KANSAS
DEPARTMENT OF
AGRICULTURE

EMPLOYEE HANDBOOK

July 24, 2009

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MESSAGE FROM THE SECRETARY

Welcome to the Kansas Department of Agriculture. We are committed to food safety, consumer protection, natural resource protection and water resource management for the benefit of all Kansans.

Kansas is a leader in food and fiber production. We rank first in the nation in wheat production and wheat flour milled, second in cattle and calves on farms, and third in red meat production. We also are known for our sunflower, hay, corn, soybean and pork production. Agriculture is a multibillion dollar industry that touches the lives of every Kansan. It makes positive contributions to the environment and provides jobs to nearly a fifth of the state's off-farm population.

The solid foundation provided by the strength of our agency programs enables me, as secretary of agriculture, to effectively advocate for agriculture and our rural population. We have an energetic and creative group of employees, dedicated to high standards of excellence and quality. We value each one of our employees, and we hope that you find your work here rewarding and satisfying.

Josh Svaty
Secretary of Agriculture

IMPORTANT INFORMATION CONCERNING THE EMPLOYEE HANDBOOK

This Employee Handbook is intended to comply and conform to the procedures set by applicable regulations and statutes, Governor's directives, and Department of Administration guidelines/directives. These documents are subject to periodic revision. Consequently, applicable regulations and statutes, Governor's directives, and the Department of Administration guidelines/directives will govern should disputes regarding implementation arise.

The Employee Handbook is designed to serve as a quick and user-friendly method of providing Kansas Department of Agriculture (KDA) employees general information related to their employment at KDA and the State of Kansas. Questions regarding specific KDA policies should be directed to your supervisor or human resources.

The Kansas Department of Agriculture Employee Handbook explores a variety of topics. It is a general guideline for KDA employees and highlights significant and frequently used information. Since the handbook was designed for KDA employees, some information may not apply to all state employees.

Nothing in this document shall be construed as a contract of employment between the State of Kansas or KDA and any employee, nor as a guarantee of any employee to be continued in the employment of the State or KDA, nor as a limitation on the right of the State or KDA to discharge any of its employees with or without cause.

The Kansas Department of Agriculture reserves the right to modify or discontinue the information at any time. If you have questions or need additional information, please contact your supervisor or the Kansas Department of Agriculture Human Resources Office.

A BRIEF HISTORY OF THE KANSAS DEPARTMENT OF AGRICULTURE

The Kansas Department of Agriculture is one of the oldest agencies in state government. The predecessor of the department was the State Board of Agriculture, established in 1872. At that time, the Legislature divided the state into districts and each district's farm organizations elected a delegate to attend an annual meeting each January. Those delegates elected 12 individuals to the Board of Agriculture, which was empowered to meet, to elect officers and the secretary of agriculture, and to make an annual report relative to the conditions of agriculture across the state. While the scope of the board expanded over the ensuing 120 years, its decision-making structure remained virtually the same.

In 1993, a lawsuit filed against the board challenged their selection process. The Federal District Court ruled that the method by which the board members and the secretary were elected violated the 14th Amendment to the U.S. Constitution – one man, one vote.

This ruling unseated the secretary and members of the board. In 1995, legislation was passed in response to the federal court ruling, eliminating the board and creating the Kansas Department of Agriculture and a nine-member advisory board appointed by the governor. Allie Devine became the first secretary of agriculture in 1995, serving until June, 1999. Jamie Clover Adams served as Secretary of Agriculture from September, 1999 until January, 2003, Adrian Polansky served as Secretary of Agriculture from February, 2003 until July, 2009, and Josh Svaty has served as Secretary of Agriculture since July, 2009.

Our Vision: The Kansas Department of Agriculture provides food safety, consumer and natural resource protection, and water resource allocation for benefit of the people of Kansas. This strong foundation enables the secretary of agriculture to effectively advocate for Kansas agriculture. The secretary provides a strong voice for agriculture and rural Kansas, and leads cooperative efforts to keep agriculture and rural Kansas healthy contributors to the welfare of the entire state.

Our Mission: Achieve the department's vision by administering the laws and programs assigned to the department in an effective and efficient manner, and provide leadership to benefit agriculture and rural Kansas so they can contribute to the health and prosperity of the entire state.

KDA PROGRAMS

Food Safety and Consumer Protection Programs

The Division of Food Safety and Lodging program is responsible for food safety inspections at grocery stores, restaurants, restaurants in grocery stores, convenience stores, schools, senior medical sites, mobile food units and lodging facilities, food wholesalers and warehouses, food processors and food manufacturers and food safety inspections involving eggs.

The Agricultural Commodities Assurance Program is responsible for food safety by verifying that inputs to agriculture are safe, quality products that are not misrepresented to their consumers.

The Meat and Poultry Inspection program licenses and inspects meat and poultry plants in a manner that is "equal to" federal inspection. It also responds to consumer food safety concerns involving meat or poultry products.

The Dairy Inspection program conducts inspections, collects samples for analysis, and issues permits and licenses to ensure that milk and dairy products are produced, processed and distributed to reach consumers in a safe, wholesome and unadulterated form. To help us meet our new food safety responsibilities, they also inspect ice plants, and beer, wine and cider producers and bottlers.

The Weights and Measures program protects consumers by inspecting and certifying large and small scales, scanners and gasoline pumps, by testing fuel quality and by calibrating weights. They also are responsible for food safety inspections involving ice cream trucks and food-dispensing vending machines.

The Grain Warehouse Inspection program operates to ensure the quantity of all stored commodities to all producers of grain in Kansas, and to ensure that grain producers have solvent, licensed warehouses in which to store their grain. Staff examine licensed warehouses at least once a year as required by law, and examine warehouses that meet only minimum financial requirements more than once a year, to protect each warehouse's depositors of grain.

Environmental Protection Programs

The Plant Protection and Weed Control program protects Kansas' natural and cultivated plants from introduction of foreign plant pests. It works with county noxious weed departments to help control or eradicate destructive weeds in Kansas.

The Pesticide and Fertilizer program protects the public's health by promoting the safe use of pesticides and fertilizers through compliance assistance, outreach education, complaint investigations, and monitoring inspections.

The Agricultural Laboratory establishes, maintains and improves analytical laboratory services for the Meat and Poultry Inspection, Dairy Inspection, ACAP, and the Pesticide and Fertilizer programs. It ensures that submitted samples are subjected to the highest possible testing standards of accuracy and precision. This is done to protect the health and safety of Kansans and to facilitate accuracy in labeling of products offered for sale.

Water Resource Programs

The Water Appropriation program manages the state's water supplies through a system of permits, reviews and inspections. It issues water rights, maintains data about water usage and administers water rights during times of shortage.

The Water Structures program inspects and regulates the safety of dams that could, if they failed, endanger lives and property. The program also monitors activities affecting the flow of rivers and streams to ensure these activities are properly planned, constructed, operated and maintained.

The Water Management Services program administers the four interstate river compacts and the subbasin resource management plan, which is developed in conjunction with local agencies working toward a long-term, statewide water usage plan.

The Subbasin Water Resource Management Program works proactively within subbasins to resolve ground water decline and stream flow depletion. Long-term management strategies are developed in a cooperative effort with federal, state, and local agencies as well as private interest groups and the local public sector.

Administrative Services and Support

Under the direction of the secretary of agriculture, the administrative services and support section provides the general policy, outreach, coordination and management functions for the department. This includes the office of the secretary, central fiscal and records center, human resources, legal, automation and telecommunications, research, information and education. Within the administrative services grouping is the statistical services and support program, also known as the Kansas Agricultural Statistics Service, a cooperative federal-state program involving the Kansas Department of Agriculture and the U.S. Department of Agriculture. Through KASS, data about the many segments of Kansas agriculture are collected, analyzed and disseminated.

GENERAL POLICIES AND RESPONSIBILITIES

CODE OF CONDUCT

Every organization has a set of rules governing employee conduct. In this respect, KDA is no different. Though state employees come from different backgrounds, they come together for public service. We take seriously the special responsibility public service requires and we value participation in the work of government. As public servants, we strive to serve the public with respect, concern, and responsiveness, and should demonstrate the highest standards of personal integrity and honesty in all public activities. It is especially important for us to conduct ourselves in a manner that assures and promotes the public's trust in Kansas State Government. It is in this spirit that the Kansas Commission on Governmental Standards and Conduct was established and the code of conduct for Kansas government employees was written. This code prohibits certain actions by state employees. "State employee" is a broad term that includes elected or appointed state officers, classified and unclassified civil servants, all employees of the Legislative Branch and the Governor's office. Following is a list of general rules. They are not intended to be a full statement of the laws, regulations, or policies. Any doubts or questions should be directed to your supervisor, the KDA Human Resource Office or the Kansas Governmental Ethics Commission (785-296-4219)

Conflicts of Interest and Substantial Interest Form Filing

State employees shall not:

1. Lobby (attempt to influence) their own state agency on behalf of other organizations for pay.
2. Participate, with certain exceptions, in making a contact with anyone who has employed him or her in whose business they have a substantial interest.
3. Accept compensation or performance of official state duties, other than what they are entitled to from the state.
4. Solicit anything of value form any person known to have a special interest.
5. Accept most gifts or hospitality during the performance of public service if they are classified employees.

State employees responsible for making decisions, inspecting, licensing or regulating any person or entity are required by law to complete and file with the Secretary of State's office each year a "Substantial Interest" form. These forms are generally distributed in February of each year to the appropriate employees.

State Property

State employees shall not use or allow the use of state time, supplies, state owned or leased property and equipment for private interest or any other use not in the conduct of official state business.

Confidential Information

State employees shall not use confidential information acquired in the course of employment to further their own or others' economic interests. Further, KDA employees shall treat information on customers, and personnel matters as confidential and have the responsibility of safe-guarding that information, sharing it on a need-to-know basis only. Wrongful disclosure or release of confidential information violates agency policy and/or state and federal laws and such disclosure will subject an employee to criminal action as well as disciplinary action.

Nepotism

No state employee is allowed to advocate for cause of employment, appointment, promotion, transfer or advancement to a State position of a member of such employee's household or family. Additionally, a State employee may not supervise a member of his or her household or family.

Drug-Free Workplace

The State of Kansas is committed to a drug-free workplace and has implemented a Comprehensive Drug-free Workplace Program to comply with those federal requirements. All new employees are required to read and sign the Substance Abuse Policy Affirmation form.

Sexual Harassment in the Workplace

All employees have the right to work in an environment free from harassment or intimidation based on sex. Sexual harassment is a form of conduct that undermines the integrity of the employment relationship and demeans the individual being treated in such a manner. Sexual harassment is defined as unwelcome behavior of a sexual nature that becomes a condition of employment and/or created a hostile working environment. Such behavior will not be tolerated and employees violating the sexual harassment policy are subject to immediate disciplinary action, up to and including termination. (Appendix A-KDA Sexual Harassment Policy)

Fair Employment Practices

The State of Kansas and KDA fully support diversity, Equal Employment Opportunity (EEO), and Affirmative Action principles, practices, and programs. State and departmental policies endorse Equal Employment Opportunity as the right of all persons to work and advance based on merit and ability without regard to race, sex, color, national origin, age, disability, religious beliefs, ancestry, or political affiliation. The State's and KDA's Affirmative Action programs exist to attain a diverse workforce representative of the State's available workforce. We encourage all employees to make a good faith effort to learn about, understand, and support these programs.

Equal Opportunity/Sexual Harassment Complaints

Employees who feel they have been discriminated against or who think they have been sexually harassed should immediately report such behavior to their supervisor who should then contact the KDA legal and human resource departments. All complaints will be thoroughly investigated, and employees are assured they will not be retaliated against for filing a complaint. Complaints shall be treated in a confidential, professional and timely manner and filing a complaint shall in no way reflect upon an employee's standing in the agency. (Appendix B- KDA EEO Policy)

American's With Disabilities Act

The American's With Disabilities Act (ADA) is a strong anti-discrimination law enacted to help eliminate discrimination against persons with disabilities by removing the attitudinal, architectural, and communications barriers they face. As managers, supervisors, and employees, each of us has rights and responsibilities under the ADA. It is the responsibility of managers and supervisors to ensure persons with disabilities are afforded the opportunity to participate fully in all aspects of employment without fear of harassment or ridicule. Employees with a disability have the right to expect reasonable accommodations and responsibility to notify management of their needs and work cooperatively towards meeting those needs. Finally, employees have the responsibility to maintain harmonious relationships with our co-workers and the right to demand that we be treated with dignity and respect. (Appendix C- KDA ADA Policy)

Political Activities

Of course, state employees may be a member of the political party of their choice, actively engage in campaigning for or contributing to the party and candidates of their choice. However, there are certain limited restrictions on state employees' political activities. These restrictions are designed to protect state employees from political influence and allow employees to perform their work without regard to partisan politics.

1. State employees shall not use their authority or official influence to force other classified employees to take part in any political activity, apply for membership in or become a member of any organization, or pay or promise to pay any assessment, subscription, or contribution.

2. Solicitation for political contributions or political activities should not occur on state property or during regular hours of employment.

3. Campaign literature or other paraphernalia should not be brought onto state property or transported in or displayed on state vehicles.

Voting

Kansas statutes allow absences from work within two consecutive hours from the opening and closing of the polls for employees to vote. This means that employees are allowed time between 7:00 A.M. – 9:00 A.M. and between 5:00 P.M. and 7:00 P.M. to vote. This will impact employees whose work hours do not allow them a two-hour block of time at the beginning and ending of the day.

The following are a few examples for illustration:

- Employees who work 8:00 – 5:00 would have a two-hour block outside of normal work hours at the end of the day (from 5:00– 7:00) so they would not use work time to vote.
- Employees who work 9:00 – 6:00 have a two hour block outside of normal work hours in the morning (from 7:00– 9:00) so they would not use work time to vote.
- Employees who work 8:30 – 5:30 may need time off from work to vote--30 minutes either before work or after work to allow a two-hour block of time for voting.

Employees who need to use work time to vote due to their normal work schedule, or have other extenuating circumstances, should contact their supervisor in advance. Time used for voting should be entered as Administrative Leave on the timesheet.

Workplace Violence

The safety and security of employees and visitors is of the greatest importance. Threats, threatening behavior, acts of violence, pranks, horseplay, or any related conduct which disrupts work performance or KDA's ability to execute its mission will not be tolerated. Any person who makes threats, exhibits threatening behavior or engages in violent acts on state-owned or leased property may be removed from the premises. Threats, threatening behavior or other acts of violence executed off of state-owned or leased property but directed at state employees or at members of the public while conducting official state business is a violation of the state's workplace violence policy. Off-site threats include but are not limited to threats made by telephone, fax, electronic mail, conventional mail, or any other communication. Employees other than certified law enforcement officers are not authorized to possess firearms or other lethal weapons while on the job. Violations of this policy will lead to disciplinary action that may include termination of employment and referral to the appropriate law enforcement agency. Employees are responsible for notifying their supervisor of any threats they have witnessed or received, or of any threats they have been told another person witnessed or received.

Employee Complaints and Grievances

KDA has an established procedure for dealing with employee complaints and grievances so that an employee can resolve the issue(s). (Appendix D- KDA Grievance Procedures)

FOLLOWING THE RULES

There are many laws governing the actions of employees and the day-to-day operation of the State of Kansas, its agencies, and programs. To be successful as a state employee, it is necessary to know the laws and rules affecting you and your job.

