



DENVER REGIONAL COUNCIL OF GOVERNMENTS

# Employee handbook

September 2023



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## **Important information about the Employee Handbook**

This handbook is designed to acquaint employees with DRCOG and provide some information about working here. The handbook is not all inclusive, but is intended to provide employees with a summary of some of DRCOG's guidelines and our expectations regarding your conduct. This edition supersedes and replaces all previously issued editions and any inconsistent verbal or written policy statements issued prior to this handbook.

Except as may be required by state law, employment with DRCOG is at-will. Employees have the right to end their work relationship with DRCOG, with or without advance notice, for any reason. DRCOG has the same right. The language used in this handbook, any benefit plan, and any verbal statements made by management are not intended to constitute a contract of employment, either express or implied; nor are they a guarantee of

employment for a specific duration. No representative of DRCOG, other than the executive director or their authorized representative has the authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the executive director or their authorized representative and the employee.

No employee handbook can anticipate every circumstance or question. After reading the handbook, employees who have questions should talk with their immediate supervisor or the human resources department. In addition, the need may arise to revise, delete, or add to the provisions in this handbook. Except for the at-will nature of the employment, DRCOG reserves the right to make such changes with or without prior notice. No oral statements or representations can change the provisions of this employee handbook.

## Welcome!

On behalf of your colleagues, I welcome you to DRCOG and wish you every success here.

We believe each employee contributes directly to DRCOG's success, and we hope you will take pride in being a member of our team.

This Handbook was developed to describe guidelines, programs and benefits for employees. All employees are expected to familiarize themselves with the contents of the Employee Handbook as soon as possible, for it may answer many questions about employment with DRCOG.

I hope your experience here will be exciting and enjoyable.



A handwritten signature in black ink, appearing to read 'DWR', with a period at the end. The signature is stylized and fluid.

Douglas W. Rex

Executive Director

## Mission statement

The Denver Regional Council of Governments is a planning organization where local governments collaborate to establish guidelines, set policy and allocate funding in the areas of:

- Transportation and personal mobility.
- Growth and development.
- Aging and disability resources.

## Vision statement

Our region is a diverse network of vibrant, connected, lifelong communities with a broad spectrum of housing, transportation and employment, complemented by world-class natural and built environments.

## The role of the Denver Regional Council of Governments

In 1955, the local governments of the Denver metropolitan area formed the Inter-County Regional Planning Association, which was renamed the Inter-County Regional Planning Commission the next year based on its Articles of Association. The organization became known as the Denver Regional Council of Governments in 1968. DRCOG is organized as a nonprofit corporation and operates under its adopted Articles of Association.

Local government efforts establishing DRCOG came in response to their common interests and concerns, and the need for a cooperative approach to address area-wide challenges. This voluntary, cooperative venture was intended to help local governments improve their ability to serve their citizens by defining regional issues, challenges and opportunities; by setting priorities and formulating policies, plans and programs to deal with them; and by achieving efficient and effective action on area-wide matters through communication, coordination and cooperation.

# Employment

## Equal Employment Opportunity Policy/Anti-Harassment Policy:

### Equal Employment Opportunity/Unlawful Harassment

DRCOG is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, color, disability, gender identity, genetic information, military or veteran status, national origin, race, religion, sex, sexual orientation, gender expression, gender identity, or any other applicable status protected by state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

In support of our equal employment opportunity principle, DRCOG has developed written affirmative action plans for women, minorities, individuals with disabilities, and covered veterans. The Equal Employment Opportunity/Affirmative Action coordinator is the division director of Human Resources. If you believe you have not been treated in accordance with this policy, please contact the Equal Employment Opportunity officer. Our plan for covered veterans and individuals with disabilities is available to you in the Equal Employment Opportunity officer's office during regular office hours or by appointment. All employees

and applicants for employment are protected, by both DRCOG policy and equal employment opportunity/affirmative action regulations and law, from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation.

### Americans with Disabilities Act and religious accommodation

We will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to DRCOG or cause direct threat to health or safety.

Employees needing an accommodation are instructed to contact their supervisor or Human Resources.

### Pregnancy accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, DRCOG will engage in a timely, good-faith and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position. A reasonable accommodation will be provided unless it imposes an undue hardship on DRCOG's business operations.

DRCOG may require that an employee provide a note

from their health care provider detailing the medical advisability of the reasonable accommodation.

Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

DRCOG will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to accept an accommodation that the employee has not requested or that is unnecessary for the employee to perform the essential functions of the job. An employee will not be required to take leave if there is another reasonable accommodation that can be provided.

### Sexual harassment

DRCOG strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul, or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

### Pay transparency nondiscrimination provision

DRCOG will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with DRCOG's legal duty to furnish information.



## Complaint procedure

If you believe there has been a violation of the Equal Employment Opportunity policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. DRCOG expects employees to make a timely complaint to enable us to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the division director of Human Resources, or the senior human resource generalist, who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to the executive director.

DRCOG prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our Equal Employment Opportunity or retaliation standard, please follow the complaint procedure contained in the sexual harassment policy.

If DRCOG determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

## Employment of relatives

A relative of an employee will not be considered for employment by DRCOG in circumstances where:

- Relatives would be in a position to supervise, appoint, dismiss or discipline another relative; or
- Relatives would audit, verify, receive or be entrusted with money handled by another relative; or
- Relatives would have access to confidential information including payroll and personnel records.

In cases of marriage or civil union between two employees, if the above guidelines apply, one employee must transfer. DRCOG will try to arrange a transfer. If DRCOG determines that no such transfer is available, one of the employees must resign within 90 days from the date of marriage or civil union. The decision as to which employee resigns will be left to the two employees.

These guidelines apply to all categories of employment, including full-time, part-time and temporary classifications. These guidelines also apply to all relatives and to individuals who are not legally related, but who reside with another employee. For purposes of this section, "relatives" includes: husband, wife, partner in a civil union, children, parents, grandparents, spouse's grandparents, grandchildren, sisters, brothers, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, daughters-in-law, sons-in-law, aunts, uncles, stepparents, stepchildren, nephews, nieces, and cousins.

## Employee status

For administrative purposes, DRCOG classifies employees as follows:

**Full-time employee:** An employee who is normally scheduled to work at least 40 hours per week. Full-time employees are currently eligible for benefits paid by DRCOG.

**Part-time employee:** An employee who is normally scheduled to work less than a 40-hour workweek. A part-time employee is currently eligible for some of the benefits paid for by DRCOG.

**Temporary employee:** An employee who is hired in a job established for a temporary period or for a specific assignment or group of assignments. Temporary employees are not currently eligible for any DRCOG benefits with the exception of benefits outlined under Group Benefits, Temporary Employees.

## Employee benefits

### Leaves of absence (statutory)

#### Colorado Family Care Act

The Colorado Family Care Act provides job-protected leave for eligible employees to care for their civil union or domestic partners who have serious health conditions. Please see Human Resources for more information.

