



OGDEN PREPARATORY
ACADEMY

Employee Handbook



Table of Contents

About Ogden Preparatory Academy (OPA)	7
Mission Statement and Vision	7
Board of Directors	8
Policies and Procedures	8
School Initiatives	8
Responsibility Centered Discipline (RCD)	8
Leader in Me/7 Habits of Highly Effective [Students]	9
Aguilas F.L.Y.	9
AVID	9
Special Programs	10
Special Education	10
Alternative Language Services	10
Section 504	11
Employment	11
At-Will	11
Equal Opportunity Employment	11

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Benefits	11
Employee Separation	11
Employee Expectations	12
Be Respectful	12
Be Safe	12
Be Responsible	13
Be Prepared	13
Employee Job Duties and Responsibilities	13
Performance	13
Employee Health	14
Drugs, Alcohol and Tobacco	14
Bloodborne Pathogens	15
Immunizations	15
Professional Standards	15
Role Model of Civic and Societal Responsibility	15
Compliance with LEA Policy	16
Professional Conduct	16
Professional Ethics	17
Parent Communication	17

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Contract Hours	17
Full Time Employees	17
Part Time Employees	17
Hourly Employees	17
Dress Code	18
Eligibility	18
Employment Remediation and Termination	19
Responsibilities by Position	19
Provisional Teachers	20
Teachers	20
Paraprofessionals	21
Supervisory Responsibilities	21
Morning	21
Daily	21
Lunch	21
Recess	21
Transition Periods	22
After School	22
Dismissal	22

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Activities	22
Employee Evaluations	22
Technology and Maintenance	23
OPA Party Line Canvas Course	23
Technology	23
Physical Facility Alterations	23
Curriculum and Assessment	24
Curriculum	24
Core Standards Links	24
Adopted Curricula	24
Curricula Materials, Textbooks, Books	24
Assessment	25
OPA Assessments	25
Classroom Requirements	25
Behavior Intervention	26
Responsibility Centered Discipline	26
Grades K-6 Expectations	26
Elementary Behavior Intervention Levels and Flow Chart:	27
Grades 7-9 Expectations	30

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Budgets, Requisitions, Reimbursements, Supplies	31
Budgets	31
Supplies provided by OPA that do not affect the classroom budget:	31
Supply Requests	32
Purchase or Reimbursement Requests:	32
Financial Transactions	32
Lunch and School Fees	32
Collecting Money	32
Absence Requests	33
Field Trips	33
Movies in the Classroom	33
External Professional Development Request Form	33
Acronym Glossary	34
Appendix: Legal Notices	38
Employee Polygraph Protection Act	38
Equal Employment Opportunity	39
Equal Employment Opportunity (page 2)	40
Fair Labor Standards Act (FLSA) Section 14(c)	41
Fair Labor Standards Act (FLSA) Minimum Wage	42

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Family and Medical Leave Act (FMLA)	43
The Occupational Safety and Health (OSH) Act	44
The Occupational Safety and Health (OSH) Act (page 2)	45
Pregnancy and Related Conditions	46
Unemployment Insurance Notice to Workers	47
Uniformed Services Employment and Reemployment Rights Act (USERRA)	48
Workers Compensation	49

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

This *Employee Handbook* is provided for the Employee's information and is not intended to alter the at-will nature of the position held. Supportive documents and forms for this handbook can be found on the OPA Shared Drives and the [Ogden Preparatory Academy Website. ogdenprep.org](http://ogdenprep.org). Policies and Procedures are subject to change. For the most current policies and procedures, see the School website.

About Ogden Preparatory Academy (OPA)

Ogden Preparatory Academy is the first charter school in Utah. OPA was built with the idea that children should have an affordable quality education in a safe, nurturing environment. OPA exposes all students in grades K-9 to Spanish as a second language. A charter school allows parents a choice in free public education for their child.

Ogden Preparatory Academy offers a public school education with private school quality. Some key benefits of OPA include uniforms, discipline, class sizes under 30, and employee accountability. Parents are expected to be active in the school by volunteering for 30 hours per year. Parental involvement has shown to be a major benefit to a child's interest in school and willingness to learn. OPA has high academic expectations with an emphasis on mastery of reading and math skills.

Mission Statement and Vision

The Mission of Ogden Preparatory Academy Charter School is to provide a challenging curriculum where academic excellence, character development, and individual growth are nurtured in a safe and happy environment that involves the active participation of students, teachers, parents and community members.

Ogden Preparatory Academy's vision is to create a positive, nurturing environment for students to grow and learn as they develop the skills necessary to become tomorrow's leaders. Through high academic expectations and experiences, bilingual exposure, leadership roles and commitment to community, OPA's students will gain confidence and a sense of self-worth that will prepare them to face the challenges in a competitive world.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Board of Directors

The OPA Board of Directors (Board) is made up of parents and community members. The Board meets monthly. Agendas and minutes of the Board are posted on the OPA website. The mission for the Ogden Preparatory Board of Directors, through unified governance, is to set direction and goals for the school, and to commit to continual improvement. We will empower our administrator to manage day-to-day operations. We will act in the best interest of the school, ensuring we live up to our duties, which are:

- Duty of Loyalty
- Duty of Care
- Duty of Fiduciary Responsibility
- Duty of Obedience, and
- Duty of Good Faith

The Board will act in the best interest of the school by ensuring we are financially sound, consistently showing the results of high academic expectations, and maintaining obedience to both state and federal law.

Policies and Procedures

A complete set of OPA policies and procedures can be found on the PD, Documents and Resources Shared Drive and on the school website: ogdenprep.org. All OPA Employees shall follow the school policies and procedures.

School Initiatives

Responsibility Centered Discipline (RCD)

OPA has implemented a behavioral management system called Responsibility Centered Discipline.

The goals of the RCD program are:

- To empower students to take responsibility for their actions,
- To keep students in their learning environments with their peers,
- To empower teachers to solve issues within their classrooms, and

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

- To build positive student/teacher relationships.

OPA has established the following foundations:

- Be Safe
- Be Responsible
- Be Respectful
- Be Prepared

Each classroom and public area of the school have specific expectations centered around these foundations. See [Behavior Intervention](#) section for specific expectations.

Leader in Me/7 Habits of Highly Effective [Students]

OPA has adopted the Leader in Me program. Teachers are trained in the *7 Habits of Highly Effective People* and work cooperatively to teach students the 7 Habits by integrating them into their classrooms. The OPA Lighthouse Team orchestrates the Leader in Me program.

Aguilas F.L.Y.

(Focus on collaboration, Look at data, Yield results)

Aguilas FLY is OPA's Professional Development System. In Aguilas F.L.Y., teachers are grouped into CTTs (Collaborative Teacher Teams) based on grade level or subject area. CTTs meet regularly to examine formative and summative data, improve curriculum, plan interventions, and conduct other business to improve student learning. Aguilas F.L.Y. is the system that focuses and drives all professional development activities at OPA and all teachers are expected to participate. One member of each CTT is assigned to the School Leadership Team (SLT) to coordinate professional development and school programs and initiatives.

AVID

(Advancement Via Individual Determination)

The AVID curriculum, based on rigorous standards, was developed by middle and high school teachers in collaboration with college professors. It is based on best teaching practices in writing, inquiry, collaboration, organization, and reading, and it is supported by state and national content standards. AVID strategies are used in classes to guide teachers and students, while planning strategies for success, by focusing on time management and study skills. At OPA, we have AVID elective classes at the Junior High. We have an AVID Site Team that

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

oversees the networking of AVID strategies and principles throughout the school. All teachers are encouraged to use AVID strategies in their classes each day as part of OPA's commitment to rigor in the classroom.

Special Programs

Teachers are expected to plan lessons considering the needs of all children. OPA students include those with IEPs (Special Education), EL Plans (Alternate Language Services), and 504 plans (students with disabilities outside the Special Education umbrella). Teachers shall review all student special program plans and adjust classroom expectations to meet the individual student needs as outlined in these plans.

Ogden Preparatory Academy has a Multi-Tiered System of Supports Team (MTSS Team) established. The MTSS Team is a problem solving team that can help gather data and make decisions to help the teacher and school determine the most effective ways to educate the students at OPA. Teachers and administrators serve on the MTSS Team depending on the student being discussed.

