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1.0 Purpose

The purpose of this policy is to establish Human Resources policies and procedures to guide Wasatch Waldorf Charter School and in accordance with:

- Utah Codes:
 - 17B-1-805, Human resource management requirement;
 - 34A-5-106, Discriminatory or prohibited employment practices -- Permitted practices;
 - 53G-11-410, Reference check requirements for LEA applicants and volunteers;
 - Title 63G, Chapter 2, the Government Records Access and Management Act (GRAMA);
 - Title 63G, Chapter 7, the Governmental Immunity Act;
 - section R477-9-4(1)(b);
 - Section R477-10-2, Rule R477-11 and R477-14; and
 - Section 67-16-5 and the Governor's Executive Order, 1/26/2010; and
- Federal law, including:
 - The Immigration Reform and Control Act of 1986;
 - the Fair Labor Standards Act, 29 CFR Parts 500 to 899(2002) and Section 67-19-6.7;
 - the Hatch Act.

2.0 Definition(s)

3.0 Policy Content

Human Resources Overview

In accordance with Utah Code 17B-1-805, Wasatch Waldorf Charter School shall:

1. assign human resource management duties between the Executive Director, Administrative Director and Business Manager , and
2. ensure that these employee(s) or person(s) assigned receive human resource management training.

Fair Employment and Non-Discrimination

Wasatch Waldorf Charter School will abide by its Anti-Discrimination and Harassment Policy and Utah Code Annotated, Title 34A Chapter 5 section 106 in all hiring and human resource decisions in order to ensure that employment actions are not be based on race, religion, national origin, color, sex, age, disability, pregnancy, sexual orientation, gender identity, or protected activity under the anti-discrimination statutes, political affiliation, military status or affiliation or any other non-job related factor.

An employee who alleges unlawful discrimination may submit a complaint to the Executive Director and/or Governing Board and file a complaint in accordance with Utah state and federal requirements.

Employee Records

Access to and privacy of personnel records maintained by Wasatch Waldorf Charter School are governed by Title 63G, Chapter 2, the Government Records Access and Management Act (GRAMA) and applicable federal laws.

Wasatch Waldorf Charter School shall maintain an electronic record for each employee that contains the following, as appropriate:

- (a) Social Security number, date of birth, home address, and private phone number. (This information is classified as private under GRAMA and Wasatch Waldorf Charter School will protect the privacy of employees in relation to this information. Contact information may be shared internally within an employee directory, exclusively for work-related uses.)
- (b) performance ratings (through CACTUS and internal metrics);

- (c) records of actions affecting employee salary history, title and salary range, employment status and other personal data.

Wasatch Waldorf Charter School shall maintain personnel files that may also include the information above in addition to other disclosures and agreements, evaluations, and employment actions.

An employee has the right to review the employee's personnel file, upon request, in the presence of a WCS representative.

An employee may request corrections, amendments to, or challenge any information in the electronic or hard copy personnel file, by submitting the request, in writing, to their immediate supervisor.

Disputes over information that are not resolved between the supervisor and the employee shall be decided in writing by the Executive Director. WCS shall maintain a record of the employee's letter, the response, and the Executive Director's decision.

Upon employee separation, WCS shall retain electronic records. Hard copy records shall be retained at WCS for a minimum of two years, and then transferred to the State Record Center to be retained according to the record retention schedule.

An employee who violates confidentiality is subject to disciplinary action and may be personally liable.

References and Information Release

Reference checks or inquiries made regarding current or former public employees, volunteers, independent contractors, and members of advisory boards or commissions can be released if the information is classified as public, or if the subject of the record has signed and provided a current reference release form for information authorized under Title 63G, Chapter 2, of the Government Records Access and Management Act.

Employment Eligibility Verification

As a condition of employment, all employees newly hired or rehired must provide:

- verifiable documentation of their identity and eligibility for employment in the United States by completing all sections of the Employment Eligibility Verification Form I-9 as required under the Immigration Reform and Control Act of 1986;
- a completed criminal background check;
- a reference release pursuant to Utah State Law 53G-11-410.

Employee Supervision

Supervision of employees shall be done based on assignments made by the Executive Director and in accordance with Wasatch Waldorf Charter School's Employment of Relatives Policy.

