

PERSONNEL POLICIES

Reviewed by CEO _____
(Date)

Approved Board of Directors _____
(Date)

PERSONNEL POLICIES

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SECTION 1

GENERAL POLICIES

1.1 Purpose of Manual

The _____ hereby establishes this manual to formalize management-employee relationships. These Personnel Policies will govern the activities of Center employees and management. It addresses general standards of conduct, recruitment, working hours, and attendance, annual leave, sick leave, holidays, leave of absence, employment, termination, disciplinary action, employee grievance, miscellaneous benefits, policies and employment performance evaluation. This Manual is not intended to serve as a contract of employment. The policies described in the Manual may be modified at any time without prior notice with approval from the Board of Directors. New employees are expected to read the Personnel Policies and sign a statement, indicating that they have read, understand, and agree to abide by the Personnel Policies.

1.2 General

The Board of Directors employs a Chief Executive Officer, who is held responsible for the overall function of the Center's day-to-day operations. The Chief Executive Officer's task is to make certain that the administrative work of the organization is carried on at a high level of competence, that the democratic controls over policy imposed by the Board of Directors are transmitted by employees, and that the Board of Directors receive adequate advice on the technical implications of their decisions and the status of the Center.

As in every organization, much of the authority and responsibility for its operation must be delegated to others, as department directors ultimately, to each and every employee. Each department director becomes responsible for his/her department to the Chief Executive Officer; in turn, the Chief Executive Officer is responsible to the Board of Directors for efficient operation and maximum provisions of the organization's services.

1.3 Equal Opportunity/Non Discrimination

It is the policy of the _____ not to discriminate against any employee or applicant for employment because of race, color, religion, creed, national origin, sex, age, veteran status or status as a qualified individual with a disability or sexual orientation. This policy of equal employment opportunity extends to the entire employment process including hiring, placement, promotion, transfer, demotion, recruitment, compensation, and selection for training and layoff or termination.

Position vacancies will be filled on the basis of merit, whether by promotion or by initial appointment. Selection will be made of the best qualified persons in terms of experience, productivity, skills, training, education, aptitude and attitude.

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Promotion from within the organization will be made to the degree possible. A potential career track may be suggested for a new employee who will be encouraged to pursue a potential goal. If such a job opening or position becomes available, the trained employee will be given first consideration.

Organizational lines will not serve as barriers where qualifications are essentially equal. Preferential consideration will be given to _____ employees for reassignment or promotion.

Employees will be kept fully informed of policies and procedures that affect their duties or conditions of employment and they are encouraged to offer constructive suggestions for work improvement and modification of these policies and procedures.

Employees are expected to perform the work assigned efficiently and effectively, to maintain good moral conduct, and to do their part in maintaining good relationships with the public they serve, their supervisors, representatives of state and federal agencies, and fellow employees. Failure to satisfactorily meet these responsibilities is sufficient cause for disciplinary action including reassignment, suspension or separation.

1.4 Affirmative Action

_____ follows Affirmative Action policies in all of the hiring processes. No person will be denied employment on the basis of sex, religion, creed, color, or nationality. Every effort is made to hire culturally sensitive staff throughout the organization.

Human Resources staff will search for employees who are bilingual and bicultural to be hired and trained for positions within the organization.

Handicapping conditions will not be a barrier to employment; should an individual with a handicapping condition be hired, he/she will be given an area in which to work that will accommodate his/her disability.

1.5 Accommodations for Individuals with Disabilities

_____ is committed to hiring qualified individuals without regard to disability in compliance with the Americans with Disabilities Act of 1990. _____ shall ensure accessibility to the hiring processes for individuals with disabilities by making interview facilities and processes physically accessible and making interpretive services available.

If accommodations are needed to conduct essential functions on the job, a review process shall be initiated by the Human Resources Department regarding the feasibility and reasonableness of various accommodation options, which may include, but not be limited to:

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- Accessibilities of facilities
- Job restructuring by reallocation of essential functions
- Altering how the essential functions are performed
- Obtaining or modifying equipment used to perform job
- Reassignment of the individual to another vacant position for individuals already employed
- Modifying work schedules

_____ shall not be required to provide reasonable accommodations if

- Providing such accommodations would cause undue hardship based on:
 - The nature and cost of the accommodation needed
 - The financial resources of _____
 - The negative impact that the accommodations would create on operations
- The individual would pose significant risk to the health and safety of others (employees, patients, or visitors), which could not be eliminated or reduced by reasonable accommodation.

Outside resources, such as independent medical evaluators and/or rehabilitation specialists, may be utilized in determining an individual's ability to perform essential job functions and reasonable accommodation options if internal resources are deemed not adequate in making these judgments.

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Statement of Affirmative Action and Equal Employment Opportunity

_____ has established an Equal Employment Opportunity Policy and implemented an Affirmative Action program in compliance with the following federal and state laws:

1. Fair Labors Standards Act;
2. Executive Order 11246, as amended;
3. Equal Pay Act of 1963;
4. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972;
5. Age Discrimination in Employment Act of 1967;
6. Comprehensive Health Manpower Act of 1971;
7. Title IX of the Education Amendments of 1972;
8. Rehabilitation Act of 1973, as amended;
9. Vietnam Era Veterans Readjustment Assistance Act of 1974;
10. Immigration Reform and Control Act of 1986;
11. Americans with Disabilities Act of 1990;
12. Civil Rights Act of 1991; and
13. Family and Medical Leave Act of 1993

Nondiscrimination. _____ will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, physical or mental disability, Vietnam Era or Special Disabled Veteran Status. All hiring is accomplished by offering the position to the most qualified individual.

Cultural Sensitivity. _____ serves patients from a wide variety of cultural backgrounds. Therefore, every effort is made to hire culturally sensitive staff throughout the organization.

Proactive Affirmative Action. _____ follows Affirmative Action policies in all hiring processes. _____ will take affirmative action to ensure that applicants are employed, and that employees are treated equally during employment without regard to their race, color, religion, gender, national origin, age, physical or mental disability, Vietnam Era or Special Disabled Veteran Status. Such action shall include, but not be limited to the following employment transactions: upgrading, demotion or transfer; recruitment or recruitment advertising; lay-off or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship.

Prohibition Against Harassment. _____ prohibits any harassment based on race, color, religion, age, gender, national origin, or disability. Harassment is verbal or physical conduct that shows hostility toward an individual because of these protected characteristics and that has the purpose or effect of creating an intimidating, hostile, or offensive working environment; has the purpose or effect of unreasonably interfering

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with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Review and Revision. The CEO and designated staff will review the Affirmative Action/Equal Opportunity policy on a yearly basis. Changes in the legal framework for Affirmative Action/Equal Employment Opportunity will be reviewed, incorporated in the policy revision, and submitted to the Board of Directors for review/approval.

1.6 Employment At Will

Employment at _____ is not governed by any employment contract except for providers and executive management who have an employment contract. Therefore, employees are considered "at will" employees. An "at will" employment status means that neither the employee nor management has made any promises with regard to work continuation. Employment may be terminated at any time at the discretion of either the employee or the employer. No agency official except the Chief Executive Officer has the authority to enter into any employment contract on behalf of the Company.

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SECTION 2

DEFINITIONS

(Name of Center)
The term _____ refers to _____
(Abbreviation of Center Name) (Name of Center)
_____. The terms “company,” “agency,” or “organization”
when used in this manual also refer to _____.
(Name of Center)

Manual

“The Manual” as used herein means the _____
(Name of Center)

Policy and Procedure Manual.

Outside Employment

The term “Outside Employment” means to hold another job in addition to the work performed for _____.
(Name of Center)

Grievance Procedures

The process followed to address grievances that one employee has against another employee.