Special Education

The OPA Special Education Department has developed policies and procedures to ensure that all students residing within the jurisdiction of the Local Education Agency (LEA) are located, identified, and evaluated. The OPA Special Education Department Policies and Procedures can be found on the OPA website.

Alternative Language Services

Alternative Language Services include classroom and supplementation instruction in oral, reading, and writing skills in English proficiency. Language proficiency is assessed annually for students who are identified as English Learners. Teachers develop and review annual plans for students who require language services and monitoring.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Section 504

Teachers and Administrators meet annually to review the specific needs of students with disabilities other than those requiring IEPs. OPA follows all State and Federal guidelines and reporting requirements with regard to 504s.

Employment

At-Will

Employment with OPA is at will. This means employment is for an indefinite period of time, and it is subject to termination by you or OPA with or without cause, with or without notice, and at any time. Nothing in this handbook or any other policy of OPA shall be interpreted to be in conflict with or to eliminate or modify in any way, the at-will employment status of OPA employees.

The at-will employment status of an employee of OPA may be modified only in a specific written agreement with that employee which is signed by an administrator and the Board Chair.

Equal Opportunity Employment

OPA is an Equal Opportunity Employer. OPA ensures equal employment opportunities regardless of race, creed, gender, color, national origin, religion, age, sexual orientation, disability or on any other basis required by law.

Benefits

Ogden Preparatory Academy provides a benefit package to eligible employees. Eligibility is determined by the employee's work agreement. Benefits are outlined in the *OPA Benefit Handbook*.

Employee Separation

In the event of Employee Separation, Ogden Preparatory Academy is required by Utah Law to maintain and provide disciplinary records to prospective employers. A person who, in good faith, provides a recommendation or discloses or receives information is exempt from

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

civil and criminal liability relating to that recommendation, receipt, or disclosure.

In the event of a non-voluntary employment termination, the school will mail or direct deposit the last paycheck of a separated employee within 24 hours. If an employee voluntarily terminates their employment, the final paycheck shall be paid according to the regular payroll schedule.

Employee Expectations

Be Respectful

- We speak positively of others and avoid gossip
- We assume good will
- We treat others how we want to be treated
- We go to the source if we have a question or concern
- We seek first to understand
- We are mindful of others' personal boundaries

Be Safe

- We ask for help
- We use equipment correctly
- We take care of ourselves physically, mentally, and emotionally
- We are aware of our surroundings
- We maintain clean and organized rooms and spaces
- We maintain emotional control

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Be Responsible

- We are punctual and prepared
- We are professional and accountable for our dress, words, and actions
- We take ownership of mistakes
- We follow procedures and expectations
- We take care of school property and technology
- We seek feedback and use it to grow

Be Prepared

- We are where we are supposed to be
- We engage with a positive attitude
- We will have necessary materials
- We plan ahead, and we are flexible

Employee Job Duties and Responsibilities

Performance

It is expected that the Employee shall:

1. Employ his/her best efforts and shall give to OPA competent, effective professional services, and shall forego any other employment or activity whether full-time or part-time which would directly or indirectly interfere or conflict with the Employee's ability to fulfill his/her commitment to OPA.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

2. Support and comply with the policies, procedures, curriculum, mission, administration, and governing Board of Ogden Preparatory Academy (OPA).
3. Comply with all applicable state and federal laws in connection with the performance of his/her duties.
4. Work under the direction of the assigned administrator/Director or his/her designee.
5. Perform additional duties as assigned by the Administration Director.
6. Endeavor to work collaboratively with colleagues by sharing best practices, mentoring, discussing, modeling, analyzing data, and actively engaging in professional development activities as assigned. Professional development activities include: Aguilas FLY, AVID Site Team, Leader in Me Lighthouse Team, MTSS Team, Friday PD, etc.

Employee Health

Drugs, Alcohol and Tobacco

- OPA buildings are smoke free.
- OPA prohibits the use, possession, sale, distribution or manufacture of drugs and drug paraphernalia at school or school related activities.
- OPA forbids employees from reporting to school or to school related activity while under the influence of a substance which impairs their ability to perform their job responsibilities.
- Upon reasonable suspicion, OPA reserves the right to conduct searches of workspaces and/or to require drug testing as outlined herein.
- Ensures compliance with applicable federal and state laws.

Employees may be required to submit to medically acceptable testing to determine violation of federal or state law, or school policy or procedure under the following conditions:

- When, during work hours, there is reasonable suspicion that an employee is using or is impaired through the use of a controlled substance or alcohol;
- As part of a post-accident investigation.

Testing shall be conducted by an independent laboratory. Positive results shall require a confirmation test.

Violation of employee health restrictions will result in disciplinary action, which may lead to suspension or dismissal. Disciplinary action may be based on information obtained by testing, but a positive drug test is not required for discipline for violations provided the school has credible evidence of violation.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Bloodborne Pathogens

1. Employees shall be trained annually on Bloodborne Pathogens.
2. Employees shall establish work practices to reduce likelihood of exposure.

Immunizations

By order of the Health Department, all employees shall show evidence of current immunizations or a waiver for the following:

1. Varicella
2. MMR
3. T-DAP

Failure to have evidence of immunizations on file may result in loss of wages in the event the Health Department requires non-immunized employees to quarantine.

Professional Standards

Employees of Ogden Preparatory Academy shall adhere to the Utah Educator Professional Standards. [The following is not meant to be an inclusive list. See Rule R277-515. Utah Educator Professional Standards]

In dress, conduct, and interpersonal relationships, employees of OPA are being continuously observed by students. Their actions and demeanor will be reflected in the conduct of the students. Employees should strive to set an example for students which will serve as a model for behavior and contribute toward a positive school climate. Failure to comply with Professional Standards may result in employment termination and possible licensing discipline.

Role Model of Civic and Societal Responsibility

1. Refrain from legally representing OPA without the express permission of Administration.
2. Shall not attend school or a school-related activity in an assigned employment-related capacity while possessing, using, or under the influence of alcohol or an illegal drug and shall not intentionally exceed the prescribed dosage of a medication.
3. Act in a professional, respectful manner, maintaining a positive attitude whenever it is reasonably expected the Employee would be viewed as a representative of OPA.
4. Maintain appropriate, civil, and professional relationships (written, verbal or physical) with students and colleagues.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

- a. Employees shall not solicit, encourage or consummate an inappropriate relationship with a student or minor.
 - b. Employees shall not make inappropriate contact in any communication (written, verbal or electronic) with a minor, student or colleague, regardless of age or location.
 - c. Employees shall not participate in, nor allow, any sexual, physical or emotional harassment toward any student or colleague.
5. Shall provide accurate information with regard to certification and education.
 6. Maintain in the strictest confidence all personal information regarding any students or employees of OPA.
 7. Employees shall comply with all applicable state and federal laws in connection with personal conduct when on school property, in conjunction with school events, or on personal social media sites.
 - a. Employees who wish to use social media for educational purposes shall maintain separate professional and personal virtual profiles.
 - b. All communication about students and school related concerns shall be through school approved communication means.
 2. Shall teach the core curriculum objectives.
 3. Maintain confidentiality of student information and educational records.

Compliance with LEA Policy

1. Understand and follow School policies and procedures.
2. Resolve grievances according to the OPA Grievance policy.
3. Follow policies regarding collecting and accounting for monies.
4. Fundraising
 - a. Employees shall follow school policies for collecting money and accounting for money collected.
 - b. Employees shall not solicit nor approve solicitation of funds without the express permission of school administration.

Professional Conduct

1. Exhibit integrity and honesty in relationships.
2. Shall communicate professionally.
 - a. Any communication where an employee may be viewed as a representative of the School shall be professional and non disparaging. This may include on-line personal venues.
3. Shall not promote a personal opinion as part of the instructional process.
4. Shall work diligently to improve professional judgment, understanding, and expertise.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Professional Ethics

1. Shall become familiar with professional ethics and is responsible for compliance.
2. Attend and comply with annual School Ethics training(s).
3. Avoid ongoing conflict with other personnel and parents. Continual conflict with others may be cause for dismissal.