Employee Liability

Employees should be covered within the scope of their work for and on behalf of WCS by the school's insurance policy. WCS shall prior to the beginning of each school year require each employee to sign a document acknowledging that the employee has received a disclosure and understands the legal liability protection provided to the employee and what is not covered, as explained in the disclosure.

An employee who becomes aware of any occurrence which may give rise to a lawsuit, who receives notice of claim, or is sued because of an incident related to school employment, shall give immediate notice to his supervisor and to the Executive Director.

In most cases, under Title 63G, Chapter 7, the Governmental Immunity Act, an employee shall receive defense and indemnification unless the case involves fraud, malice or the use of alcohol or drugs by the employee. Before WCS will defend its employee against a claim, the employee shall make a written request for a defense to the Executive Director / Governing Board within ten calendar days, under Subsection 63G-7-902(2).

Job Descriptions and Assignment of Duties

Job descriptions shall contain:

- (a) job title;
- (b) distinguishing characteristics;
- (c) a description of tasks commonly associated with the job;

- (d) statements of required knowledge, skills, and other requirements;
- (e) FLSA status and other administrative information as approved by WCS.

Administration / supervisors may assign, modify, or remove any position task or responsibility in order to accomplish reorganization, improve business practices or processes, or for any other reason deemed appropriate by WCS Administration.

Professional Standards

All employees are expected to behave in a professional manner, in accordance with the best interests of students and the school. This includes professionalism in the execution of job responsibilities, communication, job performance, dress and appearance, the resolution of conflicts, and adherence to all applicable school policies and state laws.

Because one's conduct affects many more people than just oneself, employees are expected to act in a professional manner whenever they are on school property, conducting school business or representing the school at business or social functions.

In order to maintain a Utah teaching license, all professional educators are required to abide by the following, which are also standards of behavior for all school employees.

- Understands and follows all school rules and administrative policies;
- Understands and respects appropriate boundaries established by ethical rules and school policy and directive in teaching, supervising, and interacting with a student or colleague;
- Conducts financial business with integrity by honestly accounting for all funds committed to the individual's charge, as school responsibilities require, consistent with policy;
- Resolves a grievance with a student, colleague, school community member, and parent professionally, with civility, and in accordance with policy;
- Follows policy for collecting money from a student, accounting for all money collected, and not commingling any school funds with personal funds;
- Exhibits integrity and honesty in relationships with an administrator or personnel;
- Communicates professionally and with civility with a colleague, school and community specialist, administrator, and other personnel;

- Maintains a professional and appropriate relationship and demeanor with a student, colleague, school community member, and parent;
- Does not promote a personal opinion, personal issue, or political position as part of the instructional process in a manner inconsistent with law;
- Expresses a personal opinion professionally and responsibly in the community served by the school;
- Complies with school policy, supervisory directive, and generally-accepted professional standard regarding appropriate dress and grooming at school and at a school-related event;
- Works diligently to improve the educator's own professional understanding, judgment, and expertise;
- Honors all contracts for a professional service;
- Performs all services required or directed by the educator's contract with the school with professionalism consistent with school policy and rule; and
- Recruits another educator for employment in another position only within a LEA timeline and guideline.

Hiring Process

Open positions may be filled through transfer and / or reassignment of existing employees. Administration shall verify the employee's career service and that the employee meets the job requirements for the position.

If there is not a qualified internal candidate, Wasatch Waldorf Charter School will publicly post notice for open positions using any of a variety of methods: postings on the school website, postings on relevant job boards, notifications through school publications (such as Weekly Notes and Newsletters), and active recruiting of applicants.

Applicants for all positions shall fill out a standard application form on the website and send Administration a resume and cover letter. (Substitute applicants will not be required to submit a resume and cover letter.)

Administration will conduct a formal interview with qualified applicants and have applicants complete a reference release form.

WCS will contact the former employer based on the reference release form and may contact additional references as well.

Formal job offers will typically include:

- checklist to begin employment (including info on completing paperwork),
- information on background check,
- information on email access,
- information on Red Apple Portal, including handbook & acceptance, and
- start date information and instructions.