Kansas Statutes and Regulations

The Kansas Legislature creates Statutes and the Department of Administration creates Regulations that provide the guidelines for civil service employment and administrative activity. There are regulations governing job classification, recruitment and hiring, pay and benefit administration, and many other activities.

Executive Orders

The Governor, the Executive Branch of State Government, also has certain authority to affect change, as granted by the Kansas Constitution. The Governor exercises this authority when Executive Orders/Directives, which have the "force and effect of law," are issued.

Federal Laws

Many programs have been created by federal law and are administered by KDA. Such program much adhere to the requirements and operational guidelines established by the federal government, in addition to those of the State

EMPLOYMENT ISSUES

Employment Status

Probationary Status (classified)
Probationary Status is the status of an employee during the probationary period.

Classified Service
Classified service means all positions in the state services, except those which are specifically placed in the unclassified service by K.S.A. 75-2935, as amended or other sections of the statues.

Unclassified Service
Unclassified service means those positions except those which are specifically placed in the unclassified service by K.S.A. 75-2935, or as amended by other sections of the statues. These positions serve at the pleasure of the Governor

and/or the Secretary of Agriculture and can be terminated without notice. There is no civil service protection associated with unclassified positions.

Position Classification

Based upon the duties and responsibilities established in your position description, your position has been classified into one of the state's approximately 500 job classes. All employees should have a copy of their position description. The position description should accurately describe all of your major responsibilities, but it need not include everything you do. You and your supervisor should review your position description periodically to be sure it is accurate and up to date. Most supervisors will find it appropriate to do this at the time of your annual performance appraisal.

Probationary Period

Original hires to the classified service require a probationary period of at least six months before permanent status is granted. This on-the-job trial period is used to carefully observe the employee's work, help the employee adjust to the new position, and determine whether the employee should be retained in State service. During this time, the employee's supervisor will be observing the employee closely to determine their suitability for the position and ability to work harmoniously with fellow employees. Probationary periods can also be extended while layoffs are in process or if an employee has not completed required training. Near the end of the probationary period, the supervisor will conduct a performance appraisal. Based upon the appraisal, the supervisor will choose one of the following recommendations: 1. Give the employee permanent status as a state employee; 2. Extend the probationary period (not to exceed an additional six months); or 3. Recommend termination due to unsatisfactory performance. It should be noted that on original probation, an employee may be dismissed at any time.
Probationary period lengths:
Original Appointments-6 months, not to exceed 1 year
Promotions-at least 3 months, but not more than 6 months
Reinstatements-at least 3 months, but not more than 6 months

Permanent Status

Permanent status is generally achieved after successful completion of a probationary period, and subsequently employees are eligible for the provisions of the statutes and the Kansas Administrative Regulations pertaining to permanent employees. Permanent status guarantees you the right to due process and entitles you to reemployment rights in the event of a layoff or reinstatement rights in the event of non-disciplinary separation.

Temporary Position

A temporary appointment is an appointment limited to not more than 999 hours of employment in a 12 month period. This type of appointment does not effect the position limitation of the agency, is not eligible for benefits, and time worked doesn't count towards state length of service.

Performance Management Process

One of the first things your supervisor will do is to provide you with a copy of your performance management process (PMP) form. It explains the objectives on which your job performance will be evaluated. A PMP appraisal is conducted at the end of your probationary period, and then annually after you achieve permanent status in the October-December timeframe each year. You will sign the form at the beginning of the review period to acknowledge that you are aware of your job and performance expectations. There will also be a midyear discussion that you will sign in the April-June timeframe each year. At the completion of the review period, an overall rating is provided based upon your supervisor's assessment of your job performance. The five levels of performance are Exceptional, Commendable, Satisfactory, Improvement Needed, and Unsatisfactory. As a permanent employee, if you are unsatisfied with the rating you receive, there are regulations in place that provide for an appeals process.

Performance Appraisal Appeals

Employees with permanent status who believe they have been unfairly rated may appeal their performance review within seven calendar days after being informed of the rating. Signing a review upon presentation by the supervisor **does not** prevent any eligible employee from appealing their rating should they choose to. Employees should contact the human resource office for procedural assistance appealing a performance appraisal rating. They will make all arrangements for an appeal hearing and will ensure that the employee receives fair and impartial treatment. The rating resulting from an appeal hearing is final and not subject to further appeal.

Dismissal, Demotion or Suspension

The dismissal, suspension, or demotion of an employee with permanent status on the grounds of deficiencies in work performance or personal conduct detrimental to the state service shall be in accordance with the applicable state statutes. Corrective action may also be taken for violation of the Kansas Civil Service Act or violations regarding state employee benefits. Specific statutes and administrative regulations outline additional details regarding dismissal, demotion or suspension as well as relief from duty or change of duty for a permanent employee.

Terminating Employment

Employees wishing to resign from the classified service in good standing must submit a written letter of resignation to their supervisor, who will copy the appointing authority and the human resource office, at least two weeks in advance of the last day on the job. This letter should include the effective date of the resignation and the reasons for leaving. Failure to provide two weeks notice will result in a record to the permanent personnel file, and state agencies may consider that fact as grounds for refusal to employ that employee in the future. An employee can only withdraw a resignation with the approval of the appointing authority. An unauthorized absence from work for a period of five consecutive working days could also be considered a presumed resignation. Any employee terminating employment with KDA for any reason is required to turn in their building key card, state credit card, state ID card, keys, and any other miscellaneous

KDA property on or before their last work day as a KDA employee. All employees will be asked to complete an exit interview form prior to departure. For cancellation or withdrawal of Deferred Compensation, contact your ING representative. Health insurance will terminate at the end of the month that includes their last day at work. Covered employees who lose their group health insurance coverage due to voluntary termination or discharge (other than for the reason of gross misconduct) will be allowed to continue to self pay their group health insurance for 18 months. Upon termination of employment, a member may convert the employer provided group life insurance and, if applicable, optional group life insurance to an individual policy. The conversion must be made within 30 days of terminating employment or retirement, and does not require proof of insurability. If you later have a change of address, please notify KDA human resources by the middle of December so that your W-2 will not be delayed or lost.

Layoff/Reemployment

In response to a shortage of work or funds or material changes in duties or organization, an agency may conduct a layoff action. Layoff action does not necessarily mean unemployment. Employees may be offered a transfer or demotion to another position rather than be separated from state service. Should the need arise KDA is required to submit a layoff request to the Division of Personnel Services. This request identifies how layoffs will be processed, who can be affected, and bumping rights within classes and class series. If a layoff becomes necessary, the KDA Human Resource Office computes a layoff score for each affected employee. Scores are computed by multiplying the average numeric value of the last five performance reviews times the total number of qualifying months in state service. The person with the lowest score will be laid off first. Each employee who may be affected by the layoff will be notified at least 30 days in advance of the proposed effective date of the layoff. The written notice will be delivered personally or sent by certified mail to the employee's home address. A layoff conference with the affected employee will take place as soon as possible to explain to the employee about the layoff and answer any question they may have. If a regular employee is laid off, transferred, or demoted in lieu of being laid off, the employee will be eligible for reemployment assistance for three years. This assistance is provided through the Division of Personnel Services, Employment Information Office. If necessary, due to a shortage of funds, agencies can furlough some or all employees with the necessary approval. A furlough is leave without pay for a preset number of hours for each pay period covered by the furlough plan, and can be used as an alternative to layoffs. Benefits, length of service, or pay increase eligibility dates are not affected by a furlough.

COMPENSATION

Pay Plan

The purpose of the state's pay plan is to establish and maintain appropriate salaries for state employees. The Division of Personnel Services periodically surveys the pay practices of both the public and private sectors to ensure the wages paid by the State of Kansas are competitive with similar jobs in other organizations. Each classification in the classified employee service is assigned to one of the 38 pay grades on the state's pay matrix, which starts at Pay Grade 5 and goes to Pay Grade 38. There are 15 steps within

each pay grade, starting at Step 4 and going to Step 18. Movement through the pay-grade is based on "time-on-step" given satisfactory or better performance and funding by the legislature. There is a 2.5% pay difference between steps; 5% between grades; the first two steps occur at 6 month intervals. Remaining step increases occur at one year intervals until step 18. Since July of 2001, step movement has been frozen by the Governor except for a step granted in September of 2006. Over the last few years, general adjustments (cost of living) have been given to state employees, which have ranged from 0% to 3%. Salaries for unclassified employees must be approved by the Governor. When authorized by the Governor, merit increases for unclassified employees are generally out of a merit pool and effective at the beginning of a new fiscal year.

Longevity Bonus

As currently approved by the Kansas Legislature, a longevity bonus is paid to classified regular employees who have at least 10 years of service and employed with the state prior to June 15, 2008 with no break in service. The compensation is at the rate of $40.00 for each year, and has a 25-year/$1,000.00 limit. Employees who have more than 25 years continue to be paid at the 25-year limit. The payment is included in the bi-weekly paycheck that contains the employees' length of service start date. This is normally the date that an employee starts with the state, but could be different if there have been any breaks in service. **Classified employees hired after June 15, 2008 and unclassified employees are not eligible for a longevity bonus.**

Pay Period/Payday

The standard workweek for State employees begins at 12:01 Sunday and ends the following Saturday at midnight. Even though the state utilizes 80 hour pay periods, each of the 40 hours workweeks is separate. All employees will receive a time sheet and will report the hours worked and/or leave usage. Non-exempt employees will report hours worked and/or leave usage in quarter-hour increments. Exempt employees will report leave usage in half or full-day increments. Time sheet procedures will be explained in detail by your supervisor. State employees are paid on a biweekly basis, every other Friday, unless the Friday falls on a holiday, in which case pay day will be the last working day before the Friday pay date

Fair Labor Standards Act (FLSA)

Each position in the agency has been analyzed to determine if the position, under the Fair Labor Standards Act, is considered to be a non-exempt or exempt position. A non-exempt employee is paid on an hourly basis and is eligible to be compensated for actual hours worked over 40 hours in either pay or compensatory time. Our agency utilizes compensatory time at one and a half hours for each actual hour worked over 40 hours in the workweek, which starts at 12:01 Sunday morning and runs through midnight on Saturday night. All overtime hours worked must be authorized in advance by your supervisor. Exempt employees are paid a biweekly salary and work the hours necessary to get the job done with no overtime pay for hours worked over 40 hours in a work week.
If you are a non-exempt employee, the following terms apply:

Paid Leave: Paid leave hours do not count towards the total number of hours worked in a week in determining whether overtime is paid. Paid leave includes all paid time away from work (vacation, sick, holiday, etc.). KOSE covered positions have the following exception to the rule: Time in a paid status, but not worked by virtue of legal holiday, shall be considered as hours worked for purposes of administering overtime entitlements.

Rearranged Time: Supervisor's may request that an employee adjust their daily work schedule within the work week in order to prevent exceeding 40 hours of work. For example, if you worked 8.5 hours on Monday through Thursday (34 hours), you would only work 6 hours on Friday in order not to exceed 40 hours. This is also known as "equivalent time off."

Compensatory Time: Compensatory time is compensation at the rate of one and a half hours off for each hour worked over 40 hours in a work week. For example, if you worked 9 hours Monday-Friday (45 hours), you would earn 7.5 hours of compensatory time that could be taken at a later time. KDA policy is that 150 hours is the maximum amount of compensatory time that can be accrued. Any hours over that maximum must be paid out or taken within a reasonable time.

Paychecks

Employees are required to use direct deposit where the pay is put into their own checking or savings account. Employees may designate up to 6 financial institutions with up to 10 accounts each. Forms are available from human resources for direct deposit. For expense checks, employees will need to contact the fiscal office to arrange direct deposit of those funds. Payroll and leave information can be viewed on the Employee Self-Service Page, at http://www.accesskansas.org/employee/, and is generally available the Monday before the Friday pay date.

Promotion

The policy of the Kansas Department of Agriculture is to fill vacant positions with the most qualified candidates. Any promotions within the agency are based on merit, dependability and previous job performance. Salary increases may be authorized at the time of promotion. Promoted employees are subject to a three to six month probationary period. KDA encourages its employees to take advantage of promotional opportunities whenever possible, whether inside or outside of our agency.

Payment Upon Separation

Employees who resign or otherwise separate from KDA shall be compensated for leave as follows:

- Accumulated vacation leave, up to the maximum number of hours allowed, will be paid in a lump sum on their final paycheck.
- No compensation shall be paid for any accumulated sick leave except when an employee retires or in the case of a death of an employee who was eligible to retire
- When an employee has a balance of shared leave credits at the time of separation,

those hours will not be paid to the employee, but shall be returned to the donating employee(s).

- Compensatory time credits will be paid on their final paycheck.

BENEFITS

In reviewing your benefits package, it is significant to note that the benefits the state provides you can be valued at an amount ranging from 25-40% of your pay depending upon how much you make and the benefits in which you are enrolled.
This is a significant amount of your total compensation package with the state. The goal of this next section is to help you understand what is available to you so that you may take full advantage of existing programs

Group Health Insurance

Clearly, the most valuable benefit to employees is the group health, prescription, and dental insurance. Complete descriptions of health benefits, limitations, exclusions and other provisions are provided in the Health Plan Summary booklet. This booklet is provided to new hires and revised booklets are distributed to employees each year during open enrollment, which usually takes place in October to take effect the following January 1. This is the health plan "bible" and you should keep this as reference should you need further information on the state health insurance. The state provides single coverage at a nominal cost. Employees contribute to other levels of coverage, i.e., employee and spouse, employee and children, or full family. Children can be covered until the age of 26. There is a 30-day waiting period for new employees before they are eligible for health insurance benefits. New employees must complete an Enrollment form electing or denying coverage within 30 days of their hire date. If electing coverage, it will take effect the first of the month following the 30-day wait. If an employee chooses not to enroll at time of employment, they may do so again during open enrollment. Change forms must be completed within 31 days of the event in order for the change to be approved by the Kansas Health Policy Authority. Upon the birth/adoption of a child, a change form must be completed including the following: Date of birth/adoption, copy of birth certificate and social security number. If a social security number is not provided in a timely manner, the child may not be eligible for health insurance coverage. The state offers several different health insurance options, which provide state and nationwide coverage.

Prescription Drug Coverage

All participants in the group health insurance program also have outpatient prescription drug coverage from Caremark PCS. Under the plan an employee pays 20% coinsurance for generic, 35% coinsurance on Preferred Brand Name drugs, and 60% coinsurance on Non-Preferred Brand Name Drugs.

Dental Benefits

All employees who enroll in health insurance coverage are given the choice to enroll in dental coverage offered by the state. Delta Dental Plan of Kansas pays benefits at 100%

for diagnostic and preventive services and 50% to 80% for all other covered services up to $1,700 per covered person per year. There is also a $1000 lifetime orthodontic benefit. Dental coverage is provided at no charge for employees enrolling for single coverage. Family dental coverage can be purchased only if the employee also enrolls in family medical coverage.

Vision Care Benefits/Basic or Enhanced

The vision care for the state is administered by Superior Vision Services. Employees may enroll themselves and any eligible dependents whether or not the employee or dependants are enrolled in the State of Kansas medical coverage. There are three benefits associated with the plan:

Eye Examination

There is a $50 co-payment for eye exams once every 12 months. If the participant has medical coverage through the state, the eye exam is usually covered at a lower co-payment through the medical insurance.

Lenses and a Frame

There is a $25 co-payment for lenses and a frame up to $100 retail once every 12 months. There are restrictions as to types of frames and add-ons that will be covered.

Contact Lenses

Contact Lenses are covered once every 12 months at no charge, when medically necessary; up to $150 retail. You use either the glasses or contact lens benefit once in a 12 month period, but not both.

