid sick leave when unable to report for work due to the following reasons:

- Caring for their own contagious or incapacitating illness or injury
- Caring for an ill dependent child, spouse, or parent
- Visiting a doctor, dentist, or other care provider

Sick Accrual

Employees earn 4 hours of sick time for each pay period. Part-time Employees (between 20- 40 hours worked a week) earn sick leave on a prorated basis based on paid hours recorded during the pay period.

Recording of Sick Leave

Sick leave should be recorded up to the total hours needed for the workday/work week to receive a normal paycheck.

Payout of Sick Leave upon Termination

Employees who terminate employment with UIPA (voluntary, involuntary, or through retirement) and have any unused sick leave balances transferred from the State of Utah lose all their accrued unused State of Utah sick leave hours.

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Payout of Sick Leave upon Termination

Employees who terminate employment with UIPA (voluntary, involuntary, or through retirement) before their fifth-year anniversary lose all their accrued unused sick leave hours. Employees who terminate employment with UIPA (voluntary, involuntary, or through retirement) after their fifth-year anniversary are entitled to a payout of all UIPA earned unused sick leave hours at their current rate of pay. The final pay period accrual will be prorated based on paid hours recorded on the employee’s timesheet through the last day of work. Any sick leave paid out due to termination is not considered retirement eligible. Anniversary date for all UIPA employees is their hire date with UIPA (12/07/2024 or later) and does not consider prior years of service employed by the State of Utah working for UIPA for these purposes.

Sick Leave Payout Program

Any UIPA Employee with 5 years of continuous service at UIPA and with an accrued unused sick leave balance of more than 410 hours or more is considered an Eligible Employee for the Sick Leave Payout Program. Hours in excess of 410 will be converted to cash and paid to all Eligible Employees annually based on Sick Leave ending balance containing December 10th. These excess hours will be cashed out at one hundred percent (100%) of the employee's current pay rate as of the date of the Payout. For the sick leave payout to be considered retirement eligible, the payout must represent amounts of leave accrued in a single year (up to 104 hours is possible in a 26-pay period year).

Compensatory Time

An FLSA exempt Employee who works more than 80 hours (including holidays in the calculation) will automatically receive compensatory time calculated at straight time. A FLSA non-exempt employee may request overtime hours be converted to compensatory time with approval of their manager by emailing the CFO. Non-exempt employees with hours in excess of 40 due to a holiday will be converted at straight time. This leave is eligible for use in lieu of other types of leave.

Annual Payout of Compensatory Time

The employees balance on November 30 in excess of 40 hours will be paid out as straight-time on their paycheck.

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Payout of Compensatory Time upon Termination

Employees who terminate employment with UIPA (voluntary, involuntary, or through retirement) receive pay for all unused compensatory time hours at their current rate of pay. Any compensatory time paid out due to termination is not considered retirement eligible.

Bereavement

UIPA grants employees bereavement leave in accordance with the following provisions. Following the death of an immediate family member, eligible employees may use up to 24 hours of bereavement leave with pay, per occurrence. Bereavement Leave will be pro-rated based on hours worked for part-time Employees. Employees should work with their manager on the details of taking this time. The immediate family means relatives of the Employee or spouse including in-laws, step relatives, or equivalent relationship as follows:

- Spouse
- Parents
- Siblings
- Children (including miscarriage or stillbirth)
- Grandparents
- Grandchildren
- Other unique family relationships (subject to human resources officer approval)

Leave Balances for State Employee Transfers

Effective July 1, 2023, UIPA will not pay out legacy sick (i.e. pre-2014 and pre-2006) leave balances granted during employment for the State of Utah. Effective 12/31/2024, UIPA will not carry over leave balances granted during employment with 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

- New Year’s Day
- Dr. Martin Luther King Day
- Presidents Day
- Memorial Day
- Juneteenth

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- Independence Day
- Pioneer Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving
- Day After Thanksgiving
- Christmas Day

Leave Without Pay

An employee shall apply in writing to management and receive management's approval before taking leave without pay. Management may not grant leave without pay unless the employee is expected to return to work. Management may deny a request for leave without pay when documentation from one or more qualified healthcare providers clearly establishes that the employee has a permanent condition preventing the employee from returning to the last held regular position unless by state or federal law requires the leave to be granted. An employee who receives no compensation for a complete pay period shall be responsible for payment of the full premium of state provided benefits. Management shall place an employee who returns to work on or before the expiration of leave without pay in a position with comparable pay and seniority to the previously held position. Upon request, an employee who is granted this leave shall provide a monthly return to work status update to the employee's supervisor.