#### Domestic Abuse Leave

Employees subject to domestic abuse may be eligible for a leave of absence. Please see Human Resources for more information.

#### Family and Medical Leave

DRCOG provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

#### Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter or parent on active duty or called to active duty status in the U.S. armed forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post- deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.\*

\*The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.”

### Benefits and protections

During FMLA leave, DRCOG maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse DRCOG for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, bereavement leave or employer's jury duty pay are not granted on unpaid leave.


Employees not collecting workers' compensation payments must use earned sick leave and general leave. When all sick leave has been exhausted, any remaining general leave will be used until exhausted. Thereafter, the employee will be on unpaid FMLA leave.

### Eligibility requirements

Employees are eligible if they have worked for DRCOG for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

### Definition of serious health condition

A serious health condition is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility; or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job; or prevents a qualified family member from participating in school or other daily activities.



Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider; or one visit and a regimen of continuing treatment; or incapacity due to pregnancy; or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### Use of leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by DRCOG, or 26 weeks as explained above. DRCOG uses a rolling 12-month period measured backward from the date an employee uses any FMLA leave. Spouses are limited to a combined total of 12 weeks of leave during this 12-month period unless the leave is necessitated by the serious health condition of the employee or that of the employee's spouse or child. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary.

Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt DRCOG's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced-schedule leave based on planned medical treatment and those taking intermittent or reduced-schedule family leave with DRCOG's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

### Substitution of paid leave for unpaid leave

DRCOG requires employees to use all floating holidays, and all accrued paid leave while taking FMLA leave, with the exception of 80 hours of general leave which may be used or retained at the employee's preference. Paid leave used at the same time as FMLA leave must be taken in compliance with DRCOG's normal paid leave policies.

### Employee responsibilities

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with DRCOG's normal call-in procedures.

Employees must provide sufficient information for DRCOG to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment by a health care provider; or circumstances supporting the need for military family leave. Employees also must inform DRCOG if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. DRCOG may require second and third medical opinions at DRCOG's expense. Documentation confirming family relationship, adoption or foster

care may be required. If notification and appropriate certification are not provided in a timely manner, the request for leave may be denied or rescinded if previously approved. Continued absence after denial of leave may result in disciplinary action in accordance with DRCOG's attendance guidelines. Employees on leave must contact Human Resources at least two days before their first day of return.

### DRCOG's responsibilities

DRCOG will inform employees requesting leave whether they are eligible under FMLA. If they are eligible, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, DRCOG will provide a reason for the ineligibility.

DRCOG will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If DRCOG determines that the leave is not FMLA-protected, DRCOG will notify the employee.

### Unlawful acts

FMLA makes it unlawful for DRCOG to:

- Interfere with, restrain or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against DRCOG.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

### Jury duty

DRCOG recognizes jury duty as everyone's civic responsibility. When summoned for jury duty, all employees will be granted leave to perform duties as a juror. If an employee is excused from jury duty during regular work hours, the employee is expected to report to work promptly.

An employee will receive regular pay for the first three days of jury duty if the employee was scheduled to work and provides a confirmation of juror service. Beginning the fourth day and thereafter, employees, as jurors, are paid \$50 per day by the State of Colorado for state, district or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of 10 days (80 hours). Jury duty leave beyond this time is without pay from DRCOG.

### Military leave/reserve duty

Employees are granted a military leave of absence, subject to federal law. Military leave of absence is unpaid, except to the extent pay for such leave is specifically required by federal law.

If an employee is in the Reserves or National Guard and is called for training, the training period will not be charged to general leave time unless the employee makes such a request. DRCOG compensates employees for the time off by making payments based on the difference between military pay (not including travel or subsistence allowances) and DRCOG pay up to 15 days per year.

### Parental involvement leave

Parental involvement leave for eligible employees to attend academic activities for their school-aged children may be granted. To be eligible, an employee must work in a nonexecutive or nonsupervisory capacity and be the parent or legal guardian of a child enrolled in public or private school or certain home-based educational programs. Employees may take leave for parent-teacher conferences and meetings about special education services, or in response to intervention, dropout prevention, attendance, truancy or disciplinary issues. See Human Resources for more information.

### Voting

Voting is an important civic responsibility and employees are encouraged to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, they should make arrangements with their supervisors no later than the day prior to Election Day.

### Public health emergency-related paid leave

On the date that a public health emergency is declared, DRCOG will supplement employees' accrued paid sick leave with an additional grant of leave up to a combined maximum of 80 hours for full-time employees (prorated for part-time employees). This leave may be used when an employee:

- 1) needs to self-isolate due to either being diagnosed with, or having symptoms of, a communicable illness that is the cause of a public health emergency;
- 2) seeks diagnosis, treatment, or care (including preventive care) of such an illness;
- 3) is excluded from work by a government health official, or by an employer, due to the employee having exposure to, or symptoms of, such an illness (whether or not actually diagnosed with the illness);
- 4) is unable to work due to a health condition that may increase susceptibility or risk of such an illness; or
- 5) is caring for a child or other family member who is in category (1), (2), or (3), or whose school, child care provider, or other care provider is either unavailable, closed, or providing remote instruction due to the public health emergency.

Employees must notify DRCOG of their need for leave as soon as it is practical when the need for leave is foreseeable and DRCOG's place of business has not been closed. Supplemental leave is granted one

time during the entirety of public health emergency. Unused supplemental leave is forfeited four weeks after the termination or suspension of the public health emergency.

## Group benefits

DRCOG currently provides an array of benefits to eligible employees. Benefits are subject to change and for some of these benefits the employee will have to pay all or part of the premium — for a written description of current benefits, and further information regarding benefits, please contact Human Resources.

## Adaptable work environment

### Purpose

DRCOG strives to provide employees with a work environment that allows them to flourish. The adaptable work environment policy properly administered and adhered to, enhances productivity, reduces absenteeism, ensures DRCOG remains an attractive employer, and is consistent with DRCOG's goals of reducing single-occupant vehicle work trips and improving air quality. The continued demonstrated productivity of employees in the execution of their work responsibilities is an essential consideration in offering this policy.

This policy shall remain in effect until otherwise altered, changed, or amended.

### Policy

Employees may be eligible for the following adaptable work environment options — telework, flex schedule, compressed work schedule or a combination of options — based on:

- The suitability of their job duties and assignments.
- Their ability to work independently.
- Their ability to consistently deliver high quality work products on or before due dates.
- And other factors determined relevant by their immediate supervisor.

Each employee is encouraged to consult their job description to determine base eligibility for these offerings.

Employees who are approved for any of the adaptable work environment options remain obligated to comply with all organizational rules, practices and instructions. Adaptable work environment agreements may be terminated at any time by either the employee or their immediate supervisor (although giving two weeks' notice is recommended, if possible).