Enhanced Coverage

Offers additional coverage for UV coating, scratch coating and basic progressive lenses.

Pretax Premium Option

This option allows the employee to pay for the cost of health insurance with pre-tax dollars. Payment on a pre-tax basis means that the employee enters into an agreement with the State of Kansas to reduce their salary by the cost of group health insurance coverage. Since the employee's salary has been reduced, the employee does not pay federal or state income taxes or social security taxes on these amounts. As a result, an employee's take home pay will increase by the amount they don't pay in taxes for the pretax benefits selected.

KanElect Flexible Spending Accounts

The KanElect Flexible Spending Accounts offers employees an opportunity to pay for certain expenses not covered by other benefit plans with pretax dollars. There are two types of spending accounts: Health Care Flexible Spending Account and Dependent Care Flexible Spending Account.

Health Care Flexible Spending Account

The Health Care Flexible Spending Account can be used to pay for eligible medical, vision, prescription drugs, and dental expenses which are not reimbursed by health insurance. Eligible expenses are those the IRS considers deductible expenses on the employee's federal income tax return. These expenses may be for you or any of your dependents. Your dependents do not have to be covered under the state's health insurance plan. You can set aside anywhere from $8 up to $208.33 per bi-weekly payroll period and that amount will be reduced from your salary on a pre-tax basis.
As the employee has health care expenses, they request reimbursement from the account by filing claims. The employee will receive reimbursement of their eligible expenses by check or by direct deposit into their own checking or savings account. Employees have until the middle of April to make any claims for the preceding year. Any amounts not claimed at the end of the plan year are forfeited to the state.

Dependent Care Flexible Spending Account

The Dependent Care Flexible Spending Account can be used to pay for an employee's eligible work-related dependent care (day care) expenses. According to IRS regulations, expenses which are eligible for reimbursement are expenses for the care and well-being of the employee's dependent child under the age of 13 or for the care of a dependent of any age who is incapable of self-care and spends at least 8 hours in the employee's home. These expenses include:

- A licensed or registered day care facility or nursery school;
- An individual in the employee's home (other than a spouse, their qualified dependent under age 19, or a housekeeper); or
- An individual in their home (assuming all licensing requirements have been met).

The employee may set aside anywhere from $16 to $208.33 from each bi-weekly paycheck to go into the account. The employee may file at any time during the year from their Dependent Care account by completing a reimbursement form. The employee will be reimbursed for eligible dependent care expenses up to the balance currently on deposit in the employee's account. A check or notice of direct deposit will be mailed to the employee's home address, or the employee has the option of receiving an e-mail notice of direct deposit. Employees have until the middle of April to make any claims for the preceding year. Any amounts not claimed at the end of the plan year are forfeited to the state. Like the health insurance, enrollment must take place within the first 31 days of employment for coverage to take effect the first of the month following a 30-day wait. Open enrollment is held every October for the following year, even for those already enrolled in the plan.

Healthquest

Healthquest is the statewide health promotion program which includes health risk assessment, education classes, newsletter and exercise opportunities. They also

administer the LIFELINE program, which is the State of Kansas employee assistance program. It provides free and confidential help to you or your immediate family members experiencing problems such as marital conflict, depression, alcohol or drugs, financial trouble, or family difficulties. The toll-free LIFELINE number is 1-800-284-7575, and is available 24 hours a day.

Learning Quest

Learning Quest, an education savings program, lets you invest tax-deferred dollars for your child's education. Created in 1999 by the Kansas Legislature and administered by Kansas State Treasurer Lynn Jenkins, key benefits of Learning Quest include: Up to $2,000 deduction from Kansas adjusted gross income per student, no state or federal income taxes on the earnings in the account until they are withdrawn, no income limits for those opening an account, and no federal gift tax on contributions for each student of up to $50,000 per contributor in one year if no additional gifts are made to that student during the five calendar years beginning with the year the contribution is made. There is also the flexibility for students to attend any accredited university or college or an approved vocational program in the United States. Qualified expense withdrawals are taxed at the student's rate. For more information about Learning Quest, call 1-800-579-2203 or visit www.learningquestsavings.com.

Group Life and Disability Insurance

Group Life Insurance, long term disability insurance, optional group life insurance, death benefits and accidental death benefits are provided for eligible state employees.

Group Life Insurance

Benefits eligible state employees have group life insurance coverage. The entire cost of the coverage is paid for by the employer. The group life insurance coverage provides an insured death benefit which is currently 150% of the employee's annual rate of compensation. This is administered through KPERS,

Optional Group Life Insurance

Benefits eligible employees may elect to purchase optional group life insurance coverage through additional payroll deductions. Employees must apply within 30 days following their first day actively at work. If the application is not submitted to Minnesota Mutual and postmarked within the designated time frames, the employee will be allowed to enroll , but must prove eligibility of insurability. Coverage amounts range from $5,000 to $250,000 on the employee only. This amount is an addition to the basic life insurance policy provided by the state. Upon termination of employment or retirement, an employee may convert either or both of the life insurance policies to an individual policy. The conversion must be made within 31 days of termination or retirement, whichever comes first. The individual policy is sold by Minnesota Mutual companies and is not available at group rates.

Long Term Disability Insurance

Benefit eligible state employees have long term disability insurance coverage. The entire cost of the coverage is paid by the employer and administered by KPERS. Disability income benefits provide a monthly benefit based on 60% of the employee's annual rate of compensation. To qualify for a disability benefit, an employee must have a total and permanent disability and be off work 180 (6 months) consecutive days. The disability may be either physical or mental.

Accidental Death Benefits/Death Benefits

If an employee dies as the result of an accident arising out of the performance of their duties, accidental death benefits are payable to the employee's spouse, to children under age 18 or up to age 23 if full-time students, or to dependent parents, in that order. Benefits are a $50,000 lump sum payment and a monthly amount based on 50% of the employee's final average salary subject to reduction for any benefits received under workman's compensation. Once retired, the Kansas Public Employees Retirement System (KPERS) provides a death benefit of $4,000 payable to the employee's named beneficiary or a named funeral home.

Long Term Care Insurance

Starting in August 2010, the State Employee Health Plan has contracted with Genworth Life Insurance Company to offer Group Long Term Care Insurance to benefits eligible Active State Employees and Retirees of the State of Kansas between the ages of 18 and 80. Please contact Genworth at 1-888-285-4889 to get more information.

Beneficiaries

Primary and contingent beneficiary forms are filled out at orientation, and are updated when an employee joins KPERS. Changes in beneficiaries or the name of a beneficiary (due to marriage, divorce, etc) cannot be made from a letter or phone call to the KPERS office. Contact the KDA human resource staff for the appropriate forms.

Workers Compensation

Employees can receive benefits under the Worker's Compensation Law if their injuries were caused by an accident of condition that arises out of and during the course of their employment. If you sustain an injury of contact a disease you believe is related to your employment, report it to your supervisor immediately. The State of Kansas has its own fund for the payment of these benefits, which is administered by the Department of Administration. If the fund approves your medical claims, you may be paid for fair and reasonable medical expenses. You may also receive a portion of your weekly salary up to an established maximum.The State Self Insurance Fund has designated medical care providers in certain areas. To receive authorized medical treatment, injured employees must be seen at a Corvel contract provider, which can be found at the following website.

http://www.corvel.com/provider_lookup/findProvider/findsearchparams.aspxthese

In locations that do not have managed care facilities the employee should go to the nearest emergency room or see their primary care physician.

Unemployment Compensation

Should you separate from state service, you may be eligible for unemployment compensation, depending on your earnings during the past year, the nature of your work, and the conditions of your separation. If you lose your job, you should contact the nearest Department of Human Resources, District Job Insurance Office.

Deferred Compensation

Deferred compensation is a voluntary defined contribution retirement plan established by the state to help employees provide a supplement to their KPERS retirement income. Deferred compensation reduces income taxes while helping retirement savings grow. The plan is administered by ING, Aetna Financial Services, and this is how it works:

- The employee decides how much money they want to defer
- The money set aside from the employee is invested in the investment options chosen by the employee.
- The employee pays no federal or state income tax on the deferred amounts or its earnings
- The employee pays no up-front administrative charges or annual fees, so 100% of the employee's contribution is invested in the employee's account.

The employee may set aside any amount between $11.54 and $596.15 per biweekly pay period to go into deferred compensation. There is no open enrollment period for deferred compensation, and you may increase, reduce, or restart their deferral once every 90 days. More information is available from ING at 296-7095 or 1-800-232-0024.

RETIREMENT

KPERS

The Kansas Public Employees Retirement System (KPERS) was established in 1961 for State of Kansas public employees to provide a defined benefit pension plan. KPERS membership is mandatory for all employees in eligible positions.

Contributions

Effective July 12, 2009, all new employees will become members at hire and and begin contributing to KPERS. Employee contributions are fixed by statute at 6 percent of gross compensation and are excluded from gross income for federal income tax purposes. Those employees starting after 7-1-09 will contribute 6% and be on KPERS Tier 2. Employees employed before 7-1-09 are considered KPERS Tier 1 members and contribute 4% of their gross earnings. Employee contributions are taxable for state income tax purposes. The State contribution fluctuates, depending on the funding needs of KPERS. The employer contributions remain with KPERS at the time an employee terminates and withdraws. If an employee terminates employment and is vested in

KPERS (5 years or more of credited service), they may leave their contributions with KPERS and draw a benefit when they meet one of the full-retirement criteria. Contributions will continue to receive interest although interest only comes into play with a lump sum payout. The employee may choose to make application for withdrawal of accumulated contributions. Amounts withdrawn may be subject to Federal income taxes and are subject to mandatory withholding of 20% if not rolled over to another qualified plan or to an IRA. If an employee terminates employment and is not vested in KPERS (less than 5 years of credited service), they may choose to make an application for withdrawal of accumulated contributions. If the contributions are not withdrawn, their KPERS membership will be protected for 5 years. Interest will continue to be credited and should the employee be re-employed in a covered position within the 5-year period, their participation in KPERS would be immediate. If the employee does not return to covered employment and they do not withdraw their contributions, their contributions will revert to the employers reserve at the end of the 5-year protection of membership and no further interest will be credited. An employee may receive the reverted contributions by completing a special affidavit

Normal retirement under Tier I with full benefits is available under the following conditions:

- at 65 years of age with at least two quarters of service; (two quarters will round up to 1 year)
- at 62 years with 38 quarters of service credit; (38 quarters is 9.50 years of service will round up to 10 years); or
- when attained age and years of service total 85 or more. (a member can round years of service but can not round age)

A reduced benefit retirement is available as early as age 55 if you have 38 quarters of KPERS service. The following are documents the employee will need to provide KPERS 30-60 days before the member's retirement date:

- KPERS-15 form which includes the following:
- Application for retirement including whether or not to take one of the lump-sum options
- Direct deposit form
- Primary/contingent beneficiary
- Proof of birth to establish age
- Proof of name change(s)(if applicable)

If the member has chosen one of the joint survivor options, a birth document and name change documents(s) (if applicable) will also need to be provided. There are several different ways in which to receive your retirement benefit. These choices will be reviewed with you in detail through our agencies annual retirement workshops and individual counseling through our agency designated KPERS agent. There are ways to increase the amount of service you have, possibly bringing yourself closer to vesting or early retirement. The waiting period in which you did not participate in KPERS may be "bought back", as may forfeited service (if you were employed in a KPERS-covered position and withdrew your contributions), and military service to name a few. The earlier these are bought back, the less expensive the cost (rates to buy back start increasing at age 43). Each year KPERS provides members with an annual statement of their account. This statement will advise the member of their contributions on deposit, interest credited if applicable, an estimate of their retirement benefits at various ages if vested, insurance coverage, and their named beneficiary (ies).

Social Security

The State of Kansas participates in the Federal Social Security Program. Under the plan, both the employee and the employer, the State of Kansas, pay an equal social security tax on the wages of the employee, up to a maximum set by law. The employee's share is deducted from his/her biweekly paycheck. If you have questions or need more information about this tax or any other payroll tax issue contact human resources.

LEAVE

General Information

Non-exempt employees, whenever possible, should request leave in advance. You can request leave in quarter hour increments. Exempt employees are to request time away from work in the same manner as non-exempt employees. However, vacation, sick, or shared leave is only recorded when the leave is used in half-or full-day increments. All other types of leave, such as jury duty, funeral, and donor leave are recorded for the exact number of hours used in quarter-hour increments. Supervisors may deny a request for time away from work of less than a half-day, or may require an exempt employee to use and report a half- or full-day of leave if this policy is abused through excessive absences of less than half- or full-day increments.

Sick Leave

Sick leave is the benefit the state provides you to remain in pay status due to personal illness or the illness of a family member that reasonably requires your presence. This is your short term disability benefit and accumulates at 3.7 hours per biweekly payroll period. Sick leave may only be used after it is earned and there are no maximum accumulations established, so it can be accumulated without limit. Sick leave is the best "insurance" available for a possible accident or prolonged illness, so use it wisely. Sick leave may only be used when an employee is unable to work because of personal illness or injury and for medical or dental appointments that cannot be scheduled outside your working hours. In addition, you may use sick leave for the illness or disability of a family member, defined as persons related to the employee by blood, marriage, or adoption; and minors residing in the employee’s residence as a result of court proceedings. You may also use sick leave for the adoption of a child or initial placement of a foster child in your home when adoption or initial placement reasonable requires you to be absent from work. All sick leave must be requested and approved in accordance with the process that will be explained to you by your supervisor. For absences of three days or more, the supervisor may require a medical statement verifying your reason for sick leave.

Sick Leave Table for Non-Exempt Employees

Hours in Pay Status Per Pay Period	Hours Earned Per Pay Period
0-7	0.0
8-15	0.4
16-23	0.8
24-31	1.2
32-39	1.6
40-47	2.0
48-55	2.4
56-63	2.8
64-71	3.2
72-79	3.6
80	3.7

Sick Leave Table for Exempt Employees

Time in Pay Status Per Pay Period	Hours Earned Per Pay Period
0	0.0
>0	3.7

If you plan on making state service a career, you may be paid for a portion of your accumulated sick leave when you retire if you have met the following conditions:

Sick Leave Payments at Retirement

Years of Service	Sick Leave Hours Accumulated	Sick Leave Days Accumulated	Hours/Days Paid at Retirement
8	800 hours or more	100 - <125 Days	240 hours/30 days
15	1,000 – 1,199 hours	125 - <150 Days	360 hours/45 days
25	1,200 hours or more	150 days or more	480 hours/60 days

Vacation Leave

Vacation Leave accrues each payroll period and is available to use with no waiting period. An eligible employee who works full time begins accruing annual leave at 3.7 hours per biweekly pay period. If you are not in pay status for the entire payroll period, both sick and annual leave is credited on a pro-rated basis.