Parent Communication

Any Employee specifically assigned to teach a class of students shall maintain parental communication including:

1. Weekly Parental Communication in one of the following forms:
 - a. Learning Management System (Canvas.)
 - b. Blog/Website
 - c. Email
 - d. Newsletter or other means as approved by the Administration.
2. Gradebook updated at least weekly;
3. Parental contact via phone or email for students whose grades fall below a C-.
4. Parental contact via phone or email for students with behavioral challenges.

Contract Hours

Chronic tardiness or other abuses may result in corrective action. In case of emergency, Administration may ask the teacher to remain at the school beyond specified contract hours. Employment status is determined by the employment agreement.

Full Time Employees

Typical contract hours are 7:45 a.m. to 4:00 p.m. with some exceptions made for professional development, conferences, meetings, and specific work assignments.

Part Time Employees

1. Hours of employment are to be determined by the School Administration.
2. Hours are not to exceed 29.5 hours per school week.
3. All hourly employees are part-time employees.

Hourly Employees

1. Hourly employees must clock in and out of the time card system while on campus.
2. Hourly employees are not paid for a 30 minute personal lunch.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Dress Code

The objective of this dress standard is to enable employees to project a professional, business-like image while exercising good judgement. Employees' dress and attire should be distinguishable from the dress and attire of students. Employees' dress should model appropriate standards for students. Attire may vary based on an employee's work assignment. Specific dress specifications are as follows:

1. Clothing should be neat, clean, appropriately fitted, modest and in good repair.
2. Dresses, skirts, pants, and shorts should adhere to the same length standard as outlined in the student dress code.
3. Shirts without sleeves should have a shoulder seam that reaches the shoulder, not to be less than 3 inches. Midribs should remain covered. No graphic tees, unless "dressed" up.
4. Employees may wear well-tailored blue jeans without patches or tears with college or spirit shirts on Fridays.
5. Employees may participate in "Free Dress" days while maintaining a professional standard.
6. Visible body piercing is limited to earrings and one additional, non-distracting, facial piercing. Facial piercings are limited to a small stud. Enlarged ear piercings are not allowed.
7. Hair must be clean, well groomed and not distracting.
8. Tattoos that are lewd, gang-related, or that pose a disruption or safety concern must remain covered.

Eligibility

It is expected that the Employee shall:

Obtain a background check prior to commencement of any duties.

1. Meet the requirements for Highly Qualified status as defined by state and federal law.
 - a. Licensed Employees
 - i. Classroom teachers shall be duly certified and qualified to perform as an educator within the State of Utah.
 - ii. Teachers with Associate Educator Licensure may have additional professional learning requirements. Requirements may be scheduled during the summer as well as during the school year.
 - b. Paraprofessionals meet HQ requirements in one of the following ways:
 - i. Two years post-high school education (transcripts or certificate required)

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

- ii. Pass the Parapro Praxis assessment.
- iii. OPA Portfolio (special permission required for using a portfolio as certification).
- c. All non-highly qualified employees shall be actively pursuing certification. Failure to do so may result in employment termination.

Employment Remediation and Termination

1. Employees wishing to terminate employment shall provide written notice of termination to the School Principal or the Human Resources Director.
2. Violation of State or Federal Laws may be grounds for immediate dismissal.
3. Fraud and/or Ethical infractions may be grounds for immediate dismissal.
4. Failure to adhere to State and Federal Educational Standards and School policies and procedures may be grounds for termination.
5. Failure to Perform: When an employee's performance ceases to meet the School's expectations levels
 - o Employee shall be given redirection and/or a plan of improvement. Redirection or a plan of improvement shall include specific areas of improvement, an outline of expectations, provided supports, and date(s) of review.
 - o Failure to cooperate with provided supports and/or failure to show progress through review(s) shall be grounds for termination.
6. Employee may be given the opportunity to resign prior to termination.
7. Upon termination, any supplies procured through classroom budgets, legislative funds, donations, or grants shall remain property of OPA.

Responsibilities by Position

Specific employee responsibilities may be outlined by the Employee Agreement, Individual Job Descriptions, and the Employee Handbook. Where discrepancies exist between these documents, the order of preference shall be as follows:

1. Employee Agreement.
2. Individual Job Description.
3. Employee Handbook.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Provisional Teachers

(Any teacher holding an Associate Educator License or LEA License, or an educator with a Professional License in their first years of teaching. Teachers new to OPA may be included as well.)

1. **Lesson Plans:** Shall submit lesson plans in advance to Administration each Monday or the 1st day of each school week.
2. **Mentoring:** Shall work with an assigned mentor to complete all mentor/mentee program tasks.
3. **APPEL or University Requirements:** Shall either be working with a university program or the OPA APPEL program toward Professional Licensure. Shall show progress toward Professional Licensure at regular intervals, and shall complete all requirements of chosen program,
4. **Teacher Leader:** Shall work with the OPA Teacher Leader; attending all applicable meetings and completing all applicable assignments.
5. **Other:** Additional professional development requirements may be assigned by Administration based on experience and need.

Teachers

1. **Lesson Planning:** Teachers are responsible for lesson planning for each of their assignments. Lesson plans shall coordinate with the Utah Core Standards. Lessons are expected to focus on student engagement.
 - a. Teachers shall prepare and maintain emergency lesson plans. Emergency lesson plans shall be given to the office secretaries.
 - b. Teachers are responsible for substitute plans for absences.
2. **Team Meetings:** The Employee shall attend and actively participate in all faculty, team, and CTT meetings as directed. This includes submitting relevant data and team documents as requested. All teachers who are present at school on a given Friday are expected to attend the scheduled professional development offerings, including CTT meetings.
3. **Professional Development:** The Employee shall attend a one-week workshop prior to the commencement of the school year and other professional development activities throughout the school year without additional compensation (i.e. Professional Development activities and meetings that may extend past 4:00 p.m.).
4. **Parent Meetings:** The Employee shall attend Back-to-School Night, Parent-Teacher-Conferences, and evening activities as assigned without additional compensation (see Supervisory Responsibilities). Except in emergency situations specifically pre-approved by the Principal, all teachers shall be available for their scheduled Parent-Teacher Conferences.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

5. **Ad-hoc committees:** OPA encourages teacher participation in decision-making; thus, employees may be asked to serve on committees of varying length and purpose.

Paraprofessionals

Responsibilities and duties of paraprofessionals may vary or be amended from time to time depending on need and individual strengths.

Responsibilities include:

1. Assist in the educational and social development of students under the direction and guidance of Administration and classroom teachers.
2. Student supervision in class, between classes, during lunch, recess, field trips, and other assignments as designated.
3. Work with small groups or individuals to execute interventions as designated by teachers and/or Special Education personnel.
4. Support students with emotional or behavior concerns and assist them in developing social skills.
5. Assist with progress monitoring and assessment as needed.
6. Reinforce classroom and school expectations.
7. Attend professional development training as assigned.

Supervisory Responsibilities

Morning

- Classroom doors should be open at 7:50 a.m.. Expectations should be established for any student access to classrooms in the morning.
- One team member shall monitor the hallway at 7:45 a.m..
- Classes start at 8:05 a.m..
- Expectations shall be reviewed in morning meetings and/or homeroom.

Daily

Lunch

- Lunchroom supervision as assigned by the administration. Primarily, Paraprofessionals, office staff, and Administration are responsible for student supervision at lunch.
- Elementary teachers may be assigned to escort and organize classes for lunch.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Recess

- Paraprofessionals are assigned supervisory duties for recess.

Transition Periods

- Classroom doors shall be open during transition periods.
- Teachers shall monitor hallway behavior during transition periods.

After School

Dismissal

All full-time employees are expected to assist with parking lot responsibilities as assigned. For specific procedures, see Student Dismissal/Pick-up Procedures in Policies, Procedures, and Templates.

Activities

Each salaried employee shall be required to attend three after-school activities per year:

1. Fall Family Activity
2. Spring Family Activity
3. Building-related or Family Engagement activity:
 - a. Elementary: Grade Level Literacy Night or other event as determined by CTT and Administration.
 - b. Secondary: Selection of one activity per year, to be determined in the fall (dances, home sporting events, AVID or LIA activities, etc.). Participation in an after school activity associated with a stipended position (ex: a coach attending a game), or an activity that corresponds to a teaching duty (ex: music teacher attending a concert) does not fulfill this requirement.

