

[ABC]

PERSONNEL POLICIES

Adopted:

[DATE]

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Message to Staff

This personnel manual was developed by the Board and Staff of [ABC], to provide some of the particulars of working at our organization. These policies were formally adopted by the Board on [DATE].

Periodically, we will revisit this document to make adjustments based on the changing needs of the organization and the people who come to work here. Members of either the Board or staff may initiate a change in the personnel policies. Staff members should channel their requests in writing with an explanation to the Executive Director. Board members are encouraged to do the same although they may bring written requests directly to the Board Chair/Executive Committee.

In the event that a personnel matter arises which is not covered by the policy statement, the Executive Director shall notify the Board so that an appropriate policy may be developed. If the ongoing activity of the organization requires that a decision be made before the Board can consider the matter, the Executive Director is authorized to make an interim decision which will apply only to the case at hand and which will not be considered a precedent for the policy to be developed according to the procedure specified above. On such occasions, the Executive Director will consult with the Board Chair/Executive Committee.

It is the intention of the Board that these personnel policies be applied by the Executive Director with flexibility and discretion. Exceptions may be granted when an employee's interests will be served and those of [ABC] not damaged, but exceptions should be recognized as such and should not be assumed to establish precedents.

Above all, we want to make certain that staff members of [ABC] place our patients' needs before all else, and approach our patients with honesty, creativity, and integrity. Within that context, we also want the working environment to be supportive and enjoyable, so that the very best that our staff have to offer is made available to those who need our assistance.

Executive Director

EMPLOYMENT

Employment at [ABC] is based wholly on qualifications, competence, experience, training and fitness for the job. Because of the importance of our work in serving the community, we make every effort to fill vacancies in accordance with the above stipulations.

At the time of employment each person will receive a confirmation of employment letter which outlines job title, salary, etc. Further, each person will receive a copy of the job description and [ABC] Personnel Policies. When a job is available at [ABC], the Director is responsible for seeing that all staff members are informed about the opening. Recruitment, screening, and selection will normally be done by the Director, assisted by members of the senior staff. At the discretion of the Director, members of the Board may be invited to participate in screening, interviewing and selection.

STATEMENT OF NON-DISCRIMINATION

[ABC] will not discriminate against any employee or applicant on the basis of race, color, religion, sex, national origin, physical or mental handicap, political belief, marital status, age, or sexual orientation. [ABC] complies with all Equal Employment Opportunity and Americans with Disabilities Act laws and regulations in the areas of hiring, compensation, benefits and promotion.

MANAGEMENT RIGHTS

[ABC] retains the exclusive right to hire, direct and schedule the work force; to plan, direct and control operations; to discontinue or reorganize or combine any department or branch of operations with any consequent reduction or other changes in the work force; to hire and terminate employees; to promulgate rules and regulations; to introduce new or improved methods or facilities regardless of whether or not the same causes a reduction in the work force and in all respects to carry out, in addition, the ordinary and customary functions of management. None of these rights shall be exercised in a capricious or arbitrary manner.

ORIENTATION

Orientation of new employees will include the following:

- . Review of the employee's job description and core standards for evaluation
- . Review of these personnel policies and practices
- . Review of general policies and procedures of [ABC]
- . Review of the employee's job title, salary and compensation agreements, work hours, time sheets and other record-keeping methods and pay practices, standards for employee conduct, attendance and punctuality.

PROBATIONARY PERIOD

All new employees are required to serve a minimum 90-day probationary period during which employment may be terminated at the discretion of the Director without recourse to the standard procedure for termination specified in our policies. This period may be extended at the discretion of the supervisor. If the immediate supervisor and/or Director find the probationary employee's work unsatisfactory, this should be indicated to the employee as early as possible in the probationary period. No formal statement of cause is required but an informal explanation would normally be expected.

Employees do not begin to accrue leave and are not entitled to join the [ABC] health, dental, long-term disability or pension plans until the successful completion of the probation period. The Director may authorize leave with pay for illness or other emergencies with the understanding that should the employee not continue with [ABC] after the 90-day probation (or long enough to earn the advanced leave), [ABC] would reduce the employee's last paycheck by said number of days.

EMPLOYEE STATUS

A *temporary* employee is a person engaged on a full or part-time basis for a definite period, usually six months or less. An *occasional* employee is a person hired on a fee or hourly basis for special tasks not covered by the regular staff. A *regular* employee is a person hired full-or part-time (for an indefinite period) to fill a specific position. A *consultant* is not an employee of [ABC] but a self or otherwise employed person with whom [ABC] may contract for specific tasks or services.