Prior to beginning employment, applicants must:

- Complete a background check;
- Completes electronic training and on-boarding packet (Red Apple Portal):
 - Employee Handbook & Acceptance,
 - Privacy Training & Non-disclosure Agreements,
 - Tax documentation and ID Verification,
 - Benefits Enrollment;
- Complete new employee paperwork, which may include:
 - Offer letter
 - Employee Information Sheets
 - Use of School Property Agreement
 - Outside Employment Disclosure
 - Job description
 - Hourly Agreement
 - Benefits Guide / Documents from PEHP
 - Insurance Liability Coverage Statement; and
- Attend a New Employee Orientation (This is provided to a group prior to the beginning of the school year and to individuals on an as-needed basis throughout the school year.)

Pay and Compensation

Pay

Wasatch Waldorf Charter School will set a standard pay scale for full-time and part-time employees and abide by its Title 1 Pay Equivalency Policy. This pay scale will be published as part of the annual Employee Handbook and used to uniformly guide all compensation agreements.

In some situations, full-time employees may receive additional compensation / alternative arrangements based upon completing additional teaching / work assignments beyond the scope of a typical full-time position.

Annual pay increases will likewise follow the conditions set forth in the published pay scale. Wasatch Waldorf Charter School does not provide merit-based bonuses or awards linked to evaluation scores.

Benefits

An employee shall be eligible for benefits when:

- (a) in a position designated by WCS as eligible for benefits; and
- (b) in a position which normally requires working a minimum of 30 hours per week.

Detailed information on paid leave, calculations for final checks for salaried employees departing during the school year, benefits costs and premiums shall be provided annually through the Wasatch Waldorf Charter School Benefits Guide.

Health Insurance

An eligible employee has 30 days from the hire date to enroll in or decline one of the traditional medical insurance plans, dental, vision, and a flexible spending account, or other benefits programs or other tax-advantaged arrangements offered by WCS and authorized under the Internal Revenue Code for the benefit of the employee.

- (a) An employee shall only be permitted to change medical plans during the annual open enrollment period prior to the start of each school year.
- (b) All insurance coverage, excluding COBRA, shall end at midnight on the last day of the pay period in which the employee receives a paycheck.

Life Insurance

An employee shall enroll in guaranteed issue life insurance within 60 days of the hire date to avoid having to provide proof of insurability.

An employee may enroll in additional life insurance and accidental death and dismemberment insurance at any time and may be required to provide proof of insurability.

Retirement

An employee eligible for retirement benefits shall be enroll in the school's 401K plan within 30 days of hire. Wasatch Waldorf Charter School does not participate in the Utah Retirement Systems and prior participation of incoming employees shall not affect retirement eligibility.

Severance

At the discretion of the Executive Director a benefits eligible exempt employee who is separated from WCS through an action initiated by Administration, to include resignation in lieu of termination, may receive at the time of separation a severance benefit equal to one week of salary, up to a maximum of 12 weeks, for each year of consecutive exempt work, and, if eligible for COBRA, the level of medical insurance coverage may extend through the final severance check.

Paid Leave

Each full-time exempt employee will receive paid leave as detailed in the Annual Benefits Guide.

In addition, to Paid Time Off, full-time exempt employees will receive government and school holidays off, as detailed in the school's annual calendar and in the annual Employee Handbook.

Work Conditions

Work Week & Schedules

The School's work week begins on Sunday and ends on Saturday. The School is typically open Monday through Friday from 8 a.m. to 4 p.m. FLSA nonexempt employees may not deviate from this work week, without Director approval.

Work schedules are set by the Administration. General requirements for all full-time exempt staff are provided each year as part of the Annual Job Offer / Employee Handbook. Part-time nonexempt work

schedules are detailed by the Administration. Administration may approve a flexible starting and ending time for an employee as long as scheduling is consistent with overtime provisions.

An employee is required to work the assigned schedule and be at work on time. An employee who is late, regardless of the reason including inclement weather, shall, with management approval, make up the lost time by using PTO or adjusting their work schedule.

Opportunities for job sharing and other flexible arrangements may be made as relevant and deemed in the best interest of WCS and the employees.