Employee Evaluations

Performance of employees shall be observed both formally and informally by School Administration. The purpose of the evaluation is to ensure compliance to School expectations and to improve the performance of the employee.

- Licensed Employees shall receive written feedback at least two (2) times per year regarding their formal evaluations. Feedback and suggestions may be given from informal observations.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

- Unlicensed employees shall receive at least one formal evaluation annually.

Technology and Maintenance

OPA Party Line Canvas Course

The OPA Party Line canvas course can be accessed through the ogdenprep.instructure.com. The Party Line is one location for all OPA information, forms, professional development, etc.

Technology

Employees are responsible for the technology issued to them through the IT department. All Employees shall sign the *Staff Acceptable Use of School Electronic Resources Acknowledgement of Receipt and Understanding* and the *Electronic and Telephonic Communications Employee Acknowledgment Form* as a requisite to using OPA electronic resources and property.

Physical Facility Alterations

Employees shall not make physical alterations to classrooms or other areas of the building without express permission or assistance from the Facilities Manager or Building Administrator. Employees who wish to have alterations made should submit an IMS Support ticket. Any alteration must comply with the OPA facility specifications.

Employees shall be responsible for any costs to repair damages caused by unauthorized alterations.

Physical Alterations include, but are not limited to, the following:

- Paint
- Installation of bulletin boards or other wall hangings
- Installation of shelves
- Anything that puts a hole in the wall
- Duct tape or any other adhesive that is damaging to surfaces.

Technology and maintenance requests (tickets) shall be made through the OPA helpdesk or via email to support@ogdenprep.org.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Curriculum and Assessment

Curriculum

All curricula used at OPA follow the Utah State Core Standards. OPA expects employees to use school adopted curricula and be responsible for teaching classes in accordance with Utah State Core Standards. Weekly lesson plans (submission of weekly plans is mandatory for all teachers with Associate Educator Licensure or who are in their first year of teaching with a Professional License) should reflect alignment with the Utah Core. Additionally, all students who attend OPA are expected to participate in the Spanish curriculum, which includes several options.

Core Standards Links

- [Utah Education Network – Utah Core Standards](#)
- [Utah State Office of Education - Teaching and Learning](#)

Adopted Curricula

- English:
 - Wonders, Grades K-6
 - Elements of Literature 7-9
 - Lexia Core 5
 - Waterford Software, Kindergarten
 - No Red Ink, 7-9
- Mathematics
 - Engage New York, Grades K-5
 - Zearn, Grades K-5
 - Reveal Mathematics, Grades 6-9
 - i-Ready Software, Grades K-9

Curricula Materials, Textbooks, Books

School provided materials including books, textbooks and curricula materials should be properly labeled and maintained by the assigned employee. The following guidelines should be used:

- Store the materials in a safe and secure location.
- Label materials as directed by administration.
- Utilize an organized method of assigning, tracking, and checking out materials to students when applicable.
- Instruct students on appropriate use and care of materials.

[Return to Table of Contents](#)



Ogden Preparatory Academy Official Employee Handbook

- Ensure that substitutes are properly instructed in the use and procedures for class materials.
- Damage to materials that have been assigned to students for personal use shall be the responsibility of the student.
- Assigned employees shall be held responsible for losses and damages resulting from neglect.
- Materials shall be inventoried annually and reported to the Curriculum Director.

Assessment

OPA Assessments

- Acadience (DIBELS) Reading and Math Assessment;
 - Grades K-3
 - BOY, MOY, EOY assessments with interim progress monitoring.
- Renaissance Star Reading Assessment
 - Grades 4-9
 - BOY, MOY, EOY
- RISE State Assessment in English Language Arts, Mathematics, and Science
 - Grades 3-8
 - Benchmarks and Summative
- i-Ready Diagnostics; all math students
 - BOY, MOY, EOY
- KEEP Kindergarten Assessment
 - Pre and Post testing.
- Utah Aspire Plus;
 - Grade 9
 - Summative Spring Assessment.
- NAEP, National Assessment, as assigned by USBE.
- WIDA Access 2.0;
 - All identified English learning students.
 - Screener and Summative assessment.
- AAPPL, Spanish Language Assessment
 - Grades 3-9

Classroom Requirements

- Test preparation and benchmarking (using RISE Benchmarks, Acadience (DIBELS) assessments and i-Ready diagnostics).
- Progress Monitoring.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



- Summative Assessments as applicable to grade level or group.

Behavior Intervention

Responsibility Centered Discipline

OPA follows the Responsibility Centered Discipline (RCD) framework. This framework is based on OPA's four school foundations: Be Safe, Be Prepared, Be Respectful, Be Responsible. Employees are expected to attend all training sessions on RCD and implement it consistently.

The goal of the RCD program is to keep students in their learning environments with their peers, to empower teachers to solve issues within their classrooms, and to build positive student/teacher relationships.

Employees are expected to follow the expectations for behavioral and disciplinary concerns as outlined.

Grades K-6 Expectations

1. Implement clear expectations and procedures during the first few weeks of school and be consistent with procedures throughout the school year. Classroom expectations must be posted in each room.
2. Utilize proactive behavioral management techniques (seating charts, movement around the classroom, non-verbal cues, positive reinforcement, etc.) to help students meet expectations.
3. When a student is not meeting an expectation, implement the Give 'em Five procedures per RCD training. 4 of the 5 steps (Support, Expectation, Breakdown, Benefit) should be attempted at least once during each Level 1 interaction and several times during each Level 2 interaction. It is understood that some interactions may take several days to reach closure.
 - a. Teachers are welcome to use supporting structures (ex: Stop/Think/Do, time-outs, detentions, TA assistance, etc) during Level 1 and Level 2 interactions.
 - b. Teachers will be asked to track information for each Level 1 or Level 2 behavioral incident. If a student does not reach closure with a teacher and the class is unable to continue as usual, the student will earn an office referral.
 - c. The Administration will enter behavioral offenses from office referrals into Aspire.

[Return to Table of Contents](#)



Ogden Preparatory Academy Official Employee Handbook

4. If closure cannot be reached and the student is interrupting the learning of others, the teacher may send the student to the office using language appropriate to RCD.
5. The teacher or teaching assistant should accompany a student to the office. If this is not possible, please contact someone in the office (secretaries or administrator) and provide a synopsis of the situation. Please do not discuss the situation in front of the student, a classmate, or the class.
6. An administrator will meet with the student. If an administrator is unavailable, the student will either sit in the office or an alternate location until one of the administrators are able to speak to the student.
7. If it is determined that RCD procedures were not followed, the student may return to the classroom, so the RCD procedures can be followed within the classroom to enable the teacher to build a positive classroom relationship with the student.
8. During most Level 3 RCD interactions with Administration, students will not attend any classes until a plan is generated. During this time, students are not allowed to work on homework or classwork: Their objective is to create a plan and return to the learning environment. The office is not considered a learning environment and students should not be sent to the office for behavior reasons and expected to complete class work.
9. If a student has consistent Level 3 behavior incidents, a team will meet to discuss the possible referral to the behavior unit. Teachers are not permitted to send students directly to the behavior unit.
10. Teachers should access and refer to the behavior flow chart . Once a student is referred to the office, input will be heard; however, the office makes the final decision. Administration will advise the teacher of the determination.

