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ADMINISTRATIVE OFFICE OF THE COURTS
Department of Human Resources

"Supporting Courts, Ensuring Justice"

JUSTICE BUILDING
625 MARSHALL STREET
SUITE 1100
LITTLE ROCK, AR 72201

HR Investigation Report Regarding Events of December 4-5, 2024

Summary of Events

On December 4, 2024, Associate Justice Karen Baker, [redacted] entered offices throughout the Administrative Office of the Courts in the Justice Building. The next day, Justice Baker again entered Suite 110 of the AOC. Multiple employees reported being harassed by Justice Baker.

HR collected statements from alleged victims and witnesses. Names, identifying characteristics, and titles are redacted to protect employees from retaliation. This investigatory report is a summary of the events described. The production of this report was delayed due to multiple employees being unavailable because of the winter holidays, medical leave, and the death of a loved one.

December 4 in Suite 110

In the late morning of December 4, Justice Baker entered Suite 110, which houses the offices of the agency director, finance department, HR department, and office administration department. She encountered two employees, both of whom asked how they could be of assistance. The employees did not recognize her, and one employee reported thinking that Justice Baker was a person with dementia who was lost (the Justice Building is a public space, and lost people, including those with mental illnesses, occasionally enter offices by mistake). Both employees engaged respectfully throughout the interaction. All other [redacted] were attending an annual National Center for State Courts conference in Kentucky.

According to two employees, Justice Baker asked if Agency Director Marty Sullivan was present. After being informed that Mr. Sullivan was out of the building, Justice Baker entered his office (Mr. Sullivan was attending the midyear summit of the Conference of State Court Administrators in Florida). Justice Baker was observed looking throughout Mr. Sullivan's office, including the area behind his desk. She then left Suite 110.

Later in the day, Justice Baker returned to Suite 110 accompanied by [redacted] An employee heard the door alarm and subsequent commotion from Mr. Sullivan's office. Knowing that Mr. Sullivan was out of the office, the employee went to see what was happening. The employee observed that Justice Baker had again entered Mr. Sullivan's office. However, the employee was unable to see exactly what Justice Baker was doing as [redacted] blocked the doorway. [redacted] then asked the employee several questions, and the employee had the distinct impression that the two were purposefully distracting the employee and blocking the view.

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A [redacted] then entered Suite 110 to thank Mr. Sullivan for helping to arrange a tour for a delegation from his hometown. [redacted] observed the situation and was concerned upon learning that Mr. Sullivan was not present. [redacted] immediately reported the situation to the Supreme Court Police Department. The [redacted] left Suite 110, and [redacted] subsequently locked Mr. Sullivan's office at the orders of the majority of the Supreme Court.

<u>December 4 in the Court Information Systems Division</u>

Justices Baker [redacted], then entered the Justice Building wing housing the offices of the AOC. They asked a lower-level employee where they could find a particular [redacted] (name redacted to protect from retaliation). Justices Baker [redacted] then went to the office of this employee, and the employee congratulated Justice Baker on her election to chief justice and if there was anything the employee could do to be of assistance.

Justice Baker asked if the employee had received an invoice from [redacted] ([redacted] hired by the Supreme Court to look into [redacted] emails with [redacted]). The employee responded yes and that the invoice had been forward to Mr. Sullivan, [redacted]. Justice Baker asked what fund was being used to pay the invoice, and the employee responded that it was probably from a Supreme Court account.

[redacted] commented that she did not believe the Supreme Court had a fund for forensic investigations and that an investigator should not have been hired.

Justice Baker interrupted and asked if the employee had been talking to [redacted]. The employee responded "umm" while trying to determine how to respond. Justice Baker then said, "That's all I need to know." The [redacted] then "hastily exited."

[redacted] continued deeper into the CIS Division offices and encountered at least two lower-level employees separately. Justice Baker asked what the first employee's job was. The employee answered with the requested information. The employee did not recognize Justice Baker and asked for her name. Justice Baker reportedly looked surprised and answered that she was "the new chief justice, Karen Baker." The employee said, "nice to meet you." Justice Baker replied, "I guess you didn't vote." The employee said, "No, I did vote." Justice Baker stated, "Just not for me." The employee said, "I didn't pay much attention to that." Justice Baker said, "okay" and walked off. The employee said, "It was nice to meet you." Justice Baker responded with a curt, "mhm."



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Justice Baker, [redacted] then approached the second employee. None of the three introduced themselves. Justice Baker began talking to the employee, who asked who she was. Justice Baker identified herself. Justice Baker asked what the employee did, and the employee happily explained. [redacted] introduced herself, and [redacted] did not. Both employees later identified [redacted] when presented with an image found online.

The two employees then discussed the encounter along with others who had witnessed all or part of the interactions. The employees realized that Justice Baker had spoken only with employees of color and skipped the many white employees. The employees reported feeling targeted by Justice Baker because of the employees' race.

December 5 in Suite 110

Justice Baker returned to Suite 110 on December 5. The same two employees from December 4 were present (all other were still attending out-of-state conferences). Justice Baker attempted to enter Mr. Sullivan's office but found that it was locked. Justice Baker approached the first employee and said, "You locked me out." The employee responded, "I apologize; I was unaware of the locked status." The employee brought Justice Baker to the other employee.

Justice Baker went into the office of the second employee and noticed a key on the employee's desk. Justice Baker told the employee to use the key to open Mr. Sullivan's office. The employee replied that the key was not to Mr. Sullivan's door. Justice Baker said that she did not believe the employee and commanded the employee to get up, pick up the key, and attempt to open Mr. Sullivan's office. The employee complied with this request; the key did not work. Justice Baker then insisted on being allowed into Mr. Sullivan's office and asked who could let her in. The employee went to [redacted] to talk to Justice Baker.

When later reporting the encounter, the second employee was visibly shaken and appeared to feel humiliated by Justice Baker's actions toward her.

December 5 in the Justice Building

Justice Baker asked [redacted] for access to Mr. Sullivan's office and who had ordered it locked. [redacted] replied that [redacted] had instructed him not to unlock the office. Justice Baker then said that things would be changing come January.

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Conclusion

Multiple witnesses described the same events and behavior. HR concludes that Justice Karen Baker harassed employees, and her actions violate the AOC's anti-harassment policy (Section 10.10 of the Employee Handbook). Justice Baker intimidated staff, appears to have targeted female employees of color, indicated an intention to retaliate based on her perception of how employees voted, and indicated an intention to retaliate based on her perception of whether employees were cooperating with Judicial Discipline and Disability Commission's investigation into her colleague's conduct.

Recommendation

This incident presents a unique challenge. The perpetrator is a Supreme Court justice, and AOC HR has limited means by which to respond to harassment from an elected official whose office is in the same building as AOC staff.

Given this previously unimaginable scenario, the AOC has been prompted to make a necessary update to the agency harassment policy to provide recourse for what to do if a justice or judge harasses AOC staff. Per Section 10.10.2(3), the AOC will provide this report to the Judicial Discipline and Disability Commission.

If the perpetrator was under the authority of the AOC, HR would likely recommend termination or other serious disciplinary measures. Nevertheless, the AOC has an obligation to protect employees from further harassment. Therefore, AOC HR recommends that Justice Baker be prohibited from engaging directly with AOC staff, from entering AOC offices, or otherwise being in direct contact with AOC staff pending response and direction from JDDC.

ARKANSAS SUPREME COURT
Administrative Office of the Courts

"Supporting Courts, Ensuring Justice"

AOC EMPLOYEE HANDBOOK AND POLICY MANUAL

Effective January 1, 2019
Revised January 9, 2025

Document History

Version	Issue Date	Changes
1.0	01/01/2010	First Edition Effective
2.0	01/01/2014	Performance evaluation process updated with 2012 changes including Performance Evaluation Policy and Procedure. Section 10.10 Electronic Communications Use revised. Hyphen removed from e-mail to be consistent with modern usage. Section 5.1 added with Certification Differential policy.
2.1	01/23/2014	Corrected typo in Section 5 and updated order in 5.1.5(b)
2.2	02/28/2014	Added new self-evaluation form, removed paragraph 15.5.2 Transition for Existing Employees
2.3	02/28/2014	Added Shared Leave Policy 9.9
2.4	03/01/2014	Added Company Nurse Injury Hotline information in Section 12
2.0.5	03/04/2014	Updated Introduction to include mission statement and added motto to cover page.
2.0.6	11/29/2016	Update to Catastrophic Leave to change Catastrophic Leave Committee to the Catastrophic and Shared Leave Committee 9.8.2
2.0.7	11/29/2016	Added AOC will administer agency Shared Leave Program 9.9.1
2.0.8	11/29/2016	Removed approval by OPM and added review and approval by Catastrophic and Shared Leave Committee and Agency Director 9.9.5
3.0	1/1/2019	Multiple changes, including the following policies: Certification and Education Pay Increase, Inclement Weather, Shared Leave removed, Leave request procedure updated to reflect use of EASE, Paid parental leave via Catastrophic Leave added, Confidentiality section updated, new Internship Policy, Political Activity and Social Media, E-cigarette and vaping prohibition, new Performance Evaluation dates and categories.
3.1	11/18/2019	Career service bonus amounts updated.
3.2	2/21/2020	Sick leave must be used before annual leave for health-related absences.
3.3	12/2/2020	Updated Drug-Free Workplace and Smoking Policy to reflect applicable Arkansas Medical Marijuana Amendment provisions.
3.4	4/21/2021	Performance evaluation process modified for CIS Division.
3.5	6/9/2021	Travel and rental vehicles section added.
3.6	4/19/2022	Meal reimbursement policy clarification.
3.7	1/6/2023	Mileage reimbursement and legislative activity updates.
3.8	03/29/2024	Updated Dress policy. Added Probationary Period section
4.0	01/09/2025	Updated harassment policy.