Absenteeism

Persistent absence from work without good reason.

Tardiness

Tardiness shall be considered reporting for work after the designated time.

Fringe Benefits

The term “Fringe Benefits” as used in this Manual includes annual leave, sick leave, holiday leave, health insurance (including medical, dental, and vision), life insurance, retirement plans, short term and long term disability.

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SECTION 3

GENERAL STANDARDS OF CONDUCT

3.0 Clinic Objectives

The objective of _____ is to improve the health status of the community by offering quality health care services to clinic patients.

3.1 Outside Employment

No employee shall engage in an employment activity or enterprise (outside employment), which may be inconsistent, incompatible, or in conflict with his/her duties at _____. In order to determine whether outside employment may be allowed, any employee who wishes to engage in outside employment must receive prior written approval from the Chief Executive Officer before engaging in such activity.

3.2 Employment of Immediate Family

No employee will hold a job supervised by a member of his/her family. Family includes: father, mother, son, daughter, aunt, uncle, mother-in-law, father-in-law, first cousin, nephew, niece, husband, wife, stepfather, stepmother, stepson, stepdaughter, stepsister, half brother, half sister. "Supervised" means any person who exercises jurisdiction or control or is the line of authority over an employee. Applicants for employment are required to disclose family relationships with _____ employees.

3.3 UNETHICAL CONDUCT

All employees are expected to conduct themselves in an ethical and professional manner. Unethical conduct will not be tolerated and will be grounds for immediate dismissal. Such unethical conduct includes but is not limited to the following:

1. Disclosure of confidential information or material to unauthorized individuals.
2. Inappropriate, rude or demeaning behavior, unwillingness to be courteous, or understanding towards clients or _____ personnel.
3. Any action which violates "The Right to Privacy Act of 1974," 5 U.S.C. Section 552.a (b), as amended.
4. Any other behavior which may cast an unfavorable light on _____, its staff, or its patients.
5. Any conduct which does not comply with _____ Code of Conduct governing the business practices of _____ and its staff.

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3.4 Political Activity

Employees may engage in partisan political activity only in their non-duty hours. Employees who run for partisan political office while an employee of the Company may do so only insofar as it does not conflict with their employment with the Company. Employment in the Company will not be offered as a reward for political activity.

3.5 Release of _____ Information to News Media

Employees should not make any type of response to any form of the news media concerning _____ operations, business matters, etc. All media related questions or concerns will be referred to the public relations department or individual designated by the Chief Executive Officer.

3.6 Gifts, Money, Gratuities

Employees may not accept gifts, money, or gratuities from patients of the Company, or from entities performing services under contract or otherwise in a position to benefit from employee action. Exceptions to this policy are to be made by the Chief Executive Officer.

3.7 Handling Complaints of Patients or the Public

All complaints from patients or other members of the public, regardless of their nature, should be handled courteously and in an understanding manner. All complaints must be filed in writing, using the patient complaint form, and forwarded to the Human Resources Department, who will review them with the compliance officer to determine if any further action is necessary.

3.8 Telephone

_____ telephones are for the purpose of conducting business. **Personal use is discouraged and to be avoided.** Personal long distance calls are not allowed. A supervisor may make an exception for an emergency situation, in which case, employees are responsible for reimbursing the company for any long distance phone calls.

3.9 Company Policy Against Sexual or any other form of Harassment

_____ prohibits sexual harassment in any form and requires that all employees conduct themselves in accordance with high moral and ethical standards. The term "harassment" may include, but is not limited to slurs, jokes and other verbal, graphic or physical conduct relating to an individual's race, color, sex, religion, national origin, citizenship, age or any other protected status. Failure to adhere to this policy will result in disciplinary action up to and including termination.

3.10 Procedures for Making a Harassment Complaint

Employees who believe they are being subjected to sexual or any other type of harassment will submit the facts in writing to the employee's supervisor or to Human Resources. Employees should not assume that the Company is aware of the problem. All alleged incidents of harassment will be investigated as deemed appropriate by the Company. Once the investigation is complete, the Company will take appropriate action

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as determined by the facts and circumstances of each case. An employee who is found by the Company to have participated in inappropriate behavior may be subject to discipline up to an including discharge.

All complaints filed, investigations conducted, and disciplinary action recommended and/or taken will be kept as confidential as possible, except to the extent necessary to comply with any requirement of federal, state or local executive, legislative, or judicial body or agency.

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ACKNOWLEDGEMENT OF RECEIPT OF SEXUAL HARASSMENT POLICY

Sexual harassment is illegal. It violates the sex discrimination provisions of Title VII of the Civil Rights Act of 1964. It is disrespectful and exploits another person’s vulnerability. Sexual harassment will not be tolerated at _____. Health Centers, Inc. This policy applies to all employees, contractors, and contracted employees.

Sexual harassment is defined as “deliberate or repeated verbal comments, gestures, or physical contact of a sexual nature which is unwelcome to the recipient.” Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender. It may include but is not limited to:

- Unwelcome and deliberate touching, leaning over, cornering or pinching.
- Unwelcome letters, telephone calls, or material of a sexual nature.
- Unwelcome pressure for dates.
- Unwelcome sexual teasing, jokes remarks or questions.
- Exhibiting materials of a sexual nature, such as posters, pictures or signs.

If anyone feels that he/she is being sexually harassed, the following steps should be taken:

1. Tell the offender to stop. Name the behavior and tell him/her that it is unwanted.
2. If the behavior persists, a complaint should be taken to the employee’s or volunteer’s supervisor.
3. If the offending person is the person to whom the complaint should be taken according to the steps listed above, the complaint should be taken to the next level person, i.e., if the complaint is an employee’s supervisor, the employee should speak to the Human Resources Manager, another supervisor, or the Chief Executive Officer.

The offending person will be contacted quickly and an appropriate consultation will be initiated. If necessary, appropriate disciplinary action will be taken.

It is essential that _____ maintain an environment where everyone is respected. Sexual harassment has no place in the operation of _____ and must not occur.

I have read and understand this policy, and I agree to comply with it.

Signature

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3.11 Computer Network System

_____ provides a computer network system, which includes Internet access and e-mail, to employees for business use as a source of communication and information. Improper use of the computer system, Internet services, and/or e-mail can result in wasted time and resources and can create legal liability for both _____ and the employee. Employees must limit personal use to off-duty time, and do so at the discretion of their Supervisor.

3.11.1 This policy applies to any computer services that are accessed on or from _____ premises, accessed using _____ equipment, paid for by _____, or used in any manner that identifies the individual with _____. Misuse of computer privileges in violation of applicable laws and regulations may result in disciplinary action up to and including termination. In some instances, misuse can result in civil or criminal penalties.

3.11.2 Confidentiality of all network, e-mail and/or Internet passwords is required of all employees. Employees are not authorized to give another their user name or password under any circumstances. The Director of Information Technology sets passwords with approval from the Chief Executive Officer. _____ personnel are responsible for all activity on their assigned e-mail account; they must protect the confidentiality of their e-mail account and password. E-mail users must be familiar with and abide by all security and confidentiality policies and procedures. Questions regarding e-mail usage should be directed to the Director of Information Technology.

3.11.3. Employees are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material they wish to download or copy. Employees may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of _____. _____ maintains the right to delete any unauthorized programs and/or files from any _____ computer.

