

NORTH CENTRAL MISSOURI
MENTAL HEALTH CENTER

PERSONNEL HANDBOOK

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I. Introduction

Welcome to North Central Missouri Mental Health Center. You are an important member of our Certified Community Behavioral Health Organization (CCBHO) team, whatever your position and responsibility may be. Each member is essential to the quality, accessibility and delivery of services for the many clients we care for each year.

The personnel of North Central Missouri Mental Health Center (NCMMHC) require few rules, but certain fundamental policies are necessary in the conduct of any organization. A thorough understanding of this handbook will acquaint you with this agency, its rules and regulations, and the benefits accrued to you. Your close observation of these policies will be of mutual benefit to us all.

You will be asked for your signature after you receive this handbook, so be sure to read the handbook and be aware of the rules, regulations and policies of this agency. Though considered a part of North Central Missouri Mental Health Center's Policy and Procedure Manual, this handbook does not create a contract of employment.

Please ask for clarification of policies that do not seem clear to you.

Lori Irvine

Lori Irvine, M.A., L.C.S.W.
Executive Director

II. Payroll Policies

Employees shall be paid on a bi-weekly basis. Non-exempt (hourly) employees' time will be calculated from the Electronic Clinical Record (ECR) for each two week period. The ECR Attestation will serve as confirmation that all hours worked are accounted for and no changes should be made after the attestation is signed. Non-exempt employees and their direct supervisor must attest to the specific pay period. Part-time employees without access to the ECR shall complete a paper timesheet, which will also be signed by the employee and their supervisor. Employees will be given access to an annual payroll schedule, which includes the time period for payroll, the date the attestation/timesheet will be due, and the date pay will be issued. Attestations/timesheets are due by 8:00 am on the date specified.

Direct deposit of payroll is required by the agency. Direct deposit in up to two (2) separate accounts is available. Direct deposit enrollment or change forms are available from the Accounting Assistant.

Mileage and Expenses/Cell Phone Reimbursement

Travel pay at the agency's current mileage reimbursement rate shall be paid, as funds are available, to employees who are required to use their personal vehicle for approved agency business. Mileage shall be calculated from the employee's home or base office, whichever is closer to the destination.

Eligible employees may receive a cell phone stipend for agency-related costs incurred when using their personal cell phones. Eligible full-time employees may receive a stipend of \$40 a month, and eligible part-time employees may receive a stipend of \$20 a month. Employees are required to respond to agency-generated texts or phone calls within 24 hours in order to receive the monthly stipend. Employees also must sign a Cell Phone Stipend Agreement and submit it to the accounting department to be eligible for the stipend.

All mileage and other expenses should be recorded on an expense sheet. Payment for travel and other expenses will be made on a bi-weekly basis and will be included with bi-weekly payroll. Approved expense sheets must be submitted, along with an approved check request, to the accounting department by 10:00 am on the same date the time sheet attestation is due. Supporting documents shall be attached to the expense sheet. The expense sheet must be approved by the employee's supervisor and the Executive Director prior to submission to the Accounting Assistant, and must be submitted within 90 days of incurrence in

order to receive payment. The exception to the 90-day rule is end-of-fiscal-year expenses, which must be submitted by July 25th in order to receive reimbursement.

Early Distribution of Payroll

The agency will not release any payroll prior to the regular payroll schedule except in cases of emergency or unusual circumstances. Early release of payroll requires both Chief Financial Officer and Executive Director approval.

Advance Payment of Wages

Advance payment of wages will not be approved except under extreme circumstances. Approval by both the Chief Financial Officer and Executive Director is required. The employee will present their time sheet showing hours worked to date along with an approved request. Pay advance will not exceed sixty percent (60%) of the earnings to the date of advance.

Payroll Disruption

If the agency experiences computer failure, or if a disaster occurs which would cause disruption of the payroll schedule, the agency will attempt to process and distribute payroll within 72 hours of the affected payday. In case of further delay, the agency will pay all employees by handwritten check less applicable taxes and deductions.

Holiday

If the normal payday falls on an agency-recognized holiday, payroll will be processed one workday prior to the regularly scheduled date.

Terminated Employees

An employee who is terminated involuntarily will receive their normal wages for current hours worked. This amount will be issued on the last day of work for employees who are involuntarily terminated.

If the terminating employee has unpaid obligations to the agency, the obligations will be deducted from the final pay. If the obligation exceeds the required minimum wage, arrangements will be made between the terminating employee and the agency to repay the outstanding obligations.

Credit Information

A minimum of four (4) working days notice is required to have the payroll office fill in salary data for credit and other agencies. The request for information must be

in writing and must be signed by the employee. After completion, the fiscal office will send the form to the agency requesting the data.

Unemployment Insurance Claims and Partial Unemployment Insurance Claims

Employees who are initiating partial claims or are already on partial unemployment should file by calling the toll-free service number of 1-800-320-2519 or by logging on to <https://uinteract.labor.mo.gov/benefits/home.do>.

III. Employment Policies

It is the policy of NCMMHC to provide equal opportunities and not discriminate among applicants for employment or employees in terms of compensation, terms, conditions and privileges of employment because of race, color, religion, national origin, gender, impairment status, age, or disabled or Vietnam-era veterans. Reasonable accommodations shall be made for impaired persons who are applicants and employees capable of performing the essential qualifications of their position. This facility shall not limit, segregate, or classify applicants and employees so as to tend to, or to deprive, any applicant or employee of employment opportunity or adversely affect the employment opportunity of such persons. Persons hired are selected from all applicants on the basis of past work history, availability, personal background, professionalism, occupational qualifications, education, and willingness to work.

It is NCMMHC's policy to:

- Maintain safe working conditions;
- Provide adequate compensation for services rendered;
- Give employees opportunity for achievement;
- Place employees in the work best suited to their abilities;
- Give each employee the right to discuss with their supervisor, or with administration, any matters of grievance or any suggestions;
- Encourage judicious and effective work performance;
- Cooperate in social and other recreational activities;
- Keep employees informed about policies and plans that affect their work;
- Carry on daily work in a spirit of friendliness and cooperation; and
- Preserve the dignity of the individual.