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1 INTRODUCTION

The Administrative Office of the Courts (AOC) is an agency within the judicial branch of government that works to support the state courts on behalf of the Arkansas Supreme Court. Our mission is to support the Arkansas Judiciary and employees of the Judicial Branch and to assist attorneys and members of the public who rely upon independent, fair, and impartial state courts that are efficient and accessible to all.

The AOC is composed of four divisions:

Court Information Systems
The Court Information Systems Division is responsible for providing technological support for Arkansas courts, maintaining accurate information regarding court caseloads, and for managing the Arkansas Court Automation Program, a statewide initiative to automate jury and case management in Arkansas courts.

Finance and Administration
The Finance and Administration Division is responsible for day-to-day operations of the AOC, including finance, budget, human resources, court security, physical plant, and other support areas.

Juvenile Justice
The Juvenile Justice Division strives to encourage judicial best practices, provide the Juvenile Divisions of Circuit Courts with resources to better serve the children and families who appear before the court, ensure that the well-being of children, youth and families is a high priority within the Arkansas judicial system, and provide leadership in bringing diverse groups together to better serve children and families that enter our court system.

Legal Services
The Legal Services Division consists of the staff attorneys, foreign and sign language interpreters, specialty court coordinator, alternate dispute resolution department, judicial education department, and administrative personnel.

2 SCOPE

The AOC Employee Handbook and Policy Manual applies to all employees of the Administrative Office of the Courts. The Handbook is intended to inform AOC staff of current policies and procedures governing office operations, employee benefits, and employee conduct. Human Resources shall provide a copy of the Handbook to every new hire. Human Resources and new hires shall review the Handbook together. The Handbook and associated documents will be maintained in a commonly accessible area of the AOC computer network (currently the O: drive). All AOC employees will be notified by email when the Handbook is updated. Every employee is expected to have a working knowledge of the Handbook.

3 AT-WILL EMPLOYMENT AND PROFESSIONALISM

Pursuant to Arkansas law, all employees of the AOC are considered employees at will and serve at the pleasure of the Arkansas Supreme Court and the Director of the AOC. AOC employees have regular

contact with elected court officials, court staff, other state agency personnel, and coworkers within the AOC and are required to maintain a high degree of integrity, professionalism, decorum, and respect at all times and to communicate appropriately with court personnel at all levels.

Probationary Period

The AOC has a six-month probationary period for all newly hired employees. A newly hired employee includes any employee who may have previously worked for another state agency. Employees promoted, demoted, or laterally moved to new positions within the AOC will be placed on a three-month probationary period. Employees are eligible during the probationary period to apply for other positions. In the final week of the probationary period, the employee's supervisor is required to consult with HR to determine the next steps, including but not limited to completion of probationary period, extension of probationary period, termination, or transfer. Any probationary period may be extended at the applicable division director's discretion.

4 AOC ORGANIZATIONAL CHART

The AOC Organizational Chart can be found in the O: drive.

5 BENEFITS

Benefits provided as a result of employment with the AOC are similar to those available to all state employees. The specific benefits are subject to change on an annual basis, dependent upon policy established by the State of Arkansas. In general, they include access to health insurance, dental insurance, vision insurance, and retirement. For information regarding benefits, contact AOC Human Resources.

5.1 Certification and Education Pay Increase

5.1.1 Purpose

The AOC encourages staff to pursue educational and professional growth. The purpose of the Certification and Education Pay Increase Policy is to establish a process for AOC employees to be considered for a pay increase when they continue their education and training and receive a professional certification or complete a degree from an institution of higher education above the required qualifications for the position.

5.1.2 Employee Eligibility

To qualify for a Certification and Education Pay Increase an employee must:

(a) be a full-time exempt employee, and
(b) receive approval from her or his supervisor, Division Director, the Finance and Administration Director, and the AOC Director to pursue the education or certification, and
(c) not be subject to formal disciplinary action at the time of achieving the education or certification, and
(d) have received at least an overall score of "solid performer" on the most recent performance evaluation.

A Certification and Education Pay Increase will not be awarded to an employee if the certification or education is a required qualification for the position.

5.1.3 Degree or Certification Requirements

The professional certification or higher education degree must be directly related to the predominant purpose and use of the position. Professional certification must be from a recognized certifying professional organization. A degree must be from an accredited institution of higher education. A Certification and Education Pay Increase may not be awarded retroactively. Human Resources shall maintain a list of higher education degrees and professional certifications that have been approved by the Director and Division Directors. Employees may submit requests for additional degrees and certifications to be added to this official list.

Employees are limited to a maximum six-percent pay increase for each degree or certification, and only one certification or education pay increase may be awarded per employee within a fiscal year. The increase is determined by the difficulty in achieving and maintaining the certification or education, the degree to which it is related to the predominant purpose and use of the position, and availability of funds. Requests to begin the process for a Certification and Education Pay Increase may be approved at any time during the fiscal year.

5.1.4 Procedure

(a) Request approval: If an employee wishes to receive an educational or certification pay increase, the employee must submit a request to the supervisor that attainment of the education or certification be included as a goal in the employee's performance evaluation.
(b) Approval and notification for budgeting: The supervisor must notify the Director, Finance and Administration Director, and Division Director that an employee has been recommended for a potential Certification and Education Pay Increase and provide the anticipated date and recommended amount of the increase so that the proposal may be reviewed and budgeted.
(c) Recommendation on attainment: Upon attaining the education or certification, the employee must present to the supervisor the certificate from the professional certifying organization or an official transcript, certificate, or degree award from the accredited institution of higher education. The supervisor must provide a copy to the Division Director, Finance and Administration Director, and AOC Director.
(d) Approval by Finance and Administration Director and AOC Director: Upon approval by the Finance and Administration Director and AOC Director, the HR Director will notify the employee of the effective date and amount of the new rate of pay.
(e) Reimbursement for examination: The employee may submit a TR-1 for reimbursement of the cost of the examination that was required to receive the degree or certificate.

6 CAREER SERVICE RECOGNITION

Upon completion of ten or more years of service in a position with an agency of the State of Arkansas, eligible employees may receive annual Career Service Recognition payments. Payments will be made according to the following schedule:

Career Service	Annual Payment
10 through 14 years of state service	$800

15 through 19 years of state service	$1,000
20 through 24 years of state service	$1,200
25 or more years of state service	$1,500

Career Service Recognition payments shall be subject to withholding of all applicable state and federal taxes.

7 WORKING HOURS

The AOC offices shall be open to the public from 8:00 a.m. until 5:00 p.m., Monday through Friday. The standard work week shall be 40 hours, scheduled over five days, beginning as early as 7:00 a.m. and ending as late as 6:00 p.m. The standard work day shall be inclusive of one 15-minute break each morning and afternoon. Employees shall have the option of excluding one or both breaks from the scheduled work day. The scheduled work day must include a lunch break during the mid-point of the scheduled work day of at least 30 minutes. Human Resources will maintain examples of Planned Working Schedules and Planned Working Schedule Forms on the O Drive.

Employees may request to be approved to schedule a flexible work week. A flexible work week may be scheduled on four or five days for up to a maximum of ten hours per day, beginning as early as 6:30 a.m. and ending as late as 6:30 p.m. Leave usage and accrual shall be the same for employees working a flexible work day as for those working a standard schedule. Supervisors shall consider the following factors when considering a flextime request:

1) the job duties of an employee or the employee's relationship to other employees may require that the employee be present during the standard work week;
2) all work areas must be sufficiently staffed to allow business to be conducted between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, so that customer needs are not affected;
3) appropriate work must exist which can be performed by the employee during all scheduled work hours and does not decrease customer service during regular work hours; and
4) the employee's work must be able to be evaluated during all scheduled work hours.

Supervisors are encouraged to develop reasonable and flexible schedules for employees whenever these requirements can be met. If approved, flextime work schedules are probationary for 90 days, at which time it is the responsibility of the supervisor and the Director to continue or discontinue the flextime schedule. All flextime schedules should be evaluated annually. A supervisor may, at any time and at his or her discretion, discontinue an employee's flextime schedule and return the employee to a standard work schedule. Whenever possible, an employee should be notified in advance of a flextime work schedule change.

The schedule and work plan for each employee shall be prepared in writing and approved by the employee's supervisor and the Director. Upon approval, a copy shall be maintained by the employee and supervisor and one copy shall be provided to Human Resources.

7.1 Work Location

Employees are required to report to work at offices provided by the AOC at or near the Justice Building in Little Rock, Arkansas. The only exceptions are for positions which are designated as "regional" or "remote."

A regional position is one which has primary job duties which require that services be provided to customers who are located off-site, and the regional location of the position is for the convenience of the AOC and its customers. The written job descriptions for regional positions shall provide that the primary work location is in a particular location or region. For regional positions, some of the costs of operating a home office, such as expenses for telephone and Internet connectivity, may be provided by the AOC.