Remote work is an option for individual employees in some Administrative or remote learning positions, not a universal employee benefit. Remote working arrangements or alternate work schedules may be put in place at the discretion of the Executive Director when deemed in the best interests of WCS and the employee.

Break Time

Each part-time nonexempt employee working a full time work day may include a minimum of 30 minutes non-compensated lunch period, at the discretion of the Supervisor. Lunch periods may not be used at the end of the day to shorten a work day.

An employee may take a 15 minute compensated break period for every four hours worked. Break periods may not be accumulated to accommodate a shorter work day or longer lunch period.

As requested and after consultation with an employee, reasonable, daily break periods shall be granted to allow an employee to express breast milk for her child, in accordance with the School's Breastfeeding Policy.

Overtime

The School's policy for overtime is adopted and incorporated from the Fair Labor Standards Act, 29 CFR Parts 500 to 899(2002) and Section 67-19-6.7.

Administration may direct an employee to work overtime. Overtime usage shall be efficient and economical and include:

- (a) prior supervisory approval for all overtime worked;
- (b) recordkeeping guidelines for all overtime worked;

- (c) verification that there are sufficient funds in the budget to compensate for overtime worked.

Overtime compensation designations are identified for each job title as either FLSA nonexempt, or FLSA exempt.

An FLSA nonexempt employee may not work more than 40 hours a work week without Administrative approval. Overtime shall accrue when the employee actually works more than 40 hours a work week. Leave and holiday time taken within the work period may not be counted as hours worked when calculating overtime accrual. Hours worked over two or more weeks may not be averaged.

An FLSA nonexempt employee shall sign a prior overtime agreement authorizing management to compensate the employee for overtime worked by actual payment or accrual of compensatory time at time and one half.

Time Reporting

Employees shall complete and submit an approved biweekly time record that accurately reflects the hours actually worked, including approved and unapproved overtime.

An employee's time worked shall be tracked using an online system and verified by Administration.

An employee who fails to accurately record time may be disciplined.

An FLSA nonexempt employee shall be compensated for all hours worked. An employee who works unauthorized overtime may be disciplined.

Time spent outside of approved hours is not counted as hours worked if one or more of the following conditions apply:

- (a) the employee arrives voluntarily before their scheduled shift and waits before starting duties;
- (b) the employee is completely relieved from duty and allowed to leave the job;
- (c) the employee is relieved until a definite specified time; or
- (d) the relief period is long enough for the employee to use as the employee sees fit.

Normal commuting time from home to work and back may not count towards hours worked.

Time an employee spends traveling from one job site to another during the normal work schedule shall count towards hours worked.

Time an employee spends traveling on a special one day assignment shall count towards hours worked except meal time and ordinary home to work travel.

Travel that keeps an employee away from home overnight does not count towards hours worked if it is time spent outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

Travel as a passenger counts toward hours worked if it is time spent during regular working hours. This applies to non working days, as well as regular working days. However, regular meal period time is not counted.

Reasonable Accommodations

Employees and applicants seeking reasonable accommodation shall be evaluated under state and federal law. This shall be done in conjunction with the Executive Director. The Director shall consult with the Risk management prior to denying any accommodation request.

Fitness for Work

Fitness for duty medical evaluations may be performed under any of the following circumstances:

- (1) return to work from injury or illness except as prohibited by federal law;
- (2) when Administration determines that there is a direct threat to the health or safety of self or others;
- (3) in conjunction with corrective action, performance or conduct issues, or discipline; or
- (4) when a fitness for duty evaluation is a bona fide occupational qualification for selection, retention, or promotion.

Employee Conduct

Guidelines for Employee Conduct are detailed in the annual Employee Handbook. An employee shall comply with the standards of conduct established in these rules and the policies and rules established by school Administration.

Employees shall apply themselves to and shall fulfill their assigned duties during the full time for which they are compensated.

An employee shall:

- (a) comply with the standards established in the individual performance plans;
- (b) maintain an acceptable level of performance and conduct on all other verbal and written job expectations;
- (c) report conditions and circumstances, including controlled substances or alcohol impairment, that may prevent the employee from performing their job effectively and safely;
- (d) inform the supervisor of any unclear instructions or procedures.