Vacation Leave Table for Non-Exempt Employees Hours Earned Per Pay Period Based on Length of Service

Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less than 10 Years	10 Years & Less than 15 Years	15 Years & Over
0.7	0.0	0.0	0.0	0.0
8-15	0.4	0.5	0.6	0.7
16-23	0.8	1.0	1.2	1.4
24-31	1.2	1.5	1.8	2.1
32-39	1.6	2.0	2.4	2.8
40-47	2.0	2.5		3.5
48-55	2.4	3.0	3.6	4.2
56-63	2.8	3.5	4.2	4.9
64-71	3.2	4.0	4.8	5.6
72-79	3.6	4.5	5.4	6.3
80	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

Vacation Leave Table for Exempt Employees Hours Earned Per Pay Period Based on Length of Service

Time in Pay Status/Pay Period	Less than 5 Years	5 Years & less than 10 Years	10 Years & less than 15 Years	15 Years & Over
0	0.0	0.00	0.00	0.00
>0	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

Maximum Vacation Leave Accumulation Limits

Length of Service	Maximum Accumulation
Less than 5 Years	144 Hours
5 years & less than 10 years	176 Hours
10 years & less than 15 years	208 Hours
15 years & Over	240 Hours

At the end of each fiscal year, if an employees annual leave balance is more than the maximum hours limit, the first 40 hours of overage will be converted to sick leave. Any hours above the 40 hours of overage will be lost. When leaving state service, employees

shall be paid for unused vacation leave, not to exceed the maximum allowable accumulation, at the same time they are paid for their last day at work.

Shared Leave

The State of Kansas Shared Leave Program is a means for current state employees to transfer vacation and/or sick leave to a qualifying employee experiencing a qualifying serious, extreme, or life threatening illness, injury, impairment, or physical or mental condition either personally or by a relative or household member. The program provides some income protection for employees who cannot perform regular work duties and have exhausted all forms of paid leave. An employee must have at least six months of continuous service and a satisfactory attendance record to apply for shared leave. The maximum number of hours of shared leave that may be used by an employee shall be the total hours that the employee would regularly be scheduled to work during a six-month period. To receive shared leave, you must complete a Shared Leave Request Form that includes an attending physician's statement. The request goes before the State Shared Leave Review Committee which determines whether the circumstances meet the eligibility requirements. Employees may make shared leave donations to employees approved to receive shared leave towards employees at KDA or any other state agency. Donations must be made in full hour increments. The employee must have at least 80 hours of annual leave and/or 480 hours of sick leave after the donation is made.

Holidays

The following days are established as legal holidays for state employees:

• New Year's Day	January 1
• Martin Luther King Day	Third Monday of January
• Memorial Day	Last Monday of May
• Independence Day	July 4
• Labor Day	First Monday of September
• Veteran's Day	November 11th
• Thanksgiving Day	Fourth Thursday & Friday of November
• Christmas Day	December 25

When a holiday falls on a Saturday, it is observed on the preceding Friday. When it occurs on a Sunday, it is observed on the following Monday. From year to year and governor to governor, the established list of holidays remains consistent by also including the Friday after Thanksgiving and by authorizing a "discretionary holiday". If you are a non-exempt employee and are required to work on a holiday, you are entitled to holiday compensatory time credit for the hours worked at 1-1/2 hour's credit for each hour worked. Employees should have pre-approval from their supervisors before working on a holiday. Exempt employees may be entitled to holiday compensation if they are required by their supervisor to work on a holiday. They will receive holiday compensatory time credit for the hours worked at 1-1/2 hour's credit for each hour worked. It must be used in 4 hour increments. For employees working non-standard work schedules, (four 9-hour days and one 4-hour day, etc.) our agencies policy is to switch employees back to a standard 8 hour per day, 5 day per week, work schedule during the week of a holiday to avoid issues with varying hours of holiday credit.

Discretionary Holiday

After six months of continuous service, an eligible employee accrues a discretionary holiday (D-day) which may be used on any normal work day during a calendar year. The D-day must be taken all on the same day and cannot be divided among different days. Because of the SHARP payroll periods, the cutoff date to use it by will change each year, but that date will be communicated to employees by the human resource office.

Funeral Leave

Funeral leave accommodates you and your family providing up to six days of paid leave upon the death of a person related to the employee by blood, marriage or adoption. The amount of time granted for funeral leave will be based on consideration of the employee's relationship to the deceased and necessary travel time. In the case of a death of a current KDA employee, the secretary or his/her designee may grant employees funeral leave to attend the service.

Military Leave

Military leave may be granted under a number of circumstances. Most frequently, it is utilized by an employee in a regular position who is a member of a reserve component of the military service of the United States. The employee shall be granted a maximum of 15 working days of military leave with pay for active duty within each 12-month period beginning October 1 and ending September 30 of the following year for those employees who participate in annual **active** duty for training as National Guard or Reserve component members. Under these circumstances, up to 12 days per year may be granted with pay. All military leave requests should be submitted in writing through your supervisor along with a copy of the appropriate military order. There are many provisions pertaining to an employee's status under this type of leave. Should military leave be taken under these circumstances, an employee should meet with their agency human resource office and receive a full briefing on benefits and other conditions of employment.

Jury Duty

An employee may be granted leave with pay for jury duty and certain other civic responsibilities in the best interest of the state which include: complying with a subpoena to serve as a witness before the Civil Service Board, Kansas Commission on Human Rights, the United States Equal Employment Opportunity Commission, or a court. This leave **does not** apply to circumstances where the employee is being called as a witness on his/her own behalf in an action in which they are a party. Requests for jury duty should be submitted in writing to your supervisor along with a copy of the appropriate documentation or your requirement to serve or appear.

Travel Time

If your position is exempt under FLSA, your salary covers all hours spent traveling on state business. If your position is non-exempt, the compensability of the time you spend traveling on state business depends on the kind of travel involved. For example, one day special assignments (training) would allow non-exempt employees to be compensated for all hours spent traveling to and from the special assignment, less the meal period. In the case of overnight travel, only those hours that cut across a non-exempt employee's regular work hours would be compensable, less the meal period. Other hours can be counted only if actual work is performed. Reimbursements for travel expenses shall be requested on-line though the SMART system The required documentation shall be provided by you and then submitted to your program manager for final approval.

Family Medical Leave Act (FMLA)

Federal law enacted in 1993 provides that employees who have been employed for at least 12 months, have been employed in a position that requires at least 1,000 hours per year, and have worked for the state 1,000 hours in the 12 months preceding the beginning of leave, are entitled to use 12 work weeks (480 hours) of leave during a 12 month period from the first day leave was taken for qualifying circumstances. Qualifying circumstances include:

1) the birth of a child or placement of a child with you for adoption or foster care
   and care of the child upon birth or placement in your home;
2) caring for a family member with a serious health condition; or
3) your own serious health condition that makes you unable to perform the functions of your position.

The Human Resources Office will provide the necessary paperwork to request family medical leave should an employee be off work due to any of the above circumstances. The 12-week entitlement will be counted from the date you are off from work due to the medical condition and can include paid or unpaid time. If you get into a leave without pay status during the course of your absence, health insurance benefits will be continued on the same basis as coverage would have been provided if you had been continuously employed. The employee will be responsible for paying their portion of the premium directly to the agency during that time.

Donor Leave

Under the Kansas State Donor Program, all classified and unclassified benefits eligible employees may receive paid leave in accordance with the following criteria:

a) Employees may receive up to 30 days of paid leave for recovery from an organ or tissue donation procedure.
b) Employees may receive up to 7 working days of paid leave upon donation of bone marrow.
c) Employees may receive 1.5 hours of paid leave every 4 months for the donation of blood.

d) Employees may receive 3 hours of paid leave every 4 months for the donation of blood platelets or other approved blood products.

Donor leave does not count as time worked for FLSA purposes. All Donor Leave will be paid at the regular rate, and will be paid for leave taken during regularly scheduled work hours. Donor leave only applies to active employees, and may not be used to care for family members who are donors. Verification of the donation may be requested.

Inclement Weather Leave

In the event of a Declaration of Inclement Weather, state government will close for nonessential employees during the declared period in the specified county or counties. Employees who are benefits-eligible and are nonessential shall be placed on Inclement Weather Leave. The purpose of closing non-essential services is to provide for the safety of highway travel by allowing for the efficient and effective clearing of roads, and to facilitate law enforcement and emergency vehicle responsiveness to accidents. (Appendix E- KDA Inclement Weather Policy)

Leave Without Pay

The appointing authority shall determine whether approval of each request for leave without pay is for the good of the service, and shall approve or disapprove the request. The appointing authority may require use of accumulated vacation leave and accumulated sick leave before approval of leave without pay. When the leave without pay exceeds 30 days, you are also responsible for the employer's contribution for payment of health insurance premiums unless the leave is designated for FMLA purposes. Contact the KDA human resources office for more information. Any employee, temporary or permanent, on leave without pay on the day immediately preceding or following a designated holiday will not be paid for that holiday. Leave time accumulations for vacation and sick leave does not accrue when an employee is on leave without pay for an extended time. There are additional requirements that must be met, criteria that should be considered and expectations upon return to work that should be considered carefully. For more information regarding the rules and consequences of taking leave without pay, contact the agency human resource office.

Lunch Breaks

Employees must take a lunch period of at least 30 minutes. The lunch break should be taken within the middle four hours of an employee's shift whenever possible.

Breaks

Work breaks are not required by law or regulation, but are good business practice. KDA employees are entitled to one 15 minute break during each 4-hour work period. Breaks can not be combined, broken up into smaller breaks, banked from day to day, used to extend the lunch break, or be taken at the start or end of a shift.

Miscellaneous Information

Orientation

The KDA Human Resources Office generally presents orientation to all new employees within the first week of employment. Information provided in the orientation includes:

- State and KDA organization
- Descriptions of the various programs within KDA
- Performance Management System
- KDA personnel policies and procedures
- Benefits

Agency Forms

Purchase requests, letterhead, memo, and fax cover sheets are available on the server on the "H" Drive in the "forms" folder either in Microsoft or Corel format. The KDA logo is important to promote a professional image. Any changes must be approved by the Public Information Officer and the KDA front office.

Bulletin Boards

You can find important information about the department and your employment posted in the glass case located on the 4th floor of the Mills Building. This is also the place where we post important information regarding your legal rights, including information about equal employment opportunity laws and wage and hour laws. Employees should periodically read the information on the bulletin board. This information should also be available at our offices located outside of the Mills Building. Because this bulletin board is our way of communicating with employees, we do not allow anyone but managers and human resources to post information there. If you would like to communicate non-business related information to your coworkers, consider using the bulletin board's located on each floor of the Mills Building, usually in the employee break area. Offices outside the Mills Building should also have a non-business related bulletin board available for those employees that work there.

Accessing and Updating Personnel Records

You are one of the few people who have access to your personnel file. If you wish to review your file or photocopy any of your records, the HR staff or your supervisor can assist you. Most employees face many changes in their personal lives during their career. Some may be as simple as a change of address or telephone number. Others may be more involved, such as birth, adoption, marriage, or divorce. Always notify Human Resources of changes in your personal situation.

Employee Organizations

In 1972, the Kansas Employee Public Employer-Employee Relations Act was passed by the Legislature to promote improvement of employee-employer relations in the public agencies of the state. This law recognizes the right of public employees to join or refrain

from joining such organizations. There are several employee organizations for State employees including KOSE, KAPE, and SEAK. You may contact the organization directly for more information.

Infants-at-Work Program

KDA employees are permitted to bring their infants to work with them until they reach six months of age subject to the KDA Infants-at-Work Program. (Appendix F- KDA Infants-at-Work Policy)

Inventory

Office furniture and equipment are the property of KDA. All property is recorded by division and individual employee. Employees are responsible for advising fiscal staff when furniture or equipment is moved from their area, and IRT when the equipment involves automation or telecommunication equipment (computers, laptops, phones, etc.) The state conducts random audits of inventory on an annual basis.

Dress

Dress will vary in the agency depending on the type or work being done. What ever the dress in your work unit is, you are expected to dress in a manner that will be safe during the performance of work and will not cause an undue disruption to the workplace. The Dress Code Policy is in the appendix of this handbook.

Parking

If you work in the Capitol Complex, parking is available in the state parking lots at no charge. There is a waiting period to get into the parking lots in the Capital Complex, so it is important to get on a waiting list as soon as possible. The Division of Facilities phone number is 296-5191, and they can also provide information on alternatives to parking in the state lots such as the city and privately owned lots.

Smoking

Smoking is not permitted in any of the buildings occupied by KDA. Smoking is permitted only in designated outside areas.

Staff Relations

Equal Treatment: As coworkers, we are to treat each other equally, regardless of sex, age, race, ethnic background, political beliefs, religious affiliation, disability, or employment status. We should avoid an activity of language that could be construed as discriminatory based on any of the above factors. Language, jokes, written communication, gestures, or other means that slander or cause discomfort to a coworker is unacceptable. This includes, but is not limited to, racial or ethnic slurs, sexual harassment, jokes or slurs based on a person's religious affiliation or other language or communication which coworkers may find offensive.

Personal Consideration: Each of us has the right to expect the protection of out personal privacy and the confidentiality of our work projects. We should guard against accidental disclosure of information that could personally affect another employee, or which another employee would rather keep confidential. Gossip, careless handling of written information, or other inconsiderate disclosure of information about a coworker is not acceptable. No employee should attempt to use to personal advantage any confidential or sensitive information concerning a coworker. No employee should disclose, or allow to be disclosed by action or inaction, confidential or sensitive information which could harm a coworker if made public or which the coworker would rather keep private.

Employee Information Changes

Employees are responsible for notifying our Personnel Officer and your supervisor in writing of any changes in name, address, marital status, emergency information, or any other pertinent information that could impact your ability to receive information, benefits, paychecks or other important messages from this office.

Telecommunications

Telephones:

Proper Use: KDA telephones are for state business. Keep business calls to a reasonable length and personal calls to a minimum. Whenever possible, use conference calling to eliminate or reduce the need to travel to offices outside the Topeka area. For more information on conference calling, contact IRT at 296-7770

Etiquette: The impression you make is important-you may be the first contact for the caller or you may be at end of a series of transfers.

Long-Distance Calls: All business related long-distance calls are to be placed on the KANS-A-N system. KANS-A-N is a leased, private-line, long-distance telephone system. It provides intrastate, interstate, and international service for all ON-NET stations 24 hours a day, 7 days a week. For business related long-distance calls from a state telephone, press #8 and then the area code and the regular telephone number (do not press "1" first). To access an outside line for local calls, press "9". Employees are not to make personal long distance calls or accept collect calls.

E-mail and Internet:

Electronic mail is provided as a vehicle for communication between state employees. The internet enables employees to access information from outside sources. These resources are to be used for official business purposes. Any personal use of these technologies must be short in duration and must not disturb work responsibilities or adversely affect the productivity of the employee. The nature of these electronic resources is such that employees must have no expectation to privacy. Electronic mail and internet use is monitored by Information Resources at KDA. This monitoring is necessary to ensure that state resources are not used inappropriately.

Inappropriate use of electronic resources includes:

- Accessing or distributing obscene, pornographic, or sexually explicit material
- Distribution of e-mail that is discourteous or in bad taste
- Distribution of electronic mail that is offensive or insulting in nature including, but not limited to, information that is related to race, color, sex, religion, national origin, ancestry, age, and/or disability

Violations may result in disciplinary action including termination of employment. Additional information on IRT polices and procedures can be found in the IRT Security Guide.

Identification Cards

All KDA employees will be required to obtain a state identification card. This card is used for security and identification purposes, as well as providing proof that you are a state employee at the participating STAR program merchants.

Travel Reimbursement

If you travel on state business you are expected to understand and follow the applicable laws and regulations. You are also expected to be aware of the information in the Employee Travel Expense Reimbursement Handbook. Each program has a copy of the handbook, and it is also available on the web at http://da.state.ks.us/ar/employee/travel/ KDA specific travel policies are included in the appendix section of the handbook.