Other employees may have job duties which allow for their work to be performed at a remote site, such as their home, either on a full-time or part-time basis. An employee may request that a position be designated as "remote" for some or all of the scheduled work week. The approval for a remote designation must be recommended by the supervisor and approved by the Director. Because a remote designation is made for the convenience of the employee, such a designation shall be within the complete discretion of the AOC and may be revoked at any time. In determining whether a position may be designated as remote, the supervisor shall consider the following:

1) the nature of the job duties and the ability to provide services from a remote site;
2) the need for the employee to be present at the official work site in order to access equipment or materials or to be in face-to-face contact with other employees;
3) the ability to oversee and evaluate appropriately the work of the employee at a remote site; and
4) the needs of the AOC to provide prompt and complete services to customers at the work site during all official work hours.

Employees who seek approval to designate a position as "remote" must provide, at their expense, suitable work space, including telephone service and internet connectivity at the remote site.

Positions that are approved as regional or remote shall be designated as such in the written employee schedule and work plan, which must be approved by the supervisor and the Director. The initial designation of a position as remote shall be for a period of 90 days, at which time the designation shall be evaluated and a decision made about the continuation of the designation. Thereafter, remote designations shall be evaluated annually.

7.2 On Call

Some employees may be required at times to be "on-call" in order to maintain a required level of service. Employees are not working while on-call if they are not required to remain on the work premises, are free to engage in personal activities, and are only expected to respond to communication from a supervisor. If actual calls are so frequent, or the on-call conditions are so restrictive that the employees are not free to use the intervening periods effectively for personal benefit, the time will be considered time worked. The time worked while on-call shall be subject to the compensatory time policy.

8 INCLEMENT WEATHER POLICY

In the event of severe inclement weather conditions, the Governor will determine whether to declare the inclement weather policy in effect. If the Governor declares that state executive branch offices are closed, the AOC will also be closed absent specific notice to the contrary from the Supreme Court. Inclement weather declarations will be announced through state media channels. Employees should listen for an announcement when these conditions exist.

When the Governor announces a delayed opening, all non-essential employees are expected to be at work by 10:00 a.m. Employees designated by the Director as essential personnel are expected to be at work by 8:00 a.m. regardless of weather conditions. An employee who is unable to arrive at work by 10:00 a.m. shall, as soon as possible, notify his or her supervisor. Employees arriving after 10:00 a.m. shall submit an Annual Leave request for the hours of missed work. For example, if an employee is scheduled to arrive at the designated work location at 8:00 a.m. and does not arrive until 10:30 a.m., the employee will be charged 2.5 hours of annual leave.

Employees in positions not designated as remote, but which satisfy the requirements for remote work, may request permission from their supervisors in advance to work remotely if conditions indicate it is likely that the inclement weather policy will be in effect the following day.

Employees in positions designated as remote are required to begin work at their regularly scheduled time. Remote employees who are unable to work remotely because of power outages or other conditions resulting from the inclement weather are required to use annual leave in accordance with this policy.

Regional employees are subject to the same requirements as Justice Building-based employees but shall follow gubernatorial and school district pronouncements regarding their regions.

9 LEAVE AND TIMESHEETS

9.1 Employment Categories

All AOC employees are covered by the Wage and Hour provisions of the Federal Fair Labor Standards Act unless specifically exempted. The provisions of the Fair Labor Standards Act include guidance for establishing work periods, payment of minimum wages, hours of work, overtime compensation, and required record keeping.

Employees who are covered by the Wage and Hour provisions of the Fair Labor Standards Act are considered non-exempt employees.

Exempt employees are not covered by the provisions of the Fair Labor Standards Act because their work assignments fall into one of the following categories:

- Executive
- Professional
- Administrative

Designations of exempt or non-exempt status are made by the AOC Finance and Administration Division based on criteria established by the Fair Labor Standards Act. Such designations are made on an individual basis and are based on the actual work responsibilities assigned to each employee.

9.2 Timesheets

All non-exempt employees are required to complete weekly timesheets. Timesheets shall be submitted via EASE to the employee's supervisor for approval.

9.3 Holidays

The State of Arkansas recognizes the following days as official holidays:

1. New Year's Day, January 1;
2. Dr. Martin Luther King, Jr.'s Birthday, the third Monday in January;
3. George Washington's Birthday and Daisy Gatson Bates Day, the third Monday in February;
4. Memorial Day, the last Monday in May;
5. Independence Day, July 4;
6. Labor Day, the first Monday in September;
7. Veterans Day, November 11;
8. Thanksgiving Day, the fourth Thursday in November;
9. Christmas Eve, December 24;
10. Christmas Day, December 25;
11. The employee's birthday.

As a general rule, employees will not be required to work on official state holidays. However, a supervisor may request an employee's services on an official state holiday. Should an employee be required to work on a holiday, compensatory time for the time actually worked will be granted to both exempt and non-exempt employees. The Supreme Court may also declare that offices will be open on a day designated as a state holiday. In this event, all employees are expected to be available for work and will either be credited with eight hours of holiday leave or the Supreme Court may designate another day within the calendar year on which the offices will be closed. Employees are allowed to retain their unused Holiday/Birthday leave past one year. However, upon termination the maximum amount of unused annual and holiday leave to be paid out in a lump sum is 240 hours.

9.4 Annual Leave

Full-time employees accrue leave at the rates shown in the timetable listed below. Employees who work less than full time but more than 1,000 hours per year accrue annual leave in the same proportion as time worked. For example, employees who work half time would receive half of the annual leave accrual shown on the timetable.

Years of Employment	**Monthly**	**Annually**
Through 3 years	1 Day	12 Days
4 through 5 years	1 Day 2 Hours	15 Days
6 through 12 years	1 Day 4 Hours	18 Days
13 through 20 years	1 Day 6 Hours	21 Days
Over 20 years	1 Day 7 Hours	22.5 Days

1) Through 3 years: Employees must have completed three (3) full years of employment before movement to the next higher accrual rate.

2) 4 through 5 years: Employees must have completed three (3) full years of employment and be starting their fourth (4th) year.

3) 6 through 12 years: Employees must have completed five (5) full years of employment and be starting their sixth (6th) year.

4) 13 through 20 years: Employees must have completed twelve (12) full years of

employment and be starting their thirteenth (13th) year.

5) Over 20 years: Employees must have completed twenty (20) full years of employment and be starting their twenty-first (21st) year.

Accrual rates will change on the first day of the month following eligibility for the next higher accrual rate. The prior service of an employee certified by another state agency will be considered in determining the rate of accrual.

Annual leave will be accrued in increments of one hour. Employees will receive half their monthly accrual of annual leave if employed on the first working day of the month and work through the 15th of that month. Employees will receive half their monthly accrual if employed on the 16th of the month and work through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first working day thereafter.)

Requests to use annual leave should be approved by the supervisor in advance and use of annual leave should be reported in increments of 15 minutes.

Any annual leave in excess of 240 hours must be used by December 31 or it will be forfeited.

Upon termination, resignation, retirement, death, or other action by which a person ceases to be an active employee of the State, the amount due the employee or his estate from accrued and unused holiday and annual leave shall be paid to the employee in a lump sum not to exceed 240 hours of annual leave.

9.5 Compensatory Time

9.5.1 Non-exempt Employees

If overtime work occurs (non-exempt employee is required to work more than 40 hours in a work period) the non-exempt employee is to receive time and a half Fair Labor Standards Act compensatory time for the amount of overtime worked. Compensatory time will be provided in lieu of overtime compensation unless the employee has accrued more than 240 hours of comp time. After that total is reached, employees will be paid an overtime premium. Employees should use their compensatory time within a reasonable period and must exhaust all accrued compensatory time before annual leave is used. Upon termination of employment, an employee will be compensated for accrued compensatory time at a rate that is the higher of (1) the average regular rate received by the employee during the last three years of employment; or (2) the final regular rate received by the employee.

9.5.2 Exempt Employees

Exempt employees working or performing official duties on a Saturday, Sunday, official holiday, or non-scheduled work day, at the request or direction and upon approval of the employee's supervisor, may be granted up to eight hours per day of compensatory time. At the request of an employee's supervisor and upon approval in advance of the Director, an exempt employee may be granted compensatory time when required to work an extraordinary period in excess of scheduled hours during the regular work week. All non-emergency requests for compensatory time must be pre-approved by the employee's supervisor and submitted on the "Comp Time Request" form (F3). Requests for compensatory time must be submitted via this form and cannot be processed through EASE.

Compensatory time, like annual leave and sick leave, will be measured in increments of 15 minutes. Exempt employees will not receive cash payment for unused compensatory leave, and any unused leave cannot be transferred between state agencies.

Exempt employees who request and are approved to attend an out-of-state meeting, conference, or seminar on a Saturday, Sunday, holiday, or non-scheduled work day will not be granted compensatory time.

9.5.3 Use of Compensatory Time

Compensatory time is to be used before annual leave and as soon as practical. The maximum accrual time is 120 hours. Compensatory time may be used in lieu of sick leave and should be used until the balance is depleted before using annual leave.

9.6 Sick Leave

Employees accrue sick leave at the rate of one day per month with a maximum accrual of 960 hours.

Employees will receive half their monthly accrual of sick leave if employed on the first working day of the month and work through the 15th of that month. Employees will receive half their monthly accrual if employed on the 16th of the month and work through the last working day of that month (If the 16th falls on a weekend or holiday, accrual begins on the first working day thereafter).