Full-time: An employee who is regularly scheduled to work a minimum of 40 hours per week.

Part-time: An employee who is regularly scheduled to work less than 40 hours per week. Employees working less than 30 hours per week are not entitled to health benefits and other optional benefits. Part-time employees accrue vacation days on a pro-rated basis and are entitled to paid holidays only if they normally work more than 20 hours per week, and then only those holidays which fall upon the days on which they normally work.

Temporary: An employee who is hired for a predetermined period of employment, which may be carried out on full-time, part-time or occasional basis.

Regular Employee: A full or part-time employee hired with the expectation that the working relationship will be continued as long as it is mutually satisfactory and financially sustainable.

HOURS OF EMPLOYMENT

Full-time work is generally assumed to occur Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m., with one hour lunch designated for lunch. At the discretion of the Director, flexible hours may be arranged if these will not interfere with the accomplishment of the organization's task and goals. Employees who regularly work outside normal hours can arrange for adjusted hours.

[ABC] staff titles of Office Manager are considered to be nonexempt and will be duly compensated for time beyond the 40 hour week. There is no provision for paid overtime or compensatory time for exempt employees.

Employees who experience a delay or emergency which will require them to be more than 30 minutes late in arriving should notify a member of the management team of their expected arrival time.

ATTENDANCE

Federal, State and City laws require [ABC] to maintain accurate records of all employees' time and attendance. Each employee must complete and submit time sheets weekly. Falsification of time and attendance records may result in disciplinary actions.

PERFORMANCE REVIEW

Each employee is entitled to a probationary and annual performance review. A

performance review is normally conducted by the Director or the Director's designee. Goals and priorities will be established for the next work period. A performance review form should be signed by the employee and the person conducting the review, with a copy in the employee's personnel file and a copy retained by the employee.

Review and planning meetings are intended primarily as a means for promoting communication and improving performance and form the basis for salary determination. In the event that an employee should desire another job within [ABC] or a letter of reference after leaving the organization, it is anticipated that performance reviews will provide useful information.

SALARIES

[ABC] is subject to a number of constraints in the determination of salaries. Salaries of some positions are governed by the amounts proposed in proposals and contracts which are in turn derived from the "going rate" available from foundations and government agencies. Furthermore, all salary increases must be made conditional upon raising sufficient money to cover the projected budget. Within these constraints, the normal procedure is that a salary range is established for each position created, the Director specifies a salary at the time of hiring, and salaries are reviewed annually by the Director at budget preparation time. The Director's salary is reviewed annually by the Board of Directors.

LEAVES AND HOLIDAYS

Holidays: The office is closed and all regular staff will be paid for the following holidays:

New Year's Day
Martin Luther King's Birthday
Washington's Birthday Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Thanksgiving Day
The day after Thanksgiving
Christmas Day

The office may close early the day before a major holiday or the day after at the discretion of the Director; staff will be notified in advance. When Christmas, New Year's Day or Independence Day falls upon a weekend, a nearby workday will be designated instead.

Other holidays will be celebrated on the date designated.

Vacation: The following is the vacation policy for all full-time employees of [ABC]:

<u>Length of Service</u> (In years)	<u>Weeks of Vacation</u>	<u>Accrual Rate</u> (Days per month)
0 through 4 (inclusive)	3	1.25
5 or more	4	1.66

Vacation is to be used in the best interest of [ABC]. Schedules will be arranged on the basis of seniority. Subject to the Director's approval, employee's may carryover up to 5 days of vacation into the next quarter. Vacation time accrues upon completion of the probation period. In addition, for terminating employees, pay will be given for unused vacation time provided that the employee was on staff for six months or more of continued employment, the required written notice of resignation was given and the employee was not terminated for gross malfeasance. Part-time employees are entitled to pro-rated time for vacation leave.

Sick Leave: Full-time employees who successfully complete probation are entitled to sick leave, for a maximum of 8 days per year, of paid sick leave. Absences due to illness or medical appointment may be charged to sick leave. Before returning to work from a sick leave absence of five (5) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work. Unused sick leave does not carry over to the next fiscal year, and no pay is given in lieu of sick leave. Unused sick leave lapses without compensation on an employee's leave [ABC]. Sick leave is to be taken in the event of the illness of an employee or, of the employee's dependent child; it is not an all purpose leave. Extended sick leave for a serious illness may be allowed by the Director. Employees who anticipate that an extended period of absence may be necessary should discuss the matter with the Director to see if disability benefits may be available. Part-time employees are entitled to pro-rated time for sick leave. After 5 consecutive days of absence due to illness, an employee should file for short-term disability. Employees should call a member of the senior staff within 1/2 hour of starting time on the first day of absence. Employees whose illness extends beyond one day must advise their supervisor of their expected day of return.