Elementary Behavior Intervention Levels and Flow Chart:

RCD Level 1&2	RCD Level 3
<ul style="list-style-type: none">● Class disruption● Abusive/inappropriate language● Defiance/disrespect● Minor physical contact● Minor property damage● Minor theft● Cheating/ forgery● Harassment/ teasing/ taunting● Dress code violation● Electronic device or toy	<ul style="list-style-type: none">● Weapons● Aggressive physical contact● Aggressive threats● Throwing furniture● Smoking● Vandalism● Alcohol● Drugs● Gambling● Leaving school grounds

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

<ul style="list-style-type: none">● Preparedness● Hall disruptions	<ul style="list-style-type: none">● Sexual harassment● Chronic minor infractions after 3 of the same type in the same quarter.
---	---

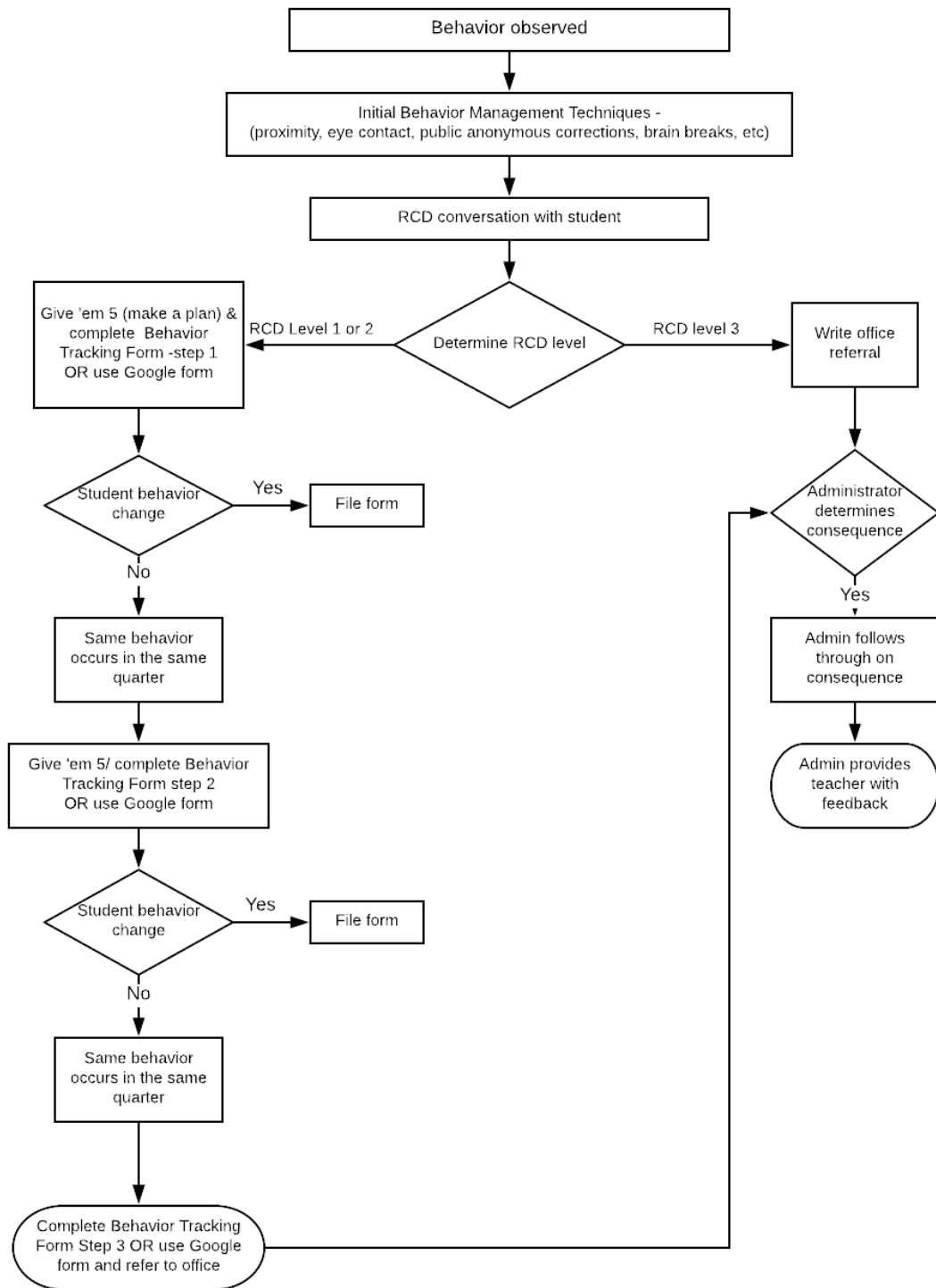
[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook



[Return to Table of Contents](#)



Grades 7-9 Expectations

1. Implement clear policies and procedures with students in both a disclosure statement and during the first weeks of instruction.
2. Utilize proactive behavioral management techniques (seating charts, movement around the classroom, non-verbal cues, positive reinforcement, etc.) to help students meet expectations.
3. When a student is not meeting an expectation, implement the Give ‘em Five procedure per RCD training. 4 of the 5 steps (Support, Expectation, Breakdown, Benefit) should be attempted at least once during each Level 1 interaction and several times during each Level 2 interaction. It is understood that some interactions may take several days to reach closure.
 - a. Teachers are welcome to use supporting structures (ex: Stop/Think/Do, time-outs, detentions, TA assistance, etc.) during these Level 1 and Level 2 interactions.
 - b. Significant Level 2 interactions should be logged into the Aspire system by the teacher or staff member who observed the behavior and Gave Five to the student. This creates a running record that can be referenced where there is a Level 3 interaction.
 - c. Teachers should make parent contact related to any behavioral event logged into Aspire.
4. If closure cannot be reached, the teacher may send the student to the office using language appropriate to RCD. (Remember to attempt one final “support bomb” before sending the student out.)
5. As soon as possible after removing the student from the room, the teacher should contact the office to inform them a Level 3 student is reporting to the office (phone call, email, Google Chat, or TA messenger are all adequate).
6. Administrative Actions
 - a. The student will be given a cooling period in the office while the Administrator begins RCD action by researching the incident.
 - b. An Administrator will either visit the classroom teacher in person or use GoogleChat to get information from the teacher. If the RCD procedures were not followed, the teacher will be asked to fill out the RCD referral form based on steps that could have been taken.
 - c. An administrator will meet with the student and implement Level 3 RCD proceedings (if RCD was not followed by the teacher, this process may be abbreviated).
 - i. During Level 3 RCD interactions with Administration, students will not attend any classes until a plan is generated. During this time, students

[Return to Table of Contents](#)



Ogden Preparatory Academy Official Employee Handbook

are not allowed to work on homework or classwork: Their objective is to create a plan and return to the learning environment. The office is not considered a learning environment and students should not be sent to the office for behavior reasons and then expected to complete class work.

- d. Once a plan is in place, the Administrator and Student will take steps to have the student rejoin the learning community.
7. If an administrator is unavailable, the student will either sit in the office or an alternate location for the class period. Then, the student will attend the next class for that day. An administrator will follow-up with the student regarding the incident when available.

Budgets, Requisitions, Reimbursements, Supplies

Budgets

To receive a supply budget, employees shall make budget requests for the upcoming school year prior to May 31. Employees hired after May 31 will be given as much flexibility as possible.

Teachers shall be given an annual budget with which they may purchase classroom supplies other than those provided by the school (listed below). These budgets include all available funds from Legislative allocated funds, school allocated funds, and any other flow through funding sources, etc..

Supplies provided by OPA that do not affect the classroom budget:

Band-aids	Highlighters	Sharpies
Batteries	Index cards	Sheet protectors
Binder clips	Labels, Mailing	Staples
Crayons	Paper: copy, colored*,	Stapler, one/teacher
Dry-erase markers: Thin, thick	writing, Cornell-Note, card stock (1st ream)	Tape, clear
Envelopes	Paper clips	Tape Dispenser, one/teacher
Erasers, pink	Paper towels	Wet-erase markers
Facial tissue	Pencils	White-Board cleaner
File Folders, Regular; Hanging	Pens	White-Board erasers
Glue sticks	Poster Board	White-out
	Post-it notes	

*Special order colors are not included.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Supply Requests

Request School provided supplies via the OPA Party Line.

Purchase or Reimbursement Requests:

1. Complete a Requisitions/Reimbursement Request on the OPA Party Line.
2. Submit a copy of the request with the original receipts to the Finance Secretary.
3. Reimbursements and purchases will only be made in accordance with the assigned employee's budget.
4. Purchases made in excess of the employee's budget shall not be made nor reimbursed without prior approval from the Business Administrator.
5. Reimbursement may take up to one week.

Financial Transactions

Lunch and School Fees

1. Employees who eat school lunch shall pay the Adult lunch fee.
2. Employees assigned to monitor student behavior at lunch are eligible for school lunch at no cost on the day of assignment.
3. Unpaid lunch balances shall be withheld from the employee's paycheck at year end on or before July 5.
4. At the time of employment termination, all lunch balances and other fees owed shall be withheld from the July 5th or the final paycheck whichever is earlier.