An employee shall make prudent and frugal use of school funds, equipment, buildings, time, and supplies.

An employee who reports for duty or attempts to perform the duties of the position while under the influence of alcohol or other intoxicant, including use of illicit drugs, non prescribed controlled substances, and misuse of volatile substances, shall be subject to administrative action in accordance with Section R477-10-2, Rule R477-11 and R477-14.

The agency may decline to defend and indemnify an employee found violating this rule, in accordance with Section 63G-7-202 of the Utah Governmental Immunity Act.

Outside Employment

An employee shall notify the Executive Director in writing of outside employment. Failure to notify the employer and to gain approval for outside employment is grounds for disciplinary action. As applicable,

an Outside Employment Disclosure and Agreement Form shall be completed and returned to the Executive Director and requirements for employees shall be followed as detailed in the Outside Employment Policy.

Conflict of Interest

Employees are expected to adhere to the highest standards of professionalism, ethics, personal responsibility, and conduct school business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests. Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of Wasatch Charter School may conflict with the employee's own personal interests. School property, information or business opportunities may not be used for personal gain.

Employees are expected to limit and disclose any Conflicts of Interest as detailed in the Conflict of Interest Policy.

An employee may not use a school position; any influence, power, authority or confidential information received in that position; nor school time, equipment, property, or supplies for private gain.

An employee may not accept economic benefit tantamount to a gift, under Section 67-16-5 and the Governor's Executive Order, 1/26/2010, nor accept other compensation that might be intended to influence or reward the employee in the performance of official business.

An employee shall declare a potential conflict of interest when required to do or decide something that could be interpreted as a conflict of interest. Administration shall then excuse the employee from making decisions or taking actions that may cause a conflict of interest.

Political Activity

A school employee may voluntarily participate in political activity, except as restricted by this section or the federal Hatch Act, 5 U.S.C. Sec. 1501 through 1508.

As modified by the Hatch Modernization Act of 2012, 5 U.S.C. Section 1502(a)(3), the federal Hatch Act restricts the political activity of state government employees whose salary is 100% funded by federal

loans or grants. School employees in positions covered by the Hatch Act may run for public office in nonpartisan elections, campaign for and hold office in political clubs and organizations, actively campaign for candidates for public office in partisan and nonpartisan elections, contribute money to political organizations, and attend political fundraising functions. School employees in positions covered by the federal Hatch Act may not be candidates for public office in a partisan election, use official authority or influence to interfere with or affect the results of an election or nomination, or directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

Prior to filing for candidacy, a school employee who is considering running for a partisan office shall submit a statement of intent to become a candidate to the Executive Director who shall determine whether the employee's intent to become a candidate is covered under the Hatch Act. Employees in violation of section R477-9-4(1)(b) may be disciplined up to dismissal. If a determination is made that the employee's position is covered by the Hatch Act, the employee may not run for a partisan political office.

During work time, no employee may engage in any political activity. No person shall solicit political contributions from employees during hours of employment. However, a state employee may voluntarily contribute to any party or any candidate.

Decisions regarding employment, promotion, demotion or dismissal or any other human resource actions may not be based on partisan political activity.

Employee Reporting Protections

WCS may not adversely affect the employment conditions of an employee who communicates in good faith, and in accordance with statute:

- (a) the waste or misuse of public property, manpower, or funds;
- (b) gross mismanagement;
- (c) unethical conduct;
- (d) abuse of authority; or
- (e) violation of law, rule, or regulations.

The reporting employee is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Acceptable Use of Information Technology and Social Media

Employees are expected to comply with the School's guidelines for technology use which are detailed in the Annual Employee Handbook and the Internet Safety and Technology Protection Policy.

Employee Development & Evaluation

Probationary Period

The probationary period allows WCS Administration to evaluate an employee's ability to perform the duties, responsibilities, skills, and other related requirements of the assigned position. The probationary period shall be considered part of the selection process.

The first four weeks of any new position is considered a probationary period. A review of performance / initial evaluation and discussion with the employee will happen at the end of this period to determine the suitability of on-going employment.

Evaluations

WCS Administration shall conduct annual evaluations of employees on a published time schedule using a publicly available rubric / tool. Performance standards and expectations for each employee shall be detailed.