Salary and Benefits Adjustment

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

UIPA's approach to base pay increases will be based on a hybrid model including performance, longevity, and cost of living adjustments using a systematic pay approach according to current market value analyses.

Every three years a market comparability study will be completed to ensure salaries are in line and UIPA has the ability to keep the best employees within the market.

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XX. Other Leave Types

Administrative Leave

An Executive may award Administrative Leave to employees at different times during the year. Generally, a use-by date will also be provided at the time the Administrative Leave is awarded, and if not used by this date, Administrative Leave will be forfeited. Administrative Leave is listed in the time sheet system and is to be chosen when taking this type of leave. Administrative Leave is not paid out upon termination or when more than the required hours worked are reported during a workweek or pay period.

Witness and Jury Leave

An employee is entitled to a leave of absence from a regularly scheduled workday with full pay when, in obedience to a subpoena or direction by proper authority, the employee shall:

- appear as a witness as part of the employee's position for the federal government, the State of Utah, or a political subdivision of the state;
- serve as a witness in a grievance hearing under Section 63A-17-602 and Title 67, Chapter 19a, Grievance Procedures; or
- serve on a jury

An employee on jury leave may accrue overtime hours in the same pay period during which the jury leave is used. An employee choosing to use accrued leave while on jury duty may keep juror's fees.

An employee who chooses to take a leave of absence from a regularly scheduled workday with full pay while on jury duty shall return any juror's fee to UIPA for deposit.

An employee may not use work time or witness and jury leave when absent to litigate matters unrelated to UIPA employment.

Military Leave

UIPA grants leaves of absence required for employees' military service in accordance with applicable laws.

Family and Medical Leave

An eligible employee may take up to 12 workweeks of Family and Medical Leave (FMLA) each calendar year for specific qualifying reasons, including the birth of a child, adoption

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or placement of a child for foster care, a serious health condition of the employee, the care of a spouse, child, or parent with a serious medical condition, or a qualifying exigency arising from a family member's active duty in the Armed Forces. Additionally, an eligible employee may take up to 26 workweeks of leave in a 12-month period to care for a covered servicemember, as defined by the National Defense Authorization Act. During FMLA leave, the employee continues to receive the same health insurance benefits they had prior to the leave, provided they pay their share of the premiums. Employees on FMLA leave also receive any administrative leave that would have been granted for non-performance reasons, had the employee been in a working status. To be eligible for family and medical leave, an employee must have been employed by UIPA for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the leave.

To request FMLA leave, the employee must notify management in advance—at least 30 days for foreseeable needs or as soon as practicable in emergencies. Employees may use accrued leave, such as vacation leave, sick leave, and compensatory time, before entering a leave without pay status for the designated period of family and medical leave. If an employee does not notify their direct supervisor about the use of accrued leave, it will be used in the following order: carried over State of Utah sick leave, UIPA sick leave, compensatory time, or vacation leave. Management will designate any absences related to a qualifying event as FMLA leave once the employee is eligible. Employees with a serious health condition covered under workers' compensation may use FMLA leave concurrently with workers' compensation benefits. If an employee enters a leave without pay status and does not return to work after FMLA leave ends, management may recover the health insurance premiums paid on the employee's behalf, with certain exceptions. An employee is considered to have returned to work if they return for at least 30 calendar days. When leave is taken after childbirth or the placement of a healthy child for adoption or foster care, the employee may not take leave intermittently or on a reduced schedule unless UIPA Management agrees. Finally, medical records related to FMLA or the Americans with Disabilities Act will be maintained confidentially.