Collecting Money

1. According to the cash handling policy of OPA, all monies must be received through the Secretaries. No employee shall accept money on behalf of the school unless specifically designated in accordance with the Policy.
2. See Cash Handling Procedure in Policies, Procedures, and Templates.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Absence Requests

To request future time off, employees shall complete an *Absence Request Form* on the OPA Party Line at least one week prior to the intended absence. Employees shall be notified when requests are approved.

For emergency or sick leave, employees shall call the designated secretary for their building as soon as he/she knows of the intended absence. Employees shall complete an *Absence Request Form* upon returning.

Complete lesson plans are required for any class the absent employee is responsible for. Emergency substitute plans shall be kept on file with the secretaries. For sick leave, lesson plans should be emailed or otherwise delivered to the secretary prior to the beginning of the school day.

Field Trips

Teachers requesting a field trip shall follow the Field Trip Procedures. Field Trip Procedures can be found in Policies, Procedures, and Templates. A *Field Trip Request Form* must be completed prior to final field trip arrangements. Field Trip request forms should be completed through the OPA Party Line. After the field trip request is approved by Administration, the requestor will be notified to proceed with final arrangements.

All field trips must be approved in advance by the Principal or Principal's Designee.

Movies in the Classroom

When intending to show a movie in a classroom, an employee must request permission from the Administration. If the movie is rated PG or higher, parental permission slips are required for viewing. Parental permission may be obtained through classroom disclosures or on an as needed basis. Movie requests should be made on the OPA Party Line at least 1 week prior to viewing.

External Professional Development Request Form

OPA will provide a variety of internal professional development opportunities. Employees interested in attending professional development opportunities shall submit a Professional

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Development Request form that will be reviewed by the Administrative Team per the External Professional Development Request Procedure.

Acronym Glossary

School-wide

- Aguilas FLY** - Aguilas Foster Collaboration, Look at Data and Yield Results.
CACTUS - Comprehensive Administration of Credentials for Teachers in Utah
CAT - Child Assessment Team
CSI - Comprehensive Support and Improvement
CTT - Collaborative Teacher Teams
DCFS - Division of Child and Family Services
ISS - In-School Suspension
PD- Professional Development
PLC- Professional Learning Community
ESSA- Every Student Succeeds Act
ELD - English Language Development
ESL - English as Second Language
FAPE - Free Appropriate Public Education
FERPA - Family Education Rights and Privacy Act
FMLA - Family Medical Leave Act
FY -Fiscal Year
LEA- Local Education Agency
LEP- Limited English Proficient
MIDAS- Massively Integrated Data Analytics System (Education)- USBE site that you will find state offered PD offerings and Microcredentials
ML- Multilingual Learner
- **ELL**- English Language Learner
 - **ELD**- English Language Development
 - **EML**- Emergent Multilingual
- MTSS** - Multi-Tiered Systems of Support
PDA - Public Display of Affection
OPA - Ogden Preparatory Academy
NAEP - National Assessment of Educational Progress
NCLB - No Child Left Behind
OTR - Opportunity to Respond

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

RFP - Request for Proposal
RISE - Readiness, Improvement, Success, Empowerment
RTI- Response To Intervention
SII- Standards Implementation Institute
SIOP- Sheltered Instruction Observation Protocol
SIS - Student Information System (ASPIRE)
SLT- School Leadership Team
SY- School Year
TLaCH - Teach Like a Champion 2.0
TSI - Targeted Support and Improvement
UCA - Utah Consolidated Application (funding)
UDL - Universal Design for Lesson
UEN - Utah Education Network
USBE- Utah State Board of Education
UTREx - Utah eTranscript and Record Exchange
WIDA- World-Class Instructional Design and Assessment

Leadership

AVID- Advancement Via Individual Determination
ET- Eagle Team; Grade level students elected by their peers to lead school
LIM- Leader In Me
LIA- Latinos in Action
NJHS- National Junior Honor Society

Behavior/Class Management

BIP- Behavior Intervention Plan
BOGO- Buy one, get one free
FUBA - Functional Behavior Analysis/Assessment
RCD- Responsibility-Centered Discipline
SWPBIS- School Wide Project Based Improvement System

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Specialized Education:

504 - The section of the Americans with Disabilities Act specifically dealing with educational student accommodations for learning and is a federal law designed to protect the rights of individuals with disabilities in programs and activities.

AU - Autism

BIP - Behavior Intervention Plan

DLM - Dynamic Learning Map

FUBA - Functional Behavior Assessment

GATE - Gifted and Talented Education

IDEA-Individuals with Disabilities Education Act

IEP - Individual Education Plan for students who have qualified via the evaluation process for special education services.

ILP/SEP - Individual Learning Plans/Student Education Plan

LRE- Least Restrictive Environment

OT- Occupational Therapy

SLD- Specific Learning Disability

SLI- Speech Language Impairment

SLP- Speech Language Pathologist

SPED/SpEd- Special Education

Content Specific

- **Math**

AM - Acadience Math - mathematics universal screening and progress monitoring assessment that measures the acquisition of early mathematics skills K - 6

AQD - Advanced Quantity Discrimination

BOY- Beginning of Year

BQD - Beginning Quantity Discrimination

C&A - Concepts and Applications

CMI - Comprehensive Mathematics Instruction

COMP - Computation

ENY- Engage New York/Eureka Math (Mathematics Curriculum name)

EOY- End of Year

iReady- Mathematics intervention program

KEEP- Kindergarten Entry and Exit profile

MNF - Missing Number Fluency

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

MOY- Middle of Year

NCTM - National Council of Teachers of Mathematics

NIF - Number Identification Fluency

NNF - Next Number Fluency

PEEP- Pre-Kindergarten Entry and Exit profile

UCTM- Utah Council of Teachers of Mathematics

- **ELA-English Language Arts**

AR - Acadience Reading-is a universal screening and progress monitoring assessment that measures the acquisition of early literacy skills from kindergarten through sixth grade

DIBELS Next- Dynamic Indicators of Basic Early Literacy assessment given three times per year

BOY- Beginning of Year

MOY- Middle of Year

EOY- End of Year

FSF- First Sound Fluency

PSF- Phoneme Segmentation Fluency

NWF- Nonsense Word Fluency

DORF- DIBELS Oral Reading Fluency

DORF retell- DIBELS Oral Reading Fluency-retell

DAZE- DIBELS Maze- vocabulary assessment

LETRS- Language Essentials for Teachers of Reading and Spelling

KEEP- Kindergarten Entry and Exit Profile

PEEP- Pre-Kindergarten Entry and Exit Profile

- **Science**

3-D Instruction- Three Dimensional Learning. Includes Practices, Core Ideas and Cross Cutting Concepts

CCC- Cross Cutting Concepts

NGSS- Next Generation Science Standards

PE- Performance Expectations

SEEds- Utah's Science & Engineering Education (SEEds) standards.

SEP- Science & Engineering Practices

STEM- Science, Technology, Engineering, Math; STEAM includes Art

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Appendix: Legal Notices


Employee Polygraph Protection Act

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.


- PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.
- EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.
The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.
The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.
The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.
- EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.
- ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.



WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-589-5627
www.dol.gov/whd



WHD-402 REV 0716

[Return to Table of Contents](#)



Ogden Preparatory Academy Official Employee Handbook

Equal Employment Opportunity

Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Equal Employment Opportunity (page 2)

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

EEOC-P/E-1 (Revised 11/09)

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Fair Labor Standards Act (FLSA) Section 14(c)

EMPLOYEE RIGHTS FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such subminimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of \$7.25 per hour. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Employers shall make this poster available and display it where employees and the parents and guardians of workers with disabilities can readily see it.

WORKERS WITH DISABILITIES

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage.

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the prevailing wage rate, such as when the applicable state or federal minimum wage is increased.

WIOA

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by mandating the completion of certain requirements prior to and during the payment of a subminimum wage.

EXECUTIVE ORDER 13658

Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government. Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the FLSA.

FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits, such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

OVERTIME

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract.

PETITION PROCESS

Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room 9-3502, 200 Constitution Avenue NW, Washington, D.C. 20219.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1384 MAY 01/18

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Fair Labor Standards Act (FLSA) Minimum Wage



EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

\$7.25 PER HOUR
BEGINNING JULY 24, 2009


The law requires employers to display this poster where employees can readily see it.

- OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.
- CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.
- TIP CREDIT** Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.
- NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.
- ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.
- ADDITIONAL INFORMATION**
- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
 - Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
 - Some state laws provide greater employee protections; employers must comply with both.
 - Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
 - Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-467-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WH1008 REV 07/16

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Family and Medical Leave Act (FMLA)

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division




WH1420 REV 04/16

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

The Occupational Safety and Health (OSH) Act



All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

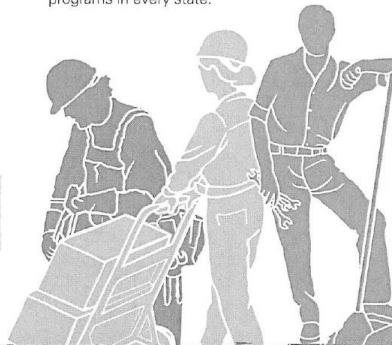
Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

The Occupational Safety and Health (OSH) Act (page 2)

Workplace Safety and Health in the State of Utah

THIS NOTICE MUST BE POSTED IN THE WORKPLACE

The Utah Occupational Safety and Health Act of 1973 requires Utah employers to provide a safe and healthful workplace, free from recognized hazards that are likely to cause death or serious physical harm to employees. The Utah Occupational Safety and Health (UOSH) Division of the Utah Labor Commission, has the responsibility to administer the Utah Occupational Safety and Health Act.

NOTICE TO EMPLOYEES

You have the **obligation to comply** with all workplace safety and health rules established by your employer.

You have the **right to notify your employer or UOSH about workplace hazards**. You may ask to keep your name confidential.

You have the right to **request and to participate in a UOSH inspection** if you believe that there are unsafe or unhealthful conditions in your workplace.

You have the right to **file a complaint with UOSH** if you feel that your employer has retaliated against you for making safety or health complaints, or for exercising your rights under the Utah Occupational Safety and Health Act. Such whistleblower complaints must be filed within 30 days of the retaliation.

You have a right to **see all UOSH citations issued to your employer**. Your employer must post the citations at or near the place of the alleged violation. You may request an informal review of the abatement period granted to the employer.

You have the right to **know your employer is obligated to correct workplace hazards** by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.

You have the right to **copies of your medical records** or records of your exposure to toxic and harmful substances or conditions.

NOTICE TO EMPLOYERS

UTAH EMPLOYERS ARE REQUIRED TO PROVIDE EMPLOYEES A SAFE AND HEALTHFUL WORKPLACE

REPORTING REQUIREMENTS

Employers are required to notify UOSH at (801) 530-6901 within 8 hours of occurrence of all fatalities, disabling, significant, and serious injuries or illnesses to workers. You can call in your report 24 hours a day, 7 days a week. Tools, equipment, materials, or other evidence that might pertain to the cause of such accidents shall not be removed or destroyed until authorized by UOSH. You are also required to investigate all incidents of worker injuries and occupational illnesses.

REPORTING GUIDANCE

"Disabling and serious" includes, but is not limited to any injury or illness resulting in immediate admittance to the hospital, permanent or temporary impairment where part of the body is made functionally useless or is substantially reduced in efficiency and which would require treatment by a medical doctor, such as amputation, fracture, deep cuts, severe burns, electric shock, sight impairment, loss of consciousness, and concussions; illnesses that could shorten life or significantly reduce physical or mental efficiency inhibiting the normal function of a part of the body, such as cancer, silicosis, asbestosis, hearing impairment and visual impairment.

INSPECTIONS, CITATIONS, ASSESSED PENALTIES

UOSH may enter at reasonable times without delay any work place under its jurisdiction to conduct an inspection, investigation, or interview a reasonable number of employees to determine compliance with the Utah Act, rules and standards. If an employer is in violation of any of those rules or standards UOSH will promptly issue a Citation to notify them of the violation. A serious violation may be assessed a proposed penalty of up to \$7,000. Willful or Repeated violations may be assessed a proposed penalty up to \$70,000. Failure to correct or abate a violation may result in additional penalties not to exceed \$7,000 for each day each violation is not corrected.

CONTESTS, APPEALS, INFORMAL REVIEW

The Utah Labor Commission will provide an adjudicative formal hearing with its Division of Adjudication, when an employer files a written notice of contest within 30 days of receipt of the citation. Upon expiration of that 30 day period, the citation and proposed penalties are final and not subject to review by any court or agency. Employers may also request an informal review of any citation, proposed penalty or abatement period. Informal reviews do not extend the 30 days in which an employer must file a written notice of contest for a formal hearing.

To report a workplace fatality or injury, file a workplace safety complaint, or for assistance please call (801) 530-6901 or (800) 530-5090. To file a safety complaint online or obtain more information about UOSH please visit our website at: www.laborcommission.utah.gov. To obtain more information about safety and health in the workplace, please contact the Consultation Program at (801) 530-6855. Employers and employees may file a complaint about state program administration with the Occupational Safety and Health Administration (OSHA) at 1244 Speer Blvd., Suite 551 Denver, CO 80204.

State of Utah Labor Commission
Utah Occupational Safety and Health
160 East 300 South, Third Floor
PO Box 146650
Salt Lake City, Utah 84114-6650
(801) 530-6901
Fax (801) 530-7606
Toll-Free 1-800-530-5090
www.laborcommission.utah.gov



Reporting Injuries (801) 530-6901
Compliance Program (801) 530-6901
Consultation Program (801) 530-6855



"Helping to ensure a safe and healthy workplace for every worker in the State of Utah"

Rev. 01.15.19

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Pregnancy and Related Conditions



Pregnancy and Related Conditions under the Utah Antidiscrimination Act

- The Utah Antidiscrimination Act requires an employer to make a **reasonable accommodation** for an employee for **pregnancy, child birth, breastfeeding, or a related condition**, upon the employee's request. UTAH CODE § 34A-5-106(1)(g) (2016).
- Unless the employer can show that the **reasonable accommodation** is an **undue hardship** as defined by the Act, it cannot require an employee to end the employment if a reasonable accommodation may be given, or deny employment opportunities to the employee if the denial is based on the need to make a reasonable accommodation. UTAH CODE § 34A-5-102(1)(w) (2016).
- An employer **may require** an employee seeking a reasonable accommodation based on pregnancy or a related condition to provide a **medical certification**. A medical certification must include:
 - the date the reasonable accommodation becomes medically advisable;
 - the probable duration of the accommodation; and
 - a statement regarding the medical advisability of the accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).
- An employer **may not** require an employee to obtain a certification from the employee's health care provider for more frequent **restroom, food, or water breaks**. UTAH CODE § 34A-5-106(7)(c) (2016).

To learn more about your rights, please contact the Utah Antidiscrimination & Labor Division by calling 801-530-6801 or emailing discrimination@utah.gov.

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Unemployment Insurance Notice to Workers

09/22E-0912



UTAH DEPARTMENT OF WORKFORCE SERVICES

jobs.utah.gov

UNEMPLOYMENT INSURANCE NOTICE TO WORKERS

Your work is covered under the provisions of the Utah Employment Security Act for unemployment insurance purposes, unless specifically exempted by the Act.

Unemployment insurance specifically provides payments to qualified workers who are unemployed through no fault of their own and are able, available, and seeking full-time work. It is not public assistance, Social Security, or a disability payment. Benefits are based upon your previous earnings—not on economic need. The funds to pay unemployment benefits are paid by your employer. No deductions are made from your wages.

FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

To receive unemployment benefits you may file your claim online at jobs.utah.gov, select "Unemployment Benefits," then choose "File New or Reopen Claims." You may also call the Claims Center at: Salt Lake/South Davis Counties – (801) 526-4400; Weber/North Davis Counties – (801) 612-0877; Utah County – (801) 375-4067; elsewhere in Utah and out-of-state – (888) 848-0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full-time.

FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS

If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

SEPARATION INFORMATION

At the time you are separated from your job, you should request information as to the reasons for your separation. You do not need to have a separation notice to file a claim. Both you and your employer will be requested to provide statements explaining the reason for your separation.

WAGES DETERMINE BENEFIT AMOUNT

The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits.