Supervisors provide employees with regular verbal and written feedback based on the standards of performance and behavior outlined in the evaluation, job description and Employee Handbook, as well as other training.

An employee shall have the right to include written comments pertaining to the employee's performance evaluation.

Performance Improvement

When an employee's performance does not meet established standards due to failure to maintain skills, incompetence, or inefficiency, Administration may place an employee on an appropriate and documented performance improvement plan in accordance with the following rules:

- (1) The supervisor shall discuss the substandard performance with the employee and determine appropriate action.
- (2) Performance improvement plans shall identify or provide for:
 - (a) a designated period of time for improvement;
 - (b) an opportunity for remediation;
 - (c) performance expectations;
 - (d) closer supervision to include regular feedback of the employee's progress;
 - (e) notice of disciplinary action for failure to improve; and,
 - (f) a written performance evaluation at the conclusion of the performance improvement plan.

An employee shall have the right to submit written comments to accompany the performance improvement plan.

Performance improvement plans may also identify or provide for the following based on the nature of the performance issue:

- (a) training;
- (b) reassignment;
- (c) use of appropriate leave;

Following successful completion of a performance improvement plan, the supervisor shall notify the employee of disciplinary consequences for a recurrence of the deficient work performance.

Written Warnings

Administration may use written warnings to address performance or conduct problems.

Professional Development

Administration may establish programs for training and staff development that shall be agency specific or designed for highly specialized or technical jobs and tasks.

WCS may assist an employee in the pursuit of educational goals by granting administrative leave to attend classes, a subsidy of educational expenses, or both.

The employee shall agree to repay any assistance received if the employee resigns from employment within one year of completing educational work.

Employee Discipline

Administration may discipline any employee for any of the following causes or reasons:

- (a) noncompliance with rules or other applicable policies;
- (b) work performance that is inefficient or incompetent;
- (c) failure to maintain skills and adequate performance levels;
- (d) insubordination or disloyalty to the orders of a superior;
- (e) misfeasance, malfeasance, or nonfeasance;
- (f) any incident involving intimidation, physical harm, or threats of physical harm against co-workers, management, or the public;
- (g) no longer meets the requirements of the position;
- (h) conduct, on or off duty, which creates a conflict of interest with the employee's public responsibilities or impacts that employee's ability to perform job assignments;
- (i) failure to advance the good of the public service, including conduct on or off duty which demeans or harms the effectiveness or ability of the agency to fulfill its mission;
- (j) dishonesty; or
- (k) misconduct.

At the time disciplinary action is imposed, the employee shall be notified in writing of the discipline, the reasons for the discipline, the effective date and length of the discipline.

At-Will Status and Termination

Employment with WCS is at will. Employees are hired for an indefinite period of time (usually one school year) and may be subject to termination with or without cause, with or without notice, and at any time. Administration may dismiss or demote an employee for any or for no reason without right of appeal.

When deciding the specific type and severity of discipline, Administration may consider the following factors:

- (a) consistent application of rules and standards;
- (b) prior knowledge of rules and standards;

- (c) the severity of the infraction;
- (d) the repeated nature of violations;
- (e) prior disciplinary/corrective actions;
- (f) previous oral warnings, written warnings and discussions;
- (g) the employee's past work record;
- (h) the effect on school operations;
- (i) the potential of the violations for causing damage to persons or property.

Resignation

An employee may resign or retire by giving written or verbal notice to the supervisor or an appropriate representative of agency management.

An employee who is absent from work for three consecutive working days without approval will be considered to have resigned.

Because WCS receives a majority of its funding from the Utah State Board of Education (USBE), budget constraints could necessitate a change in either compensation or benefits package. In the unlikely event that the compensation or benefits package must be modified by WCS, WCS will give due notice to all employees.

Employee positions are reviewed annually and restructuring based on programmatic, enrollment, or priority shifts, may also result in an employee not being offered an on-going position.

Safe Workplace

WCS is a drug-free and harassment-free workplace as detailed in the Employee Handbook, the Bullying and Harassment Policy. Employees who are in violation of these policies will be subject to disciplinary action.

4.0 Relevant Procedures, Guidelines & Restrictions



5.0 Appendices