Sick leave may be used only by employees who are unable to work because of sickness, injury, or for medical, mental, dental, or optical treatment for themselves or family. Sick leave must be used before annual leave for health-related absences. Up to five days of sick leave may be granted due to the death of an employee's family member.

Unlike annual leave, sick leave is not payable upon termination of employment for the unused portion that has accrued, except as provided for in the Sick Leave Incentive Program. Supervisors are not required or expected to inquire into the nature of the use of sick leave. However, an employee may be required to furnish a certificate from an attending physician for more than 40 consecutive hours of sick leave.

Upon retirement or death, an employee or beneficiary shall receive compensation for unused sick leave pursuant to A.C.A. § 21-4-501 and applicable regulations.

9.7 Parental Leave

Through the AOC's Catastrophic Leave Bank, employees have access to paid parental leave for up to four consecutive weeks (160 hours) upon the birth or adoption of a child. Employees must join the Catastrophic Leave Bank to be eligible for this benefit.

Employees may be eligible for up to 12 weeks (480) hours of parental leave upon birth or adoption of a child pursuant to the Family and Medical Leave Act. Paid leave is to be used concurrently with FMLA leave until exhausted, at which point an employee may use unpaid leave.

9.8 Catastrophic Leave Bank Program

The AOC participates in a Catastrophic Leave Bank Program administered by the AOC, Supreme Court, and Court of Appeals. The AOC Catastrophic Leave Bank Program creates no expectation or promise of continued employment and is intended simply to assist eligible employees during medical emergencies and for parental purposes. Applicants for participation in the Bank must be regular, full-time, benefits-eligible employees, donate the requisite number of hours, and meet other requirements detailed in the Catastrophic Leave Bank Program Policy, which is available in the O: Drive.

9.9 Family and Medical Leave Act

The Family and Medical Leave Act of 1993 entitles eligible employees to take up to twelve (12) weeks of unpaid leave each year for specified family and medical reasons.

To be eligible for leave under this policy an employee must have been employed by the state for at least twelve (12) months and must have worked at least 1250 hours during the twelve-month period preceding the commencement of the leave. The Act entitles "eligible" employees to a total of twelve (12) work weeks of leave during any 12-month period for one of the following reasons:

1) The birth of the employee's child, and to care for the newborn child;
2) The placement with the employee of a son or daughter for adoption or foster care;
3) The care of the employee's spouse, son, daughter, or parent with a serious health condition; and
4) A serious health condition that makes the employee unable to perform the functions of the employee's job.

In the case of birth or adoption this eligibility shall expire at the end of the 12-month period beginning on the date of a child's birth or placement. If the leave is foreseeable, the employee must provide 30 days advance notice. In situations "3" and "4" above, written medical certification must be furnished.

Family leave is leave without pay. However, the AOC require the employee to substitute paid leave for any part of the 12-week period. The employee must exhaust all paid sick leave first followed by annual and other paid leave before being placed on unpaid leave.

9.10 Educational Leave

The AOC encourages the educational pursuits of its employees. Employees who are enrolled in a course of study in an accredited certificate or degree program or enrolled in two or more courses that are relevant to the employee's job responsibilities may enroll in and attend one course (up to four credit hours) during regular working hours if the employee is:

1. Enrolled in and attending one additional course outside of regular working hours during the same academic period; or
2. Has successfully completed one course outside of regular working hours during the immediately preceding academic period.

Courses provided online shall qualify as long as they are approved for full academic credit. No leave time will be deducted for such activity when approved in advance by the Director.

9.11 Military Leave

Employees who are members of the National Guard or any of the reserve branches of the Armed Forces are granted three weeks leave annually, plus necessary travel time for annual training requirements. This leave is granted without loss of pay and in addition to regular vacation time. Each employee who requests military leave must furnish a copy of his/her orders for the personnel file. To the extent this leave is not used in a calendar year, it will accumulate for use in the succeeding calendar year until it totals 15 days at the beginning of a calendar year.

An employee who is drafted or called to active duty in the armed forces of the United States or who volunteers for military service shall be placed on extended military leave without pay and upon application within 90 days after the effective date of his or her release from active duty shall be reinstated to the position vacated or an equivalent position at no loss of seniority or any of the other benefits and privileges of employment.

9.12 Leave for Participating in Children's Educational Activities

Employees shall be entitled to eight (8) hours of leave during any one (1) calendar year for the purpose of attending or assisting with the educational activities of a child enrolled in pre-kindergarten through grade 12.

9.13 Volunteer Leave

The AOC encourages employees to participate in charitable activities. Employees may request eight hours of paid leave per calendar year to volunteer for the charity of their choice. Volunteer leave must be applied for and approved by the employee's immediate supervisor using the "Leave Application" form. Each employee is responsible for completion of the "Use of Volunteer Time" form indicating the number of hours volunteered, charity/organization, and activities conducted. Volunteer leave is not requested and approved through EASE.

9.14 Jury Duty

Any employee serving as a juror or subpoenaed as a witness to give a deposition in a court case or court hearing, not involving personal litigation or service as a paid expert witness outside the scope of state employment, is granted time off with full compensation in addition to any fees paid for such services. The time off will not be counted as annual leave.

9.15 Leave Without Pay

An employee may request and be granted, upon the written approval of the Director, continuous leave of absence without pay for a period not to exceed three months. However, leave without pay will not be granted until all of the employee's accumulated annual, compensatory, holiday, and birthday leave has been exhausted. Leave without pay due to sickness will not be granted until all of the employee's accumulated sick leave has been exhausted. Employees who are on leave of absence without pay do not accrue annual leave or sick leave unless the leave without pay is greater than ten (10) consecutive or non-consecutive days in a month, then the employee would lose the leave accrued (annual or sick) for that calendar month only. The employee on leave without pay is responsible for the state's portion as well as the employee's cost of insurance.

9.16 Leave Request and Notice of Leave

Employees should request leave in advance using the EASE-based online system. When health treatment is known about in advance, the employee should request sick leave in advance. Unanticipated sick leave requests and annual leave due to inclement weather shall be submitted on the first day the employee returns to work.

Employees who are ill, have an accident, or are otherwise unable to report for work at the appointed time, are expected to notify their supervisor in writing and via EASE. If the supervisor is unavailable the employee should notify the next immediate supervisor. The supervisor should notify the receptionist as soon as he/she is aware of the absence. Absence or late reporting must be reported each day prior to the start of the work period.

Supervisors are to inform the Director of all leave requests which have a continuous duration of more than 10 days.

9.17 Organ Donor Leave

All state employees are entitled to leave with pay for up to thirty (30) days per calendar year in order to serve as a human organ donor. In addition, all state employees are entitled to leave with pay for up to seven (7) days per calendar year to serve as a bone marrow donor.

In order to qualify for organ donor or bone marrow donor leave, employees must provide a written request from both the employee and the medical physician that will perform the transplantation. Following the transplantation, written verification of the fact must be provided by the same physician.

9.18 Transfer of Leave between State Agencies

An employee may transfer annual and sick leave between state agencies. The rate of accrual when transferring to another agency will remain the same. Annual leave and sick leave will be transferred in increments of one hour.

10 OFFICE PROCEDURES

10.1 Office Calendars

The office calendar is maintained on the AOC main calendar located on the Microsoft Exchange Email system under public folders. Employees who wish to place meetings on the calendar or who will be out of the office for half a day or more should notify the receptionist by email. Office calendars are also available to reserve meeting rooms, the computer lab, wireless internet cards, and vehicles.

10.2 Dress

All employees, including regional and remote employees, must dress in a reasonable and professional manner. Clothes must be neat, clean, and reflect a work environment of professionalism. No jeans should be worn during regular office hours, except when casual dress days are in effect.

Casual dress is permitted on Fridays and on days when both the Supreme Court and Court of Appeals are in recess. On casual days, employees may wear business casual clothing, including appropriate denim wear. However, employees with scheduled meetings, in-person or virtual, with judges or non-AOC personnel on casual dress days may not participate in casual dress.

Certain clothing items are always prohibited, including, but not limited to, clothing with graphics, slogans, or words; sweatpants; leggings; shorts; hats; beachwear; and visible undergarments.

Temporary exceptions to this policy may be granted by the employee's division director for activities such as moving equipment or furniture.

10.3 Confidentiality

Employees of the Administrative Office of the Courts shall safeguard confidential information acquired in the course of their employment. Employees shall not disclose or use confidential information for any purpose not connected with the performance of their official duties.

"Confidential information" is information that is required to be kept confidential pursuant to federal law, state law, court rule, court order, administrative regulation, policy, or directive. Confidential information includes, but is not limited to: data, source code, notes, papers, memoranda, discussions, deliberations, proprietary information, and electronic communications, such as e-mail and facsimile. If in doubt about whether the confidentiality policy applies to a piece of information, consult with your supervisor.

The work product of former employees of the Administrative Office of the Courts shall remain confidential. Upon termination from employment, employees may, with the permission of their supervisor, take with them copies of written material in which they participated as a part of a personal file but shall not release such writings to any other party without the written consent of the court or other court-related entity that the employee served. "Work product" does not include documents that are published or filed of public record.

10.4 Press Contact

Some of the materials and information received and handled by the AOC are confidential as defined by law, the provisions of judicial ethics, or the policies of the Supreme Court. All requests by the press should be referred to the Director or his/her designee. All Freedom of Information Act (F.O.I.A.) requests should be forwarded immediately to the Director or her/his designee.