Vehicles, Operating on State Business

KDA employees must have a valid driver's license to operate a state-owned or leased vehicle or personal vehicle (while on state business). Traffic violations convictions which impact the employee's ability in having a valid driver's license (suspension of license, restriction of license, etc.) must be reported to their immediate supervisor. Willful damage or abuse of state vehicles, willful endangerment of lives and/or property, improper use of state property, and being under the influence of alcohol or drugs while operating a state vehicle is grounds for dismissal, demotion, or termination. All KDA employees operating or riding in a state-owned or leased vehicle or personal vehicles (while on state business) shall have the seat belts properly fastened while the vehicle is in motion. Any collision, traffic citations, or other incident involving a state or leased vehicle shall be reported, by the employee involved, to the program manager within two working days of the occurrence, with a description of the incident. Failure to make this report may be cause for disciplinary action for the employee involved. KDA specific vehicle policies are included in the appendix section of the handbook.

Training and Career Development

The Department of Agriculture recognizes that technical and professional skills achieved through further education are essential to the productivity and quality of the employee's work. When agency funds are available, employees are encouraged to avail themselves of this opportunity. (Appendix G- KDA Employee Tuition Assistance)

Employee Award and Recognition Program

The Kansas Department of Agriculture's mission is to administer the laws and programs assigned to the department for the benefit of the people of Kansas. KDA has designed an award and recognition program to fairly and equitably recognize employee contributions to meeting the objectives of the department and state government through excellence in performance and service. The department has the following different programs to recognize employee contributions:

- Employee of the Quarter- Employees may nominate a fellow employee in one of two areas; either the employee has made an achievement that is significant in scope, effort, or impact on department operations or service to our customers, or, an employee has gone far above the customer service level expected in the execution of his or her duties which reflects positively on the department or the state. Up to two of these awards will be given out each quarter. The selected employee(s) will be recognized at an award ceremony, and he or she will receive a $25 gift certificate to an area business where the employee resides.

- Length of Service Awards-As has been done in the past, service pins will be presented to employees reaching 10, 20, and 30 years of service. They also will be mentioned in the department newsletter. Employees reaching 40 or 50 years of service will receive a service pin and be recognized in a ceremony with the Governor. KDA will recognize length of service at five-year intervals (5 years, 15 years, 25 years, etc.) by mentioning the employee in the department newsletter.

- Retirement Award-The department will provide all retiring employees a memento that honors the years of dedicated service to the department and a letter from the secretary. It will be presented by the secretary or his or her designee whenever possible. Individual programs may also provide something to the employee.

Program guidelines and nominations forms are included in the appendix of this handbook.

STAR Program

To express appreciation to the valued service that employees of state government provide, the Division of Personnel along with other state agencies, developed a State Employee Discount Program. The State Thanks and Recognition (STAR) project is an employee discount program designed to provide state employees with the opportunity to take advantage of their employment status by receiving discounts on goods and services. The STAR project will showcase discounts and local deals that are available to all state employees (possible limitations or restrictions may be applied). These discounts may be used solely at the discretion of each employee. Some of these state employee discounts will be neighborhood area markdowns from "Mom and Pop" shops while others will apply statewide and be from national firms. It is our intention to have a dynamic website

that is updated when new discounts become available or changes to existing discounts or vendors occur. Employees can quickly find the services they want from the providers by searching by city, county or industry at the following website: http://da.state.ks.us/star/

ICS 700 /Homeland Security Training

All new employees are required to complete the National Incident Management System training. Supervisory positions will be required to complete the ICS 100 & 200.

How to take the course & receive certificate:

Training may be completed online at http://emilms.fema.gov/IS700CM/index.html
Study the course material, click on each of the modules; there are eight lessons to complete.

After reviewing course contents, complete the final exam online and submit your answers. The last lesson of the course contains a link to the final exam questions and the online answer sheet. You will be notified by email from Independent Study Program Office. Be sure to provide a valid email address on the online answer sheet in order to receive your pass or fail status confirmation.

Kansas Department of Agriculture-Human Resource Office Staff

Dennis Peerenboom	Human Resource Director	(785) 296-2621

Who to Contact

KDA Policies, KPERS, Payroll, EEO Coordinator, Employee Relations	Dennis Peerenboom
Recruitment, KPERS, Employee Relations, Performance Appraisals, Position Descriptions, Direct Deposit, Life Insurance Benefits, Wellness Coordinator, Leave Balances, Time and Leave	

The Kansas Department of Agriculture Human Resources Office is located on the 4th floor of the Mills Building at 109 SW 9th, Topeka, KS 66612. Throughout the course of your employment with KDA, the human resource office will serve as a resource regarding all aspects of your employment.

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APPENDIX A

POLICY ON SEXUAL HARASSMENT

Pursuant to Executive Order 03-13 Concerning Sexual Harassment and the guidelines on sex discrimination issued by the Equal Employment Opportunity Commission, the Department of Agriculture endorses the following policy.

1. Sexual harassment is unlawful and contrary to the equal employment opportunity policy of the Department of Agriculture. Unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

2. Any employee who believes he or she has been the subject of sexual harassment should report the alleged act immediately to his or her supervisor, director, the EEO Coordinator of the department of the Personnel Office. An investigation of all complaints will be conducted immediately. Any employee who has been found to have sexually harassed another employee will be subject to appropriate disciplinary actions.

The Department of Agriculture trusts that all employees will conduct themselves in a manner that is supportive of a working environment free of discrimination in any form. The Department of Agriculture encourages any employee to raise questions he or she may have regarding discrimination or affirmative action with the department's EEO Coordinator or Personnel Office, (913)296-4171.

_____
Adrian J. Polansky
Secretary of Agriculture

_____
Date

APPENDIX B

EQUAL EMPLOYMENT OPPORTUNITY

POLICY STATEMENT

As secretary for the Department of Agriculture, I wish to hereby reaffirm my commitment to and support for ensuring that all individuals who have the necessary qualifications receive an equal opportunity to compete for employment and advancement within the Department of Agriculture. All employment transactions shall be made on the basis of an individual's qualifications without regard to race, color, religion, national origin, ancestry, age, disability status, sex, (except where required by bona fide occupational qualifications), or political affiliation. This reaffirmation extends to all terms, conditions and privileges of employment.

It is the responsibility of every supervisor and manager to promote and enforce this policy within their sections. All management personnel shall support recruitment and career development plans which ensure equitable representation of minorities, women, and persons with disabilities in all job categories. Further, management personnel shall maintain all affirmative action records on file for three years.

All management personnel shall endeavor to create and promote a work environment that is free of unwelcome sexual advances, sexually harassing language, unwanted sexually suggestive remarks, or any other sexually harassing action. Similarly, employees are encouraged to develop respectful and harmonious relationships with their fellow employees.

As a public employer, each supervisor and manager in the Department of Agriculture has the duty and responsibility to adhere to the letter and spirit of the law in achieving this agency's affirmative action goals and shall encourage all subordinate staff to support the achievement of these goals. Such goals do not imply preferential treatment or lower standards and should not be interpreted as imposed quotas. Rather, they are a reflection of the Department of Agriculture's commitment to improve the representation of minorities, women and individuals with disabilities in its workforce.

Dennis Peerenboom, Human Resource Manager, has been designated as the EEO Coordinator for the Department of Agriculture. The Agency EEO Coordinator can be reached at the Mills Building, 4th Floor, 109 SW 9th St., Topeka, KS 66612 (785)296-2621.

_____
Adrian J. Polansky
Secretary of Agriculture

_____
Date

APPENDIX C

AMERICANS WITH DISABILITIES ACT (ADA)

POLICY STATEMENT

The Americans with Disabilities Act of 1990 (ADA) is a federal anti-discrimination statute designed to remove barriers which prevent qualified individuals with disabilities from enjoying the same employment opportunities that are available to persons without disabilities. The Kansas Act Against Discrimination, as amended, is a state statute offering similar protection. The Department of Agriculture is committed to ensuring that persons with disabilities are included in all aspects of employment. All managers, supervisors and employees are hereby directed to comply with the following policies:

1. **Discrimination Prohibited:** People with disabilities who are otherwise qualified may not be discriminated against in any areas of employment including, but not limited to, job application and compensation procedures, fringe benefits available by virtue of employment and activities sponsored by this agency.

2. **Limiting, Segregating and Classifying:** Persons with disabilities shall not be limited, segregated, or classified in a way that adversely affects their employment opportunities or status.

3. **Contractual or Other Arrangements:** The Department of Agriculture will not participate in a contractual or arrangement relationship which would subject qualified applicants or employees with disabilities to the discrimination prohibited by the **ADA**.

4. **Reasonable Accommodation:** The Dept of Agriculture will make reasonable accommodation to known physical or mental limitations of an otherwise qualified applicant or employee with a disability unless it can be demonstrated that the accommodation would impose an undue burden. After a qualified individual requests reasonable accommodation, The Dept of Agriculture will make every reasonable effort to determine and provide the appropriate accommodation.

5. **Retaliation and Coercion:** The Dept of Agriculture will not coerce, intimidate, threaten, harass or interfere with any individual exercising or enjoying his/her rights under the Title I of **ADA** or because that individual aided or encouraged any other individual in the exercise of rights granted or protected by Title I of **ADA**.

6. **Employees** may bring the complaints to the attention of their supervisor, or if the complaint involves supervisory personnel in the employee's line of command, to the personnel manager or EEO Coordinator in this agency.

The Dept of Agriculture will be forthright in all efforts to ensure that individuals with disabilities do not encounter discrimination including outright intentional exclusion; discrimination effects or architectural, attitudinal or communication barriers. The policy of the Dept of Agriculture will be to maximize the full inclusion and integration of people with disabilities in employment.

The Agency ADA Coordinator, Dennis Peerenboom, can be reached at the Mills Bldg., 4th Floor, 109 SW 9th St., Topeka, KS 66612, (785)296-2621.

_____

Adrian J. Polansky, Secretary of Agriculture

Date:_____

APPENDIX D

DEPARTMENT OF AGRICULTURE GRIEVANCE PROCEDURE

APPLICABILITY:

The Department of Agriculture Grievance Procedure shall be posted on all the Department's official bulletin boards and shall be available for use by all Department of Agriculture employees. The availability of this grievance procedure shall not be interpreted as granting any additional rights under the Kansas Civil Service Act, and any amendments thereto.

Copies of the Grievance Procedure shall be made available upon request to any Department employee, along with the standard form for processing grievances by Division or Office Directors.

Employees who lodge a grievance are to be free from restraint, coercion, discrimination, or reprisal. Complainants are assured the maximum possible anonymity. The filing of a grievance shall in no way reflect on an employee's good standing with the Department. If any employee believes he or she is being subjected to one of the above actions, a separate grievance shall be filed directly with the Secretary of the Department of Agriculture. Wherever this grievance procedure provides for any grievance to be taken to the Secretary of Agriculture, the Secretary may rule directly on the matter, or may appoint one or more persons as a hearing panel to gather pertinent statements and information and make recommendations to the Secretary.

DEFINITION:

A grievance shall be defined as a statement of dissatisfaction over any condition of work which allegedly has an adverse effect on the employee.

A grievance shall <u>not</u> include matters involving demotion, suspension, or dismissal of a permanent employee; employee evaluations, or any other subject for which a method of settlement or an appeal procedure is established under appropriate Kansas Statutes or Regulations.

Grievances shall be redressed by the process outlined in "Grievance Procedure A". However, a separate procedure <u>may</u> be followed for a grievance alleging discrimination on the basis of race, color, ancestry, national origin, age, sex, sexual harassment, handicap, or political affiliation. This process is outlined in "Grievance Procedure B". In addition to the right to file a grievance under this procedure all employees have the right to file civil rights complaints with appropriate enforcement agencies.

GENERAL PROVISIONS:

An aggrieved employee must represent himself or herself at all steps of the grievance procedure. Another person employed within the Department of Agriculture may be selected by the aggrieved employee to assist him or her at each step of the procedure at the aggrieved employee's discretion, provided that the selected employee agrees to assist. The grievant and the selected employee will be allowed time off during working hours to meet with the supervisor, director or other person designated to respond at the applicable step of the procedure so long as such absence does not create undue hardship upon completion of work in his or her work unit.

Meetings held at each step of the Grievance Procedure shall, wherever possible, take place during regular working hours. When unusual circumstances require meetings outside regular working hours, they shall be mutually agreed upon in writing, and time spent on such meetings or time spent outside regular office hours on other work on the grievance, shall not be considered as time on duty for pay purposes.

Failure of the Department of Agriculture to reply to the employee's grievance within the time limits specified, grants the employee the opportunity to take the grievance to the next step. If an employee fails to appeal from one step to the next step within the time limits specified, the grievance shall be considered settled on the basis of the Department's last decision, and the grievance will not be subject to further appeal or consideration.

In the event an immediate supervisor or his or her supervisor is not available to process a grievance, a designee shall be appointed to serve in his or her place.

At any step in the grievance procedure, if either party (the employee on the one hand, the immediate supervisor or his or her supervisor on the other hand) believes that an extension of the time limit for action is required, the party may request of the Division or Office Director an extension of the time limit.

Employees covered by an approved Memorandum of Agreement that includes a grievance procedure, may elect, at the time when a grievance is first filed, to be covered by either the Department or the Memorandum of Agreement's provisions. This decision cannot be changed at a later time.

GRIEVANCE PROCEDURE A:

Step 1: Any employee of the Department of Agriculture who believes that he or she has a grievance shall take up the matter orally with his or her immediate supervisor within five (5) working days of its occurrence. The immediate supervisor shall provide an opportunity for full discussion of the grievance with the aggrieved employee. The immediate supervisor shall then attempt to adjust the matter and shall respond orally to the employee within five (5) working days of the date on which the aggrieved employee first brought the grievance to his or her attention.

Step 2: If the response of the immediate supervisor in Step 1 is unsatisfactory to the employee and does not settle the issue, the aggrieved employee may complete a standard grievance form furnished by the Department of Agriculture Personnel Office, and present the completed and signed form to his or her supervisor's supervisor within five (5) working days after the date on which his or her immediate supervisor's response was due. This higher level supervisor shall provide opportunity for discussion and review, and shall respond in writing on the standard form within five (5) working days after receipt of the standard grievance form from the aggrieved employee.

> Note: In situations involving a particular grievance where there is no Step 2 supervisory level in the employee's Division or Office, the grievance procedure will proceed from Step 1 to Step 3. In such a case, the employee may appeal to the Step 3 level within five (5) days of the immediate supervisor's Step 1 response.

Step 3: If the response in Step 2 is unsatisfactory to the employee and does not settle the issue, the aggrieved employee may appeal by sending a copy of the completed standard grievance form to the Director of his or her Division or Office within five (5) working days of the date the Step 2 response was due. The Director of the Division or Office shall investigate the matter and shall then meet with the employee and whatever levels of the employee's supervision the Director deems appropriate. The Director shall use any means at his or her disposal to satisfactorily settle the grievance. If settlement is not possible, the Director shall respond in writing on the standard grievance form within ten (10) days of the date on which the Director received the grievance.

Final Decision: Grievances which have not been resolved in Step 3 may be appealed to the Secretary of Agriculture by sending a copy of the completed standard grievance

form within five (5) working days after the response of the Director.

The Secretary of Agriculture will take such actions as deemed necessary and decide the matter. This decision shall be transmitted in writing to the aggrieved employee, his or her immediate supervisor, and the Division or Office Director within ten (10) working days from the date the grievance was brought to the Secretary of Agriculture. This decision shall be final and not subject to further appeal unless further appeal is provided by Kansas Statute or Regulation. (This sentence does not abridge rights to file complaints with appropriate civil rights enforcement agencies.)