### A: Telework

For the purposes of this policy, telework is the concept of working from home or another location within the state of Colorado external to DRCOG's

offices on a predefined schedule. Teleworking is not a universal employee benefit. Rather, it is an alternative method of meeting the needs of the employee and the organization. Similarly, engaging in work-related activities outside the State of Colorado at the request of DRCOG is also not a universal employee benefit.

No employee is entitled to or guaranteed the opportunity to telework. An employee's participation is strictly voluntary. Supervisors retain the right to require an employee to come to DRCOG's office on a scheduled teleworking day whenever necessary. While supervisors can compel employees to work in the office, even on a scheduled telework day, it is also expected that employees recognize when work-related commitments require them to come into the office. This policy assumes that occasional changes to an employee's schedule are unavoidable and offers flexibility for the employee to work with their supervisor to adjust as needed.

### Eligibility

Employees who are granted approval to telework must be able to work independently with minimal supervision, reliably and effectively meeting their day-to-day responsibilities. To be eligible for telework, the employee must:

- Be proficient in all job functions as defined by the job description.
- Consistently meet or exceed performance expectations for the position.

- Be available to attend (including by virtual participation) staff meetings, trainings, etc.
- Be able to adjust their telework schedule when business needs dictate.
- Consistently work independently with limited oversight by their immediate supervisor.
- Demonstrate the ability to consistently and effectively communicate using remote applications (for example: email, telephone, conference calls, video calls).
- Demonstrate conscientiousness about work time and productivity.
- Demonstrate self-motivation.
- Be able to communicate effectively with supervisors, coworkers, support staff, clients, vendors and external partners.

### Home office requirements

Permission to telework is dependent upon the employee having a suitable work location at their primary off-site location in compliance with the requirements set forth below:

- Employee must maintain a safe, ergonomic home office environment, free from hazards and distractions.



- Employee must have a reliable, secure internet connection that is adequate for their specific work needs.
- Employee must have access to all needed DRCOG systems and platforms.
- Employee must adhere to “Communications systems” section of the Employee Handbook.

### Request and approval process

Employees in eligible positions may request telework up to three days per five-day work week. Employees shall complete an adaptable work environment request form and submit it to their immediate supervisor for review. Their immediate supervisor will make a recommendation to the division director to either approve the request, deny the request or send the request back to the employee to revise. Division directors shall render a decision on all requests in consultation with the Human Resources director.

Employees approved to participate in both telework and compressed work schedule may telework a maximum of two days during the week the employee will take their compressed day off.

### Equipment and tools

DRCOG may provide specific tools and equipment for the employee to perform their current duties. These may include computer hardware, computer software, email, voicemail, connectivity to host applications and other applicable equipment as deemed necessary.

Prior approval from the employee’s division director and the DRCOG Information Technology manager is needed before any equipment is removed from the office. Employees that are routinely using DRCOG equipment at an off-site location shall coordinate with the Information Technology work group or Administration and Finance division to document equipment make, model, serial number and asset tag (if applicable) prior to removal from the office.

The use of equipment, software, supplies and furniture when provided by DRCOG for use at the telework location is limited to use by authorized individuals and for purposes relating to DRCOG business. When the employee uses their own equipment, the employee is responsible for its maintenance and repair.

It is the employee’s responsibility to ensure that the following requirements are adhered to at all times:

- The employee must submit an Ivanti service request to install, update or remove any application on a DRCOG computer.
- The employee must submit an Ivanti service request to modify Windows-related system configurations on a DRCOG computer. Cosmetic changes, such as wallpaper and screen savers are permitted.
- The employee must not disable or attempt to disable any anti-malware applications running on a DRCOG computer.

- DRCOG data will be stored only on DRCOG-owned computer systems or services.
- Problems or questions regarding DRCOG computing equipment must be reported to the DRCOG Information Technology work group via an Ivanti incident request.
- Only DRCOG employees may use DRCOG equipment.
- The employee is expected to take reasonable care of DRCOG equipment. DRCOG reserves the right to require the employee to pay all or part of the cost to repair or replace damaged equipment.
- The employee is required to run the remote software and hardware audit program when requested by the DRCOG Information Technology work group.

DRCOG Information Technology work group provides support during normal business hours (Monday through Friday, 8 a.m. – 5 p.m.)

### Office supplies and mailing

Office supplies are centrally ordered and provided by DRCOG. Employees may request office supplies through the Administrative and Finance division. DRCOG may approve reimbursement for individual out-of-pocket expenses related to telework in special circumstances and with prior approval by the Administration and Finance director. Mailing, shipping and printing for external distribution shall be completed at the DRCOG office.

### Compensation and work hours

The employee's compensation, benefits, work status and work responsibilities will not change due to participation in the telework program. The amount of time the employee is expected to work per day or pay period will not change because of participation. As a reminder, non-exempt employees are prohibited from working overtime unless proper authorization has been obtained in advance.

### Telework location

While it is expected that an employee's primary telework location will be in their home, employees are permitted to periodically telework at another location or other locations. Employees working from public locations shall use a personal hotspot connection rather than public Wi-Fi to avoid any potential internet security issues. Employees participating in video or conference calls from a public location should be cognizant of their surroundings.

### Telework and leave

Rest and recovery are critical for an employee's well-being and represent core DRCOG values. During special circumstances, some amount of work may be required during scheduled general leave, but these instances shall be kept to a minimum and must be arranged in advance and with prior approval from the immediate supervisor. Leave scheduled during a telework day must be requested and approved in the same manner as when working at DRCOG's office.

### Teleworking schedule

An employee's immediate supervisor or their division director may alter an approved teleworking schedule

and require an employee to be physically present at DRCOG's office or another location should the work situation warrant such an action. Employees may also request schedule changes to attend to personal commitments but should aim to limit the frequency of schedule changes. Employees and supervisors are expected to consider more permanent changes to work schedules if frequent schedule changes are occurring. Employees must reflect their approved telework schedule on their Outlook calendar (or through another system approved by their division director) that shows they will be working outside DRCOG's offices.

### **Privacy and safety**

Employees shall retain the DRCOG office as their primary mailing and business correspondence address and are advised not to release their home address and telephone number while conducting DRCOG business. Employees are prohibited from meeting with clients, member governments, vendors or other external parties at the employee's home.

### **Dependent care**

Employees requiring occasional flexibility to care for a dependent should discuss arrangements with their supervisor and every effort will be made to provide some accommodation. Employees should alert their immediate supervisor as soon as possible if other dependent care support or arrangements become temporarily or permanently unavailable. This allows as much time as possible for supervisors to help provide flexibility and adjust meetings or duty coverage as warranted. Under this policy, employees are expected to be fully focused on work during scheduled work hours and are not permitted to provide regular at-home dependent care on telework days.

### **Liability and workers' compensation**

Employees are covered by workers' compensation during the performance of official DRCOG business at their telework location during work hours. The employee must report work-related injuries immediately to their immediate supervisor and will comply with all DRCOG reporting requirements established for the purpose of reporting such claims. DRCOG is not liable for injuries to third parties, including family members, at the telework location. DRCOG is not liable for damages to the employee's personal or real property.