3.11.4 Prohibited activities. Material that is illegal, fraudulent, harassing, defamatory, embarrassing, malicious, threatening, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or in violation of _____ equal opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in _____ computers. Employees encountering or receiving this kind of material should immediately report the incident to the Information Technology Department. _____ equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge. In addition, employees may not use the _____ provided network system, e-mail and/or Internet services in connection with any of the following activities:

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- Sending or copying material that is protected under copyright law or trade secrets,
- Sending confidential or unauthorized information and any unintentional or intentional use or disclosure of Protected Health Information that is in violation of HIPAA regulations,
- Annoying or harassing other individuals,
- Monitoring or intercepting files of electronic communication of other employees or third parties,
- Obtaining unauthorized access to any computer system,
- Subscribing to mailing list subscriptions,
- NEVER use electronic mail in such a manner that their activities disrupt the activities of others, and
- NEVER disclose a home address or phone numbers or other personal information, either the employee's own or that of others.

3.11.5 Games and entertainment software. Employees may not use _____ Internet connection to download games or other entertainment software, or to play games over the Internet.

3.11.6 No expectation of privacy. The computer and computer accounts provided to employees are to assist them in performance of their job. Employees should not have an expectation of privacy in anything they create, store, or receive on the computer system. The computer system belongs to _____. _____ reserves the right to review any files, messages or communication sent, received, or stored on _____ computer systems. In addition, IT personnel who have network administrator authority have the right to purge any electronic data residing on the network without user permission. Accessing, downloading, or distributing obscene or dangerous material is prohibited and may result in termination and/or legal prosecution.

3.11.7 Duty not to waste computer resources. Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but not limited to, sending mass mailing or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

3.11.8 Monitoring computer usage. All electronic mail and attachments on systems and applications owned or provided by _____ are on the property of the organization. _____ has the right, but not the duty to monitor any and all of the aspects of its computer system including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing

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material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users. _____ reserves the right to audit and examine the content of any message or attachment of any e-mail sent or received via _____ provided system.

3.11.9 The Internet can be a valuable source of information and research. In addition, e-mail can provide an excellent means of communicating with other employees, customers, and clients, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment. If an employee abuses their right to use the Internet, it may be taken away from them; in addition, the employee may be subject to disciplinary action, including possible termination and civil and criminal liability. When accessing the Internet and/or e-mail systems, employees should adhere to the following:

- Consult with the IT department on how to best handle the transfer of large files;
- Use appropriate language
- Be polite and professional in messages to others
- Act in a manner consistent with the core values and ethical standards of _____
- Promptly read and act on the e-mail messages received
- Check for new messages frequently
- Retain important e-mail messages by storing them to an archive file or printing them out
- Do Not download any software without approval from the IT department. Never attempt to install any software program on any computer. All software must be approved and installed by an employee of the IT department
- All software licensing and copyright laws must be observed

All out-going emails should contain the following confidentiality statement at the end of the message:

IMPORTANT NOTICE: CONFIDENTIALITY NOTICE

This e-mail is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure according to Federal Law, (42 CFR Part 405). If the reader of e-mail is not the intended recipient, you are hereby notified that any disclosure, distribution, or copying of the information is strictly prohibited. If you have received the e-mail in error, please notify us immediately by telephone at _____. Thank you.

Employees violating this policy are subject to disciplinary action, up to and including termination of employment. In addition, employees using _____ computer system for defamatory, illegal, or fraudulent purposes are subject to civil liability and/or criminal prosecution.

3.11.10 Disclaimer of liability for use of Internet. _____ is not responsible for material viewed or downloaded by users from the Internet. The Internet

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is a worldwide network of computers that contain millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

3.11.11 Blocking of inappropriate content. _____ may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by _____ networks. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to company blocking software.

3.11.12 Virus Detection. Files obtained from sources outside _____, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage _____'s computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-_____ sources, without first scanning the material with _____ approved virus-checking software. If an employee suspects that a virus has been introduced into the _____'s network, it is their responsibility to notify the Information Technology Department immediately.

3.11.13 Amendments and revisions. This policy may be amended or revised from time to time as the need arises. Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination and civil or criminal liability. Use of the Internet via _____'s computer system constitutes consent by the user to all of the terms and conditions of this policy.

3.12 Attitude and Personal Appearance. Personality, attitude, dress, grooming, and personal cleanliness standards contribute to employee morale and affect the business image that _____ presents to the public. During business hours, employees are expected to dress in appropriate attire and to behave in a professional, business-like manner. All employees must be clean and free of body odor. Daily work activities and type of customer contact should be considered when determining what to wear. All employees are expected to dress in casual business wear appropriate for a clinic environment. If an employee has questions regarding appropriate attire, they should consult the Human Resources Department. The following guidelines have been established:

UNACCEPTABLE ATTIRE:

- Wrinkled, sloppy, or dirty clothing

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- T-shirts with advertising
- Shirts with offensive words or pictures
- Tube tops
- Tight fitting clothing
- Clothing with inappropriate necklines for business wear
- Hemlines higher than 3” above the knee
- Hiking/work boots (except maintenance)
- Thong flip-flops
- No exposed body art or piercing except for conservative ear piercing

Supervisors are responsible for enforcing standards of attire. Employees not adhering to the guidelines will be sent home to change and will not be paid for their time away from work.

3.13. Policy for a Drug-Free Workplace. This policy establishes the general guidelines and procedures for ensuring a safe, healthy and productive drug-free work environment for the employees of _____. _____ is committed to ensuring a drug and alcohol free workplace to protect the health and safety of its employees and the public. With this in mind, effective _____ all _____ employees, interns, trainers, volunteers, and contractors are to follow this policy and the procedures.

3.13.1 PROHIBITED ITEMS. The following shall be considered “Prohibited Items” for the purposes of this Policy

1. Illegal drugs; controlled substances; marijuana; mood or mind-altering substances; designer, counterfeit or synthetic drugs; inhalants; and any other drugs or substances which will in any way affect safety, work performance, alertness, coordination, judgment, response or the safety of others on _____ property.
2. Alcoholic beverages: Consuming alcoholic beverages while driving or driving while intoxicated in any vehicle for _____ business, or in a company vehicle at any time, is prohibited. The consumption of alcohol on company time or on company property is prohibited.
3. Drug paraphernalia.
4. Prescription drugs and over-the-counter medications, except under the following conditions:
 - a. The drugs have been prescribed by an authorized medical practitioner for current use (within the last 12 months) for the person in possession of the drugs.
 - b. The drugs/medications, prescribed and over the counter, are limited in amount or must be kept in their original container, must be taken in accordance with the dosage recommendations and usage cautions and generally must not affect the person’s ability to perform work safely.

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- c. The company reserves the right to consult with a medical doctor to determine if a drug or medication, whether prescribed or not, produces hazardous or unsafe effects and may restrict the use of any drug or medication accordingly on _____ property.
_____ reserves the right to require an employee to undergo a fitness for duty medical examination by a physician of _____ choosing. This may also include restricting or altering the individual's work activity or presence at the worksite.

3.13.2 PROHIBITED CONDUCT. The following shall be considered "Prohibited Conduct" for the purposes of this Policy:

1. Use, possession, sale, manufacture, distribution, dispensation, concealment, receipt, transportation, or being under the influence of any Prohibited Item, subject to the exceptions set forth above.
2. Refusal to undergo drug or alcohol testing.
3. Testing positive for drug or alcohol as provided in this policy.
4. Refusing to execute any consent, release or other document in connection with this policy.
5. Refusing to consent to a search or inspection conducted pursuant to the provisions of this policy.