Note: In circumstances where there are fewer supervisory levels than provided in the grievance procedure, Step 1 will always be followed, and the immediate supervisor will again be involved in following requirements of Step 3.

GRIEVANCE PROCEDURE B:

Step 1: Any employee of the Department of Agriculture who believes that he or she has a grievance involving discrimination on the basis of race, color, ancestry, national origin, age, sex, sexual harassment, handicap, or political or religious affiliation may take up the matter orally with the Personnel Officer for the Department of Agriculture Personnel Office within five (5) working days of its occurrence. The Personnel Officer shall provide an opportunity for full discussion of the grievance with the aggrieved employee. The Personnel Officer shall then attempt to adjust the matter by working with the employee's division or office director and shall respond orally to the employee with ten (10) working days of the date on which the aggrieved employee first brought the grievance to his or her attention.

Final Decision: If the response of the Personnel Officer in Step 1 is unsatisfactory to the employee and does not settle the issue, the aggrieved employee may complete a standard grievance form furnished by the Department of Agriculture Personnel Office, and send a completed and signed form to the Secretary of Agriculture within five (5) working days after the response from the Personnel Officer.

The Secretary of Agriculture will make a determination and take such actions as deemed necessary and decide the matter. This decision shall be transmitted in writing to the aggrieved employee, the Division or Office Director, and the Personnel Officer within ten (10) working days from the date the grievance was brought to the Secretary of

Agriculture. This decision shall be final and not subject to further appeal unless further appeal is provided by Kansas Statute or Regulation. (This sentence does not abridge rights to file complaints with appropriate civil rights enforcement agencies.)

RESPONSIBILITY: Division or Office Directors are responsible for proper administration of the Department's Grievance Procedure A as it pertains to employees in their respective Divisions and Offices. They are also responsible for recommending improvements in the procedure to the Secretary of the Department of Agriculture. The Personnel Officer of the Department of Agriculture Personnel Office is responsible for proper administration of the Department's Grievance Procedure B. The Department of Agriculture Personnel Office and the agency EEO Coordinator will be responsible for training supervisors and Division and Office Directors in proper administration of the Grievance Procedure.

Each Director is responsible for filing an annual report, for the past fiscal year, on the number and subjects of grievances and the level at which they were resolved within Grievance Procedure A. The Personnel Officer of the Department of Agriculture Personnel Office is responsible for the same on Grievance Procedure B. One copy of the report is to be filed with the Director of the Division of Personnel Services and one copy is to be maintained for three years in the agency's affirmative action file.

APPROVED:

_____ _____

Adrian Polansky Date
Secretary of Agriculture

DEPARTMENT OF AGRICULTURE
GRIEVANCE FORM
(Procedure A)

Grievance No._____

This form is to be used after the employee has orally taken up the grievance with the immediate supervisor, has had an opportunity for full discussion of the grievance, and has found the supervisor's response to be unsatisfactory at the First Step.

Employee's Statement: The following grievance occurred on_____and was presented to immediate supervisor on_____. I am not satisfied with the answer received on_____and therefore request the grievance be appeared to Step Two of the grievance procedure:

Grievance:

Requested Remedy:

_____

Employee's Signature Classification

_____

Division Phone Number Date

_____

Step Two

Supervisor's Supervisor: The above grievance was received by me on_____ which was within/not within the five day limit and my response is as follows:

_____

Supervisor's Supervisor Signature Date

( ) I am satisfied with this response and consider grievance to be settled.
( ) I am not satisfied with response and request an appeal to Step Three because:

Step Three

Director's Response: The above grievance was received by me on_____which was within/not within the five day limit and my response is as follows:

_____

Director's Signature Date

( ) I am satisfied with this response and consider grievance to be settled.
( ) I am not satisfied with response and request an appeal to Secretary of Agriculture because:

_____

Employee's Signature Date

Final Decision

Secretary of Agriculture's Response: The above grievance was received by me on_____ which was within/not within the five day limit and my decision is as follows:

_____

Secretary's Signature Date

Distribution: Grievant Division Director
Immediate Supervisor Secretary of Agriculture
Supervisor's Supervisor Personnel Officer

DEPARTMENT OF AGRICULTURE
GRIEVANCE FORM
(Procedure B)

This form is to be used after the employee has orally taken up the grievance involving discrimination or sexual harassment with the Department of Agriculture Personnel Officer, has had an opportunity for full discussion of the grievance, and has found the Personnel Officer's response to be unsatisfactory at the first step.

Employee's Statement: The following grievance occurred on _____and was presented to the Department of Agriculture's Personnel Officer on_____. I am not satisfied with the answer received on and therefore request an appeal to the Secretary of Agriculture.

Grievance:

Requested Remedy:

_____

Employee's Signature Classification

_____

Division Phone Number Date

DEPARTMENT OF AGRICULTURE GRIEVANCE FORM - Procedure B
Page 2

Final Decision

Secretary of Agriculture's Response: The above grievance was received by me on _____ which was within/not within the five day limit and my decision is as follows:

_____
Secretary's Signature Date

Distribution: Grievant Division Director
Immediate Supervisor Secretary of Agriculture
Supervisor's Supervisor Personnel Officer

APPENDIX E

KDA INCLEMENT WEATHER POLICY

December 2004

In conjunction with the Inclement Weather Policy dated December 2001 for all agencies of the Executive Branch, the Kansas Department of Agriculture will implement the following policy for our specific agency. This will allow us to balance the concern for the safety of lives and property with that of providing essential services to the citizens of Kansas.

DECLARATION OF INCLEMENT WEATHER

1. In the event of inclement weather in Shawnee County, only the Governor or his designee has the sole authority to issue a Declaration of Inclement Weather. This will be communicated to state employees via the local news media.

2. For agency offices located outside Shawnee count, the Secretary of Agriculture or their designee may issue the Declaration of Inclement Weather. The Secretary or their designee will utilize available media reports or make contact with the Highway Patrol to assess weather and road conditions before making the Declaration of Inclement Weather. This requires prior notification to the Governor's office.

3. Notification to employees will me made via the most practical means (telephone, e-mail, etc.), and will include beginning and ending times.

4. There is a possibility that not all parts of the state may not fall under the Declaration of Inclement Weather, and we may have employees carrying out the day-to-day activities of the department, who may possibly need access to supervisors for guidance. For the purpose of this policy, the Secretary of Agriculture, Deputy Secretary of Agriculture, and all program managers will be considered "essential employees". In addition, the following employees within each KDA department program will also be considered "essential employees":

Pesticide and Fertilizer	Field Staff Supervisor
Division of Water Resources	Topeka Field Office Water Commissioner Stafford Field Office Water Commissioner Stockton Field Office Water Commissioner Garden City Field Office Water Commissioner

Meat and Poultry	Veterinary Supervisors
Weights and Measures	Field Staff Supervisors
ACAP	Field Staff Supervisor
Grain Warehouse	Field Staff Supervisor

Plans will need to be implemented within each program so that each essential employee not at their office phone number or computer can be reached in some manner (home phone, cell phone, e-mail) if the need arises from program employees.

If you have any questions concerning this policy, please contact the Secretary or the Human Resource Director.

APPENDIX F

KANSAS DEPARTMENT OF AGRICULTURE

SUBJECT: **Infant-at-Work Program**

EFFECTIVE DATE: April 1, 2004

APPROVED: _____
Adrian J. Polansky, Secretary of Agriculture

PROGRAM GUIDELINES

A. Eligibility

1. Parents. Kansas Department of Agriculture full-time permanent employees who are new mothers, fathers, or legal guardians are eligible to participate in the program whether custody of the infant is by birth to the employee, adoption, or legal guardianship. Grandparents, brothers/sisters, aunts/uncles and other family members are excluded unless they are the legal guardian.

2. Infants. Infants of Kansas Department of Agriculture full-time employees are eligible for the first 45-180 days of the infants' life. Requests for the infant to enter the program before 45 days will require a doctor's approval. The program is designed to accommodate an individual parent's participation with a single infant. Multiple births will be evaluated on a case-by-case basis.

3. Evaluation. Each parent shall evaluate their position and duties to determine if their daily responsibilities meet the guidelines set forth by this policy.

4. Approval. Final approval of the Individual Care Plan and eligibility will be made by the Secretary's Office upon initial approval from the employee's supervisor and program manager.

B. Location in the Workplace

1. Work Station. The new infant shall be located primarily at the parent's workstation during the workday. Each parent shall make his or her workstation suitable for the new infant. Each parent will provide the necessary furniture and equipment suitable for the infant's needs. Furniture and equipment shall not extend beyond the employee's work station.

2. Sitting Room. In the event an infant becomes fussy, the parent shall take the infant to a designated sitting room until the infant becomes quieter. Refer to Attachment A for available sitting rooms.

3. Home. In the event an infant becomes sick, or is fussy for a prolonged period of time, causing a distraction in the workplace or preventing the parent from accomplishing work, the parent will take the infant home or to a backup day care provider and will use accumulated leave for any resulting absences from work. In

the event the health of the child is uncertain, the decision of the employee's supervisor shall be final and binding.

4. A sick infant shall not be brought to work. The Center for Disease Control's Recommendation for Inclusion or Exclusion of children from out-of-home child care settings are attached hereto as Attachment B and are hereby adopted by the Kansas Department of Agriculture as a means for determining whether an infant is sick. And, as stated in section 3, any question related to the health of the child shall be decided by the employee's supervisor. Their decision shall be final and binding.

5. Parents will not be allowed to change the infants' diapers in view of the public or coworkers. Restrooms or the sitting room should be used for these situations.

C. Alternative Care Provider

1. Each parent shall designate two alternative care providers in the workplace. The alternative care providers will be employees in the same division in close proximity who voluntarily agree to care for the infant in the event the parent is unavailable due to attendance at a meeting, participating in a telephone conference call, or a similar work responsibility. The alternative care provider may not simultaneously participate in the program as a parent bringing his or her infant to work and as an alternative care provider for another parent's child. The alternative care provider shall seek and secure permission from their supervisor before participating in the program

2. Each alternative care provider must acknowledge that he or she has agreed to serve in that
role by signing an Alternative Care Provider Agreement setting forth the alternative care provider's duties and responsibilities. An Alternative Care Provider Agreement form is attached hereto as Attachment C.

3. If a parent is unable to care for the infant due to attendance at a meeting, participation in a telephone conference call or a similar work responsibility, the parent will notify an alternative care provider and place the infant in the provider's care temporarily.

4. If the parent is going to be unavailable for a period exceeding 1.5 hours within a 4-hour period, the parent shall make arrangements for the infant's care outside the Department. The parent is responsible for their schedule and an alternative care provider in the workplace shall not be required to care for an infant for a period exceeding 1.5 hours within a 4-hour period. There may be times that meetings take longer than expected or unscheduled last-minute meetings are necessary. If a parent consistently has unexpected scheduling issues, they may become ineligible for the program.

D. Individual Care Plan

1. Each participating parent must complete and sign an Individual Care Plan setting forth an individualized care plan for the infant, which must be submitted to the parent's division director for review and approval. The Individual Care Plan shall include 1) days and times the infant will be present in the workplace; 2) names and schedules of the parent's alternative care providers; 3) date the parent will begin the Program; 4) tentative date the parent will end the Program; 5) Emergency Contacts; and 6) a Program Agreement/Consent and Waiver form (Attachment E). An Individual Care Plan form is attached hereto as Attachment D.

2. Upon approval of an Individual Care Plan by the parent's supervisor and division director, the plan shall be submitted to the Secretary of Agriculture for final approval. Upon receiving final approval, the parent may bring the infant to the workplace on the beginning date stated in the Individual Care Plan.

3. The parent and his or her program manager shall meet to discuss and resolve any complaints made regarding the infant's presence in the workplace. Subject to approval of the revised Individual Care Plan by the Human Resources Office, the Individual Care Plan may be modified by agreement of the parent and the program manager as needed.

E. Complaints

1. Any complaints regarding a Program participant shall be made in writing, signed by the person(s) making the complaint, and submitted to the parent's program manager.

2. Any properly submitted complaint shall be reviewed by the program manager and discussed with the person(s) making the complaint. The program manager shall provide a copy of the complaint to the parent and discuss it with the parent, determining how to resolve the complaint.

3. If the parent is required to take action to resolve the complaint, the parent shall modify his or her Individual Care Plan to include the steps to be taken to resolve the complaint. The modified Individual Care Plan shall be resubmitted for approval.

F. Grievance Procedures

1. Any complaints regarding a Program participant that cannot be resolved shall be referred to the Infant-at-Work Committee ("the Committee"). The Committee (an internal standing committee) will convene, as necessary, for the purpose of 1) reviewing Program procedures; 2) making Program recommendations; or 3) investigating a formal complaint.

2. The Committee shall review the complaint and interview the person(s) making the complaint, the parent and the parent's division director. The Committee shall take any additional steps needed to complete a thorough investigation of the complaint.

3. Upon completion of the investigation, the Committee shall make a formal written recommendation to the Secretary of Agriculture. The Committee's recommendation will be decided by a simple majority vote of all members of the Committee.

   The recommendation options shall be to: 1) terminate the parent's Program eligibility, thus requiring the parent to remove the infant from the workplace; 2) modify the parent's Individual Care Plan to resolve the complaint; or 3) find no basis for the complaint.

4. The Secretary of Agriculture shall review the recommendation and, with the Human Resource Director, make a final ruling on the complaint. If the final ruling differs from the Committee's formal written recommendation, the ruling shall be made in writing and will supersede the Infants at Work Committee ruling.

5. There is no right to further review or appeal the final ruling.

G. Termination of Eligibility

1. A parent's eligibility to participate in the Program will be terminated when:

   a. The infant becomes 180 days old;
   b. The parent is no longer employed in a full-time position with the Kansas Department of Agriculture; or
   c. A final ruling is made pursuant to the Grievance Procedures, set forth in Section F., terminating the eligibility of a parent.

2. If the parent's eligibility is terminated pursuant to Section G., 1., c., the parent shall be notified in writing of the final ruling by the Director of Human Resources and the parent shall remove the infant from the workplace within seven days from receiving such notice.

3. The Kansas Department of Agriculture reserves the right to terminate a participant's eligibility, with or without cause, or to cancel or retire the program in part or in its entirety, with or without cause, requiring the parent to remove his or her infant from the workplace immediately.

KDA Infants-at-Work Program- Attachment A

Sitting Room Location

1. Mills Building-1st Floor- Restrooms or Conference Room if available.
2. Mills Building 2nd Floor- Restrooms or Conference Room if available.
3. Mills Building 3rd Floor- Conference Rooms or vacant office
4. Mills Building 4th Floor- Rooms 401 or 420 or restrooms
5. Statistics Building- Restrooms or Conference Room if available
6. Weights and Measures- Conference Room or restrooms

Each sitting room should have a lock on the door and a means to cover any windows in the door or room. A chair should be available in each room.

KDA Infants-at-Work Program- Attachment B

Recommendations for Inclusion or Exclusion [*From the Center for Disease Control (CDC)*]

Mild illness is very common among children, and most children should not be excluded from their usual source of care for common respiratory and gastrointestinal illness of mild severity. Infectious disease prevention and control strategies are often influenced by the fact that asymptomatically infected persons can transmit certain infectious microorganisms to others. Parents of children in childcare and adult child caregivers should be educated as to the infectious disease risks of childcare. Following common sense hygienic practices can reduce much illness risk.