### **Income tax**

DRCOG's main office shall remain the employee's primary place of work. It is the employee's responsibility to determine any income tax implications of maintaining a home office area. DRCOG will not provide tax guidance nor will DRCOG assume any additional tax liabilities related to an employee's telework arrangement. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.

### **B. Flex schedule**

Eligible employees may request a work schedule different from DRCOG's standard hours of operation. DRCOG's flex schedule program permits employees to start up to two hours earlier or later than DRCOG's standard hours of operation which are 8 a.m. to 5 p.m., Monday through Friday. A flex schedule is a set change to an employee's workday. An employee's telework schedule may be different than the hours they choose to work at DRCOG's offices or in the field, subject to supervisor and division director approval.

No employee is entitled to or guaranteed the opportunity for a flex schedule. An employee's participation is strictly voluntary. Supervisors retain the right to require an employee to adjust their flex schedule whenever necessary. Some jobs at DRCOG require an employee to maintain an 8 a.m. to 5 p.m. schedule, while others require workdays and hours that do not conform to DRCOG's standard operating hours. Employees should work with their supervisor to determine the suitability of their jobs for flex schedule.

### Request and approval process

Employees shall complete the "flex schedule" section of the adaptable work environment form and submit it to their immediate supervisor for review. The immediate supervisor will make a recommendation to the division director to either approve the request, deny the request or send the request back to employee to revise. Division directors shall render a decision on all requests in consultation with the Human Resources director.

### C. Compressed work schedule

DRCOG considers a compressed work schedule to be a viable, flexible option when both the employee and the job functions are suited to such an arrangement. A compressed work schedule is a set change to the employee's established work schedule. It is incumbent upon both employee and supervisor to ensure the compressed work schedule is only used when allowed by the organization's calendar (employees are not permitted to use the compressed work schedule in any week that includes a DRCOG observed holiday) and that hours are accurately and appropriately recorded on the employee's timesheet.

Through this policy, DRCOG offers the following compressed work schedule options. In consultation with their supervisor, employees can opt to use Monday or Friday as their day off.

- During a single week, the employee works four 10-hour days with one day off (a "4/40 schedule").
- During a single week, employee works four nine-hour days and one four-hour day with a half day off (a "4.5-day schedule").
- Over two weeks, employee works eight nine-hour days and one eight-hour day, with one day off during the two-week period (a "9/80 schedule"). This option is for exempt employees only.

### Eligibility

To be eligible for a compressed work schedule arrangement, employees shall:

- Be full-time.
- Have been employed at DRCOG for three months.
- Have job duties and requirements suitable for a compressed work schedule as defined by the supervisor, division director and Human Resources division.
- Consistently meet or exceed the performance expectations of their position as documented in past performance evaluations or other established means.

- Be able to work independently and productively to meet day-to-day responsibilities within a compressed work schedule.
- Demonstrate conscientiousness about work time and productivity.
- Demonstrate self-motivation.

### **Request and approval process**

Employee participation to use a compressed work schedule is voluntary and is available only to eligible employees, at DRCOG's sole discretion. As such, no employee is entitled or guaranteed approval to use this arrangement.

Employees shall complete the "compressed work schedule" section of the adaptable work environment request form and submit it to their immediate supervisor for review. The immediate supervisor will make a

recommendation to the division director to either approve the request, deny the request or send the request back to employee to revise. Division directors shall render a decision on all requests in consultation with the Human Resources director. Non-exempt employees requesting a compressed work schedule ("4/40 schedule" or "4.5-day schedule" options), shall meet with the Administration and Finance director or their designee before final approval to better understand timesheet protocol related to a compressed work schedule.

Employees approved to participate in both telework and a compressed work schedule may telework a maximum of two days during the week the employee will take their compressed day off.

## Holidays

The following holidays are currently observed by DRCOG and are given on the observed dates to employees in full-time positions with 8 hours pay, except when an employee is out on an unpaid leave of absence or family/medical leave. These holidays are also given to employees regularly scheduled to work 24 to 39

hours in a week prorated at 50% (4 hours pay); part-time employees working less than 24 hours per week or temporary positions will receive these holidays without pay. The floating holidays must be used in full day increments (4 hours for part-time, and 8 hours for full-time), and must be scheduled and used before Dec. 31 of the year awarded or they will be forfeited. Floating holidays do not carry over from year-to-year.

| Holiday   | Date observed               |
|---|-----------------------------|
| New Year's Day  | Jan. 1                      |
| Martin Luther King, Jr. Day                             | Third Monday in January     |
| Presidents Day  | Third Monday in February    |
| Memorial Day  | Last Monday in May          |
| Juneteenth  | June 19                     |
| Independence Day  | July 4                      |
| Labor Day   | First Monday in September   |
| Thanksgiving Day  | Fourth Thursday in November |
| Day after Thanksgiving                                  | Day after Thanksgiving      |
| Christmas Day   | December 25                 |
| Two floating holidays to be used at employee discretion |                             |

## Leaves of absence (DRCOG)

### Bereavement leave

In the event of the death of a member of an employee's immediate family, employees are granted a paid leave of up to three workdays (24 hours) to grieve or deal with financial and legal matters related to the death of a family member.

For purposes of this policy, "immediate family" is defined as a person who is related by blood, marriage, civil union or adoption; a child to whom the employee stands in loco parentis (in place of a parent) or a person who stood in loco parentis to the employee

when the employee was a minor; or a person for whom the employee is responsible for providing or arranging health- or safety-related care.

If more time is needed for the death of an immediate family member, employees may take sick leave or, if unavailable, unpaid leave upon approval, which may be granted or denied at the discretion of the executive director or the executive director's designee.

An employee is required to complete the DRCOG leave request process to obtain advance approval from the employee's immediate supervisor and division director before taking time off for bereavement leave.



## General leave

General leave is currently granted to the extent accumulated, with pay, only to employees in full-time positions and to employees in part-time positions working 24 to 39 hours per week. An employee is required to complete the DRCOG leave request process to obtain advance approval from the employee's

immediate supervisor and division director before taking any general leave.