10.5 Travel Reimbursement Policy

Requests for reimbursement for travel expenses must be submitted on the AOC TR-1 form. Reimbursement is permitted only for actual expenditures made while traveling on official business. Requests for reimbursement are subject to the state travel reimbursement law. The cost of meals will be reimbursed only when the trip involves an overnight stay. Receipts must accompany reimbursement requests. Mileage must be calculated using Google Maps.

Employees are allowed reimbursement for tips up to 15% of the cost of the meal; however, the total cost of meals and tips may not exceed the rates published in the DFA Financial Management Guide. The agency director may grant exceptions to this policy as circumstances warrant.

Employees who regularly travel on business are eligible for a state travel card. The application and TR-1 form are included in the appendix and available electronically on the O: drive on the AOC network.

10.6 Travel and Rental Vehicles

When traveling, an employee may request a rental car only when it is more economical than a taxi, airport shuttle, or public transport or when other modes of transportation are unavailable and use of a rental vehicle is the most practical mode of travel. This request should be submitted in writing to the employee's supervisor. If approved by the supervisor, the request should be forward to the employee's division director, the finance director, and agency director for review. If approved, the request will be forwarded to the office manager. The AOC will use the statewide vehicle rental contract if one is in force. If a statewide contract is not in force when travel occurs, the AOC will use the lowest available rate.

10.7 Internship Policy

All supervisors requesting internships must make a written application to their immediate supervisor, Division Director, and the Director describing the proposed length, duties, and function of the internship. The Director shall have sole authority to approve or reject internship requests. It is the preferred policy that AOC internships are paid.

10.8 Drug-Free Workplace Policy

The AOC shall at all times be in compliance with the Drug Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace is prohibited. Violation of this policy can subject employees to discipline, up to and including termination.

Employees shall not be discriminated against for using physician-prescribed or physician-certified drugs unless use of the prescribed or certified drugs interferes with work productivity, contributes to behavioral issues, or becomes a substantial burden to the AOC.

10.9 Non-Discrimination Policy

It is the policy of the Administrative Office of the Courts that discrimination by an employee based upon race, creed, religion, national origin, age, sex, gender, sexual orientation, gender identity, or disability is prohibited and shall constitute grounds for dismissal.

10.10 Harassment Policy

Unprofessional conduct, including but not limited to harassment, bullying, and intimidation (collectively referred to as "harassment"), has no place in the workplace and will not be tolerated. Harassment undermines the integrity of the judiciary and violates the standard professional working environment to which employees are entitled. It is the policy of the Administrative Office of the Courts to ensure a work environment free of harassment. In particular, discrimination based on disability, color, gender, national origin, race, religion, or sex is strictly prohibited.

Complaints of harassment will be investigated in a timely and thorough manner and appropriate disciplinary actions will be enforced promptly. Efforts will be made to conduct investigations with due regard for confidentiality to ensure protection of the complainant and the accused. No complainant will be required to confront the accused solely or independently.

Actions that may be defined as harassment are not limited to "supervisor to employee" but may include actions of co-workers, actions of justices and judges, and actions of individuals external to the AOC and its offices who have contact with employees in the work environment.

10.10.1 Sexual Harassment Definition

In accordance with this policy, unwelcome sexual advances, requests for sexual favors, sexual demands, or other verbal or visual conduct of a sexual nature will constitute sexual harassment; when:

1) Submission to the conduct is either an explicit or implicit term or condition of employment;
2) Submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct;
3) The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

10.10.2 Harassment Complaint Procedure

1) An employee who alleges harassment should notify Human Resources (HR), their supervisor, or the Director of the Administrative Office of the Courts as soon as possible. Alternatively, upon observing or learning of possible harassment independently of a report from an employee, HR will conduct an investigation.

2) HR will conduct an investigation as soon as possible into the allegation. HR will attempt to meet with the purported victim, alleged perpetrator (with the exception of an elected official), and witnesses. Employees are encouraged to submit their statements in writing to HR. Employees may request HR assistance with producing written statements. If the allegation is made by or against the agency director or individual HR employee, then the agency director or individual HR employee is prohibited from engaging in any stage of the investigation other than as a complainant, witness, or defendant.

3) HR will conclude its investigation with a written report provided to the Agency Director or designee. The Agency Director or designee will determine what action to take, including but not limited to termination, corrective action plans, written warnings, verbal warnings, office

access restrictions, phone restrictions, email restrictions, and virtual meeting restrictions. If the allegation involves a justice or judge, the HR report will be provided to Judicial Discipline and Disability Commission for the Commission to determine if additional action beyond the action taken by the Agency Director is appropriate.

4) The Agency Director, designee, or HR will notify the complainant in writing that the investigation has concluded and that action has been taken. HR and the Agency Director or designee retain discretion on what information to disclose to complainant. Complainants do not have a right to know all specific action taken.

5) If the complainant or accused is dissatisfied with the decision of the Agency Director or designee, that person may appeal the decision to the Supreme Court in writing within seven business days of receipt of the decision. Otherwise, the decision of the Agency Director shall be final and binding. The Supreme Court will review the investigation file and either affirm, modify, or reverse the Agency Director's decision. If the allegation is made by or against an individual justice, that justice is prohibited from engaging in the review and decision. A Court of Appeals judge will be selected via a random process to replace the justice in the review. The decision of the justices (and replacement judge(s) as applicable) shall be final and binding.

10.11 Political Activity

The judiciary seeks to maintain neutrality concerning political matters. While AOC employees have the right to hold and express personal opinions about political candidates and issues, when performing their duties on behalf of the judicial branch (during regular working hours), AOC employees should endeavor to maintain neutrality in action and appearance.

Each employee retains the right to vote as the employee chooses and is free to participate actively in political campaigns during non-working hours. Such activities include, but are not limited to, membership and holding office in a political party and campaigning for a candidate in a partisan election by making speeches and contributions of time and money to individual candidates, political parties, or other groups engaged in political activity. An employee who chooses to participate in political activity during off-duty hours should not use his or her position or title within the court system in connection with such political activities. Employees choosing to engage in political activity via social media, blogs, and online forums should ensure that their associated social media, blog, and online profiles do not list the AOC as their employer.

Employees should not run for or hold judicial or partisan elective office. An employee who declares an intention to run for a judicial or partisan elective office must take an unpaid leave of absence upon the filing of nomination papers.

Employees should not engage in any political activity during scheduled work hours, when using government vehicles or equipment, or on state property. Political activity includes, but is not limited to: (a) displaying literature, badges, stickers, signs, or other items of political advertising on behalf of any party, committee, agency, candidate for political office, or political issues sought to be placed on the ballot, (b) using official authority or position directly or indirectly to influence or attempt to influence any other employee in the court system to become a member of any political organization or to take part in any political activity, (c) soliciting signatures for political candidacy or for the purpose of placing an issue on the ballot, and (d) soliciting or receiving funds for political purposes.

10.12 Legislative Activity

The judiciary seeks to maintain neutrality concerning legislative matters. When performing duties on behalf of the judicial branch, AOC employees should endeavor to maintain neutrality in action and appearance.

Before employees engage or participate in legislative activities, they should inform their division director or the agency director.

Employees must keep the agency director and their division director apprised of any communication pertaining to legislative activities.

10.13 Information Technology Use Policy

10.13.1 Introduction and Scope

The term information technology (IT) includes, but is not limited to, computers, application software, electronic mail (email) systems, telephones, mobile devices, local area network (LAN) with access to the Internet, and cloud technologies. The purpose of these technologies is to:

1) Assist employees in fulfilling their job duties,
2) Conduct agency business,
3) Support agency projects, and
4) Provide employees with the necessary tools to expand their technological knowledge.

This policy covers access to and the appropriate use of these technologies by AOC employees, contractors, consultants, temporary employees, and workers who use a remote or local connection method to access network resources.

10.13.2 Technology as a Privilege

The Court Information Systems (CIS) Division strives to provide users with current technological equipment and resources necessary for the employee's job. General appropriate uses include:

1) Access to local and network application software that allows employees to accomplish tasks and fulfill job functions;
2) Access to the Internet for work-related activities including research and information gathering;
3) Communication and collaboration between staff and other work-related entities;
4) Activities or projects that support professional or permitted activities of employees.

AOC employees are allowed *de minimis* personal use of technological resources, including access to the Internet and other information resources before and after scheduled working hours and during scheduled breaks and lunch.

10.13.3 Unacceptable Uses

It is unacceptable for an employee to use technology in any manner that:

1) Violates local, state, or federal laws;

2) Violates local, state, or federal regulations or AOC policy;
3) Violates or infringes on the rights of any other person, including the right of privacy;
4) The employee knows or should know is defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material;
5) Inhibits other employees from using the system or the efficiency of the computer systems, including but not limited to the distribution of unsolicited advertising, or known or purposeful propagation of computer worms or viruses;
6) Is used for private or personal business ventures, or personal for-profit business activities;
7) Is used for promotion of private or political causes;
8) Is used for wagering, betting, selling;
9) Use or installation of remote access software;
10) Is used for storage of personal files, such as pictures, music, videos, or extraneous software on network servers;
11) Disrupts or harms the business of the AOC.

10.13.4 Privacy of Information

In general, information that is created, stored, or accessed using AOC systems or IT services is presumed to be public record and subject to disclosure. AOC employees should have no reasonable expectation of privacy in the use of these resources.