Exclusion of children from out-of-home childcare settings has been recommended for illnesses know to be transmitted among, by, and to children when exclusion of the child or adult has a potential for reducing the likelihood of secondary cases. Exclusion has also been recommended in cases of serious illness for which a hypothetical risk of transmission exists, but for which data at present is insufficient to quantitate the risk. In many situations, the expertise of the program's medical consultant and the responsible local and state public health authorities are helpful in determining the benefits and risks of excluding children from their usual care program.

Child and caregiver-specific exclusion policies reflect the present state of knowledge. Children need not be excluded for a minor illness unless any of the following exists:

- The illness prevents the child from participating comfortably in program activities.
- The illness results in a greater care need than the childcare staff can provide without compromising the health and safety of the other children.
- The child has any of the following conditions: fever, unusual lethargy, irritability, persistent crying, difficult breathing, or other signs of possible severe illness.
- Diarrhea (defined as an increased number of stools compared with the child's normal pattern, with increased stool water and/or decreased form) that is not contained by diapers or toilet use.
- Vomiting two or more times in the previous 24 hours, unless the vomiting is determined to be due to a non-communicable condition and the child is not in danger of dehydration.
- Mouth sores associated with an inability of the child to control his/her saliva, unless the child's physician or local health department authority states that the child is noninfectious.
- Rash with fever or behavior change, until a physician has determined the illness not to be a communicable disease.
- Purulent conjunctivitis (defined as pink or red conjunctiva with white or yellow eye discharge, often with matted eyelids after sleep and eye pain or redness of the eyelids or skin surrounding the eye), until examined by a physician and approved for readmission, with or without treatment.
- Tuberculosis, until the child's physician or local health department authority states that the child is noninfectious.

- Impetigo, until 24 hours after treatment has been initiated.
- Streptococcal pharyngitis, until 24 hours after treatment has been initiated and until the child has been afebrile for 24 hours.
- Head lice (pediculosis), until the morning after the first treatment.
- Scabies, until after treatment has been completed.
- Varicella, until the sixth day after the onset of rash or sooner if all lesions have dried and crusted.
- Pertussis (which is confirmed by laboratory or suspected based on symptoms of the illness or because of cough onset within 14 days of having face-to-face contact with a person in a household or classroom who has a laboratory-confirmed case of pertussis), until 5 days of appropriate antibiotic therapy (currently: erythromycin) has been completed (total course of treatment is 14 days).
- Mumps, until 9 days after onset of parotid gland swelling.
- Hepatitis A virus infection, until one week after onset of illness and jaundice, if present, has disappeared or until passive immunoprophylaxis (immune serum globulin) has been administered to appropriate children and staff in the program, as directed by the responsible health department.

Certain conditions do not constitute a prior reason for excluding a child from childcare unless the child would be excluded by the above criteria or the disease is determined by a health authority to contribute to transmission of the illness at the program. These conditions include the following: a symptomatic excretion of an enteropathogen; nonpurulent conjunctivitis (defined as pink conjunctiva with a clear, watery eye discharge and without fever, eye pain, or eyelid redness); rash without fever and without behavior change; cytomegalovirus infection; hepatitis B virus carrier state; and HIV infection.

KDA Infants-at-Work Program- Attachment C

Alternate Care Provider Agreement

As an alternative care provider, I understand and agree to the following:

1. When necessary, I will provide care for _____
   Infant
   when_____ is unavailable.
   Parent
   (Provider care not to exceed 1.5 hours in a 4-hour period.)

2. I will move to _____'s workstation
   Parent
   or the infant will be brought to my workstation, whichever is most convenient.

3. If the infant becomes "fussy" under my care, I will take the infant to the designated sitting room.

4. I understand my alternative provider care does not relieve me of my responsibilities as an employee of the Kansas Department of Agriculture.

5. I understand there is another designated alternative care provider with these same duties who I may contact if I require assistance.

6. I will be notified by _____ if there
   Parent
   is any change in the alternative care providers under this Agreement.

7. No persons will be responsible for the infant except for _____,
   Parent
   _____ and the undersigned.
   Other Alternative Care Provider

8. I will not release the infant under my care to any individual other than

   _____ or _____.
   Parent *Other Alternative Care Provider*

9. If at any time I no longer agree to serve as an alternative care provider for _____, I shall give two (2) weeks notice to _____.

Infant

Parent

I hereby agree to serve as an Alternative Care Provider as described above. I hereby acknowledge and affirm that I have read and understand the terms and conditions of the Infant-at-Work Program Guidelines, the Individual Care Plan and this Alternative Care Provider Agreement.

_____ _____

Alternative Care Provider's Signature Date

_____ _____

Alternative Care Provider Supervisor Signature Date

KDA Infants-at-Work Program- Attachment D

Individual Care Plan

Employee Name: _____Employee ID #: _____

Infant Name: _____

Infant's Date of Birth: _____

Date Infant Enters Program: _____Date Infant Exits Program: _____

Indicate Days and Times Infant will be Present in the Workplace:

☐ Monday _____ ☐ Thursday _____

☐ Tuesday _____ ☐ Friday _____

☐ Wednesday _____

Specific Information

Include any specific plan information or requirements in the space below: *(optional)*

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Alternative Care Providers

The following persons have agreed to be alternative care providers, responsible for providing care for my infant in the workplace, when I become temporarily unavailable to provide care.

Alternative provider care is not to exceed 1.5 hours in a 4-hour period. If you are on a flextime schedule, your alternative care providers should be available to accommodate your schedule.

1. Alternative Care Provider Name: _____
   Division: _____
   Schedule: _____
   Work Telephone: _____ Home Telephone: _____

2. Alternative Care Provider Name: _____
   Division: _____
   Schedule:_____
   Work Telephone: _____ Home Telephone: _____

Emergency Contact

1. Emergency Contact: _____
   Relationship: _____
   Address: _____
   Daytime Telephone: _____ ext. _____
   Evening Telephone: _____ ext. _____
   Cellular Telephone: _____

2. Emergency Contact: _____

Relationship: _____

Address: _____

Daytime Telephone: _____ ext. _____

Evening Telephone: _____ ext. _____

Cellular Telephone: _____

I have discussed this Individual Care Plan with my program manager. I understand I am permitted to bring my infant to the workplace upon final approval of this Plan by the Secretary of Agriculture. If my plan changes, I agree to complete and submit a new plan for consideration.

Submitted by:

_____ _____

Employee's Signature Date

Approved by:

_____ _____

Approved: Program Manager Date

_____ _____

Approved: Adrian J. Polansky Date
Secretary of Agriculture

KDA Infants-at-Work Program- Attachment E

Program Agreement/Consent and Waiver

PROGRAM AGREEMENT

By signing this Infant-at-Work Program Agreement, I hereby acknowledge and affirm that I have read and understand the terms and conditions of the Infant-at-Work Program Guidelines. I understand and agree to comply with the terms and conditions set forth in the Infant-at-Work Program Guidelines. I further understand and agree that, in the event I fail to comply with such terms and conditions, or otherwise fail to meet any Program criteria, whether or not such criteria are set forth in the Infant-at-Work Program Guidelines, my Program eligibility may be terminated, requiring me to remove by infant from the workplace.

I acknowledge the Kansas Department of Agriculture is offering participation in the Infant-at-Work Program as a courtesy to full-time employees of the Kansas Department of Agriculture who are new mothers or fathers, and not as an employee benefit. Accordingly, I acknowledge the Department reserves the right to terminate a participant's eligibility, with or without cause, or to cancel or retire the Infant-at-Work Program in part or in its entirety, with or without cause, requiring me to remove my infant from the workplace.

_____ _____

Parent's Signature Date

CONSENT AND WAIVER

By signing this Infant-at-Work Consent and Waiver, I hereby consent to the release of the Kansas Department of Agriculture, and any employee and agents thereof, from any and all liability arising from any harm or injury that occurs to my infant while in the workplace, as a result of my participating in the Infant-at-Work Program and hereby waive any rights I accrue as a result thereof.

_____ _____

Parent's Signature Date

APPENDIX G

KANSAS DEPARTMENT OF AGRICULTURE
EMPLOYEE TUITION ASSISTANCE

Agency Professional Development Policies

The Kansas Department of Agriculture has instituted a policy for tuition assistance.

This program does not replace programs' funding of conferences, seminars or similar training opportunities for their employees. Programs will send employees to these learning opportunities at the direction of supervisors and as funds are available.

KDA will:

- Inform all KDA employees of the availability of tuition assistance in advance of the semester in which funds are available. The policy will be implemented at the agency level according to available funds and budgetary constraints by fiscal year.

- All full-time employees are eligible for tuition assistance. Tuition assistance will be provided in the maximum amount of $1,500 per employee per fiscal year for courses successfully completed.

- Classes or courses must be related to the individual's job duties. Preference will be given to courses specifically related to the duties and responsibilities of an employee's position. However, consideration will be given to courses an employee can justify as necessary to being promoted to a job on a different career ladder within the agency.

- If funds are available, tuition assistance toward a degree related to an employee's current position may be granted. Books, fees and other associated costs will remain the responsibility of the employee.

- Available tuition assistance funds are to be pooled among programs to ensure parity among deserving employees who may be from a smaller program with no available funds for this purpose.

- If possible, students approved for tuition assistance will be allowed flexible time to attend class. Employees are required to work 40 hours; class and study time are on their own time.

The employee will:

- Be a full-time employee with at least one year or service with the agency. If an employee has prior state service but not one year with KDA, they will be given consideration, but employees with a year of KDA service will be given first priority.

- Have earned a ranking of satisfactory or better on the most recent evaluation.

- Write a statement explaining how the course(s) for which the employee is seeking tuition assistance falls within the scope of agency operations or reasonably contribute to KDA's mission.

- Agree to sign a memorandum of understanding with the agency spelling out terms of the tuition agreement. This includes repayment if the employee does not stay with the agency for two years after conclusion of the educational program.

- Retain employment with the agency during the time tuition assistance is provided and for at least two years after the final day of the semester in which the employee last receives tuition assistance from the agency. If the employee leaves after one year but before the two years of service, he or she will be required to reimburse 50 percent of the tuition assistance provided by the agency. If the employee leaves before the one-year time period, he or she will be required to reimburse 100 percent of the tuition assistance provided by the agency.

- To receive reimbursement, the employee must provide written documentation to the personnel director within 30 days of the course end date showing successful completion of the course and an earned grade of B or higher. Courses taken on a pass/fail option are not eligible for the program.

- Employees will be required to make tuition assistance repayment arrangements with the fiscal office if the employee receives a C or lower; or if the employee does not complete the class. Payback arrangements will not exceed a one-year period and future consideration for tuition reimbursement will not be allowed until KDA is paid in full.

- If an employee does not repay, or fails to make arrangements within 30 days of a failed or dropped class, KDA will notify the employee that the debt will be sent to the State of Kansas Division of Accounts and Reports setoff program for collection. If an employee terminates his or her employment and owes KDA money but makes no attempt to pay according to prior arrangements, the debt will be sent to the setoff program for collection.

Kansas Department of Agriculture

Application for Tuition Assistance

Directions: The employee should complete both pages of this form and sign it. The form should be reviewed and signed by: 1) The employee's supervisor, 2) the employee's KDA Program Manager, 3) the Director of Personnel, 4) the Secretary of Agriculture.

Name	**Employee ID**	**Title**
Program	**Education Institution**	
Work Phone		

I am a permanent: full time employee ☐

Course(s) Code	Title	Starting & Ending Dates (mm/dd/yy)		# of Credit Hours	Tuition

1. Attach an explanation of how the course(s) directly and specifically falls within the scope of the agency operations or reasonably contributes to KDA's mission. ***Please attach course description from school's catalog or syllabus.***

2. Conditions: the employee must read, sign, and date the Agreement on page two. The Agreement must then be signed by the 1) employee's supervisor, 2) the employee's program manager, 3) the Director of Personnel, 4) and the Secretary of Agriculture. Each signature must accompany a recommendation to approve or deny the request. If denied the reason should be stated on an attached sheet with comment.

3. Application is forwarded to the Tuition Assistance Committee for final award consideration. (The committee will consist of three members with the Director of Personnel as the standing member. The two others shall be an employee from the fiscal section and an employee appointed by the Deputy Secretary.)

4. It is the employee's responsibility to inform the educational institution that payment will be made by state check or SOKI interfund, if institution is a member of the State of Kansas Regents system. The invoice should indicate the title of the course(s), the cost, and the name of the student. Invoice information should be sent to:

Kansas Dept. Of Agriculture – Fiscal Office
Attention: Fiscal Officer
109 SW 9th, 3rd Floor
Topeka, KS 66612
Telephone(785) 296-3230
Fax (785) 369-7122

5. The employee may then present a copy of this completed request to the Fiscal Officer as authorization for payment in the amount of: (to be completed by the Fiscal Officer)

$ Approved for tuition by Fiscal Program	
Approved for tuition by Supervisor	
Approved for tuition by Human Resource Director	
Approved for tuition by Secretary of Agriculture	

6. The employee must return a receipt or appropriate documentation to fiscal providing proof of payment.

KANSAS DEPARTMENT OF AGRICULTURE
EMPLOYEE TUITION ASSISTANCE
REIMBURSEMENT AGREEMENT

As a full-time employee of the Kansas Department of Agriculture, I have been granted tuition assistance as follows:

Education Institution:
_____

Course Title: _____No. Credit Hours: ____

Course Start Date: _____ Course End Date: _____

Tuition Assistance Received: $_____

I agree and understand that I (a) must maintain full-time employment with the department during the time I am taking the course, (b) successfully complete the course by the Course End Date, (c) receive a grade of B or better, (d) provide written documentation to the personnel director within thirty days of the Course End Date showing successful completion of the course and the grade earned, and (e) maintain full-time employment with the department for a period of two years after the Course End Date.

If I fail to finish the course, if conditions set forth above as (a) to (d) are not met, or if I fail to maintain full-time employment for one year after the Course End Date, then I agree to reimburse the department 100% of the Tuition Assistance Received. If I finish the course, if conditions (a) to (d) are met, and if I maintain full-time employment with the department for one year but less than two years after the Course End Date, then I will reimburse the department 50% of the Tuition Assistance Received. Reimbursement or arrangements for reimbursement must be made with the department fiscal office no later than 30 days after the Course End Date. I agree that reimbursement in full shall be made no later than one year from the Course End Date. If reimbursement in full is not made within one year from the Course End Date, then the unpaid amount of Tuition Reimbursement Received will be sent to State of Kansas-Division of Accounts and Reports Set Off Division for debt collection.

I have read this Employee Tuition Assistance Reimbursement Agreement and understand all of its contents.

Date: _____ _____
Employee

Kansas Department of Agriculture
Policy Statement Regarding Personal Appearance of Employees

It is the policy of the Kansas Department of Agriculture (KDA) that each employee's dress, grooming and personal hygiene be appropriate to his or her work situation. It is the responsibility of each employee to use good judgment in the clothing they wear to work and the responsibility of each supervisor to share this policy with each employee and ensure it is followed. It is unfair to the employees who attempt to follow this policy when others do not.