- 1) General leave will be accrued beginning with the employee's first full pay period or prorated if a full pay period is not worked and shall be credited on the basis of:

| Hours earned per month                     | Period of service  | Maximum accumulation |
|--|--|----------------------|
| 10.50 hours credit for full-time employees | For each full calendar month of service during the <b>first five years</b> (months 0 to 60) of continuous employment.                          | 222 hours            |
| 5.25 hours credit for part-time employees  | For each part-time month of service during the <b>first five years</b> (months 0 to 60) of continuous employment                               | 111 hours            |
| 12.50 hours credit for full-time employees | For each full calendar month of service from the beginning of the <b>sixth through 10th years</b> (months 61 to 120) of continuous employment. | 270 hours            |
| 6.25 hours credit for part-time employees  | For each part-time month of service from the beginning of the <b>sixth through 10th years</b> (months 61 to 120) of continuous employment      | 135 hours            |
| 14.50 hours credit for full-time employees | For each full calendar month of service from the beginning of the <b>11th through 15th years</b> (months 121 to 180) of continuous employment. | 318 hours            |
| 7.25 hours credit for part-time employees  | For each part-time month of service from the beginning of the <b>11th through 15th years</b> (months 121 to 180) of continuous employment.     | 159 hours            |
| 16.50 hours credit for full-time employees | For each full calendar month of service from the beginning of the <b>16th year</b> (months 181 and over) of continuous employment.             | 366 hours            |
| 8.25 hours credit for part-time employees  | For each part-time month of service from the beginning of the <b>16th year</b> (months 181 and over) of continuous employment.                 | 183 hours            |



- 2) General leave may be used for personal time off, absences in excess of accumulated sick leave and bereavement leave or other such absences as may be approved by the executive director.
- 3) Employees are responsible for scheduling general leave in advance with their supervisors and must receive supervisor approval through the completion of a DRCOG leave request form.

With the prior written approval of the immediate supervisor, an employee may make up time missed for a personal appointment of the employee, in lieu of using leave. This option may be requested for an absence in the same workweek and the missed time must be made up in the same workweek. If such a request is approved and the employee does not make up all the missed time in the same workweek, the appropriate leave must be used.

Upon separation, an employee is paid for the unused portion of the employee's accumulated general leave.

### Sick leave

Employees may use sick leave if the employee:

- 1) Has a mental or physical illness, injury, or health condition that prevents the employee from working.
- 2) Needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
- 3) Needs to obtain preventive care.
- 4) Needs to care for a family member who falls under the three categories above.
- 5) The employee or the employee's family member has been the victim of domestic abuse, sexual assault, or criminal harassment, and the use of leave is to:
  - Seek medical attention for the employee or the employee's family member to recover from a mental or physical illness, injury, or health condition caused by domestic abuse, sexual assault, or harassment.
  - Obtain services from a victim services organization.
  - Obtain mental health or other counseling.
  - Seek relocation due to domestic abuse, sexual assault, or harassment.
  - Seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment.
- 6) Due to a public health emergency, a public official closed either:
  - The employee's place of business, or
  - The school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child.
- 7) To care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care.
- 8) To evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence

or event that results in the need to evacuate the employee's residence.

Sick leave, for full-time employees, will be accrued beginning with the employee's first pay period and shall be credited on the basis of three hours per pay period. Sick leave for all part-time employees will be accrued beginning with the employee's first pay period and shall be credited on the basis of two hours per pay period.

Employees must give their supervisor as much advance notice as possible when they are unable to report for work due to illness. In the event the employee is absent (using sick leave) for four or more workdays, medical certification from a health care provider concerning the employee's return to work may be required, and the employee should contact Human Resources. This certification must indicate the dates that the employee is/was unable to work due to medical reasons and the date of medical release to work and should be turned in to Human Resources. Whenever feasible, an employee should notify the employee's immediate supervisor, using the DRCOG leave request process, prior to using the employee's sick leave.

Immediate family for purposes of sick leave includes a person who is related by blood, marriage, civil union or adoption; a child to whom the employee stands in loco parentis (in place of a parent), or a person who stood in loco parentis to the employee when the the employee was a minor; or a person for whom the employee is responsible for providing or arranging health- or safety-related care.

As of Jan. 1 of each year the employee will be limited to a maximum carryover of sick leave of 720 hours. If the employee accrues more than 720 hours in the following 12 months, the hours in excess of 720 will be converted into general leave hours (see General Leave section)

at the rate of three hours of sick leave to one hour of general leave. A maximum of 72 hours of excess sick leave will be eligible for conversion into general leave hours each year, and such conversion will be made as of Dec. 31 each year. Only employees hired prior to Jan. 1, 1995, will be paid for accumulated sick leave upon separation.

### Unauthorized absences

Leave may be taken only when there is accrued or otherwise available leave, and DRCOG procedures are to be followed for any leave. DRCOG does not allow or tolerate unauthorized leave, absenteeism or tardiness.

### Unpaid leave of absence

Upon request, the executive director may grant unpaid leave of absence of up to six weeks if general leave, floating holidays and sick leave (if applicable) are exhausted, and if the leave does not qualify for any state or federally mandated leave.

General and sick leave will not be accrued when an employee is on a leave of absence without pay, and the employee will be responsible for the employee's contributions to insurance. DRCOG will continue to pay its portion of the employer contribution if the employee has elected to receive DRCOG-provided insurance.

Granting of a leave of absence is not automatic and such approval shall not create an undue burden on the work of the division. Requests should be made as early as practicable so that the impact can be anticipated and adjustments, if possible, can be made.

## Pay

### Garnishments

By court action, a creditor can require DRCOG to

withhold a certain percentage of an employee's pay. If garnishments or similar proceedings are instituted against an employee, DRCOG will deduct the required amount from the employee's paycheck.

DRCOG is committed to complying with salary basis requirements, which allows properly authorized deductions. If an employee believes an improper salary deduction has been made, it should immediately be reported to Human Resources. Reports of improper deductions will be investigated. If it is determined an improper deduction has occurred, the employee will be reimbursed.

## Overtime

For purposes of administration of overtime, employees are classified as either exempt or non-exempt as follows:

**Exempt employee:** An employee who is not eligible for overtime pay under the Fair Labor Standards Act (FLSA). Exempt employees must be paid on a salary basis. Exempt employees will regularly receive a predetermined amount of compensation each pay period.

**Non-exempt employee:** Nonexempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are not exempt from minimum wage and/or overtime pay requirements.

Overtime: Only under emergency conditions as determined by the executive director will any non-exempt employees be authorized to work overtime. Non-exempt employees are specifically prohibited from working overtime unless proper authorization has been obtained in advance. Overtime compensation shall be

provided to those non-exempt employees determined to be eligible for hours worked in excess of (1) forty hours per workweek; (2) twelve hours per workday, or (3) twelve consecutive hours without regard to the starting and ending time of the workday (excluding duty-free meal periods), whichever calculation results in the greater payment of wages.

Time off hours are not considered hours worked for purposes of determining overtime compensation; this includes, for example, paid time off for general leave, holidays, jury duty, bereavement leave, sick leave and unpaid time off for military leave, FMLA or domestic abuse leave.

The standard workweek for overtime calculation is from midnight on Sunday through 11:59 p.m. Saturday.

## Compensation

DRCOG reviews individual salaries to pay according to the employee's overall job performance, contribution and responsibilities. DRCOG's salary ranges are periodically assessed to remain competitive to the extent practical within its identified market. Salary increases are not automatic and are awarded only when merited.

## Employee loans and advances

DRCOG does not, under any circumstances, extend personal loans or advances in pay.