Workers' Compensation Leave

An employee may use accrued leave benefits to supplement the workers' compensation benefit. The combination of paid leave, wages, and workers' compensation time-loss benefit may not exceed the gross pay the employee would have received if the accident

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had not intervened. An employee may not use accrued leave to supplement the workers' compensation benefit when:

- the employee is declared medically stable by a licensed medical authority;
- the workers compensation fund terminates the benefit;
- the employee refuses to accept appropriate employment offered by the state; or
- the employee is notified of approval for Long Term Disability or Social Security Disability benefits.

An employee shall refund to UIPA any accrued leave paid which exceeds the gross pay the employee would have received if the accident had not intervened.

Workers' compensation hours count for purposes of vacation, sick, and holiday leave accrual while the employee is receiving a workers' compensation time-loss benefit for up to six months from the last day worked in the regular position.

Health insurance benefits continue for an employee on leave without pay while receiving workers' compensation benefits. The employee is responsible for the payment of the employee share of the premium.

If an employee can return to work in the employee's regular position, management shall place the employee in the previously held position or a similar position at a comparable salary range.

If an employee cannot return to work in the regular position, or if documentation from one or more qualified health care providers clearly establishes that the employee has a permanent condition preventing the employee from returning to the last held regular position, management may separate the employee from state employment unless prohibited by state or federal law. Exceptions may be granted by the human resources officer.

Management shall take disciplinary action when an employee files a fraudulent workers compensation claim.

Parental and Postpartum Leave

An employee is eligible for parental or postpartum recovery leave when the employee is eligible for benefits and is not reemployed post-retirement. An employee or a spokesperson shall notify management of their plan to use parental or postpartum recovery leave thirty days in advance; or as soon as practicable in emergencies.

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Management may not charge parental or postpartum recovery leave against any accrued leave balance on the employee's record. No person may interfere with an employee's intent to use parental or postpartum recovery leave or retaliate against an employee who receives parental or postpartum recovery leave.

Parental Leave

An employee is qualified for parental leave when the employee is assuming a parental role for a child or incapacitated adult and is the child's biological parent, is the spouse of the person who gave birth to the child, is the adoptive parent of the child, unless the employee is the spouse of the pre-existing parent, is the intended parent of a child born under a validated gestational agreement, is appointed the legal guardian of a child or incapacitated adult or is the foster parent of the child.

Management shall grant up to three weeks of paid parental leave to an employee who gives notice that they intend to use paid parental leave. Management calculates the amount of leave for each employee based on the number of hours the employee would have worked per week if they had not taken parental leave.

An employee may use parental leave within the six months immediately following the qualifying event; and an employee may use parental leave intermittently when the employee and management have written mutual consent for intermittent use; or a health care provider certifies the need for intermittent leave due to the child's serious health condition.

Parental leave runs concurrently with leave under the FMLA, runs consecutively with postpartum recovery leave, is limited to three weeks within any 12-month period, and does not increase when more than one child is born from the same pregnancy, more than one child is adopted, the employee is appointed legal guardian of more than one minor child or incapacitated adult, or more than one foster child is placed in the employee's care.

Postpartum Recovery Leave

An employee is qualified for postpartum recovery leave when the employee gives birth at 20 weeks or greater gestation. Management shall grant up to three weeks of paid postpartum recovery leave to an employee who gives notice that they intend to use paid postpartum recovery leave. Management calculates the amount of leave for each employee based on the number of hours the employee would have worked per week if they had not taken postpartum recovery leave. Postpartum recovery leave begins on

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the date the employee gives birth unless a health care provider certifies the medical necessity of an earlier start date. An employee shall use postpartum recovery leave in a single continuous period, unless otherwise authorized in writing by the executive director.

Postpartum recovery leave runs concurrently with leave under the FMLA, runs consecutively with parental leave under with postpartum recovery leave used first pursuant to restrictions in above, and does not increase when more than one child is born from the same pregnancy.

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