Employee Obligations

The job performance and personal conduct of each employee reflects directly and indirectly upon the reputation of this agency. Therefore, it is important that each member of the staff adheres to established policies and ethical behavior at all times. In addition to the practice of sound judgment and conscientious discharge of duties, the following guidelines are set forth to maintain the standards of the agency:

1. Outside activities must be acceptable and compatible with an employee's identity with the agency. This includes the prohibition of business ventures, business and personal investments and outside employment that would create a conflict of interest. Employees may not work for organizations that duplicate services offered by

- NCMMHC within the nine county service area while employed at NCMMHC.
2. Employees must not accept gifts from or give gifts to clients or suppliers. Employees must not accept bequests from clients nor borrow from clients or suppliers.
 3. Integrity is a requirement for continued employment. Theft, embezzlement, misapplication of funds, false entries in any book, report, statement or document with intent to defraud, and/or falsification of expense accounts or hours worked could be cause for immediate dismissal and possible prosecution.
 4. It is the legal responsibility of each employee to report to the proper authorities any knowledge that a crime has been committed. Not reporting this could place an employee as an accessory after the fact.
 5. Strict compliance with laws and regulations is necessary. Non-compliance can result in adversity, both for the individual and the agency.
 6. A client's confidential information must not be divulged to third parties except with proper authority from the client, or prior legal process or regulation. HIPAA regulations will be strictly followed. The discussion of client information on any social media (such as unencrypted e-mail, texting, blogging, Facebook, Twitter, Instagram, chat rooms, or any other like media) is strictly prohibited.
 7. An employee is not to discuss or enter into agreements with competitors concerning prices of services or other competitive policies or practices.
 8. Disclosure of agency financial information or any other confidential or proprietary information or policies is to be made only by an authorized spokesperson.
 9. The agency's physical properties, information and influence are not to be used for the private advantage of any employee or other person. This includes correspondence under or entertainment of the agency's name.

Health Screenings

Employees in the PSR program and transportation department who have frequent, regularly scheduled (at least once a week) and direct contact with clients shall have a contagious disease screening upon hire and annually thereafter. A tuberculin (TB) skin test (or chest X-ray if the employee cannot take a skin test) is required with a physician's statement indicating the employee is disease-free. A new employee in the PSR program or transportation department

is required to have a TB screening and a physician's statement at their own expense within 30 days of hire date with NCMMHC.

Though physicals for employees are not required, the agency does encourage its employees to look after their health and to have regular checkups with their physician, being aware of tests and procedures the agency's insurance does and does not cover.

Employment of Relatives

New persons wishing to work at NCMMHC who have relatives already employed by the agency are eligible for employment only with special authorization from the Executive Director.

IV. Employee Classification

Personnel shall be selected for employment on the basis of their application, education/qualifications, experience, references, and an interview. Personnel shall meet local, state and federal requirements for their profession, and receive an acceptable background check, in accordance with Missouri 9 CSR 10-5.190. Background checks shall be initiated for employees and volunteers within two (2) working days of beginning employment. Certain criminal convictions, pending charges, and negative actions (per the Department of Mental Health disqualification list) automatically disqualify a person from having unsupervised access to vulnerable adults, juveniles, and children. An employee shall be terminated and a volunteer shall be prohibited from serving as a volunteer if the person's background check reveals a result included in the disqualification standards created by the Department of Mental Health. The disqualification list is not exhaustive and other crimes may be considered unacceptable by the agency. Each employee shall be assigned to a direct supervisor.

Exempt employees must be paid the same amount of pay per workweek regardless of the number of hours they work. Exempt employees have a guaranteed weekly salary and are not eligible for overtime. Examples of exempt employees at this agency include Executive Director, Chief Financial Officer, Clinical Director, CPRC Director, Children and Youth Services Director, therapists/counselors, ACI/intake staff, Team Leaders, and Executive Assistant.

Non-exempt employees must be appropriately compensated for all hours physically worked over 40 hours in a workweek. Non-exempt employees can be salaried or hourly, and must keep a record of all time worked. Examples of non-exempt employees at this agency include community support specialists and support staff. (See more on overtime and flex time in Section VI.)

Full-time employees are scheduled to work 2080 hours per year based on a 40-hour workweek. A minimum number of face-to-face visits required for all clinical staff and community support specialists will be specified on job descriptions. Full-time classification means health insurance, paid holidays, and vacation and sick leave benefits. Full-time personnel are eligible for all full-time benefits after the appropriate waiting periods are met.

Part-time employees are employees who work less than 40 hours per week. Part-time employees do not accrue benefits. Part-time employees shall be reimbursed pro rata for hours worked. Temporary employees are employees hired for a job that has definite limitations on how long the job will last (normally

90 days or less). No benefits accrue to an employee who is considered temporary.

Break Times

Staff is eligible for two 15-minute breaks per 8-hour work day. Staff may take one 15-minute break in the first four hours of work, and one 15-minute break in the final four hours of work. Breaks may only be taken in 15-minute increments, may not be taken back-to-back, and may not be taken at the beginning of a work day or at the end of a work day (i.e., arriving late or leaving early). Breaks are not to be substituted for lunch, and cannot be accumulated to take more than one break at a time or more than two breaks per day. If there are times when a staff person is not working, that individual should “clock out” when not working and “clock in” when returning to work; ECR schedules will be blank during this time.

Breaks are a privilege, not a requirement. Please be respectful of using break times.

Job Descriptions

Written job descriptions for each position within the agency are available on the agency’s shared drive (s:/ drive) or from the Executive Assistant. Descriptions include duties, qualifications, exempt/non-exempt status, supervisor and positions supervised. A copy of the job description shall be given to each new employee, and a signed copy of the job description will be placed in the employee’s personnel file.

Job descriptions that are updated or changed will be given to the affected employee(s) and a signed copy of the new job description placed in the appropriate personnel file(s).

Supervisors

Supervisors are designated at the time of employment and will be identified in the employment letter and on the table of organization. A copy of the table of organization will be provided at the time of employment. Any change in supervisor shall be provided in writing to the employee. In instances where a direct supervisor leaves employment and a new supervisor is not immediately appointed, the next level up supervisor will stand as the employee’s interim supervisor until a permanent replacement is designated.

V. Employee Resignation, Termination of Services, and Layoffs

Resignation

To resign in good standing, an employee must submit their notice in writing ten (10) working days in advance. Waiver of this notice may be given by the Executive Director under unusual circumstances. Resignation without written notice or waiver by any employee shall be grounds for forfeiture of accrued vacation time. Vacation time cannot be considered as notice of termination of employment; vacation and sick time may not be used in the last two weeks of employment. Any time off within the last ten (10) working days of employment will be time without pay, and any unused vacation accrual will be forfeited.

*Note: The Executive Director has the discretion to make exceptions for use of sick leave during the last ten (10) working days for extenuating circumstances. Normal wages for current hours worked will be issued at the first regular pay period following the last day of work for employees who resign.

Once an employee submits their resignation, they will no longer be eligible to attend off-site training. In the event the offsite training has already been scheduled for the employee, an attempt to find a substitute to attend the training will be made.

Termination

The agency will endeavor to give any employee who is terminated ten (10) working days notice unless the employee is terminated for a major offense or the notice is waived. The agency will give as much written notice as possible prior to layoffs which may occur due to reduced work load or major changes in agency services or programs. Accrued vacation time will not be paid out to employees who are terminated for any reason.

All employees who resign or are terminated are required to have an exit interview with the Executive Assistant. All agency property, including keys, laptops and accessories, appointment books and/or First Aid kits, must be returned. An exit interview form must be completed and signed by the employee. Any turnover trends identified through the exit interview will be shared with the department director and the Executive Director. Transfer or waiver of insurance options forms will also be discussed at the exit interview. Insurance coverage provided by the agency will continue through the end of the month in which the employee is terminated. (See "Continuation of Health Insurance".)