## Paydays

Employees are paid on the 5th and 20th of each month. If the regular payday occurs on a holiday or on Saturday or Sunday, employees are paid on the last working day prior to the regular payday.

On each payday, employees receive a statement showing gross pay, deductions and net pay. It is each employee's responsibility to review pay statements for accuracy.

Automatic deductions, such as additional tax withholding, contributions to voluntary benefit plans and individual savings plans, may be arranged through Human Resources.

For employees' convenience, DRCOG offers the option of having their paycheck automatically deposited to the bank designated by the employee.

## Standard hours

DRCOG's standard hours of operation are:

8 a.m. to 5 p.m.

Monday through Friday, unless the office is closed including a minimum of 30 minutes a day for lunch.

The executive director may set other hours of work or change the official hours of operation if the executive director deems such changes necessary or desirable.

## Safety

### Drug-free workplace

Abuse of alcohol, drugs and controlled substances impairs employee judgment, resulting in increased safety risks, injuries and faulty decision-making. This includes working after the use of marijuana, regardless of marijuana's legal status.

In accordance with the Drug-Free Workplace Act of 1988, DRCOG prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during company time, on DRCOG premises or other work sites.

Any employee who is convicted or pleads guilty or no contest under a criminal drug statute for a violation occurring in the workplace must notify DRCOG within five days of such conviction or plea.

Please contact Human Resources if you have any questions.

## Inspections

DRCOG, through its appropriate supervisors, reserves the right to conduct searches and inspections of DRCOG-owned property without notice. Employees shall cooperate with DRCOG regarding conduct of any such searches or inspections. All information, files, email, etc. placed on DRCOG computers is subject to inspection and may be subject to disclosure under applicable open records laws, and employees should not expect a right to privacy regarding information the employee places on DRCOG computers.

## Reporting of injury

DRCOG is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to Human Resources.

What to do when an employee is injured on the job:

For nonemergency, work-related injuries or illnesses:

- Report all injuries or illnesses in writing to Human Resources as soon as possible to be fully protected for workers' compensation injuries. A first report of injury should be completed, whenever possible, within 24 hours.
- DRCOG has designated providers for medical care for workers' compensation injuries.

Human Resources will give the employee a treatment authorization form to take to a designated medical provider.

- Should the employee continue to have any problems or concerns as a result of the employee's injury, contact Human Resources immediately.
- If the employee is treated by an unauthorized medical provider, the employee may be responsible for payment of said treatment unless it is an emergency.

*For major trauma, life- or limb-threatening accidents: call 9-911.*

- After ascertaining appropriate care has been provided, report the accident to Human Resources.

## Smoking

Smoking is prohibited in all areas of the building and within 15 feet of the main entrance to the building. This restriction applies to all employees and visitors, at all times, including nonbusiness hours.

## Anti-violence

Any action which in management's opinion is unacceptable to the workplace will not be tolerated. Such behaviors may include, but are not limited to, physically and/or verbally intimidating, threatening or violent conduct, vandalism, sabotage, arson, use of weapons and bullying. Also prohibited is the carrying of weapons onto DRCOG property, regardless of whether the employee possesses a permit. Employees should immediately report any such occurrences to their supervisor or Human Resources. DRCOG will investigate complaints.

When employees are found to have engaged in conduct of which management is of the opinion is unacceptable, DRCOG will take action it believes is appropriate.

Employees should directly contact law enforcement, security and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or co-workers.

Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/ behaviors and work interference. If an employee feels subjected to workplace bullying, please contact Human Resources.

## Maintenance and safety

Employees are expected to immediately report unsafe conditions on DRCOG's premises or in the building complex to Human Resources. Routine repair and maintenance needs should also be reported to Human Resources.

## **Additional information**

### **Workplace accommodations for nursing mothers**

The wellness room has been designated as a private space for nursing mothers during the workday; however, the wellness room needs to be reserved. The time permitted typically will not exceed the normal time allowed for lunch or breaks. If additional time is needed above and beyond normal breaks/mealtimes, the supervisor and employee will agree upon a plan which might include the employee using general leave, arriving at work earlier or leaving later.

### **Attendance and punctuality**

All employees are expected to be on time to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their supervisor/manager as soon as possible prior to the start of their shift. Leaving messages with other employees or on voicemail is not acceptable.

Failure to call in when absent for two consecutive days may result in termination.

Regardless of an employee's position with DRCOG, the employee's punctuality and regular attendance are essential for efficient operation of the business. DRCOG will not allow or tolerate unauthorized leave, absenteeism or tardiness.

## **Communication systems**

### **Systems**

DRCOG's computer network, access to internet, email and voicemail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the DRCOG. All information regarding access to DRCOG's computer resources, such as user identifications, access codes and passwords are confidential DRCOG information and may not be disclosed to non-DRCOG personnel.

All computer files, documents and software created or stored on DRCOG's computer systems are subject to review and inspection at any time. Employees should not assume that any such information is confidential, including email either sent or received.

Computer equipment should not be removed from DRCOG premises without written approval from a division director. Upon separation of employment, all communication tools should be returned to DRCOG.

### **Personal use of the internet**

Use of the internet must not disrupt the operations of DRCOG's network or the networks of other users. Personal use of the internet must be kept to a minimum and must not interfere with employee productivity. Regardless, DRCOG prohibits the display, transmittal or downloading of material that is in violation of DRCOG guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time.

## Software and copyright

DRCOG fully supports copyright laws. Employees may not copy or use any software, images, music or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization.

Employees may not use unauthorized copies of software on personal computers housed in DRCOG facilities.

## Unauthorized use

Employees may not attempt to gain access to another employee's personal file or email messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using DRCOG communication systems in ways management deems inappropriate. If an employee has any question whether the employee's behavior would constitute unauthorized or inappropriate use, the employee should contact Human Resources before engaging in such conduct.

## Email

Email is to be used for business purposes. Although personal email is permitted, it is to be kept to a minimum. Personal email should be brief and sent or received as seldom as possible.

DRCOG prohibits the display, transmittal or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or unlawful. No one may solicit, promote or advertise any outside (non-DRCOG) product, or service

through the use of email or anywhere else on DRCOG premises. Management may monitor email at any time.

## Voicemail

DRCOG's voicemail system is intended for transmitting business-related information. DRCOG reserves the right to access and disclose all messages sent over the voicemail systems.

Employees must use judgment and discretion in their personal use of voicemail and must keep such use to a minimum.

## Telephones/cellphones/mobile devices

Personal phone calls cannot disrupt business operations.

Phones and mobile devices with cameras should not be used in a way that violates other DRCOG guidelines.

While on DRCOG business, for safety reasons employees should avoid using cellphones and mobile devices to make calls while driving and are prohibited from using a cellphone or other device to text or email while operating a motor vehicle. Employees must park whenever they need to use a cellphone for these purposes.

DRCOG telephone lines should not be used for personal long-distance calls.