10.13.5 Confidential Information

Confidential or proprietary information is information which if made available to the public would cause harm to the AOC or parties who are subject of the information. It is also information that could give a party a business advantage when negotiating contracts with the AOC. Unpublished drafts of opinions, memoranda, notes, communications, deliberative materials regarding case decisions, working papers, and correspondence of Supreme Court Justices and Court of Appeals Judges are confidential. Also all communications between justices and judges, communications between justice/judges and their law clerks, administrative assistants, and between law clerks are confidential. Finally, any communications deemed confidential under Administrative Order 19 are confidential.

Confidential information shall not be disclosed to anyone other than the intended recipient of the confidential communications without the express written consent of the originator of the confidential information or as provided by law, rule, or order of a court of competent jurisdiction.

OneDrive is cloud file storage that is associated with the individual employee's Office 365 account. Employees are prohibited from sharing or collaborating on confidential or proprietary information using OneDrive. Employees should never transmit unencrypted confidential or proprietary information. Email messages between users in the arcourts.gov domain are automatically encrypted; however, messages sent to users outside of this domain may not be encrypted – and appropriate methods must be taken to secure confidential or proprietary information.

10.13.6 Network Services

Access to the network is restricted to Justice Building, 900 West Capitol Building, and Riverfront employees as well as necessary remote and regional personnel. Users outside the Justice Building may be given contractual access at the discretion of the CIS Division Director. AOC employees must get

approval from the AOC Director, Deputy Director, or a Division Director prior to connecting non-Justice Building persons to the Justice Building network.

Remote access to the network may be provided through a virtual private network (VPN). At the discretion of the CIS Division, clientless or client-based VPN solutions may be deployed to provide access to Judiciary employees and external contractors. VPN access may be requested by an employee's manager. VPN requests should be submitted to the AOC IT Security Officer.

Employees should be aware that when connected to the Justice Building network through a client VPN session, normal access to their Internet Service Provider is disabled. A user will still have a connection to the Internet through the VPN session, but any data passed through a VPN session, including web traffic, is traveling over the state-owned network and is subject to this policy.

All employees are responsible for the security of their user IDs and passwords. If access to an employee's files is required, a written request must be submitted to the AOC Network Manager by the employee's manager. Employees are encouraged to keep data safe by locking their desktop with the "Windows + L" key combination when away from their computers.

10.13.7 File Storage

Access to the Internet, email, and other technological services is provided through a LAN. These services include data storage, backup services, data and user security, file sharing, and printer access. The AOC also provides cloud services through Office 365.

Employees are required to store all work files on AOC provided resources to ensure proper security, sharing and backup. The LAN servers are the preferred resource to store work files. However, LAN servers have limited capacity, and drive space is reserved for work-related data. Individual files stored on OneDrive are not safe from deletion. Deleted files are stored in the Recycle Bin before they are permanently deleted. Files stored on OneDrive can be accessed from remote locations. The AOC recommends using OneDrive to access files remotely. SharePoint sites are cloud file storage sites that are configured for access by the AOC Systems Group. AOC employees may also collaborate on information stored on a SharePoint site. Collaboration on other cloud storage systems such as Google Drive, DropBox, and others may be approved on a case by case basis.

10.13.8 Wireless Access

Wireless access is available in all areas of the Justice Building, Riverdale Office, and 900 West Capitol office space. Wireless access is provided for employees and guests through a public wireless network and secured enterprise networks.

The public wireless network is designed for guests. It may also be used by employees who bring their own devices, like phones and tablets, to work and want Internet access. The public wireless network offers access to the Internet but cannot contact internal Judiciary network services. Judiciary public wireless utilizes content filtering so content that is blocked will not be accessible.

Enterprise wireless networks are segregated from public wireless and match the employee's wired network profile. Employees will be automatically authenticated to their enterprise wireless network when using work computers. Only state-owned computers are permitted to connect to enterprise wireless networks.

10.13.9 Email

Microsoft Office 365 provides the AOC with email services. Employees use of email is governed by state law. Employees may access their email accounts through Outlook or remotely at https://portal.office.com/. Employees may also receive email on mobile devices. Employees who receive email on a mobile device should inform AOC PC Support if their phone is lost or stolen so that the account may be blocked. An employee who sets up a personal mobile device to receive email from the AOC email system also consents to having the device wiped in the event it is lost or stolen.

Employees should use care when dealing with suspicious email messages. Employees should not click on links or open attachments in suspicious messages. If you suspect you have received a malicious email message contact IT Security in the CIS Division.

Email account size is limited to 100 GB. Employees are required to retain all incoming and outgoing mail messages for one year. Email messages having contractual significance should be retained for 5 years after the termination of the contract or agreement. An employee should contact PC Support if they need to retain more messages than they have space in their account.

10.13.10 Instant Messenger Policy

Instant messaging (IM) is used for real-time text-based communications between two or more participants over the Internet or some form of internal network or intranet. The AOC CIS Division uses an internal messenger client that is automatically installed on the employee's computer. AOC employees' requests to add, remove, or change IM accounts should be submitted to AOC PC Support at aoc.pchelp@arcourts.gov. Messenger credentials utilize the employee's Active Directory username and password. AOC Internal IM also supports mobile clients on Android and iOS.

1) Instant messaging should be used for business communications only.
2) File transfers through IM clients are not allowed.
3) Instant messages that are unencrypted shall not include confidential or proprietary information.
4) The connection to or use of external instant messaging systems is prohibited.

IM clients can save chat transcripts for later access. All CIS employees are required to turn this feature off.

10.13.11 Use of Office Programs

Office 365 allows the use of the most current version of MS Office on up to 5 devices. The AOC provides a computer with one copy of MS Office installed. The AOC may provide employees with a mobile device for use at home. This mobile device will also have one copy of MS Office installed. An AOC employee may install a copy of MS Office on a home computer. These copies of MS Office are associated with the AOC employee's Office 365 account. When an employee is no longer employed by the AOC the employee is no longer authorized to use MS Office on their home computer. The version installed on their home computer will fail to license after their account is terminated.

10.13.12 Personal Devices

Employees are discouraged from bringing their own computer to work. Employee-owned computers used on state property may be subject to the Arkansas Freedom of Information Act. Employee-owned

computers are not allowed to connect to the LAN without prior approval by the AOC Director or the CIS Division Director.

10.13.13 Network Operations

The Systems Group and the IT Security Officer of the CIS Division are responsible for maintaining a safe, secure, and reliable network infrastructure for the Arkansas Judiciary. To accomplish this mission the Systems Group and IT Security Officer employs various network monitoring and scanning tools to ensure compliance with established policies, troubleshoot network events, and investigate potential security breaches. Activities that the Systems Group and IT Security Officer are authorized to perform are:

1) Scanning for and remediating network and workstation vulnerabilities;
2) Monitoring and management of employee workstations;
3) Measuring and monitoring network traffic and Internet bandwidth usage for troubleshooting and policy enforcement purposes;
4) Setting minimum password standards.

10.13.14 Anti-virus and Anti-spyware Protection

The CIS Division maintains enterprise level anti-virus and anti-spyware products that are installed on all AOC computers. Up-to-date definition files are regularly installed, and daily scans are performed. Remote computers employ a local installation of these products and are configured for automatic definition updates and daily scans. Users should immediately report any unusual computer performance or suspected virus or spyware to the AOC PC Support Manager.

10.13.15 Remote Access

Remote access to the network may be provided through a virtual private network (VPN). At the discretion of the CIS Division, clientless or client-based VPN solutions may be deployed to provide access to Judiciary employees and external contractors. VPN access may be requested by an employee's manager. VPN requests should be submitted to the AOC IT Security Analyst.

Client-based VPN connections will only be permitted on state-owned hardware or hardware that is owned by contractors whose access has been approved by the AOC Director, Deputy Director, or a Division Director. Any hardware that is used to access the Judiciary network through a client VPN session must also adhere to standard security controls such as antivirus and antispyware protection and must be protected with a password.

Clientless VPN connections can be initiated from any device with a modern web browser. Clientless VPN connections are used for special purposes such as access to internal web-based applications.

Employees should be aware that when connected to the Justice Building network through a client VPN session, normal access to their Internet Service Provider is disabled. Users will still have a connection to the Internet through the VPN session, but any data passed through a VPN session, including web traffic, is traveling over the state-owned network and is subject to this policy.

Other remote access software such as PCAnywhere, GoToMyPC, LogMeIn, or Carbon Copy shall not be used to communicate with a computer on the Justice Building network.

10.13.16 User Account Guidelines

All employees are responsible for the security of their user IDs and passwords and shall be diligent in protecting those accounts. Passwords are not to be shared among employees and should not be written down. If access to an employee's files is required, a written request must be submitted to the AOC Network Manager by the employee's manager. Passwords must not be inserted into email messages or other forms of electronic communication. All work-related user passwords must be changed at least every 90 days. All user passwords should contain a mixture of upper- and lower-case alpha and non-alpha characters and be at least 8 characters in length. The CIS Division programmatically enforces password policies on AOC employees connecting to network resources or using AOC equipment. The policies require strong passwords that are changed every 90 days.