Layoffs

Layoffs may occur when the agency must reduce personnel due to operational

reasons or other economic reasons.

Temporary Layoffs

In the event the agency must reduce the number of personnel or the number of hours worked by personnel due to client census or other operational reasons for a specified number of hours or days, it is considered a temporary layoff. This is time off without pay but will not affect accrual of benefits. Taking such time off, employees shall be permitted to use accumulated vacation time if they choose. If the employee returns to work, it will be at a comparable level prior to layoff. Temporary layoffs shall not exceed 30 days. A Change of Status letter will be issued by the Executive Director when a temporary layoff is designated and again when temporary layoff is ended.

Permanent Layoffs

A permanent layoff is a layoff anticipated by the agency to be more than 30 days and will be treated as a termination. Advance written notification will be given to employees in writing according to termination policies. Accrued vacation time will not be paid out to employees who are terminated for any reason. Employees are eligible to apply for unemployment benefits according to guidelines set by state agencies responsible for unemployment. No guarantee of position will be maintained by the agency. If re-hired after permanent layoff, terminating employees will be considered a "new hire" with benefits, salaries and procedures applying according to "new hire" status.

VI. Compensation

Regular Hours

Non-exempt employees: Compensation is based on a 40-hour workweek, which runs Sunday through Saturday. All work performed up to 40 hours in a single week will be paid at the straight-time hourly rate. All non-exempt employees are required to turn in approved documentation of hours worked (ECR attestation or a paper timesheet) by the dates listed on the annual payroll schedule, which includes the time period for payroll, the date the attestation/timesheet is due, and the date pay will be issued.

Exempt employees: Compensation is based on the total number of work hours available in the month. Exempt staff is required to turn in approved documentation of hours worked (ECR schedule, attestation, or a monthly time sheet) to the accounting department by the 5th day of the following month.

Overtime Hours

Overtime hours are actual hours physically worked in excess of 40 hours in a single workweek (Sunday through Saturday). Non-exempt employees must have prior approval from their direct supervisor before working any overtime hours. For non-exempt employees, work performed in excess of 40 hours in a single workweek will be compensated in one of the following ways:

1. The employee may take hour-for-hour flex time if the time off is taken within the same workweek; or
2. The employee will be paid at one-and-one-half (1½) hours per hour of overtime.

Non-exempt employees are expected to take flex time for any overtime hours worked within the workweek it is earned unless specific prior arrangements have been made with their supervisor. The employee's ECR schedule shall reflect the actual number of hours worked.

Overtime for non-exempt personnel is not paid for the following:

Vacation time
Holiday time off

Sick leave
FMLA or any leave of absence

Exempt personnel is not eligible for overtime pay. Flex time for exempt employees must be used by the end of the month in which it was earned. The

employee's ECR schedule shall reflect both the date on which the flex time was earned, and the date on which the flex time was taken.

Employee Performance Evaluation

All employees shall receive a performance evaluation by their direct supervisor at the end of their first six (6) months of employment, again at the end of their first year, and annually thereafter.

Supervisors will review with each employee their job performance. The Executive Director will review and sign all evaluations and is responsible for conducting the evaluations of management personnel.

Supervisors shall provide monthly feedback to supervisees with regard to quantity and quality of work performance.

The Executive Director's evaluation is conducted by the Board of Directors.

VII. Holidays

North Central Missouri Mental Health Center observes ten (10) paid holidays per calendar year:

- New Year's Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day OR Floating Holiday
- Thanksgiving Day and the Friday after
- Christmas Eve – close at NOON (only when December 24th falls on a Monday through Friday)
- Christmas Day

The agency's offices will be closed on all of the above holidays, with the exception of Columbus Day, when offices will remain open. Columbus Day is a "floating" holiday for agency staff. Employees may take Columbus Day or use it as a personal or floating holiday at any other time during the calendar year or in combination with another holiday. The employee must inform their direct supervisor and the Accounting Assistant prior to Columbus Day if they intend to take it as the holiday or use it as a personal holiday during that calendar year. In the event the floating holiday has been taken and the employee resigns or is terminated before the actual (Columbus Day) holiday occurs, that holiday will be converted to a vacation day and deducted from accrued vacation time. Agency holidays are not paid during any period of a leave of absence, including FMLA.

Full-time employees will receive a regular day's pay for the holiday.

Part-time employees will receive a regular day's pay for a holiday that falls on a day they were normally scheduled to work. For example, if a part-time employee normally works 4 hours on Thursdays and a holiday falls on a Thursday, the part-time employee would receive 4 hours of pay for that holiday. If a part-time employee does not normally work on Thursdays and a holiday falls on Thursday, the part-time employee would not receive pay for that day.

All holidays (including Columbus Day) must be taken in full-day increments and may not be accumulated as additional vacation time.

VIII. Leaves

Family and Medical Leave Act (see DOL Form WH-1420 “Employee Rights and Responsibilities Under the Family and Medical Leave Act” at the back of this Handbook)

In accordance with the Family Medical Leave Act (FMLA), NCMMHC provides up to 12 weeks of unpaid leave to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition; or when an employee requires medical leave because they are unable to work because of a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider. Eligible employees are also entitled to up to 12 weeks of leave for any “qualifying exigency” (yet to be defined by the U.S. Department of Labor) arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty or has been notified of an impending call to active duty status, in support of a contingency operation. In addition, an eligible employee who is the spouse, son, daughter, parent, or next-of-kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to 26 weeks of leave to care for the service member. The military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

To be eligible for FMLA benefits, an employee must:

1. have worked for NCMMHC for a total of 12 months*; AND
2. have worked at least 1,250 hours over the previous 12 months*

For purposes of FMLA eligibility, 1,250 hours will be calculated as the rolling 12-month period measured backward from the date an employee first uses FMLA leave.

**The Uniformed Services Employment and Reemployment Rights Act (USERRA) requires that a person reemployed under its provisions be given credit for any months and hours of service he or she would have been employed but for the military service in determining eligibility for Family and Medical Leave Act (FMLA) leave.*

Eligible employees shall make requests in writing for family leave to their supervisors and the Executive Assistant at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. Upon notification of an FMLA request, NCMMHC will provide the requesting employee

all applicable forms and discuss procedures, certification requirements, etc.

In the event the employee does not provide advance written notice for FMLA leave, NCMMHC will allow an employee no more than three (3) days commencing from the first day the employee does not report to work to submit the required FMLA notice. In the event notice is not given within three (3) days, the agency will assume the employee has abandoned their duties and termination of employment is automatic. If written notice is given subsequently and within three (3) days, FMLA leave, if granted, will be considered effective the first day the employee did not report to work.

EX: Employee does not report to work June 1st due to a car accident and submits a request for FMLA leave June 3rd. Employee qualifies for leave and leave is granted with an effective date of June 1st.

Employees requesting family leave related to a serious health condition of a child, spouse, parent or self may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required. Medical certification must be submitted to the Executive Assistant no later than 15 days from the request.