## Conflict of interest

DRCOG prohibits its employees from engaging in any activity which conflicts, or is perceived to conflict, with the interests of DRCOG or its member governments.

Several examples of some of the possible conflicts of interest which should always be avoided are set forth below.

- If an employee or a member of the employee's immediate family (spouse, partner in a civil union, domestic partner, brothers, sisters, parents, children, parents-in-law and grandparents, or any other relative) has a financial interest in a firm which does business with DRCOG and the interest might affect the employee's decisions or actions, the employee must, promptly upon acquiring or learning of such interest, report the interest to DRCOG and must not represent DRCOG in such transactions.
- A conflict of interest arises if an employee is self-employed, or is a board member, director or financial stakeholder in a business that competes with DRCOG. A conflict exists whether the business is public or private or for-profit or not-for-profit.
- No employee or member of the employee's immediate family should accept gifts from any person or firm doing or seeking to do business with DRCOG, if by doing so it might be inferred that the gift was given to influence the employee in conducting business with the donor. Such gifts

should be returned with a note of explanation. However, employees are not prohibited from accepting advertising novelties such as pens, pencils and calendars.

Similar situations that create an actual conflict of interest or even the appearance of such a conflict or of impropriety must be scrupulously avoided. When employees have questions concerning a possible conflict of interest or the acceptance of gifts offered to them in relation to their employment with DRCOG, they should request advice from management. All final decisions regarding conflicts are made at the sole discretion of the executive director or the executive director's designee.

## **Gender-neutral language**

All DRCOG documents, publications, presentations and verbal communication will use gender-neutral language. All DRCOG employees are expected to adhere to this policy. DRCOG's supervisory staff is responsible for ensuring use of gender-neutral language by their employees and in materials created or funded by DRCOG.

## **Discipline and termination**

DRCOG hopes it will not be necessary to discipline or terminate employees. When employee performance or



other behavior falls short of DRCOG's standards and/or expectations, management takes action, which, in its opinion, is appropriate.

Disciplinary actions can range from an informal discussion with the employee about the matter to immediate termination. Action taken by management in an individual case does not establish a precedent in other circumstances.

Upon termination of employment, all DRCOG property must be returned to Human Resources and all debts settled. The employee is responsible for reimbursing DRCOG for any medical, vision and/or dental insurance premiums, tuition reimbursement loans and relocation expenses that have been paid in advance by DRCOG.

### Employee attire

The acceptable attire at DRCOG is business casual including jeans; however, employees are expected to wear clothing that communicates a professional impression. Shorts and T-shirts are not permitted work attire.

When meeting with visitors, traditional business dress should be worn. Employees should check with Human Resources in advance if they have any questions.

### Ethics

High standards of ethical behavior and workplace conduct make good business sense. They serve as the cornerstone of our reputation. Our relationship with our member governments and the community, and our ability to attract quality employees, depends on this reputation. An employee's actions may enhance, maintain or damage this standard that DRCOG has developed. Therefore, DRCOG expects employees to exercise the highest standards of ethics in all of their decisions that may impact DRCOG. Employees are expected to report to a supervisor any conduct of another that may be considered unethical or involving fraud or deceit that may impact DRCOG.

Because no workplace conduct statement can possibly cover every circumstance that may arise, employees are expected to use good common sense. Employees should ask themselves if they would like to read about their behavior in the newspaper or see a story about it on the nightly news. If there is any question, it is the employee's responsibility to get clarification from management.

## Honoraria

Occasionally DRCOG employees are offered an honorarium for services provided to DRCOG members and other outside agencies. Please see Human Resources for more information and the guidelines associated with an honorarium.

## Intellectual property rights

While employed at DRCOG, an employee's job duties and job performance may include creating ideas, concepts, plans, designs, documents, processes, techniques, programs, systems, models, data, software or code, know-how or other information or materials that might create or constitute intellectual property. Because the employee is paid by DRCOG, uses DRCOG resources and is on DRCOG time, each DRCOG employee acknowledges and agrees that DRCOG is the sole and exclusive owner of any

intellectual property created or developed during or in connection with the employee's employment with DRCOG. The intellectual property of DRCOG includes any of the above-noted information and materials, as well as any other information or material that qualifies or is considered by DRCOG to qualify for patent, copyright, trademark, trade secret or any other protection under any law providing or creating intellectual property rights. Such property of DRCOG also includes any confidential information learned, obtained or developed in connection with employment, such as financial data, personnel information and other nonpublic information of DRCOG. Upon separation of employment, employees shall not retain any intellectual property or confidential information of DRCOG and shall deliver to DRCOG any such property or information which is in the employee's possession or control, and shall destroy any copies of same that employee may have in his or her possession.



## Outside employment

An employee involved in or contemplating outside work should discuss the issue with the employee's supervisor.

An employee may hold a job with another company or other outside employment as long as the employee satisfactorily performs the employee's responsibilities with DRCOG. Further, any outside employment must not create any actual conflict or the appearance of a conflict of interest with DRCOG and must not affect an employee's ability to meet job requirements, perform competently or accept overtime hours. An employee may not use for purposes of any outside employment, or for any personal or private gain or purpose, any privileged or confidential information belonging to DRCOG that is not available to the public and that is obtained by reason of the employee's position with DRCOG.

## Problems and complaints

If an employee has a problem concerning a work-related incident, the employee should discuss the problem with the employee's supervisor or Human Resources. Normally, this discussion should occur within three to five days of the incident, or otherwise in a timely manner.

Discussions held in a timely manner will enhance DRCOG's ability to resolve concerns while the incident is fresh in everyone's mind.

If the employee is not satisfied after discussing the problem with the employee's supervisor, or if it is inappropriate to go to the supervisor, an open-door policy exists, and employees may discuss their concern with Human Resources and/or a higher level of management.



## References

DRCOG does not furnish open letters of recommendation.

Employees who are approached either formally or informally and asked to provide information about former employees of DRCOG are directed to refer such inquiries to Human Resources.

Only Human Resources has the authority to respond to such inquiries. This also includes references given on social media sites.

## Acknowledgement of receipt

I have received a copy of DRCOG's Employee Handbook dated February 2023. I understand that the handbook provides a summary of the DRCOG guidelines and its expectations regarding my conduct. I understand I am to become familiar with its contents.

I understand that, except as may be required by state law, my employment with DRCOG is at-will. This means that neither I nor DRCOG is committed to an employment relationship for a specific period of time and the employment relationship may be terminated by me or DRCOG at any time, for any reason.

The language used in this handbook and any verbal statements of management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for any specific duration.

I understand that no representative of DRCOG, other than the executive director or their authorized representative, has the authority to enter into an agreement of employment for any specified period and any such agreement must be in writing, signed by the executive director and me. We have not entered into such an agreement.