Parental Leave: Employees who become parents, either by birth or adoption, may receive a total of 3 months leave. During this time, employees will first be required to use any accrued sick and/or vacation time. The amount of sick and/or vacation time used will be the total accrued amounts as of the last day of work before the leave begins. The balance of the leave will be without pay although employees will continue to accrue sick leave to be used upon return. At the discretion of the Director, an employee may carry up to 5 days of accrued vacation leave into the first quarter of the subsequent fiscal year, and/or may be granted additional time off without pay.

For the first 90 days of leave, [ABC] will continue to pay the employee's medical, dental and long-term disability premium's as well as its share of the cost for family coverage of the same. Where applicable, employees are expected to make arrangements for their payments for the same. If leave is extended past the 90 days, the employees must make arrangements for covering the full share of the premiums.

Following maternity/paternity leave an employee may return to the same position held by the employee when the leave commenced, if available, or to a position of substantially similar status, benefits and pay.

Disability Leave of Absence without Pay: Accrued sick leave may be used during medically verified disability. A request for medically verified disability should be approved by the Executive Director and a statement for the reason for the leave and intention to return to work at a specified date should be included. A disabled worker is entitled to 60 days of job protection.

Jury Duty: Full-time employees who have completed their probationary period and who are called to serve as jurors or are subpoenaed to appear before a court as a witness will receive their regular pay minus any jury duty pay or witness fee received for each work day while in court for jury duty or as a witness. The receipt of a notice to report to jury duty or of a subpoena shall be reported immediately to the Director and/or member of the senior staff. [ABC] reserves the right to request that the employee be exempted from jury duty if the employee's services are essential.

Military Leave: A full-time employee who is a member of an organized reserve unit of the Armed Forces of the United States of the National Guard and who attends a regular military camp will be granted the time necessary to meet his/her obligation. A full-time employee who is a member of an organized reserve unit of the Armed Forces of the United States or the National Guard who is called into active duty shall be granted a military leave of absence for the period for which they are called. An employee must give the Executive Director immediate notice of the dates of intended absence. In the case of active duty, the employee shall report for work at [ABC] no later than five days following discharge from active duty. [ABC] cannot guarantee that any employee will return to the same position which they filled prior to the active duty, but will make every effort to provide an equivalent position. Military leave will not be counted against vacation days, but will instead be considered to be on a leave of absence without pay.

FRINGE BENEFITS

Health Insurance: Full-time employees are provided with medical insurance. Details of each are outlined in separate brochures given to each employee. Because of fiscal

constraints, payment for coverage under this plan is shared by [ABC] and the employee on a co-payment arrangement. Exempt employees contribute 50% and non-exempt employees contribute 20% respectively. Terminating employees will be told of the status of their insurance, when it will expire and what options are available for converting coverage, i.e. COBRA.

Employees are eligible for to participate in the above plans upon completion of the probation period. Unemployment insurance, worker's compensation and short-term disability coverage is provided as required by law.

RESIGNATION

In the event of resignations after the probationary period employees are expected to give notice equivalent to their annual vacation entitlement.

An employee, who gives notice of resignation, as provided above, shall be entitled to receive payment for unused vacation accrued on the effective date of resignation.

TERMINATION

If the Director wants to consider termination of employment, the employee must be given a written statement of the specific problems, a definite period must be set within which the employee may try to correct the problem, and if the problem cannot be resolved, the employee must be given two weeks notice. [ABC] does not provide severance pay. In the case of gross malfeasance, [ABC] reserves the right to terminate employees immediately.

Upon termination, the key to the office should be turned in to the Executive Director or another member of the senior staff on the last day of employment. The employee is also responsible to give a status report on all current work, present files and other materials in a clear manner to the Executive Director or a delegated representative.

Any employee who is terminated may appeal the decision to the Board by writing a letter to its Chairperson. The Board's decision shall be final.

Any employee who has completed the probationary period and has attained regular status may not be dismissed except upon written notice and an opportunity to be heard. In no case will an employee be dismissed because of an unlawful discrimination preference.