Eligible employees may request up to a maximum of 12 weeks of family leave within any 12-month rolling period. (The 12-month period is measured backward from the date an employee first uses FMLA leave.) Any combination of family leave and medical leave may not exceed this maximum limit. An employee will be required to use available paid sick and/or vacation leave concurrently with FMLA leave; this means an employee will receive paid leave (if available) and the leave will also be considered protected FMLA leave and counted against the FMLA leave entitlement.

Married couples who are both employed with NCMMHC may be restricted to a combined total of 12 weeks leave within any 12-month period for childbirth, adoption, or placement of a foster child, or to care for a parent with a serious health condition.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be continued while an eligible employee is on approved FMLA leave. Employees who normally pay a portion of the premiums for health and other benefits will be required to continue payments during the period of

FMLA leave. Premium payment arrangements will be coordinated with the Accounting Assistant prior to leave and will coincide with regular payroll deductions.

Employees have a 30-day grace period in which to make premium payments in full. If payment is not made within this 30-day period, group health insurance will be cancelled for the employee and any of their dependents on the plan. In such instance, NCMMHC will notify the employee by mail 15 days before coverage is to cease, advising that coverage will be cancelled by a specified date.

If health coverage is terminated for non-payment, coverage will again be provided by NCMMHC upon the employee's return to work and in accordance with the applicable plans. Employees who do not return to work will be asked to repay the agency's premium contribution paid while the employee was on leave.

So an employee's return to work can be properly scheduled, an employee on FMLA leave is requested to provide NCMMHC with at least two (2) weeks advance notice of the date the employee intends to return to work. When FMLA leaves ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date and without further notice of the reason for the delay, NCMMHC will assume that the employee has resigned.

Paid leave (vacation and sick leave) do not accrue and agency holidays are not paid during any period of a leave of absence, including FMLA. However, benefit accrual status prior to the start of leave (including FMLA) will remain intact.

Victims Economic Safety and Security Act (VESSA)

Effective on August 28, 2021, under Missouri's [Victims Economic Safety and Security Act](#) (VESSA), Missouri public entities, agencies and employers with at least 20 employees are required to provide up to two weeks of unpaid leave to employees who are victims of domestic or sexual violence or have a family or household member who is victim of domestic or sexual violence.

Missouri employers with at least 20 or more employees must provide unpaid leave to employees who are either:

- A victim of domestic or sexual violence; or
- A family or household member of a victim of domestic or sexual violence

whose interests are not adverse to the employee as it relates to the domestic or sexual violence.

Household members are defined as a spouse, parent, son, or daughter, persons related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household. The length of the required leave period provided by the employer depends on the number of the employer's employees, as follows:

- Employers with at least 20 but not more than 49 employees must provide a total of one workweek of leave during any 12-month period.
- Employers with 50 or more employees must provide a total of two workweeks of unpaid leave during any 12-month period.

A workweek is defined as an individual employee's standard workweek.

Employees may take the leave either intermittently or on a reduced work schedule. A reduced work schedule is defined as a work schedule that reduces the usual number of hours per workweek, or hours per workday of an employee. The amount of unpaid leave available to the employee under VESSA cannot exceed the amount of unpaid leave time allowed under the federal Family and Medical Leave Act of 1993.

The statute provides that eligible employees may take unpaid leave from work to address domestic or sexual violence to:

- Seek medical attention or recover from physical or mental injuries caused by the violence to the employee or the employee's family or household member;
- Obtain services from a victim services organization for the employee or the employee's family or household member;
- Obtain psychological or other counseling for the employee or the employee's family or household member;
- Participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future violence or to ensure economic security; or
- Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family and household member, including either preparing for or participating in any legal proceeding related to the violence.

The statute imposes the following notice and certification requirements on the

employee:

- 48-hours of advance notice to the employer of the employee's intention to take leave for the reasons stated in VESSA, unless providing such notice is not practicable. Employers are precluded from taking adverse action against an employee for an unscheduled absence if the employee, upon a request from the employer and within a reasonable period after the absence, provides a certification to the employer.
- In the event of an unscheduled absence or upon a request for leave under VESSA, employers may require certification by the employee substantiating the reason for the unscheduled absence or a request for leave. Certification must be provided to the employer within a reasonable period (15 business days) after the employer requests certification.
- An employee may satisfy the certification requirement with a sworn statement of the employee and 1) documentation from an employee, agent or volunteer of a victim services organization, attorney, member of the clergy or medical or other professional who provided assistance to the employee or the employee's family or household member; or 2) a police or court record; or 3) other corroborating evidence.

All requests for leave and supporting documentation must be maintained with the strictest confidence.

Eligible employees under VESSA are entitled to reasonable safety accommodations from private employers and public agencies for known limitations resulting from circumstances relating to being a victim of domestic or sexual violence or being a family or household member of a victim of domestic or sexual violence. Reasonable accommodations are defined to include:

- An adjustment to a job structure, workplace facility, or work requirement such as a transfer, reassignment, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure, or assistance in documenting domestic violence that occurs at the workplace or in work-related settings in response to actual or threatened domestic violence.

Employers may request the employee to provide a written statement certifying the purpose of the reasonable safety accommodation signed by the employee or an individual acting on the employee's behalf. The obligation to provide a reasonable safety accommodation does not apply if the accommodation would pose an undue hardship on the employer or public agency. Undue hardship is defined similar to the definition under the Americans with Disabilities Act, requiring imposition of a "significant difficulty or expense" when considered in

light of the nature and cost of the reasonable safety accommodation.

VESSA grants employees the right to take leave free from discrimination or retaliation as it relates to pay, position, benefits, and other terms and conditions of employment. The statute explicitly provides that provisions of other laws, collective bargaining agreements or employment benefits that provide greater leave benefits for eligible employees shall not be superseded by VESSA nor shall they diminish the rights and remedies provided under VESSA.

Leave of Absence

All full-time and part-time employees who have worked continuously for one (1) year are eligible to apply for an unpaid leave of absence for personal reasons. A completed "Leave of Absence Request" form must be completed, submitted to and approved at the discretion of the employee's supervisor(s) and the Executive Director. A leave of absence is available only after an employee's accrued vacation leave has been exhausted. The employee must complete a "Leave of Absence Request" form within at least three (3) working days of depletion of other available leave. The employee shall provide 30 days advance notice when the leave is foreseeable.

Leaves of absence will be without pay and an adjustment of the anniversary date for benefits will be made for any leaves over 30 days in duration. Benefits will not accrue and bonuses may not be given during a leave of absence; however, benefits accrued prior to the start of a leave of absence will remain intact. Employees on leave of absence will be responsible for health insurance premiums after 21 working days of continuous leave.

The agency does not guarantee that the position will remain open in an employee's absence. A leave of absence request must indicate an anticipated return-to-work date; an employee may be terminated for failure to return to work at the expiration of their leave.

The maximum period of time for a leave of absence is 12 weeks. Leave of absence requests are limited to a total of 12 weeks during any 12-month period. Each 12-month period is measured backward from the date an employee's leave of absence begins.