3.13.3 DRUG AND ALCOHOL TESTING. _____ believes that drug and alcohol testing is a valid means of enforcing this policy.

1. The company will pay the expense for the test(s) required by this policy (except for returning to work following reasonable suspicion or post-accident testing);
2. Applicants and employees may be required to submit to testing in the following situations:
 - a. Applicant testing - all applicants, upon acceptance of a conditional offer of employment will be required to undergo testing on their own time.
 - b. Random testing - a selection system, resulting in an equal probability that any employee of _____ will be selected.
 - c. Employee Reasonable Suspicion testing. If _____ has reasonable suspicion that the employee has violated this policy. Reasonable suspicion includes evidence that an individual has tampered with a drug or alcohol test, or evidence that an employee is involved in the use, possession, sale, solicitations or transfer of drugs while on duty.
 - d. Employee Post Accident Testing. If _____ has a reasonable suspicion that the employee or another person has sustained a work-related injury or the property has been damaged as a direct result of the employee's use of drugs or alcohol.

PERSONNEL POLICIES

Reviewed by CEO _____

Approved Board of Directors _____

(Date)

(Date)

- e. Employee Post-Rehabilitation Testing. No notice is required for testing of an employee for up to one (1) year after their return to work following a confirmed positive test or participation in a drug or alcohol dependency treatment program.

3.13.4 SUBSTANCE COVERED BY TESTING AND DETECTION LEVELS

_____ drug testing program will determine the presence of the following illegal substances:

Initial Drug Cutoff Levels

Drug	Nanograms per Milliliter (ng/ml)
Marijuana Metabolites	50
Cocaine Metabolites	300
Opiate Metabolites	2000
Phencyclidine	25
Amphetamines	1000

CONFIRMATORY DRUG CUTOFF LEVELS

Marijuana Metabolites	15
Cocaine Metabolites	150
Opiates	
Morphine	2000
Codeine	2000
6-Acetylmorphine	10
Phencyclidine (PCP)	25
Amphetamines	
Amphetamines	500
Methamphetamine	500
Ethyl Alcohol-Screening levels determined by the _____	Board of Health.

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Reviewed by CEO _____
(Date)

Approved Board of Directors _____
(Date)

3.13.5 DRUG TESTS

1. Screening is the initial test performed on urine specimens to determine the presence or absence of drugs. EMIT immunoassay will be used for the initial drug test.
2. Confirmation – If the first original divided specimen, “A,” tests positive on the initial screen, the positive test will be confirmed using the same original divided specimen, specimen “A” by gas chromatography, mass spectroscopy or equivalent at the cutoff levels approved by the _____.
3. Test Results are reviewed by a review officer who is qualified by the _____ State Board of Health and is responsible for receiving results from the testing facility. The review officer has knowledge and training to interpret and evaluate an individual’s test results, as well as the individual’s medical history and other relevant information. The review officer may be an employee of the testing laboratory.

3.13.6 Testing Procedure

1. Notice to Report for testing - Verbal notification to an applicant or employee to report for testing will be accompanied by written notification. Any testing required of an employee, other than applicant testing, will be conducted during working hours or immediately following their regular work period. All applicants, upon acceptance of a conditional offer of employment, will be required to undergo testing on their own time. Any employee requested to submit testing will be compensated for the time it takes to complete the test. The written notification will specify the reason for testing and the date, time, and place to report for testing.
2. Employees being tested for reasonable suspicion or post-accident testing will be escorted to the collection site by a _____ supervisor or management representative.
3. Employees who are being tested for reasonable suspicion or as a result of post-accident testing will be temporarily suspended without pay pending outcome of the tests results. If the test results are negative, the employee will be immediately reinstated and paid for the time away from work.
4. The consequences for an applicant or employee who refuses to submit the required testing will be that they will not be permitted to perform any duties for _____. The refusal will be treated as a confirmed positive test result; it will be grounds for refusal to hire an applicant and will subject an employee to disciplinary action up to and including discharge. An employee discharged on the basis of a refusal to undergo testing shall be considered to have been discharged for misconduct for purposes of employment compensation.

PERSONNEL POLICIES

Reviewed by CEO _____

Approved Board of Directors _____

(Date)

(Date)

3.13.7 EMPLOYEE ASSISTANCE PROGRAM (EAP)

_____ encourages employees who suffer from alcohol or drug abuse problems to seek outside professional help. _____ offers referrals, at the employee's expense, for dependency evaluation, substance abuse counseling, treatment or rehabilitation. Employees who are randomly tested, tested for reasonable suspicion or as result of post-accident testing, and whose Confirmation Test is a positive will be given a list of providers of drug dependency evaluation, counseling, and rehabilitation services, which the employee may choose to utilize at the employee's expense.

PERSONNEL POLICIES

Reviewed by CEO _____
(Date)

Approved Board of Directors _____
(Date)

3.14 Confidentiality

All _____ employees are expected to sign and abide by the following Confidential Information Disclosure Agreement.

CONFIDENTIAL INFORMATION DISCLOSURE AGREEMENT

Agreement made this _____ between _____
(Date)

_____, herein referred to as _____, and _____, herein referred to as the Employee. _____

hereby submits to and grants access to the employee areas of the facility and patient records, which may contain confidential information. Further, the employee may be privy to confidential or sensitive information in the course of their duties as an employee of _____. Therefore, the following terms and conditions shall apply.

SECTION ONE - _____ maintains confidential information including but not limited to information concerning patients, financial records, and other business information related to present or prospective business activities of _____. All information, including but not limited to all documents, records, notebooks, drawings, photographs, and any repositories or representatives of such information are to be considered as confidential information.

SECTION TWO - In all instances of which the disclosure of any such confidential information to the employee is made, the employee is to hold such information in confidence and not divulge it, in whole or in part, to any third party, except in confidence to those _____ employees who are authorized to receive such confidential information. Each of the said employees shall first have agreed in writing to abide by this agreement to maintain confidentiality of such information.

SECTION THREE – The obligation of the employee under this agreement shall not apply to information which, at the time of disclosure to the employee, is within the public domain or which thereafter becomes part of the public domain through no act or failure to act of the employee.

Signature of Employee

Date

PERSONNEL POLICIES

Reviewed by CEO _____
(Date)

Approved Board of Directors _____
(Date)

Section 4

PERSONNEL FILES

4.0 Personnel Records.

_____ recognized its employees' right to privacy. A file will be maintained for each employee and will contain all documents obtained at the time of employment, references, performance evaluations, letters of commendations, reprimands, and records of entitlement such as annual leave, sick leave, etc. The collection of employee information will be limited to that which is needed by the company.

It shall be the policy of _____ to maintain current, updated personnel records of all present and former staff persons in a locked cabinet. All personnel records are considered to be private and confidential in nature.

The Chief Executive Officer of the organization, as well as the employee's supervisor, may review personnel files of employees as needed. Employees may request to review, during normal business hours, information in their personnel file. Requests should be made in writing, directly to the Human Resources Department, and will be accommodated as soon as is possible, typically within one day of the request.

4.1 Licenses and Certifications

It shall be the responsibility of each medical staff person to keep their licenses and certifications updated as required to ensure compliance with accreditation and regulatory agency standards relating to credentialing functions. Credentialing staff are available to assist in the process, but it is ultimately the medical personnel's responsibility to maintain current licenses and submit them to Human Resources and/or credentialing staff.

4.2 Release of Records.

Employees must give their written permission before disclosure of their personnel information other than verification of dates of employment, and information that the organization is legally required to reveal. All documents placed in the personnel file of the employee, subsequent to their employment, shall be done with the full knowledge of employee.

4.3 Subpoenas for Personnel Records

_____ Personnel Records are treated with the same confidential procedure as the medical records of the organization. The original record may not be removed from the department except in accordance with a specific written authorization from administration. In the case of a legal process such as a subpoena or court order, a copy is provided to the court and the original record is maintained by the organization. Records may not be released with a general request for an attorney without appropriate authorization.