10.13.17 Unacceptable Uses of LAN Resources

The Justice Building purchases a limited amount of Internet bandwidth from DIS and it is intended to be used for legitimate business purposes. Unacceptable uses of network bandwidth include but are not limited to:

- **Peer to Peer (P2P) Connections** – Peer to peer applications, such as Bit Torrent or Limewire, represent a serious security risk to network resources and are strictly prohibited.
- **Hacking or Monitoring Tools** – AOC employees are prohibited from downloading or using any hacking tools, network scanning software, or password crackers without prior written permission of the AOC Director upon suspicion of illegal or unauthorized network activities, except as otherwise permitted under section 10.10.10, Network Management.

10.13.18 Message Content

All email communications shall be conducted in a professional manner. The following are unacceptable uses of the state email system:

- Any activity prohibited by AOC policy;
- Sending chain letters, virus, or hoaxes;
- Sending or opening executable (.exe) files or other attachments unrelated to specific work activities;
- The use of profanity, obscenities, abusive language or derogatory remarks;
- Messages that contain obscene, pornographic, or sexually suggestive content;
- Messages that violate the harassment policy;
- Messages that violate the non-discrimination policy;
- Messages used to promote religious or political beliefs;
- Messages used to harass, threaten, or intimidate others;
- Messages that interfere with a person's ability to perform their job duties;
- Sending advertisements or solicitations that are not work related;
- Sending information in violation of U.S. copyright laws.

10.13.19 Internet Access

The following are inappropriate uses of Internet through the state-owned network:

- Viewing, receiving or sending pornographic or other obscene materials;
- Participating in chat rooms not designed for professional interactions specifically related to one's job;
- Personal Internet browsing during scheduled work times;
- Purposes which violate federal or state law;
- Transmitting or receiving data in violation of U.S. copyright law.

10.14 Unauthorized Use of Office Equipment & Materials

Unauthorized use of office supplies, telephones, copy machines, fax machines, computers and other equipment and/or furniture for non-official business is forbidden. Any questions about the use of said supplies and equipment should be addressed to the Director.

10.15 Outside Employment

While the AOC does not prohibit employees from engaging in outside employment, each full-time employee's AOC position should be considered the employee's primary employment. During scheduled office hours, no employee should engage in activity for which he or she will receive outside compensation. In addition, the agency will disallow other outside employment if it interferes with an employee's AOC duties or the integrity or credibility of the judiciary. Rule 1-6 of the Rules of the Supreme Court provides that no employee shall engage in the practice of law or have a pecuniary interest in any concern which does business with the Supreme Court or the Court of Appeals. As a general rule, employees of the AOC should refrain from any outside employment, unless said employment is approved in writing by the Director.

11FACILITIES

11.1 Keys & Building Access

Each employee will be issued a photo identification card and a card access key to the outside doors of the Justice Building. These keys are the property of the AOC, are not to be duplicated, and must be returned at termination of employment. Key cards and photo identification cards should not be left in unattended vehicles. The Justice Building is not open to the public at night or on weekends. Employees who gain entrance to the building after hours should ensure that outside doors remain locked at all times.

11.2 Visitors

Visitors to the Justice Building are required to enter through the main entrance on the west side of the building and must check-in with the Supreme Court Police Department.

11.3 Weapons

AOC employees are not permitted to knowingly carry or possess a loaded firearm or other deadly weapon in any publicly owned building or facility or on the State Capitol Grounds, nor are they permitted to knowingly carry or possess a firearm, whether loaded or unloaded, in the State Capitol Building or the Justice Building. Violation of this policy may result in criminal prosecution for violation of Ark. Code Ann. § 5-73-122.

11.4 After Hours

Employees working after normal business hours who are concerned about exiting the building when security is absent should call the Capitol Police at 501-682-5173. The number is also available at the security desk at the Justice Building entrance.

11.5 Parking

Free parking lots are available to employees on the Capitol grounds on a first-come, first-served basis. Employees should park only in designated spaces. Parking in non-designated areas is prohibited, even on a temporary basis and will result in a parking ticket.

11.6 Smoking Policy

Smoking is prohibited in all space occupied by the employees of the Supreme Court, Court of Appeals, and the Administrative Office of the Courts, except in a designated smoking area in the north courtyard of the Justice Building.

For the purposes of this policy, "smoking" shall refer to the use of any lit tobacco product, cigars, cigarettes, e-cigarettes, vaping, and pipes. Smoking medical cannabis is prohibited in all spaces occupied by the employees of the Supreme Court, Court of Appeals, and the Administrative Office of the Courts; this prohibition includes the north courtyard of the Justice Building.

11.7 Personal Office Space

The Arkansas Building Authority is responsible for the maintenance of the Justice Building. The Authority has posted a policy concerning the building and personal office spaces on the bulletin board in the AOC break room. The policy includes a ban on personal office heaters and the burning of candles. Employees are encouraged to keep their offices and the common areas clean. Problems with personal or public Justice Building spaces should be reported to building maintenance at 501-682-3509.

11.8 Fire Evacuation Plan

The State Building Authority has posted a Fire Evacuation Plan for the Justice Building on the bulletin board in the AOC break room. Employees should read and familiarize themselves with the evacuation plan. Fire Wardens for the AOC offices are:

First Floor:	Office Manager
	Court Information Systems Division - Executive Assistant
Second Floor:	Division of Dependency Neglect - Assistant CASA Coordinator
900 W Capitol:	Court Information Systems Division - Executive Assistant

When the fire alarm sounds, all employees are required to exit the building. Wardens will ensure that every employee has vacated the building when the fire alarm sounds. Wardens should meet with the Deputy Director about their area of responsibility.

11.9 Vehicles

The vehicles owned by the AOC are available for use by all employees after completing an Arkansas State Vehicle Safety Program Authorization to Operate State Vehicles and Private Vehicles on State Business form. Use of a vehicle is scheduled by submitting a reservation on the AOC Vehicle Checkout Calendar located on the Microsoft Exchange Email system under public folders. This request should be submitted as soon as the employee knows that an AOC vehicle will be needed. No one is permitted to operate an AOC vehicle except the members of the Supreme Court and the employees of the AOC and the Supreme Court. Seat belts must be worn by all occupants at all times. No smoking is allowed in any AOC vehicle. Keys are available from the Office Manager or designee. All vehicles have an assigned credit card to purchase gasoline or other maintenance times for the vehicle. All vehicles must be cleaned by the employee after use. Vehicles used for out-of-town travel or which have less than one-half tank of gas should be filled with gas prior to turning in the keys. Vehicles should be inspected prior to use and upon return and any damage to the vehicle must be report promptly to the Office Manager.

In the event an AOC vehicle is requested and none is available, an employee may use his or her personal vehicle. Use of a personal vehicle for travel outside of the employee's official station will entitle the employee to receive reimbursement at the prevailing state mileage rate. Each AOC employee's official station is Little Rock except employees designated to work from a regional or remote location. Those employees' official station will be the city where their office is located. If a private automobile is used, the employee will be reimbursed for mileage from his or her home or official station, depending on which distance is the shortest.

11.10 AOC Permanently Assigned Vehicles

If the AOC permanently assigns a vehicle to an employee, the vehicle is to be used only for business purposes. The only acceptable personal use of the vehicle is for commuting or de minimus personal use as defined by Publication 15-B of the Internal Revenue Service.

Personal use of the vehicle is a taxable fringe benefit. The AOC has adopted the following policy for the purpose of taxing and reporting the personal use of employer-provided vehicles. It is the policy of the AOC that an employee is not allowed to use the vehicle for personal purposes other than for commuting or de minimis personal use as defined by the Internal Revenue Service. The AOC will determine the taxable value of a vehicle permanently assigned to an employee by multiplying each one-way commute (that is, from home to work or from work to home) by $1.50. If more than one employee commutes in the vehicle, this value applies to each employee. This amount will be included in the employee's wages or reimbursed by the employee.

The AOC Permanently Assigned Vehicle form (F-9) shall be completed by the employee and returned to his or her supervisor. The supervisor shall remit the form to the AOC Office Manager. The employee will also turn in a Weekly Time Sheet Concerning Use of Permanently Assigned State Automobiles (F-10) statement of use to their supervisor that will be used to report the fringe benefit to be included on their annual W-2. Both of these forms are located on the O: Drive in the AOC Policy folder.

12 WORKERS' COMPENSATION

Employees who incur an occupational injury or illness should notify their supervisor as soon as possible. If the employee requires non-emergency medical care, the employee should call the Company Nurse Injury Hotline at (855)339-1893. If no medical treatment is required, the employee should complete the Workers' Compensation Incident Report (found on the O: drive in the WORKERS COMP folder) and submit it to Human Resources. For information regarding Worker's Compensation benefits and/or application forms, see Human Resources.

13 VIOLATION OF POLICIES

Violation of policies contained herein may result in reprimand, leave without pay, or termination.

14 SEPARATION FROM EMPLOYMENT

Upon separation from employment, AOC employees will turn in all building keys and photo IDs to the Deputy Director, logout and shutdown their computers, remove all personal possessions from their workspace, and turn in their state-issued credit card and any other property belonging to the State. The inventory control officer will verify that all state property assigned to the employee has been turned over to the AOC. Failure to return state property will result in a referral to the local prosecutor.

Before an employee's last day, the employee should schedule an exit interview with HR. When an employee ends employment with the AOC the employee's access to any network resources and email account will be disabled. The employee's email account will be backed up to read only media and will be stored with the personnel file. Employees who wish to recover personal files or examples of their work that does not include confidential or proprietary information should submit a written request within five (5) days of departure to their immediate supervisor. The employee's immediate supervisor will determine which documents may be provided to the employee.