Grounds for dismissal include but are not limited to:

- . Neglect of duties
- . Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved.
- . Physical or mental incapacity to perform his/her duties.
- . Insufficiency in the performance of duties as reflected in the evaluation.
- . Violation of lawful directives (written or verbal), policy or direction given by an immediate supervisor, or the failure to obey any lawful or reasonable direction when such violation amounts to insubordination or serious breach of discipline.
- . Conduct unbecoming to an employee of **[[ABC]]** during working hours, which may discredit the organization.
- . Offensive conduct or language toward the public or community, supervisor or administrative personnel.
- . Criminal, disorderly or immoral conduct while on duty.
- . The violation of policies or directives of **[[ABC]]** Board of Directors.
- . Negligence or willful damage to **[[ABC]]** property or waste of agency supplies and equipment.
- . Misrepresentations or false statements on applications, or **[[ABC]]** programs or operations.
- . Intoxication/use of drugs during working hours and not in control of mental or physical faculties.

GRIEVANCE PROCEDURES

Whenever an individual believes that a situation, condition, or event related to their employment or status is unsatisfactory, and is subject to the control of [ABC], they will be expected and encouraged to take every reasonable step to resolve their complaints informally. These efforts must include discussions with the Executive Director and/or immediate supervisor. Efforts to resolve a grievance at the informal stage is mandatory and all parties shall exercise their best efforts to determine an equitable solution to the grievance, complaint or problem.

Formal - If all reasonable, informal efforts to resolve a complaint fail, the individual may formalize the complaint as a grievance by placing the complaint in writing; stating specifically the nature, the dates and times and the alleged problem; listing the individuals thought to be responsible; and stating concisely the relief or remedy sought for the grievance. All grievances shall be signed by the individual submitting the matter for review.

The individual shall file any formal grievance within two weeks from the time the grievance

is, or reasonably known.

The individual shall submit the written formal grievance to the Executive Director who shall acknowledge its receipt in writing and shall conduct an appropriate inquiry or investigation into the facts. The Executive Director in conjunction with the Board may grant the grievance, deny the relief requested, or provide such other remedy as is deemed just and reasonable. The Executive Director's decision shall list the findings, the reasons for the conclusions reached, and the proposed resolution and shall be issued no later than two weeks after the receipt of the grievance.

All grievance matters become a formal insert into an employee's personnel folder. The informal process described above, if followed and resolution is reached, need not be part of such records.

OTHER POLICIES AND REGULATIONS

Staff Meetings: Staff meetings are traditionally held twice a month. All staff is expected to attend unless excused.

Copyrights: As a condition of employment, each employee/consultant agrees that all copyrights to published materials by or relevant to [ABC] and its programs, written by an employee/consultant, belong to [ABC]. Authorship will be credited to the individual employee/consultant involved, if relevant.

Employment at Will: The description of current policies should not be construed as a contract of employment or as a statement that these policies will not change. Continued employment of an individual shall be at the will of the employer, subject only to the applicable laws forbidding discrimination.

Conflict of Interest: No person, employed or appointed by [ABC], shall conduct themselves in a manner which creates by law or in the judgment of the Board of Directors a conflict of interest with the interests of [ABC], at no time shall a person represent themselves as employed by [ABC] when not performing work on behalf of [ABC].

Statements regarding/Representation of [ABC]: Formal representation (like staff participating on Boards as) and public statements, both written and verbal regarding [ABC] shall be made only with the approval of the Executive Director. These include press releases, interviews, proposals, speeches, training sessions, advertisements, brochures and other public relations materials.

Confidentiality of Patient Information: [ABC] is legally and contractually obligated to

provide all reasonable assurances that all patient information is confidential. [ABC] employees possess detailed information regarding patients. Information shared in materials and discussions and even the fact that a given patient is a [ABC] patient, must be kept within the agency structure and must be considered internal, to be shared among agency staff. Exceptions to this rule can be made by the Director. [ABC] conforms to all Health Insurance Portability and Accountability Act (HIPAA) regulations regarding patient information. Please refer to [ABC]'s Corporate Compliance Program for details.

Drug Free Workplace: The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited at [ABC]. Employment will be immediately terminated if any employee is found to be engaged in any such activities. In the event that any employee has a problem with alcohol or drug abuse and wishes to participate in a rehabilitation or special assistance program, the employee should speak to a member of the management team. [ABC] will work with the employee to find appropriate treatment.