PERSONNEL POLICIES

Reviewed by CEO _____
(Date)

Approved Board of Directors _____
(Date)

SECTION 5

EMPLOYMENT

5.0 General Employment

The primary consideration in the employment of personnel will be made on the basis of competence, integrity, and attitude of such persons where qualifications are equal. Preference is given to current employees over outside applicants to fill a vacant position whenever possible.

5.1 Eligibility

An applicant for any position with _____:

- Must be a U.S. citizen as evidenced by proof of birth or naturalization, or have a valid work permit.
- Must possess physical abilities suited to the requirements of the position for which he/she is an applicant.
- Persons with disabilities will receive equal consideration along with other candidates solely on the basis of qualifications.
- As a routine matter, neither relatives of _____ Board Members, nor relatives of employees of _____ will be concurrently in staff positions or in consulting roles. Any exception must be reviewed and approved and approved by the Chief Executive Officer. Reasons for any exception must be documented in the individual's Personnel file.

Employment applications may be rejected if any of the following apply:

- Application clearly indicates that minimum qualifications are not fulfilled.
- Application is not completely filled out.
- Employment has been terminated for cause from a department of _____.
- Fraud or deception in any statement or fact.

5.2 Background Checks

All applicants for employment will undergo reference checks, including character, and previous employment. All candidates deemed eligible for employment shall be subject to an _____ State Bureau of Investigation () background check at such time as they are employed. _____ background checks are authorized by signature of applicant on a form, which clearly states this purpose.

5.3 Employment Classification

Part-Time Employees – Employees who are hired to work less than forty (40) hours per week will be classified as part-time employees. Part-time employees do not accrue fringe benefits.

Regular Part-Time – An employee appointed for specific hours, twenty (20) or more hours per week but less than forty (40) hours per week with no specific time limit. These employees do not accrue fringe benefits.

PERSONNEL POLICIES

Reviewed by CEO _____ Approved Board of Directors _____
(Date) (Date)

Temporary Part-Time - An employee appointed to work on an as needed basis. These employees do not accrue fringe benefits.

Temporary Full-Time - A full-time employee for a period not to exceed one (1) year. These employees do not accrue fringe benefits.

Contract for Services - A binding agreement between two (2) or more persons or parties and _____ which specifies terms of engagement with a consultant or consulting firm will be classified as Contract Services. Individuals who provide Contract Services do not accrue _____ fringe benefits. Contracts for services must contain a cancellation clause for failure to carry out the terms of the contract.

Regular Full-time Employees – Employees who are hired to work a regular forty (40) hour week and who have successfully completed the required three months probationary period will be classified as Regular Full-Time Employees. Upon becoming a Regular Full-Time Employee, all fringe benefits accrue from date of the probationary period is complete, except for medical, which if elected, will take affect after the first full month of employment.

5.4 Recruitment

_____ is committed to recruiting and retaining the most skillful and capable individuals for each and every position. The organization will strive to reward employees by providing an opportunity to grow in career advancement, compensation and educational opportunities while fulfilling the mission of the health center.

Organizational lines will not serve as barriers where qualifications are essentially equal. Preferential consideration will be given to _____ employees for reassignment or promotion. _____ is expected to employ only persons who perform their duties with competency and integrity. _____ will properly screen all applicants who appear to meet the minimum qualifications for the position by initial interview. _____ will conduct necessary reference checks so that each applicant's qualifications may be appraised appropriately.

No individual who has been convicted of a health care crime involving fraud or patient abuse will be employed by _____. Applicants for employment will not be required to disclose records of any arrest that did result in a conviction.

5.4.1 Recruitment Process

The supervisor is responsible for notifying the Human Resources Department when a position is vacant. Human Resources will advise the Chief Executive Officer of the open position and, upon approval, advertise the open position.

_____ continually monitors the need for, and economic feasibility of, additional providers. Consideration is given to the following factors:

- Patient population - are there more patients in the area of the health center than there are providers to give care.

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(Date)

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(Date)

- Available space – is there adequate space to additional providers.
- Hours of operation – should expanded hours be considered.
- An estimate of turnover of providers is made, and the number of open provider positions is determined.

Recruitment of needed providers is formulated with input from Administration, Human Resources, and staff providers. Recruitment efforts are coordinated through the Human Resources Department and led by the Chief Executive Officer with input from the Medical Director.

5.4.2 Provider Credentialing

The purpose of Provider Credentialing is to ensure that _____ patients are receiving care from medical providers who reflect the highest level of qualifications and competence in his/her respective professional discipline.

_____ will verify licenses practitioners' credentials prior to employment or engaging in any provider contractual agreements. The decision to appoint or reappoint an individual will be governed by the presence of verified core criteria. Providers will be initially credentialed to _____ medical staff. Thereafter, each provider will be recredentialed every two years. During the recredentialed process, input will be received from medical staff as well as administrative staff.

5.5 Orientation (Probationary) Period. All employees will serve a 3-month probationary employment period to allow the employee to establish their ability to perform the duties of the position and demonstrate the ability and willingness to follow corporate policies, procedures and philosophies. All _____ employees hired to work a normal forty (40) hour work week are required to serve this (3) month probationary period before attaining regular, full-time employee status and receiving benefits. Notwithstanding this probationary employment period, **all employees of _____ are employed "at will"** and either they or the company may terminate such employment with or without notice or cause at any time.

Orientation/Probationary employees will be evaluated monthly during the orientation period by the appropriate departmental supervisor. Following the three (3) month orientation period a supervisor can extend an employee's orientation/probationary period. Such an extension should only occur under rare circumstances not related to disciplinary actions. The extension will last no longer than an additional ninety (90) days with evaluations completed by the supervisor on a monthly basis. During this time, the employee's job status remains as "Orientation," or probationary. A decision regarding the employee's future job status may be made at any time during the extension of the orientation period.

In the event a probationary employee is terminated, that employee cannot appeal this decision through the _____ grievance process.

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Reviewed by CEO _____
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Any employee who has full or part-time status may be placed back to the probationary status should any offense occur. Supervisors will follow procedures stated during the introductory period and evaluate the employee's progress at least every thirty (30) days. An employee who has successfully completed a probationary period following original or re-employment shall have regular status and shall be entitled to all the benefits reserved for regular employees as specified. An employee under this status will continue to have access to the _____ grievance process.

5.6 Promotion

Promotion will be based on qualifications and availability of job vacancy. Regular full-time staff will be considered first for any openings that would result in a promotion so long as the employee is qualified for the position

5.7 New Worker Orientation

Each new staff person will routinely receive an orientation pertaining to _____ personnel policies, fringe benefits, code of conduct, working hours, salary and wage structure, holidays, purpose, and goals. Each new employee will be introduced to the present staff by his/her supervisor. Each employee will be given information and access to computer set-up and normal employee processes.

5.8 Adoption and Disclosure of Job Description

_____ is committed to ensuring that all employees understand their duties and responsibilities through the use of up-to-date job descriptions. All current _____ positions shall have an up-to-date job description, which accurately reflects position and responsibilities. Job descriptions are subject to revision as the nature of the job changes. Employees shall be encouraged to make suggestions for updating their own job descriptions. Employees shall be required to review and sign their job description upon employment. A copy of the signed job description shall be placed in the employee's personnel file and a copy provided to the employee.

5.9 Job Performance Evaluations

All employees shall be regularly evaluated to ensure optimum job performance and establish training needs. The employee's supervisor shall perform written evaluations at the end of the probationary period and annually thereafter. In addition, written evaluations may be part of the progressive disciplinary action for employee performance problems.