15 Performance Evaluation Policy

15.1 Introduction and Purpose

The Administrative Office of the Courts Performance Evaluation Policy and Procedure is designed to foster employee development through mutual discussion and appropriate coaching and counseling by the employee's supervisor(s) throughout the year. The evaluation will serve as an input for salary increases or other awards. The evaluation will also serve to inform the employee regarding goals or indicators that require improvement and to establish methods for meeting expectations for performance in the coming year.

Certain behavioral competencies are critical to an employee's success. Generally, competencies encompass knowledge, skills, attitudes, and actions that distinguish performers.

Competencies for the Administrative Office of the Courts are grouped into five categories:

- **Job Performance Goals/Expectations**: job specific tasks and goals necessary for success in the employee's position.

- **Organizational Skills**: those skills necessary to succeed within the organization.
- **Communication Skills**: those skills that are related to interactions with others.
- **Job Effectiveness**: those skills required to be successful in any job.
- **Supervisory Skills**: those skills specific to effective supervision.

The employee's supervisor observes the employee's demonstration of competencies over time and:

- Determines the degree to which the employee exhibits the behaviors within the competency category, as a whole
- Identifies specific behaviors on which the appraiser would like the employee to focus
- Consults with employees who work closely with the employee being evaluated and who routinely observe the employee in the work setting
- Solicits input from the employee being evaluated regarding ways to increase the frequency of desired behaviors during the next performance cycle and concerning goals that the employee would like to accomplish.

Performance evaluations are confidential documents and are not to be shared with individuals who do not require access. Any employee found to have violated confidentiality will be subject to disciplinary action, up to and including termination.

A manager who fails to complete an employee's performance evaluation by the designated time may be ineligible for a performance increase or subject to disciplinary action as determined by the Director.

Although the Administrative Office of the Courts is exempt from the Uniform Classification and Compensation Act (Ark. Code Ann. § 21-5-204(a)(3)), this policy and procedure is intended to be substantially consistent with the goals of the Merit Pay Increase System authorized by Ark. Code Ann. § 21-5-1101 for agencies subject to the Uniform Classification and Compensation Act.

15.2 Scope

This policy applies to all employees of the Administrative Office of the Courts. This policy and procedure replaces Section 15 of the AOC Employee Handbook and Policy Manual that was effective January 1, 2018.

Since CIS adopted the Agile system of organization, quarterly evaluations have become routine. Using this data, CIS supervisors will complete annual performance evaluations utilizing the standard AOC forms. CIS employees will not need to complete the standard AOC self-evaluation.

15.3 Definitions

- **Appraiser –** Person designated to supervise employees and who is responsible for developing, monitoring, and evaluating performance standards and results for employees who report to the person directly.
- **Eligibility Date –** All employees will have an eligibility date for the Merit Pay Increase of April 1.
- **Employee –** For purposes of conducting performance evaluation, employee shall mean all employees of the Administrative Office of the Courts.
- **Performance Goals and Expectations** – These are job-related expectations for the employee's position. They should be specific, measurable, achievable, results oriented, and time bound.

Objectives should specify what they are meant to achieve. Managers should be able to measure whether the employee is meeting the objectives. Objectives should be realistic and attainable. Employees should be able to achieve the objectives with available resources. Each objective should have a target completion date.

- **Performance Review Meeting** – A meeting conducted at least 10 days prior to the employee's eligibility date between the employee and supervisor to review and discuss the final performance evaluation.
- **Role Model** – Employee's performance is exceptional and serves as a model for other employees. The employee made a major positive impact on the agency.
- **Highly Effective** – Employee's performance consistently surpasses established standards. The employee accomplished tasks and duties above requirements and made a positive impact on the agency.
- **Solid Performer** – Employee's performance meets all requirements for the position in a competent and proficient manner. This represents the expected level of performance as established by the agency director or supervisor.
- **Needs Development** – Employee's performance periodically falls short of requirements or the employee requires development in the position.
- **Unacceptable** – Employee's performance is inadequate, and the employee has demonstrated an inability or unwillingness to improve or meet requirements.

15.4 Performance Evaluation Procedure

15.4.1 New Hires

- The employee and appraiser shall meet sufficiently in advance of the next performance evaluation to review the employee's position description and establish the performance goals and expectations for the next evaluation.
- The employee and appraiser will review the form that will be used to conduct the annual performance evaluation and record at least five performance goals and expectations on the form.
- A copy of the performance evaluation form shall be provided to the employee and retained by the appraiser for additional review as needed during the course of the year.

15.4.2 Instructions for Completing the Performance Evaluation Process

- Approximately one month before the due date of the performance review, the employee will be provided with a copy of the evaluation form, the employee's previous evaluation if applicable, and a copy of the employee's position description.
- The employee will be required to conduct a self-evaluation using the AOC Performance Review Employee Self-Evaluation Form. The self-evaluation shall include the employee's recommendations for goals for the coming year. A date will be set for the employee to complete and return the self-evaluation, and a time and date for the performance review meeting will be established.
- The appraiser is encouraged to consult with employees who work closely with the employee being evaluated and who routinely observe the employee in the work setting.
- Using the information gathered from the employee self-evaluation and consultants, the supervisor will prepare a final performance evaluation using the AOC Employee Performance Evaluation Form.

- During the performance review meeting, the appraiser will review the final evaluation with the employee both highlighting achievements and noting areas requiring improvement and discussing strategies to attain desired performance.
- The appraiser and employee will record the agreed to skills, projects, and training for the next year.
- The appraiser and employee will record the job performance goals/expectations, which may include development of skills, completion of projects or training on an AOC Employee Performance Evaluation Form that will be used in the next annual review.
- At the conclusion of the meeting the appraiser will print and sign two copies of the current evaluation and provide the employee a copy of the evaluation to be used at the next review.
- The employee will sign both copies of the current evaluation and retain one for the employee's records. The employee may indicate the desire to attach comments to the evaluation by checking the appropriate box below the employee's signature.
- The appraiser will retain a copy of the evaluation and provide copies to the appraiser's supervisor, group manager, division director, deputy director, and personnel manager.

15.4.3 Instructions for Completing the Performance Evaluation Form

- The AOC Employee Performance Evaluation Form is a Microsoft Excel spreadsheet.
- The appraiser should double click into the appropriate cell to record information. Double clicking allows the user to locate the cursor so that text is not accidentally overwritten. The Undo button will allow a quick recovery of accidentally overwritten text.
- The performance evaluation is composed of two major sections:
    - The Job Performance/Goals section is worth 60% of the overall score of the evaluation.
    - The Key Job Performance Indicators is worth 40% of the overall score of the evaluation.
- Each element of the two sections will receive a rating from 1 to 20 representing the following scale using the definitions above: Role Model (20), Highly Effective (16-19), Solid Performer (11-15), Needs Development (6-10), and Unacceptable (1-5).
- The overall rating is equal to 60% of the average value of the Job Performance/Goals section plus 40% of the average value of the Key Job Performance Indicators section.

Employee Name – enter the name of the employee being appraised.

Job Title – enter the title of the employee being appraised

Division – enter the AOC Division in which the employee works

Reviewer – enter the name of the employee's supervisor(s) conducting the evaluation

Review Date – enter the date on which the employee evaluation was conducted

Job Performance Goals/Expectations – The appraiser will select five primary job duties from the job description or important goals that the employee was expected to complete within the year and rate them individually on how well the employee performed since the last evaluation.

Performance Goals/Expectations Comments – The appraiser will provide comments to justify the scores in the Job Performance Goals/Expectations section. It is very important that comments be provided to justify low and high scores. The goals and expectations must be specific, measurable, achievable, results oriented, and time bound.

Key Job Performance Indicators – The skills in this section reflect the common values of the organization that contribute to the overall success of the agency. The items in this section are included in four key categories of job performance. These are organizational skills, communication skills, job effectiveness, and supervision skills. The supervisor will rate each item on how well the employee performed since the last evaluation; however, supervision skills should only be rated if the employee has supervisory responsibilities.

Key Job Performance Indicators Comments – The appraiser will provide comments to justify the scores in the Key Job Performance Indicators section. It is very important that comments be provided to justify low and high scores.

Skills, Projects and Training for Next Year – The appraiser will work with the employee to list goals to target for the next year. The information listed in this section may be used in the Job Performance Goals/Expectations section for the following year.

Performance Scoring – Based on the values entered in the sections above, the performance scores are calculated, and the overall performance rating of the employee is displayed.

Employee Signature / Date – After completing the evaluation, and printing the form, the employee will sign and date the form, indicating that the evaluation is complete. The employee's signature does not indicate agreement with the outcome of the review.

Checkbox – The employee will indicate whether or not they wish to attach comments to the evaluation. To be included in the submission of the completed evaluation the personnel manager, the appraiser must receive the comments within 5 business days.

Supervisor Signature / Date – After the employee will signs and dates the form, the employee's supervisor who conducted the evaluation will sign and date the form indicating that the evaluation is complete and that the employee was provided a copy of the evaluation.

15.5 ACKNOWLEDGMENT OF AOC EMPLOYEE HANDBOOK AND POLICY MANUAL

I acknowledge that I have read the AOC Employee Handbook and Policy Manual in its entirety and have discussed any questions with my supervisor.

_____
Employee Printed Name

_____
Employee Signature

_____
Date