Bereavement Leave

Full-time employees will be granted up to a maximum of three (3) days leave with

pay if a death occurs within their immediate family. Bereavement leave must be taken in the same increment as the employee would have been scheduled to work. Bereavement leave may be paid beginning with the day of the death through the day after the funeral/memorial service, up to the maximum benefit. Requests exceeding three (3) days shall be vacation time or leave without pay. Immediate family is defined as:

spouse	grandparents
child	son-in-law or daughter-in-law
step-child	siblings-in-law
parent or step-parent	mother-in-law or father-in-law
brother/half/step-brother	grandchildren
sister/half/step-sister	partner or significant other

The agency will grant up to four (4) hours leave time for an employee of the agency to attend the funeral or memorial service of another employee (colleague). Any time above that will be vacation time or time off without pay.

Maternity Leave

A normal pregnancy is not considered an illness; however, accumulated sick leave may be used for this purpose by any pregnant employee. An employee's pregnancy must be reported to the supervisor as soon as possible.

The employee will be permitted to continue working as long as her physician certifies it will not be injurious to her health. When she requests a return to duty following maternity leave, she must present a written "fit for duty" certification statement from her physician.

Sick Leave

Sick leave shall accumulate at the rate of five (5) hours per pay period (130 hours per year) for full-time employees, accumulative up to a maximum of 60 working days (480 hours). Employees may use accumulated sick leave to care for immediate family members who are living in the employee's household. Newly hired employees must be employed 30 calendar days before they are eligible to use sick leave.

Part-time employees are not eligible for paid sick leave.

Paid leave (vacation and sick leave) do not accrue and agency holidays are not paid during any period of a leave of absence, including FMLA. However, benefit

accrual status prior to the start of leave (including FMLA) will remain intact.

Employees must contact their supervisor or the Executive Director directly for sick leave and should report daily if possible. Sick leave shall be used in no less than one-hour increments. An employee shall never report to work with a communicable disease that would seriously jeopardize the health of others. Any employee who utilizes three (3) consecutive working days of sick leave is required to have a written doctor's explanation to return to work.

Situations may arise in which the Management Team may offer employees the opportunity to donate accrued sick leave or vacation hours to another employee in need. Vacation and/or sick leave donations may be solicited to protect benefit-eligible employees who may face financial hardship (and who have exhausted all of their own vacation and sick leave) due to a catastrophic or unforeseen illness, injury or impairment of the employee.

Upon separation by resignation, termination or retirement, sick leave may not be used during the last two (2) weeks of employment. Unused accrued sick leave is forfeited upon separation by resignation, termination or retirement. Vacation and sick time may not be used in the last two weeks of employment. Any time off within the last ten (10) working days of employment will be time without pay.

*Note: The Executive Director has the discretion to make exceptions for use of sick leave during the last ten (10) working days for extenuating circumstances.

Jury Duty

Employees will be excused from work for the time necessary when they are called for jury service or to serve as a subpoenaed witness in a court of law. When an employee is required to report for jury duty, the agency pays them for the hours they would normally be scheduled to work, and the employee is to return to the agency any money they receive from the court for those days. Travel allowances and other expenses are not taken into account. This will cover only the hours the employee would have been scheduled to work. This would also include any time required to report for an interview or examination for jury duty, even if the employee is not selected.

The agency only requires that this not involve any voluntary jury duty, and that the agency is given as much prior notice of the summons as possible and with evidence of the jury pay received. If jury duty does not require an employee to be absent for the remainder of the day, the employee would be expected to report for work for the remainder of the workday. Any questions should be

discussed with their supervisor.

Military Absences

Military Service – In compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), the agency ensures re-employment rights to employees who enter active duty in the armed services. Failure to report back to work within 30 days of their military discharge will be regarded as a voluntary resignation.

Reserve Military Duty – If an employee has an obligation to fulfill two (2) weeks active duty in the military reserves, this leave is treated as all other leaves of absence, which are granted without pay but all benefits will remain intact. Exception to this is if an employee wishes to apply vacation time to reserve time. If the employee has accrued two weeks vacation time and wishes to use vacation pay while on reserve duty, they may do so and will receive vacation pay.

IX. Vacation

Employees may utilize accrued vacation hours after completion of the first six (6) months of employment. Vacation and sick leave time shall be used in no less than one-hour increments. Paid leave (vacation and sick leave) do not accrue and agency holidays are not paid during any period of a leave of absence, including FMLA. However, benefit accrual status prior to the start of leave (including FMLA) will remain intact.

FULL-TIME EMPLOYEES

1st and 2nd year of consecutive employment – 5 hours per pay period, up to a maximum accrual of 260 hours (6.5 weeks total)

3rd and 4th year of consecutive employment – 6 hours per pay period, up to a maximum accrual of 312 hours (7.8 weeks total)

5th through 10th year of consecutive employment – 6.5 hours per pay period, up to a maximum accrual of 338 hours (8.45 weeks total)

Over 10 years of consecutive employment – 7.5 hours per pay period, up to a maximum accrual of 390 hours (9.75 weeks total)

PART-TIME EMPLOYEES

Part-time employees will accrue one (1) hour of vacation per pay period, for a maximum of 26 hours per year and a maximum accrual of 130 hours.

Vacation hours in excess of the maximum accrued allowance shall not be credited and the employee will not be reimbursed for these vacation hours. Upon separation by resignation or retirement, accrued vacation time after one (1) year employment may be compensated at the employee's pro-rated daily/hourly salary at the first regular pay period following the last day of work. To resign in good standing, an employee must submit their notice in writing ten (10) working days in advance. Resignation by any employee without written notice or waiver shall be grounds for forfeiture of accrued vacation time. Vacation time cannot be considered as notice of termination of employment. Vacation and sick time may not be used in the last two weeks of employment. Any time off within the last ten (10) working days of employment will be time without pay, and any unused vacation accrual will be forfeited. Accrued vacation time will not be paid out to

employees who are terminated for any reason. *Note: The Executive Director has the discretion to make exceptions for use of sick leave during the last ten (10) working days for extenuating circumstances.

All vacation requests must be submitted via ECR request or in writing to the employee's direct supervisor and approved and presented to the Executive Director for final approval.

Note the above chart requires consecutive employment. Once employment is terminated, accrued benefits are lost. If re-hired, returning employees will be considered a "new hire" with benefits, salaries and procedures applying according to "new hire" status.

Situations may arise in which the Management Team may offer employees the opportunity to donate accrued vacation hours or sick leave to another employee in need. The amount donated shall not exceed the donating employee's total monthly accrual. Vacation and/or sick leave donations may be solicited to protect benefit-eligible employees who may face financial hardship (and who have exhausted all of their own vacation and sick leave) due to a catastrophic or unforeseen illness, injury or impairment of the employee.

X. Continuing Education, Seminars and Workshops

All employees shall be recommended to participate in up to 40 hours of continuing education/workshops each year, on agency time and expense as the budget permits. The agency will support continuing education applicable to staff job descriptions. Inservice education/training may be conducted on or off the premises and may involve all or part of the staff at a given time. Inservices may be conducted by staff or persons outside the agency. Staff inservices shall be provided each month as time is available.