Evaluations shall be reviewed and signed by the employee, the departmental director or supervisor, the Human Resources Manager, and the Chief Executive Officer. Evaluations shall include Quantity of Work, Quality of Work, Attitude, Knowledge of Job, Attendance, Appearance, and Relationships with Co-workers.

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Reviewed by CEO _____
(Date)

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5.10 Compensation

_____ is committed to compensating all employees in a fair and competitive manner. Salaries and benefits of _____ are based on local prevailing practice. Merit increases are based upon employee performance evaluations and availability of funding. Cost of living increases as part of regular pay steps are dependant upon available funding. All employees will be paid at least _____ minimum wage.

5.11 _____ Property & Employment Termination

Any person employed by _____ whose employment is terminated must return any and all _____ equipment and keys before they receive their last paycheck.

SECTION 6

WORKING HOURS AND ATTENDANCE

6.0 Working Hours

The regular workweek for full time employees consists of forty (40) hours per week. The regular workday is eight hours a day. Each employee will receive two (2) 15-minute breaks per day, one break period in the morning and one in the afternoon. The Supervisor will determine the scheduling of breaks. Break periods not taken cannot be used for anything else, i.e., to extend lunch period, to leave early for lunch, getting in late or used to leave the work day early, except as specifically allowed by the Supervisor, and not as a regular occurrence.

6.1 Attendance

Tardiness is defined as reporting for work after the time the employee is scheduled to report. Four (4) late infractions within a pay period or habitual tardiness will result in a counseling session in addition to a notice of this action placed in the employee's personnel file. The employee's ability to strictly comply with the attendance rules will be closely evaluated for two (2) pay periods after the 4th infraction with a counseling session at the end of the period to determine the employee's continued employment.

6.1.a Absenteeism.

In order for _____ to meet its commitment to improve the health care of the community, it is imperative that all employees be at work when they are scheduled. In those cases where an employee feels he/she cannot be at work, the employee should notify his Supervisor no later than 7:30 am prior to the start of the work day. Two (2) days absence without notification by the employee to their Supervisor may result in automatic termination. Exceptions may be made by the Chief Executive Officer on the recommendation of the Supervisor.

6.2 Flex Time

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(Date)

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Flex Time may be allowed for employees that request their schedules be adjusted. A request must be made by the employee in writing, giving the specific reasons for the need for a modified schedule, approved in advance by the immediate supervisor and the Chief Executive Officer, with a copy placed in the employee's personnel file by the Human Resources Department.

6.3 Lunch Period

Lunch will be a sixty (60) minute period. In order to provide necessary coverage of the clinic, the Supervisor will approve the scheduling of lunches.

6.4 Pay Periods

Pay Periods are bi-weekly.

6.5 Time Clock

Each employee is individually responsible for punching in and out on the time clock and advising their supervisor of deviations to assigned schedule. No employee may clock other employees in or out without the authorization of the Chief Executive Officer. Clocking other employees in or out without permission is grounds for disciplinary action or dismissal. Only the Chief Executive Officer may make exceptions to this policy.

6.6 Pay Roll Deductions

Payroll deductions include:

- Social Security Taxes Withheld
- Medicare Taxes Withheld
- Federal Income Tax Withheld
- State Income Tax Withheld

Benefit deductions include:

- Family Health Insurance and additional coverage
- Family Dental/Vision Insurance
- Retirement – employee deferral, before tax
- Court Ordered Deductions
- Child Support Orders
- Income Assignments
- Wage Garnishments
- Government Liens for taxes or debt repayment, etc.

Other deductions may be made upon request and must be authorized by the employee and the Chief Executive Officer.

6.7 Staff Status

Exempt Staff - Exempt status as defined by the Fair Labor Standards Act means that an employee is exempt from overtime and minimum wages. An employee may be placed in exempt status if they are in a professional category and their job description meets the exempt criteria.

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Non-Exempt Staff - Staff who are paid on a hourly basis and perform support services to the professional or management level are considered non-exempt and are to be paid time and a half for any hours they physically work over 40 per week. A non-exempt employee must request and receive management approval in advance to work overtime.

6.8 Travel and Business Expense

_____ reimburses employees, at the mileage rate established by the Internal Revenue Service, for travel expenses incurred in the performance of their job. Travel request forms must be submitted within the month they are accrued and must contain complete information for the request to be paid. If travel occurs at the end of a month, reimbursement requests must be received no later than ten (10) working days after travel is completed.

Travel reimbursement is meant to cover reasonable expenses when engaging in bonafide and duly authorized business travel on behalf of _____. Employees who operate their privately owned vehicles on company business are required to carry automobile liability insurance coverage as prescribed by law. Each employee is personally responsible for any fines incurred as a result of driving or parking violations.

6.9 Travel outside of the local area

Expenses for travel outside the local area will not be covered unless it is a necessity and is approved at least five (5) days prior to the departure date. Requests for travel, including continuing medical education, should be submitted on the appropriate form, and have attached estimates of airfare and lodging. Car rental is not allowed unless public transportation is not available, or unreasonable.

A request for advance travel expenses must be completed with departures and return times before expenses will be authorized. A final report must be completed ten (10) days after return. Documentation must include hotels, receipts, ground transportation and airline ticket if applicable. The Chief Executive Officer must approve additional expenses specific to the conference, i.e., banquet costs, in advance.

6.10 Overnight Travel/ Air Travel

Per diem is only paid when an overnight stay is involved. The per diem rate shall be the federal per diem rate for that particular area. All air travel shall be booked as Coach, unless there are extenuating circumstances, in which case, any exceptions must have prior approval of the Chief Executive Officer.

6.11 Other Travel

The period of travel begins when the traveler leaves home or office to embark on the actual trip itself and end when he/she returns to home or office, whichever is appropriate, at the conclusion of the trip.

6.12 Authorization

Travel authorization by the appropriate Supervisor or Chief Executive Officer is necessary in order for an employee to travel and request reimbursement. Employees

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(Date)

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must share a car when traveling to the same destination unless approved by the Chief Executive Officer.

SECTION 7

BENEFITS

7.0 Leave

_____ will follow the requirements of the Family Medical Leave Act. A copy of the Family Medical Leave Act will be made available to all employees. Once full-time, permanent employees have fulfilled their probationary period, they are entitled to annual leave and sick leave. Once these days have been used, employees requiring time off must apply to their supervisor for leave without pay. Time off will be scheduled in such a manner as to minimize disruption of work tasks and responsibilities.

7.1 Annual Leave

All Regular full-time employees are eligible for annual leave once they complete their probationary period. Annual leave is accrued on the basis of five (5) days for the first year, ten (10) days for second through fourth years, and fifteen (15) days per year thereafter, prorated over bi-weekly pay periods. Providers' rates of annual leave are provided for in their contract(s).

Employees may not accrue a balance of more than 15 days of annual leave, except upon written permission from the Chief Executive Officer.

7.2 Use of Annual Leave

Accrued annual leave may be taken after the first six months. Except for emergencies, annual leave must be authorized in advance. Requests for annual leave must be submitted to employee's Supervisor on the appropriate leave request form. All annual leave must be approved by Supervisor and submitted to Human Resources and Accounting. Salary cannot be taken in lieu of annual leave.

7.3 Payment upon Separation

Employees who separate from the company, either voluntarily or through termination, will be paid for accrued annual leave. However, employees supported by grant funds whose grant has ended may be subject to loss of accrued annual leave should they be separated.

7.4 Sick Leave

Upon successful completion of the probationary period, full-time regular employees earn five (5) days of paid sick leave the first year and ten (10) for the second year or more of service. No paid sick leave is accrued during the probationary period.

Employees may not accrue a balance of more than 10 days of sick leave, except upon written permission from the Chief Executive Officer.