Guidelines

a. Employees must wear shoes which are safe and appropriate to assigned job tasks, as well as appropriate to the clothing worn.

b. Employees in all KDA offices (this includes downtown and Forbes Topeka offices and DWR field offices) are expected to wear professional attire, which includes business and business casual clothing. For men this usually means suits, slacks or khakis and tucked-in shirts with collars. For women this usually means suits, dresses, skirts, slacks of any material except denim, capri pants, or khakis with an appropriate blouse, sweater or jacket. DWR field office employees should dress appropriately for planned trips to the field, and keep a spare pair of jeans and shoes in the office for unplanned field trips.

c. Other, non-professional items of attire are not appropriate for work. These include denim jeans of any color, rompers, shorts, including the type of shorts called "skorts," culottes, cutoff jeans or unhemmed skirts, t-shirts with or without sayings, skirts that are inappropriately short, tank tops, midriff-baring shirts, or sweat suits. Employees should use common sense about the difference between weekend and work attire.

d. Many of our employees work outside the KDA offices in agricultural and or business settings. They may wear jeans without tears or holes. They should wear shirts with collars and should not wear hats with sayings or any type of clothing bearing the logo or slogans of any other organization than KDA or a sports team. Office employees who must do "dirty" work-like moving or reorganizing office areas-may wear jeans or clothing appropriate to the task. There should be prior permission from the supervisor when those days can be scheduled. KDA logo clothing and hats can be purchased by employees who would like to wear them.

e. When coming to meetings in the Topeka offices, field staff should wear professional attire of an office nature. (See "b")

f. An employee who works in an environment which requires safety apparel or safety equipment is required to make use of it.

Supervisors' Responsibilities

All supervisors are responsible for sharing this policy with their employees and ensuring it is followed. If a supervisor in a particular area fails to comply with the requirement to enforce the dress code, he or she will receive an official reprimand.

Employees' Responsibilities

Employees are responsible for following the dress code. The first offense may result in the employee being sent home to change and being required to use annual leave for that purpose. Progressive discipline may be implemented if a second failure to follow the dress code follows the first.

Exceptions to the dress policy, such as holidays, Project Topeka or other designated jean days will be approved by the administration prior to the event.

This policy is effective as of August 4, 2003.

ADRIAN J. POLANSKY
Secretary of Agriculture

Kansas Department of Agriculture Vehicle Policy

The following policy is to assist KDA employees who travel on official business and use agency owned vehicles, rental cars, private vehicles, Wright Express Cards and Business Procurement Automotive Fuel Cards.

It is absolutely mandatory that all KDA staff have approval from their supervisor prior to taking any reimbursable travel. Failure to obtain this permission in advance of the travel could render the expense as non-reimbursable.

I. Rental Vehicles vs. Agency-owned Vehicles vs. Private Vehicle Use

A. Use of Rental Cars vs. Personal Vehicles

This option is available for all KDA employees who have a duty station within 25 miles of the location of an Enterprise vehicle rental office. Managers may allow KDA staff the option of taking the Rental Vehicle or their personal vehicle for this official business. The reimbursement will be the lesser of the rental vehicle cost or $0.505 per mile. **A purchase order is required for all rental vehicle use.**

B. Use of Agency-owned Vehicles vs. Personal Vehicles.

If an agency-owned vehicle is available, an employee may choose to drive their private vehicle for personal convenience with the permission of his/her supervisor. Travel reimbursement for such employee will be the lowest cost of the following options:

1. cost of the rental vehicle
2. cost of the agency owned vehicle as determined by the most recent instructions from the division of budget
3. $0.505 per mile

C. Use of Private Vehicle

If neither an agency-owned vehicle nor a rental car is available, employees who utilize their private vehicle to perform official duties will be reimbursed at $0.505 per mile.

II. Fuel Purchases

All KDA staff that are assigned agency-owned vehicles or drive rental vehicles should make every reasonable effort to purchase fuel utilizing the Wright Express card provided to them. Employees must purchase ethanol-blended gas whenever possible when the cost of the fuel does not exceed .10 above the cost of regular unleaded.

III. Automotive Expense Credit Cards

KDA has acquired Automotive Expense Credit Cards for staff that utilizes agency-owned vehicles or rental cars. These business travel cards may be used to make emergency fuel purchases and to pay for minor vehicle expenses such as oil changes, tune-ups, and minor repairs. **Except in emergencies, a purchase order is required for all non-fuel expenses associated with the use of these travel cards.**

All staff that uses the Automotive Expense Credit Cards will be trained on the proper use of the cards since there are severe penalties for noncompliance with their use.

IV. Overnight Travel Policy

Overnight travel for employees of the Kansas Department of Agriculture is necessary to effectively and efficiently fulfill the Department's mission. The KDA overnight travel policy is intended to reduce costs associated with driving time, to increase productivity, efficiency and effectiveness.

A. Employees traveling from their official duty station to their area of work will not be reimbursed for meals and lodging when the distance is less than 50 miles, unless;

1. prior authorization is obtained from the employee's supervisor; or

2. prior authorization is not possible and unusual circumstances (e.g., inclimate weather, vehicle breakdowns, etc.) warrant deviating from the policy.

B. Employees traveling from their official duty station to their area of work must stay overnight and will be reimbursed for meals and lodging at the state per diem:

1. when the distance between the official duty station and the center of the work area exceeds 50 miles; and

2. the employee will work in the same area the next day; or

3. the employee will work in another area the next day that exceeds 50 miles from the official duty station. This does not apply to employees when they must travel through their official duty station to arrive at the next work area.

4. Employees may be required to stay overnight when the distance between their official duty station and the center of their work area is less than 50 miles. This will be the decision of the employee's supervisor. The purpose of deviating from the policy is to increase productivity and effectiveness.

5. Employees may return to their official duty station when the distance between their official duty station and work area exceeds 50 miles, if prior authorization is granted by the employee's supervisor.

V. Additional Comments

There is a small pool of agency-owned vehicles at the KDA laboratory facility located at Forbes Field in Topeka. Employees should check with Georgia Smalley at 862-2415 to see if any of these vehicles are available in meeting your travel needs.

Program managers will monitor the use and location of agency owned vehicles in order to assure the most efficient and practical use of these resources.

Please remember, all reimbursable travel must be approved in advance by the appropriate KDA program manager or risk forfeiting the reimbursement.

It is the policy of the Kansas Department of Agriculture (KDA) that each employee must take personal responsibility for operating their assigned state vehicle[1]. Progressive disciplinary action will be taken against employees who are involved in accidents that involve their failure to observe traffic laws, negligence or other avoidable factors. This policy is necessary to promote safe driving habits to protect our employees and to preserve our scarce resources as they relate to state vehicles.

Guidelines

a. Employees must obey all traffic laws while operating a state vehicle and the documented failure to do so will be considered misconduct.

b. Employees must avoid situations that are likely to damage state vehicles, e.g., driving through high water, non-maintained roads, ice storms, etc. Employees should discuss questionable road and weather conditions with their supervisor and the decision should be made with safety in mind.

Employees whose job duties require remote or off-road driving should also use prudence to avoid unnecessary risk of damage to state vehicles.

c. Employees are not to drive state vehicles or personal vehicles used for official business when under the influence of alcohol, drugs or medication that impairs judgment or the ability to safely operate a vehicle.

d. Employees are to take all necessary precautions to ensure the safe operation of a state vehicle or personal vehicles used for official business.

e. Employees are to exercise caution when using a cell phone and to avoid making calls when driving a state vehicle or personal vehicles used for official business.

f. Employees whose job requires that they maintain a valid driver's license must immediately notify their supervisors if their license has been suspended, cancelled or has had limitations placed on it.

[1] For the purpose of this policy, a state vehicle is defined as a vehicle owned or leased by the state, or a vehicle rented by the state, e.g., Enterprise vehicles.

g. Employees must immediately notify their supervisor if a traffic citation is issued to them while driving a state vehicle.

h. Comply with KAR 1-17-19 which states "No agency or operator shall permit any sign, decal or bumper sticker to be affixed to or remain on any state-owned or leased motor vehicle unless it has been placed there under the written authority of the secretary."

h. (continued) Employees are encouraged to use discretion when placing signs, decals or bumper stickers on their personal vehicles used for official business.

Supervisors' Responsibilities

a. All supervisors are responsible for sharing this policy with their employees and ensuring it is followed. Supervisors are also expected to set an example for safe and responsible driving.

b. Supervisors are responsible for investigating each accident, including reviewing a police report if one is made, to determine if the accident was avoidable or if the employee was at fault. Supervisors are to take the appropriate disciplinary action based upon their findings consistent with this policy.

Employees' Responsibilities

Employees are responsible for following this policy. The first offense will result in a counseling letter, but may result in other disciplinary actions, including suspension or termination or participation in a safe driving course, depending upon the circumstances. Subsequent violations will result in a letter of reprimand, but may result in other disciplinary actions, including suspension, termination or participation in a safe driving course, depending upon the circumstances.

This policy is effective as of October, 2004.

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ADRIAN J. POLANSKY
Secretary of Agriculture

Kansas Department of Agriculture
Employee Award and Recognition Program

The Kansas Department of Agriculture's mission is to administer the laws and programs assigned to the department for the benefit of the people of Kansas. KDA has designed an award and recognition program to fairly and equitably recognize employee contributions to meeting the objectives of the department and state government through excellence in performance and service. The department has the following different programs to recognize employee contributions:

- Employee of the Quarter- Employees may nominate a fellow employee in one of two areas; either the employee has made an achievement that is significant in scope, effort, or impact on department operations or service to our customers, or, an employee has gone far above the customer service level expected in the execution of his or her duties which reflects positively on the department or the state. Up to two of these awards will be given out each quarter. The selected employee(s) will be recognized at an award ceremony, and he or she will receive a $25 gift certificate to an area business where the employee resides.

- Length of Service Awards-As has been done in the past, service pins will be presented to employees reaching 10, 20, and 30 years of service. They also will be mentioned in the department newsletter. Employees reaching 40 or 50 years of service will receive a service pin and be recognized in a ceremony with the Governor. KDA will recognize length of service at five-year intervals (5 years, 15 years, 25 years, etc.) by mentioning the employee in the department newsletter.

- Retirement Award-The department will provide all retiring employees a memento that honors the years of dedicated service to the department and a letter from the secretary. It will be presented by the secretary or his or her designee whenever possible. Individual programs may also provide something to the employee.

Eligibility

- Employees may be nominated for Employee of the Quarter individually or as part of a group or team (maximum 10 members).
- All regular, classified, and unclassified employees are eligible for all award categories.

Nomination and Selection Process

- Any KDA employee can nominate a fellow employee by completing the Award and Recognition Form available in the employee section of the department website. The form will be available on-line or it may be printed and mailed to the program coordinator listed on the form. Employee of the Quarter Award nominations should be submitted two weeks before the end

of each quarter (March 31, June 30, September 30, and December 31). If the nomination is submitted by someone other than the employee's supervisor, a copy of the nomination, without the name of the nominator, will be sent to the nominee's immediate supervisor and program manager for endorsement. The supervisor is encouraged to attach a letter of support within 10 working days. The nomination form will be reviewed for completeness. Incomplete nomination forms will be returned to the nominator for complete information. Nominations will then be forwarded to the selection committee for review.

- The selection committee will consist of the program coordinator (the KDA human resource director or his or her designee) and six other KDA staff from various programs. Other than the program coordinator, the members will serve on the committee for one year. Should a vacancy occur on the committee, the secretary shall appoint a replacement to fill that vacancy for the remainder of the term.
- The team will review all submissions and objectively select award recipients.

Recognition and Award Ceremony

- Each fall, the department will strive to have a department wide meeting in Topeka. The date of the meeting will be based on when the most KDA employees are able to attend. Employee of the Quarter and Length of Service awards will be presented at the meeting for accomplishments during the preceding fiscal year.

Department of Agriculture

Employee Award and Recognition Program
Nomination Form

Date: **Nomination ID Number:**
(Assigned by the committee)

Nominee Information	
Name:	Job Title:
Program:	Division/Unit (if applicable):
Work Address:	City, State, Zip Code:
Work Phone:	Name of Supervisor:
Nominator Information	
Name:	Relationship to Nominee:
Work Address:	City, State, Zip Code:
Work Phone:	Signature:
Award Category: Please mark the category for nomination.	
_____Employee of the Quarter	
Please provide an explanation as to why this nominee should be selected for the award category marked above. Also indicate if additional supporting documentation is attached.	

Program Coordinator Section	
Date Nomination Received:	Date Forwarded to Selection Committee:
Supporting Documentation Attached: Please list below.	
Program Coordinator Name:	Program Coordinator Signature & Date:
Award given: Yes _____ No_____ If yes, please list award:_____	

MEDIA GUIDELINES

Overview

Lisa Taylor is the public information officer for the agency. She is the central point of contact for media inquires. If Lisa is going to be out of the office for a day or more, she will designate a back-up person to handle media calls. Be sure that your program staff, especially those who answer the phone, know that all media calls are routed to Lisa. Media should be told, "It is department policy that all media calls go to our public information officer," As always, be sure to use tact and common sense when dealing with the media and the public. Instead of transferring a call many times, offer to take a number and assure the caller that Lisa (or her backup) will return the call.

When Talking With the Media/Reporter(s)

After talking with a reporter, Lisa may make a judgment to ask another agency employee to respond to an inquiry. Here are some guidelines:

- Be polite and professional.
- Answer the question directly.
- Don't use jargon-can the average 10th grader understand what you are trying to say?
- Speak in complete sentences.
- Don't go "off the record".
- Don't volunteer unnecessary information.
- Don't speculate.
- If you don't know the answer, it is fine to say "I don't know, but I would be happy to find out and get back to you on that." Make sure to follow through in a timely manner.
- Ask when his or her deadline is.
- Remember that members of the media are business associates with a job to do. They report the news as they see it. **WARNING:** When you begin to feel as if the relationship is more "friends" than "business associates," that is the signal to be wary that your conversation is being too casual.

After speaking with a reporter, send Lisa an e-mail briefly explaining the nature of the conversation. This will alert her to watch for media clips. During the Legislature, staff presenting testimony may be approached by reporters for comment following a presentation. Also, this can happen in public forums around the state. Generally, it is permissible to speak to a reporter in this situation. If you begin to feel uncomfortable or unsure of yourself, refer the reporter to a member of your program, if one is present, or have the reporter call Lisa at (785) 296-2653.

Statehouse Reporters

John Hanna, John Milburn, Carl Manning	Associated Press
Sarah Kessinger, Chris Grenz	Harris News Service
Chris Moon, Ric Anderson	Topeka Capital-Journal
John Peterson	Kansas City Star
Steve Painter	Wichita Eagle
Dave Ranney, Scott Rothschild	Lawrence Journal-World
Brain Thompson, Peter Hancock	KANU

Legislative Inquires

All legislative calls should be referred to the fourth floor or to the appropriate program manager. Receptionists and telephone staff should never forward a legislator's call to anyone below the rank of program manager. He or she should take a name, phone number and message if possible. The decision to refer a call to another employee or program must be made by the program manager or fourth floor staff, not telephone staff.

- When a legislator calls regarding his own specific or a specific constituent's case, it is best for fourth floor staff or a program manager to handle it. If a program manager handles the call, update the fourth floor legislative team.
- If a legislator calls about a KDA policy or program, telephone staff should take the caller's name and number and subject matter of the call. This information should immediately be forwarded to Carole Jordan, Lisa Taylor, Erik Wisner and Ginger Patterson. One of them will handle the call or coordinate a response.
- Fiscal Notes or budget inquires should be referred to the fiscal office with an update to the fourth floor.
- If a legislator that you know well calls you about "your" program, talk to them about your program area or cases. If the caller gets into other agency policy, tell them someone from the secretary's office will return the call. Immediately update the fourth floor about your conversation.
- Any hall talk or intelligence picked up from a legislator or other stakeholder should be sent in an email to the legislative team on the fourth floor. An update note should also be placed in the online legislative database.