Employees attending required in-house training/education will be paid their wages at regular rates if off duty. Employees on duty will arrange their schedule so they may attend inservices or required programs. All out-of-agency seminars and workshops must be approved by the supervisor and the Executive Director.

Once an employee submits their resignation, they will no longer be eligible to attend off-site training. In the event the off-site training has already been scheduled for the employee, an attempt to find a substitute to attend the training will be made.

Out-of-state seminars or workshops will not be approved except for those personnel who are unable to obtain continuing education in their field within the State of Missouri, and only when the education is required to maintain the employee's license/certification. Requests must be in advance to the Executive Director for approval.

Expenses paid by the agency may include:

- Salary while at the seminar or workshop
- Seminar fee
- Meals at reasonable cost (\$40 daily maximum; drinks and entertainment are excluded; reimbursed only if staff member is outside the nine-county service area; receipt required)
- Lodging expense at reasonable cost (lodging paid only if training is more than 120 miles from the employee's home or base office, whichever is closer; lodging arrangements must be made by the Executive Assistant; receipt required)
- Mileage at the agency's current mileage reimbursement rate, from the employee's home or base office, whichever is closer to the destination

XI. Injuries or Accidents on the Job

If an employee is hurt or becomes sick while on the job, they shall report immediately to their supervisor. An incident report should be completed in all instances of injury or accident. If the employee's condition is serious, transportation to the nearest emergency care center shall be requested and a report made to their supervisor as quickly as possible. If the condition is not serious, report to their supervisor.

If an accident is discovered or witnessed by an employee, give whatever first aid assistance is possible and summon help.

All accidents and on-the-job injuries must be recorded no matter how minor. These are recorded on an Internal Incident Report form, which is available on the agency's shared drive (s:/ drive) or from the Executive Assistant. These reports are sent to the Executive Director's office as soon as they are completed.

XII. Statutory Deductions

According to statute, deductions are made for certain employee taxes. Some of the taxes are matched by the agency.

FICA – Social Security

The employee's portion of FICA is deducted from the gross earnings of each payroll. The agency also pays or matches the employee's deduction as a contribution to the employee's retirement.

Federal Income Tax

Missouri Income Tax

The agency is required to withhold income taxes from each employee's pay at the rates indicated on the W-4 form, which each person is required to complete when they begin employment. In the absence of a valid W-4 form, the agency must withhold at the highest possible rate, that of a single person with no dependents. Any employee who is exempt from income tax withholding must file a new W-4 form by February 15th of each year with the Accounting Assistant.

Any employee who has changes in deductions or tax status must also file a new W-4 with the Accounting Assistant.

XIII. Supplemental Benefits

Medical, Dental and Vision Plans (full-time employees)

Full-time employees are eligible for coverage on the first day of the next month following completion of 60 days of employment. The application must be completed at the time employment begins. The agency pays, based on the annual budget, toward the single premium for a full-time employee; the employee is responsible for the balance (if any) of the premium. If family coverage is desired, the payroll deduction for the family portion will begin the month of the effective date. Applicable payroll deductions for the medical, dental and vision plans will be made each pay period. All agency group health benefits will automatically be run through a Premium Only Plan and salaries will be reduced by the amount paid for group health benefits. Understand this may reduce potential Social Security benefits. Employees can change this election only during the election period prior to any plan year or if there has been a qualifying change in family status, employment, or group health care coverage. A summary of all agency benefits can be found at www.ncmmhcbenefits.info. The agency's Benefit Consultant is Brad Bukaty with Bukaty Companies in Leawood, Kansas at 913-647-3945, email address bbukaty@bukaty.com.

The agency's medical plan is administered by Blue Cross Blue Shield Kansas City, and the group number is 47070000. The website is www.mybluekc.com. The agency's representative is Carmen Weber, Client Service Manager with Bukaty Companies at 913-345-0440, email address cweber@bukaty.com.

The agency's dental plan is administered by Delta Dental of Missouri, and the group number is 08210181. The website is www.deltadentalmo.com. The agency's representative is Carmen Weber, Client Service Manager with Bukaty Companies at 913-345-0440, email address cweber@bukaty.com.

The agency's vision plan is also administered by EyeMed, Delta Vision of Missouri, and the group number is 21080101, the telephone number is 866-248-1947, and the website is www.deltadentalmo.com/Vision/. The agency's representative is Carmen Weber, Client Service Manager with Bukaty Companies at 913-345-0440, email address cweber@bukaty.com.

Certain pre-existing conditions may not be covered for one (1) year for new applicants if the employee has not had continuing insurance within a 30-day period before the policy at this agency takes effect.

Flexible Spending Account (FSA)

A health care Flexible Spending Account (FSA) allows employees to set aside pre-tax dollars for eligible medical, dental, and vision expenses for the employee and their dependents, even if the dependents are not covered under the employee's primary health plan. This benefit is available to all agency employees, part-time and full-time; employees do not have to be covered under the agency's health plan in order to participate in the FSA.

The Accounting Assistant will inform eligible employees of costs. Eligible employees will be given information outlining the benefits of the agency's medical, dental, vision and FSA plans.

Group Life Insurance (full-time employees)

Full-time employees are eligible for life insurance on the first day of the next month following completion of 60 days of employment, paid by the agency. Full-time employees are provided one (1) \$50,000 policy. Principal Life Insurance Company is the carrier of the agency's group life insurance policy.

Accidental Death and Dismemberment (AD&D) and Loss of Sight

As a supplement to the life insurance policy, a \$50,000 AD&D policy is included with each life insurance policy for full-time employees.

Workers' Compensation

Each employee shall be covered by Workers' Compensation regardless of classification or full-time or part-time status. This coverage is based on a percentage of payroll gross earnings and employee classification, i.e., professional, clerical, etc. and is paid by the agency. It is the policy of NCMMHC that employees have the option to take either sick leave/vacation time or Workers' Compensation pay, but not both, for a qualifying injury. If an employee is absent from work due to an accident/injury that is covered by Workers' Compensation, the employee may choose whether to use their accumulated sick leave or to use Workers' Compensation benefits during the time they must be gone from work due to the work-related injury. An employee may use either the accumulated sick leave or Workers' Compensation, but not both.

For accidents on the job, the agency's Workers' Compensation policy covers all employees. An incident report must be completed within 24 hours of the injury.

Workers' Compensation coverage begins after three (3) days of continuous absence from the job for work-related incidents. Medical bills for these incidents are also paid from the first day. The agency may elect to pay your medical bills for work-related injuries instead of turning them in to the insurer if the bills are not inpatient-related and appear to be minor charges.

Individual Retirement Account (IRA)

An IRA plan is available to employees employed at least one (1) year or who earned at least \$5000 in the previous calendar year. Employees will be notified of eligibility during the agency's annual enrollment period. Deductions are set up by a payroll deduction indicated by the employee on an enrollment form. The agent will fill out the necessary paperwork. The IRA is available through Edward Jones or an investment company of the employee's choosing. If an employee chooses to close or discontinue their IRA through the agency, the employee must contact the Accounting Assistant.