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(Date)

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(Date)

7.4.a Use for Sick Leave

Sick leave is available for use, if needed, as soon as it is earned after the probationary period has ended. Paid sick leave may be used for medical, dental or optical examinations or treatment, or any illness. Paid sick leave may be used for employee's own illness or illness of an immediate family member (spouse, children, or parent). Illness is the only way an employee can be paid for sick leave. No cash payment will be made for unused sick leave due to employee separation or termination.

7.5 Request for Sick Leave

Employees must let their supervisor know as soon as possible that they need sick leave. Immediately upon return to work an employee must submit a sick leave form to their Supervisor. All paid sick leave requests must be approved by employee's Supervisor. Employees who are out more than three (3) days must have a doctor's note to return to work, unless otherwise recommended by the Supervisor and approved by the Chief Executive Officer.

7.6 Sick Leave Abuse

Abuse of sick leave will be grounds for supervisor's counseling. Use of sick leave is considered abusive when an employee cannot provide adequate documentation or physician note to substantiate an absence based on illness.

7.7 Conversion Policy

An employee may convert one (1) day of sick leave to annual leave if they have not taken more than sixteen (16) hours sick leave in the prior quarter, and providing the employee has the leave eligible to convert. This first quarter would commence on July 1, _____.

7.8 Leave Without Pay

Employees must use available annual leave and sick leave before requesting leave without pay. Leave without pay must be requested in writing through the supervisor and is granted on the Supervisor's recommendation at the discretion of the CEO. The leave without pay request must state the reason the employee should be granted leave without pay. Leave without pay may be used as a disciplinary action.

If the nature of the request for leave without pay is a bonafide emergency and it is impractical to proceed in the written format, verbal approval may be granted, provided a written request and approval are documented, confirmed, and placed in the employee's file prior to the employee's return to work.

7.9 Health, Life, Disability Insurance

Upon successful completion of a probationary period, insurance benefits are available to permanent full-time employees. There may be an additional waiting period depending upon the specific requirements of the plan administrator relative to hire date.

7.10 Pension Plan

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Reviewed by CEO _____ Approved Board of Directors _____
(Date) (Date)

Upon successful completion of a probationary period, and after earning \$5,000 in salary, permanent, full-time employees are eligible for the _____ Pension Plan, in which _____ will contribute up to 3% of the annual salary with an employee match of an equal amount.

7.11 Use of Worker's Compensation Insurance

Any employee who is injured must immediately report the incident to their supervisor. The employee's supervisor must then report the incident to the Chief Executive Officer and Human Resources Department within 24 hours. The Chief Executive Officer or his/her designee will immediately report the injury to the State of _____ and the Worker's Compensation Insurance Carrier.

7.12 Jury Duty

When a regular full-time employee is required to be absent during all or any portion of their normally scheduled working hours for the actual performance of jury duty, the employee shall receive their regular pay for the time they are required to be absent, less any fees paid for jury duty during the same period of time

7.13 Bereavement Leave

For the death of an immediate family member, employees will be allowed two days of compensated bereavement leave. Immediate family shall be defined as spouse, child, parent, in-laws, grandparent, or sibling. For deaths beyond the immediate family, time may be taken but must be charged to annual leave. The Chief Executive Officer may make exceptions to this policy on an individual basis on the recommendation of the Supervisor.

7.14 Continuing Education

Continuing Education will be granted to employees on the basis of opportunity and job requirements on the recommendation of the Supervisor and with the approval of the Chief Executive Officer. Employees may request tuition reimbursement for coursework at an accredited institution of higher learning, provided such coursework is related to the job or career in which they are employed by _____, and upon approval of the Chief Executive Officer.

7.15 Holidays

The following Holidays will be observed annually by _____:

- New Year's Eve and New Year's Day
- President's Day
- Veterans Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and Friday
- Christmas Eve and Christmas Day
- One (1) floating holiday to be designated by majority employee vote

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(Date)

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(Date)

In some cases a Holiday may fall on an employee's regularly scheduled day off. In such instances the employee will be allowed to take this holiday at a later time, as arranged with the immediate supervisor.

SECTION 8

PROBLEM/GRIEVANCE RESOLUTION PROCEDURE

8.0 Problem/Grievance Resolution Procedure

The Intent of the _____ Problem/Grievance Resolution policy is to provide a formal process whereupon employees may resolve conflicts and issues. An open line of communication between all employees and their supervisors is vital for a healthy organization. It is the policy of _____ that all employees have the right to be treated in a fair and equitable manner. This policy addresses and establishes the protocol for problem resolution. **All employees are required to utilize this procedure.**

- 8.0.1** The employee has the responsibility of first speaking with the other party and trying to work out differences.
- 8.0.2** If the issue is not resolved, the next step is for the employee to speak with their supervisor within ten (10) working days of the incident. The supervisor will address the issue with both parties, who will all make a good faith effort to resolve the problem. If the other employee works in another department, the supervisor will first speak with the other employee's supervisor and mutual agreement made as to how to proceed.
- 8.0.3** In the event that resolution is not reached, the employee may request a discussion with the next level of supervision. This request must be made in writing to the employee's supervisor within ten (10) working days of the action of the first level supervisor, with copies to the immediate supervisor, next level supervisor, and the Human Resources Manager addressing only the specific facts and circumstances of the concern or problem. The next level supervisor will then set a meeting with the employees and their supervisors to mediate a resolution of the issue. After the mediation meeting, the next level supervisor will prepare a memorandum summarizing discussion and action with copies to the employee, the immediate supervisor, and the Human Resources Manager.
- 8.0.4** Chief Executive Officer. In the event the problem is still not resolved to the employee's satisfaction, and the employee has adhered to the process outlined above, the employee may request a meeting with the Chief Executive Officer. The request for a meeting with the Chief Executive Officer will be made through the Human Resources Manager within ten (10) days of receipt of the memorandum addressing the issue by the next level supervisor. The meeting will be between the employees involved, their supervisors, and the Chief Executive Officer, and shall include others at the discretion of the Chief Executive Officer.

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- 8.0.5** In the event that an employee approaches a member of the Board of Directors privately, that Board member will refer the employee to this policy.
- 8.0.6** When a concern or problem identified by the staff member is considered to be illegal, immoral, or unethical, the employee should still follow the chain outlined above, unless the person suspected of such an action is the direct supervisor; in that case, the employee is empowered to take the issue to the next level supervisor, and/or the Human Resources Department.
- 8.0.7** The role of the Human Resources Manager is to facilitate the process outlined above in an unbiased manner.
- 8.0.8** Employees found to be in violation of this grievance process will be subject to immediate disciplinary action up to and including termination of employment.
- 8.0.9 Abuse of the Grievance process**
Employees are expected to work together to solve problems and issues. The formal grievance process should only be used as last resort when all other attempts at problem solving have failed. Any use of the grievance process in retaliation will be considered a serious matter and subject to disciplinary action

8.1 Separation/ Dismissal

All employees of _____ may be separated/terminated/resign in their employment at any time, with or without cause or notice.

Any regular _____ employee desiring to resign shall give written notice to their immediate supervisor. Although employees may sever their employment relationship at any time, with or without notice or cause, four (4) weeks of advance notice of resignation for providers and manager, and two (2) weeks advance notice of resignation for all other employees is appreciated and encouraged.

An employee who is absent from work for two (2) consecutive days and fails to contact his /her supervisor will be considered to have voluntarily resigned his/her position.