SELF-EMPLOYMENT

If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your status reviewed by DWS. Work performed in "self-employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

ONLINE SERVICES

Access our web site jobs.utah.gov to search for jobs, find out about available programs, and obtain economic information.

NO FEE EMPLOYMENT SERVICES

DWS services are available on our web site at jobs.utah.gov/employer or by going to any of our Employment Centers listed below. Employment services include job referrals, career counseling, workshops, employer recruitment, Veterans' services, labor market information, and job training/internships. Supportive services include food stamps, financial assistance, medical assistance, childcare assistance, unemployment assistance, emergency assistance, referrals to community, and other resources. Our Job Connection Rooms provide Internet access along with Information Specialists to assist you in accessing services and resources. Fax and copy machines are also available.

STATE EMPLOYMENT CENTERS

Beaver.....	875 North Main.....	(435) 438-3580	Ogden.....	480 27th Street.....	(801) 626-3100
Blanding.....	544 North 100 East.....	(435) 678-1400	Panguitch.....	665 North Main.....	(435) 676-1410
Brigham City.....	1030 Medical Drive.....	(435) 734-4060	Park City.....	1960 Sidewinder Dr., Ste. 202.....	(435) 649-8451
Cedar City.....	176 East 200 North.....	(435) 865-6530	Price.....	475 West Price River Dr. #300.....	(435) 636-2300
Clearfield.....	1290 East 1450 South.....	(855) 222-7531	Provo.....	1550 North 200 West.....	(801) 342-2600
Delta.....	44 South 350 East.....	(435) 964-3860	Richfield.....	115 East 100 South.....	(435) 893-8000
Emery County.....	550 West Hwy 29.....	(435) 381-6100	Roosevelt.....	140 West 425 South 330-13.....	(435) 722-6500
Heber City.....	69 North 600 West, Ste. C.....	(435) 654-6520	Roy.....	1951 West 5400 South.....	(801) 626-3100
Junction.....	550 North Main.....	(435) 577-2443	Salt Lake Metro.....	720 South 200 East.....	(801) 536-7000
Kanab.....	468 East 300 South.....	(435) 644-8910	Salt Lake So County.....	5735 South Redwood Rd.....	(801) 269-4700
Kelley.....	557 W. State Street.....	(801) 753-4500	South Davis.....	763 West 700 South W. Cross.....	(801) 626-3100
Lea.....	18 South Main.....	(435) 836-2406	Spanish Fork.....	1185 North Chuppel Drive.....	(801) 794-6600
Logan.....	180 North 100 West.....	(435) 792-0300	St. George.....	162 North 400 East Bldg. B.....	(435) 674-5627
Manti.....	55 South Main #3.....	(435) 835-0720	Tooele.....	305 North Main, Ste. 100.....	(435) 833-7310
Midvale.....	7292 South State St.....	(801) 567-3800	Vernal.....	1060 West Market Dr.....	(435) 761-4100
Mojave.....	457 Kane Creek Blvd.....	(435) 719-2600	West Valley.....	2750 South 5600 West Ste. A.....	(801) 840-4400
Nephi.....	625 North Main.....	(435) 623-1927			

INFORMATION FOR EMPLOYERS

Utah law requires that each employee's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and separation information and correspondence must include your unemployment insurance registration number. You must also maintain and make available records of wages and separation information on all workers for at least four (4) calendar years.

When an unemployment claim is filed by a former employee, the Department of Workforce Services will send Form 606 "Notice of Claim Filed." This notice will provide an opportunity for you to report details of the reason for the claimant's separation and, in some cases, to request relief of potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs.

If you have classified or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a proper determination of status can be made. By doing this, you may avoid unpaid contributions (tax) liabilities, interest, and penalties.

Additional information is available in the "Employer Handbook" which you can access on the Internet at jobs.utah.gov/employer.

In accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

Equal Opportunity Employer/Program

Ancillary aids and services are available upon request to individuals with disabilities by calling (801) 526-5200. Individuals with open and/or pending impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-848-3762

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Uniformed Services Employment and Reemployment Rights Act (USERRA)



YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

<p>REEMPLOYMENT RIGHTS</p> <p>You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:</p> <ul style="list-style-type: none"> ☆ you ensure that your employer receives advance written or verbal notice of your service; ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer; ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions. <p>If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.</p> <p>RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION</p> <p>If you:</p> <ul style="list-style-type: none"> ☆ are a past or present member of the uniformed service; ☆ have applied for membership in the uniformed service; or ☆ are obligated to serve in the uniformed service; <p>then an employer may not deny you:</p> <ul style="list-style-type: none"> ☆ initial employment; ☆ reemployment; ☆ retention in employment; ☆ promotion; or ☆ any benefit of employment <p>because of this status.</p> <p>In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.</p>	<p>HEALTH INSURANCE PROTECTION</p> <ul style="list-style-type: none"> ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. <p>ENFORCEMENT</p> <ul style="list-style-type: none"> ☆ The U.S. Department of Labor, Veterans Employment and Training Service [VETS] is authorized to investigate and resolve complaints of USERRA violations. ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm. ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.
---	---

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



ESGR
1-800-336-4590

Publication Date — April 2017

[return to table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook

Revision: August, 2022



Ogden Preparatory Academy Official Employee Handbook

Workers Compensation

WORKERS' COMPENSATION NOTICE

Employer: _____
 has complied with the provisions of the Workers' Compensation Act (§34A-2-101, Utah Code Annotated), the Utah Occupational Disease Act (§34A-3-101, Utah Code Annotated), and the rules of the Labor Commission by insuring the liability to pay the compensation and other benefits provided by said Acts through:
 Insurance Company: _____
 Policy Number: _____
 Address for the above insurance company: _____
 Telephone number: _____
 Check here if the employer has been authorized by the Division of Industrial Accidents to self-insure and directly pay workers' compensation benefits.

WORKERS' COMPENSATION

Workers' Compensation is insurance which pays medical expenses and helps offset lost wages for employees with work-related injuries or illnesses. If you have an on-the-job injury or occupational disease, it may pay for: hospital and medical bills, time lost from work, permanent loss of body function, prosthetic devices, and burial and dependent benefits in case of death.

HOW TO REPORT AN ACCIDENT

1. Report the injury, no matter how slight, immediately to your supervisor. You may lose your rights if your injury is not reported within 180 days of the injury or work-related illness.
2. Ask your employer where you should go for treatment. If your employer has a first-aid room or company designated doctor, go there promptly for treatment. If not, go to a doctor of your choice.
3. Tell the doctor HOW, WHEN and WHERE the accident happened. The doctor will fill out a physician's initial report form. A copy of the report is given to you and copies of the report are sent to the insurance company and the Labor Commission within seven (7) days of your doctor visit.
4. Your employer shall fill out the employer's first report of injury form. A copy of this report is sent to the insurance company within seven (7) days of the accident. The insurance company will report the injury to the Labor Commission.

HOW TO START COMPENSATION

1. Ask your employer which insurance company pays workers' compensation benefits for the company.
2. Ask your employer to report the accident to the insurance company and give you the claim number.
3. Call the insurance company and ask them to start your workers' compensation benefits. The insurance company will require the employer's report, the physician's report, and may ask you to fill out a request for compensation. Cooperate with the adjuster's investigation of the injury.
4. Ask your doctor to send medical reports to the insurance company, including the work status statement.

REHABILITATION

If you cannot return to work, you may be eligible for a rehabilitation program. Contact the insurance company listed above or the Utah State Office of Rehabilitation.

FRAUD STATEMENT: "Any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison."



160 East 300 South 3rd Floor P.O. Box 146610 Salt Lake City, Utah 84114-6610
 Office: (801)-530-6800 Fax: (801)-530-6804 Toll Free: (800)-530-5090 www.laborcommission.utah.gov

If you want copy of an *Employee's Guide to Workers' Compensation* booklet or have questions, contact the Labor Commission or go to the webpage at www.laborcommission.utah.gov.

Note: This notice must be posted and kept continuously in public and conspicuous places in the office, shop or place of business of the employer as per §34A-2-204 and §34A-2-104.5, Utah Code Annotated.

Rev 10/2019

[Return to Table of Contents](#)

Ogden Preparatory Academy Official Employee Handbook
 Revision: August, 2022