Continuation of Health Insurance (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under NCMMHC health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at NCMMHC group rates. NCMMHC provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under NCMMHC health insurance plan. The notice contains important information about the employee's rights and obligations.

Other rules defining COBRA, periods of coverage, etc., are defined in the health plan Certificate of Coverage.

XIV. Other Information

Agency Property

Because of the requirements of their position/job, some employees may be issued laptops, Internet access devices (MiFi), cell phones and/or other types of business equipment while working for NCMMHC. These items are considered agency property and should be handled with care to avoid theft, damage and misuse. Agency property shall not be used for personal benefit or loaned, borrowed, used or given away regardless of its condition. Knowledge of any suspected or actual loss, theft, damage or destruction of agency property should be reported to the Executive Assistant. In the event agency property is stolen or damaged while in possession of an employee, the employee may be responsible for replacement of the item at their personal expense. Likewise, all agency property shall be returned to the Executive Assistant should the employment relationship end or the duties of the employee be changed. Failure to do so may result in deductions from an employee's final payroll for the replacement cost of the item.

When using agency-issued vehicles or property, employees are expected to exercise care, perform required maintenance, and follow all safety and operational guidelines. When operating an agency vehicle, employees are expected to drive courteously and safely. Fines resulting from traffic or parking violations when using an agency vehicle are the responsibility of the employee driving the vehicle. Traffic tickets (both moving and non-moving violations) and accidents involving agency vehicles must be reported immediately to the Executive Assistant.

Please notify the Executive Assistant if any equipment or vehicles appear to be damaged, defective or in need of repair. Unsafe or unauthorized use of agency property and vehicles may result in discipline or termination, depending upon the severity of the circumstances.

Agency Fleet Vehicles

A. DRIVERS LICENSES AND SAFETY

1. All authorized employees who drive agency Fleet vehicles will be required to maintain a current valid driver's license with a satisfactory driving record. The agency reserves the right to determine what constitutes a satisfactory driving record. Records will be checked upon employment and/or commencement of driving privileges, and at regular intervals thereafter.

Driving records for employee approved to drive Fleet vehicles are checked annually by Enterprise Risk Management. Should an employee's driving record become unsatisfactory, thus preventing the employee from performing his or her job safely and effectively, the employee may be subject to termination. Should the driving record of a spouse be deemed unsatisfactory, driving privileges may be revoked or otherwise restricted.

All employees and spouses are required to operate vehicles in a safe and lawful manner at all times. Employees are required to immediately report all violations, convictions, accidents or incidents that occur in either an agency or personal vehicle, while on agency time, to his or her supervisor. Failure to report any violation, conviction, accident or incident will subject an employee to disciplinary action up to and including termination.

Employees with marginal driving records, as determined by management, may be required to take a defensive driving course after normal working hours. The employee will be required to pay the cost of the course, unless prohibited by state laws. Typically, such a course will be required after an employee's second chargeable accident in a three-year period.

In the event that an employee's or spouse's license is suspended, revoked, expired or invalidated for any reason, the employee is required to notify his or her manager immediately in writing. Failure to do so will subject the employee to disciplinary action, up to and including termination.

2. Any employee where there is a clear determination or acknowledgement of guilt (e.g. admission, conviction plea of no contest, etc.) of a DUI or DWI will lose personal use of an Enterprise vehicle for one year and will be subject to disciplinary action up to and including termination.
3. The agency is dedicated to safety and, therefore, requires all employees to **wear seat belts** when traveling in agency vehicles or personal vehicles being used for agency business. Obviously, it is hoped all employees do so when driving personally as well.
4. Safety must be the primary concern when operating an agency vehicle. Driver distractions can contribute to hazardous driving. Depending on the situation, distractions can include: eating, drinking, talking to a passenger, changing the radio station, talking on a cellular phone, or using a PDA. Since it is impossible to anticipate everything that could create a distraction while operating a vehicle, it is important to use common sense to minimize potentially distracting activities.

Over the past few years, some states have specifically addressed cellular

phone use while operating a vehicle. When driving in one of these states, agency policy requires that you understand and follow these laws. In addition, the following should be put into practice:

- Avoid unnecessary calls.
 - Avoid calls when driving in heavy traffic or hazardous weather conditions.
 - Become familiar with the cellular phone and its features such as voice commands, speed dial and redial.
 - When available, use a hands-free device such as Bluetooth, speakerphones or hard-mounted kits.
 - Position the wireless phone within easy reach.
 - Keep calls as brief as possible.
 - Pre-program common phone numbers to avoid having to look up phone numbers.
 - Whenever possible, place calls when not moving or before pulling into traffic.
 - Avoid stressful or emotional conversations.
 - Do not check emails, text messages or take notes.
5. The use of radar detectors in agency vehicles is strictly prohibited.
6. It is critical that the agency leads in the areas of automobile safety. Not only is safety significant in controlling premium costs and losses, but most important in protecting our most valuable asset, you and every other employee.

B. EMPLOYEES UNDER 21 YEARS OF AGE.

Employees under the age of 21 are ineligible to operate an agency Fleet vehicle, due to Enterprise Risk Management limitations.

C. EMPLOYEE ACCIDENT - LOSS POLICY.

Definitions

Business Use	The use of an agency-owned or personally-owned vehicle for agency business.
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Personal Use	The use of an agency-owned vehicle for personal use other than commute use, whether through the Personal Use Option or if provided in the course of employment according to policy.
Comprehensive Loss	Any loss other than collision.
Chargeable Collision	Any collision for which the agency is unable to determine conclusively that another party was at fault.
Unauthorized Use	Any use of an agency-owned vehicle, except as defined in Business and Personal Use.
Substantial Negligence	Any use of a vehicle which, as determined by management, could be reasonably expected to result in a loss.

D. UNASSIGNED VEHICLE (POOL) POLICY

E. Pool vehicles are to be used for business use only and not to be taken home for commute or personal use privileges. Drivers must be at least 21 years old to be eligible for pool vehicle driving privileges.

F. ASSIGNED VEHICLE (PERSONAL USE) POLICY

Employees given the option of driving an assigned vehicle for Personal Use must sign up for a minimum of four (4) years. Employees must have been employed with the agency for at least one year to be eligible for the benefit of driving a Personal Use vehicle. The agency may determine type, options, equipment, and cycling for assigned vehicles. These vehicles are available for any general agency use, and other than factory vehicles, may be used as rentals during occasional shortages.

Only employees who travel for work and are regularly reimbursed for mileage will be eligible for a Personal Use vehicle. The monthly reimbursed mileage average for the past year must be at least one-half the cost of the monthly lease fee to the agency. For instance, if the monthly lease cost to the agency is \$550, the employee must receive an average of \$275 monthly mileage reimbursement for the past year.

An annual calculation will be required to determine the value of the benefit that has been received by the employee (see worksheet for calculation of the benefit). The benefit will vary based on the percentage of personal versus business use and the fair market value of the automobile. If audited by the IRS, it is the responsibility of the employee to substantiate the percentage of business use.