Further, I understand that the contents of this handbook are summary guidelines for employees and therefore not all inclusive. This handbook supersedes all previously issued editions. No oral statements or representations can change the provisions of the handbook or any supplement. Except for the at-will nature of employment, DRCOG reserves the right to revise, delete, or add to any or all of the guidelines mentioned, along with any other procedures, practices, benefits, or other programs of DRCOG. These changes may occur at any time, with or without notice.

I have read and understand the above statements.

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**Employee signature**

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**Date**

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**Print name**



**Colorado Overtime and Minimum Pay  
Standards Order (COMPS Order)**

**Acknowledgment of receipt**

I have been provided and hereby acknowledge receipt  
of a copy of the Colorado Overtime and Minimum Pay  
Standards order (COMPS order No. 38) poster.

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**Employee signature**

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**Date**

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**Print name**

**COLORADO OVERTIME & MINIMUM PAY  
 STANDARDS ORDER  
 (“COMPS Order”) #38, POSTER & NOTICE**

*Effective 1/1/23: must  
 update annually; new poster  
 available each mid-December*

**Colorado Minimum Wage: \$13.65/hour, or \$10.63 for Tipped Employees, in 2023 (Rule 3)**

- The minimum wage is adjusted each year for inflation, so the above amounts are for only 2023
- All employees must be paid at least the minimum wage (unless exempt in Rule 2), whether paid hourly or another way (salary, commission, piecework, etc.), except unemancipated minors can be paid 15% under full minimum wage
- Use the highest standard if other labor laws also apply, such as Denver’s minimum wage (\$17.29 in 2023)

**Overtime: 1½ times regular pay rates for hours over 40 weekly, 12 daily, or 12 consecutive (Rule 4)**

- Overtime is required each week over 40 hours, or day over 12, even if 2 or more weeks or days *average* fewer hours
- Employers cannot provide time off (“comp time”) instead of time-and-a-half premium pay for overtime hours
- Key variances/exemptions (all are detailed in Rules 2.3-2.4):
  - Modified overtime in a small number of health care jobs; exemption for certain heavy vehicle drivers
  - No 40-hour weekly overtime in downhill ski/snowboard jobs (but 56-hour overtime for many under federal law)
  - Agriculture, as of 11/1/22: overtime after 60 hours; half-hour paid break in days over 12 hours, extra pay if over 15

**Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours (Rule 1.9)**

- Can be unpaid, but only if employees are completely relieved of all duties, and allowed to pursue personal activities
- If work makes uninterrupted meal periods impractical, eating on-duty must be permitted, and the time must be paid
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts

**Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)**

| #Work Hours:   | Up to 2 | >2, up to 6 | >6, up to 10 | >10, up to 14 | >14, up to 18 | >18, up to 22 | >22 |
|----------------|---------|-------------|--------------|---------------|---------------|---------------|-----|
| #Rest Periods: | 0       | 1           | 2            | 3             | 4             | 5             | 6   |

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours to the extent practical
- Rest periods are time worked for minimum wage and overtime purposes, and if employers do not authorize and permit rest periods, they must pay extra for time that would have been rest periods, including for non-hourly-paid employees
- Key variances/exemptions:
  - In some circumstances, 10-minute rest periods can be divided into two of 5 minutes (Rule 5.2.1)
  - Agriculture: certain work requires more breaks; other is exempt (Rule 2.3, & Agricultural Labor Conditions Rules)

**Time Worked: Pay for time employers allow performing labor/service for their benefit (Rule 1.9)**

- All time on-premises, on duty, or at workplaces (but not just letting off-duty employees be on-premises), including:
  - putting on/removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-clock duty,
  - waiting for assignments at work, or receiving or sharing work-related information,
  - security/safety screening, or clocking/checking in or out, or
  - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not (details in Rule 1.9.2)
- Sleep time, if sufficiently uninterrupted and lengthy, can be excluded in certain situations (details in Rule 1.9.3).

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## **Deductions, Credits, Charges, & Withheld Pay (Rule 6, and Article 4 of C.R.S. Title 8)**

- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
- Vacation pay: Departing employees must be paid all accrued and unused vacation pay, including paid time off usable for vacation, without deducting or declaring forfeiture based on cause for termination, lack of resignation notice, etc.
- Deductions from pay: Allowed if listed below or in C.R.S. 8-4-105 (including deductions required by law, in a written agreement for the benefit of the employee, for theft in a police report, or for property loss after an audit)
- Tip credits: Employers can pay up to \$3.02 under minimum wage (\$10.63 in 2023, or \$14.27 in Denver), if: (a) tips (not mandatory service charges) raise pay to full minimum, & (b) tips aren't diverted to non-tipped staff/owners
- Meal credits/deductions: Allowed for the cost or value (without employer profit) of voluntarily accepted meals
- Lodging credits/deductions: Allowed if housing is voluntarily accepted by the employee, primarily for the employee's (not the employer's) benefit, recorded in writing, and limited to \$25 or \$100 per week (based on housing type)
- Uniforms: Must be provided at no cost unless they are ordinary clothes without special material or design; employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear

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## **Exemptions from COMPS (Rule 2.2 lists all; key exemptions are below)**

- Executives/supervisors, administrators, and professionals paid at least a salary (not hourly wages) of \$50,000 in 2023 (\$55,000 in 2024, then inflation-adjusted), except \$31.41/hour for highly technical computer work
- Other highly compensated, non-manual-labor employees paid at least 2.25 the above salary (\$112,500 in 2023)
- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management
- Various (not all) types of salespersons, taxi drivers, camp/outdoor education field staff, or property managers

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## **Record-Keeping & Notices of Rights (Rule 7)**

- Employers must give all employees (and keep for three years) pay statements that include time worked, pay rate (including any tips and credits), and total pay
- This year's poster must be displayed where easily accessible, or if not practical (such as for remote workers), provided within one month of beginning work and when employees request a copy
- Employers must include a copy of this poster, or a COMPS Order, in any employment handbook or manual
- Violation of notice of rights rules (posting or distribution), including by providing information undercutting this poster, may yield fines and/or ineligibility for employee-specific credits, deductions, or exemptions in COMPS

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## **Complaint & Anti-Retaliation Rights (Rule 8)**

- Employees can send the Division (contact info below) complaints or tips about violations, or file lawsuits in court
- Employers cannot retaliate against, or interfere with, employees exercising their rights
- Anonymous tips are accepted; anonymity or confidentiality are protected if requested (Wage Protection Rule 4.7)
- Owners and other individuals with control over work may be liable for certain violations — not just the business, even if the business is a corporation, partnership, or other entity separate from its owner(s) (Rule 1.6)
- Immigration status is irrelevant to these labor rights: the Division will not ask or report status in investigations or rulings, and it is illegal for anyone to use immigration status to interfere with these rights (Wage Protection Rule 4.8)

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***This Poster is a summary and cannot be relied on as complete labor law information.  
For all rules, fact sheets, translations, questions, or complaints, contact:***

**DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov,  
cdle\_labor\_standards@state.co.us, 303-318-8441 / 888-390-7936**