8.2 Involuntary Termination of Employment/Dismissal.

First offense of Group 1 Offenses may result in cautioning and instruction; second offense may result in written reprimand; third offense may result in termination. Group 1 offenses include:

- Habitual Tardiness, defined as four occurrences in a 30-day period; excessive tardiness or absence without notice on multiple occasions
- Unexcused excessive absenteeism
- Excessive taking of breaks
- Dishonesty
- Abuse of Sick Leave

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- Abuse of Leave without Pay
- Leaving work without permission
- Incompetence or inefficiency
- Abuse of Grievance Procedures
- Uncooperativeness in working with others
- Unwillingness to complete forms or records necessary
- Obscene, abusive language, or malicious gossip
- Smoking in unauthorized areas.

First offense of Group 2 Offenses may result in written reprimand; second offense may result in termination. Group 2 Offenses include:

- Threatening, or using threatening or harassing language to other employees
- Discrimination or harassment of an employee, patient, or other individual doing business with _____; employing retaliatory tactics against an employee for any reason
- Failure to comply with the agency's code of conduct
- Willful failure to cooperate with other employees in administering or carrying out the objectives and disciplinary procedures of the agency
- Making derogatory comments about employees, patients, or the company
- Willful failure to maintain portions of quality assurance as directed
- Inadvertent violations of confidentiality
- Refusal to appropriately complete job duties
- Inappropriate, discourteous or offensive behavior toward patients, coworkers, or others in the workplace
- Inappropriate attitudes or responses to patients, coworkers or others in the workplace
- Activities unrelated to the job or clinic time without administrative approval
- Insolence or insubordination toward supervisors or other professional staff; refusal or habitual failure to comply with the proper orders of an authorized supervisor
- Overstaying leave without permission

First offense of Group 3 Offenses may result in written reprimand; second offense may result in termination. Group 3 Offenses include:

- Willful violation of patient or co-worker confidentiality
- Willful violation of patient's rights
- Willful violation of code of conduct
- Deliberate misuse, destruction or theft of _____ property
- Statements to the press without approval of the Chief Executive Officer
- Making false statements on any _____ record
- Willfully altering records or providing false information
- Unlawful activities on or off the job.
- Substance abuse while on or off duty
- Unauthorized use or possession of drugs

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- Entering into an agreement on behalf of _____ without specific written permission of the Chief Executive Officer
- Filing a fraudulent workers' compensation claim
- Felony conviction
- Possession of any gun, knife, or any other weapon or explosives on _____ property

Other causes for dismissal include acts involving unsatisfactory performance including, but not limited to, the following:

- Failure to perform the duties of the position due to inadequate knowledge, skills or abilities
- In supervisory positions, inability to plan, organize and direct work of subordinates
- In positions requiring initiative and independent judgment, inability to perform except under excessive supervision
- Failure to perform the duties of the position because of physical, emotional or mental capacity
- Failure or inability to meet established standards of performance, including either qualifications or quantitative standards
- Unauthorized absence from duty: Unauthorized shall be defined as failure on the part of the employee to receive permission from their supervisor prior to the absence. This does not, however, mean that a supervisor is prevented from authorizing an absence after the fact.
- Failure to observe organization's policies and procedures
- Violating the provisions of these personnel policies and procedures
- Acts or conduct prejudicial to the public interest include, but are not limited to the following
- Discourtesy to the public including patients, or disgraceful conduct while on duty
- Acceptance of a gift or valuable consideration given with the intent of influencing the employee in the performance of their office duties.
- Use of official position or authority for personal profit or advantage.

8.3 Progressive Discipline Action

This policy establishes the general guidelines and procedures to follow when disciplinary measures are needed. However, _____ reserves the right to take any disciplinary actions that it deems appropriate at any time, notwithstanding these guidelines. Administrators and supervisors have the responsibility and authority to resolve employee problems as they arise through any and all appropriate disciplinary measures.

The following disciplinary actions are not to be considered progressive nor inclusive and may be imposed in any order, in any combination or with any other disciplinary action as deemed appropriate by the Chief Executive Officer and/or supervisor. Moreover, these disciplinary actions in no way alter the "at will" status of all employees. Either the

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employee or the organization may terminate employment at any time, with or without notice and with or without cause.

8.3.1 Verbal Reprimand - This is intended to inform the employee of an attitude or behavior considered inappropriate. Although a Verbal Reprimand carries no punitive action, the discussion will be noted in writing and signed by both supervisor and employee and placed in the employee's file.

8.3.2 Written Reprimand – A formal reprimand signed by both supervisor and employee. This is intended to inform the employee of the seriousness of a particular attitude or behavior, provide specific written information on how the attitude or behavior is to be improved, and a date by which time such improvement is expected. A copy of the written reprimand is sent to the Chief Executive Officer's office and a copy is filed in the employee's file.

8.3.3 Investigative Suspension – At the discretion of the Chief Executive Officer or his/her designee an employee may be suspended with or without pay while an investigation of an alleged complaint is conducted. The Human Resources Department will perform the investigation. An investigative ruling in favor of the employee will result in complete reinstatement and all back pay benefits. An investigative suspension will become a disciplinary suspension without pay if the investigative ruling is against the employee. Based on the findings of the investigation, the employee may be terminated.

8.3.4 Termination – At the discretion of the organization, employees may be terminated with or without notice and with or without cause at any time. Likewise, employees may sever the employment relationship with or without notice and with or without cause at any time, except for contract professional staff where employment separation terms are outlined in the employment contract and take precedent.

The disciplinary process does not confer rights on any employee. The agency reserves the right to change or discontinue the disciplinary process at any time, for any reason. This disciplinary policy does not constitute an express or implied contract for future employment for the employee, nor does it guarantee the employee any procedures such reprimand or warning.

Since employment is at will, circumstances may arise where an employee's employment is terminated by the agency for reasons unrelated to misconduct.

8.4 Final Pay

An employee's final paycheck will consist of all unpaid time worked, all accrued earned vacation leave, and severance pay, if appropriate. Before the final paycheck is issued the

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terminated employee must return all office, building, and company vehicle keys and any _____ property in the possession of the employee, including records.

8.5 COBRA Compliance

All employees who are covered by a health insurance plan with _____ at the time of separation will be eligible for continuation of health insurance benefits as defined in the Consolidated Omnibus Reconciliation Act of 1985/6 (COBRA). Each employee will be notified by mail outlining his or her rights under COBRA.

- Insurance must be paid at employee expense
- Include payments to be made monthly to the Payroll Clerk.
- Require notification of _____ Human Resources personnel for continuation of health insurance benefits.

8.6 Layoff and Reduction in Workforce

_____ is committed to providing stable employment whenever feasible. _____ receives a significant portion of its income from grants. It is to be understood by all employees that if grant funds are reduced, then a reduction in work force may be necessary.

8.6.1 An employee terminated because of a layoff or reduction in force:

- Will be given two (2) weeks notice whenever possible.
- Severance pay will be given in lieu of notice whenever possible.
- Will be given first consideration for openings in other departments if they are qualified.
- May take a reduction in pay if they accept a job opening, which is at a lower rate of pay.
- Retain seniority at _____ for a period of time equal to their length of service at _____ but not to exceed one year.

8.6.2 In the event of a layoff or reduction in work force, an employee may be laid off in the event that there are no other job openings available with _____ for which the employee is qualified, or the employee decides not to accept the alternate job opening.

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ACKNOWLEDGEMENT OF RECEIPT OF POLICIES AND PROCEDURES

Each employee shall acknowledge, through the signing of this statement, that they have received a copy of _____ Policy and Procedures.

I acknowledge that I have received a copy of the Policy and Procedures of _____. I acknowledge that it is my responsibility to read and understand these policies and procedures. If there is something within the Policies and Procedures that I do not understand, I acknowledge that it is my responsibility to ask my supervisor to explain it to me in such a way that I do understand.

Employee name printed

Employee signature

Date