The estimated monthly benefit in excess of the amount payroll deducted for an employee will be included monthly as additional compensation. The annual benefit calculation will be reduced by the bi-weekly amounts payroll deducted and the estimated monthly benefit amounts included in compensation, to determine the year-end compensation true up.

The money collected under this plan will be credited against the expense account of the assigned car.

Spouses, provided they are at least 21 years of age, meet the driver requirements, and comply with the requirements of Section I of this policy, may use vehicles during non-working hours. Children or other drivers are not permitted. The agency reserves the right to discontinue an employee's personal use for excess personal miles, poor driving record, or other reasons deemed necessary by the agency. Motor Vehicle Reports (MVRs) will be run on employees and spouses under this program, and will be approved by the agency before personal use may commence.

With the employee's request and the approval of the agency, an employee may keep the car, if needed, during vacation, sick leave, or during an extended leave of absence. Unless approved in advance by the agency, employees with Optional Personal Use are not authorized to use their assigned car to tow other vehicles or trailers.

Personal Use Contribution

The minimum \$275 monthly employee contribution for personal use (PUC) is subject to an adjustment based on market value fuel costs. Market value fuel costs (MVFC) are determined by taking the average pump for each payroll deduction period. The table below outlines how the monthly payroll deduction will be affected based on a range of market value fuel prices.

The minimum \$275 monthly PUC is also subject to the amount of personal miles driven annually. If employee wishes to purchase more than an average of 7,000 personal use miles per year, their PUC can be increased monthly in order to buy

those additional miles at increments of 1,000 personal miles annually. It will be increased at a rate that is roughly equivalent to 17-cents per mile.

SAMPLE Personal Use Contribution Table

(Assuming 7,000 annual personal miles for an intermediate sedan (Chevy Malibu or similar vehicle)

Intermediate Sedan

PUC	\$275.00	\$275.00	\$285.00	\$295.00	\$305.00	\$315.00	\$325.00
MVFC	<\$2.00	\$2.01-\$2.50	\$2.51-\$3.00	\$3.01-\$3.50	\$3.51-\$4.00	\$4.01-\$4.50	>\$4.50

Though the table above is for general calculation, the employee contribution must be at least one-half the cost of the monthly lease fee to the agency. For instance, if the monthly lease cost to the agency is \$550, the employee contribution will be no less than \$275 monthly (\$275 x 12 months = \$3300 annually / 26 pay periods = \$126.92 per pay period.) Additional PUC adjustments will be made at the discretion of the agency for higher-priced vehicles than the intermediate sedan detailed above.

G. LIABILITY PROTECTION

Automobile liability protection will be afforded to employees who are involved in an accident as described below through the agency’s Automobile Protection Program. The amount of such protection is dependent on the use (business or personal) of a vehicle. Protection described below does not apply to any unauthorized driver or unauthorized use of an agency-owned vehicle.

Business Use – Use of an agency-owned or personally-owned vehicle for agency business.

If an employee drives an agency-owned vehicle (including rental, assigned and factory), a non-owned vehicle or personal vehicle and the use is for agency business, the agency’s Automobile Protection Program will respond to third party automobile liability claims regardless of the amount of the claim. Subject to applicable state laws, employees who are injured in an accident will be covered by the agency’s workers’ compensation policy. Uninsured motorist (UM), underinsured motorist (UIM) will be provided up to \$50,000 per person / \$100,000 per accident unless such protection is provided by any other policy.

Personal injury protection (PIP) or no-fault coverage will be provided in accordance with the applicable State laws at the State minimum limits unless such protection is provided by any other policy.

Personal Use - Use of an agency-owned vehicle to and from work (including commute use), and other authorized personal use whether through the Personal Use Option or if provided in the course of employment.

1. If an employee or spouse who is authorized for optional personal use drives an agency-owned vehicle or a temporary substitute, the agency's Automobile Protection Program will respond up to \$1,000,000 combined single limit for third-party bodily injury and property damage claims. Uninsured motorist (UM), underinsured motorist (UIM) will be provided up to \$50,000 per person / \$100,000 per accident unless such protection is provided by any other policy. Personal injury protection (PIP) or no-fault coverage will be provided in accordance with the applicable State laws at the State minimum limits unless such protection is provided by any other policy.
2. If an agency-owned vehicle is driven for personal use without authorization or is used in violation of agency policy the employee is subject to disciplinary action up to and including termination. Any liability costs incurred by the agency are to be reimbursed by the employee.
3. Authorization for optional personal use requires a completed and approved Personal Use Option Request Form, available from the Executive Assistant.
4. It is recommended that you evaluate whether the protection outlined in 1 through 3 above is adequate for your personal needs and inquire with your insurance company or agent to determine what additional coverage (i.e., personal umbrella policy) you or your family may need. The cost for any additional insurance you obtain will be at your expense.
5. If an accident occurs with an agency-owned vehicle, the driver of the vehicle will be responsible for one-half (1/2) the agency's deductible for repairs to the vehicle.
6. If a rental vehicle is necessary/desired during the time the agency-owned vehicle is being repaired due to accident, the rental cost will be the sole responsibility of the employee/driver and not the agency.

A “temporary substitute” is defined as a vehicle used in place of an agency-owned vehicle because the agency-owned vehicle has been withdrawn from normal use due to breakdown, repair, servicing, loss or destruction.

A “non-owned” vehicle is defined as a vehicle not owned by or furnished for the regular use of either the agency or employee, other than a temporary substitute automobile.

Email & Internet Policy

NCMMHC and its employees desire to strike an equitable balance between an employee’s right to privacy and agency interests, such as trade secret protection and prevention of system abuse. This email/Internet policy is intended to provide each employee of NCMMHC with the guidelines and procedures associated with the use of the agency’s email/Internet system (“the system”). This policy is applicable and binding on all employees, contractors, vendors, partners, associates, and all others accessing and/or using the system through on-site or remote terminals.

The email/Internet systems, including agency-issued MiFi devices, and all data transmitted or received through the systems, are the exclusive property of NCMMHC. The system is to be used solely for agency-related business, and is not to be used for personal business.

NCMMHC reserves the right to monitor, intercept and/or review all data transmitted, received or downloaded over the system. Employees are hereby given notice that NCMMHC will exercise this right periodically, without prior notice and without the prior consent of the employee. The employer’s interests in monitoring and intercepting data include but are not limited to: protection of agency proprietary and classified data; managing the use of NCMMHC’s computer system; preventing the transmission or receipt of inappropriate materials by employees; and/or assisting the employee in the management of electronic data during periods of absence. The employee should not interpret the use of password protection as creating a right or expectation of privacy for the employee. Employees should understand that to protect everyone involved, employees have no right or expectation of privacy with regards to the receipt, transmission or storage of data on NCMMHC’s email/Internet system.

This policy depends upon the ethical conduct of all employees. Although NCMMHC will periodically monitor system use, each employee is encouraged to

monitor use of the system, ensuring they meet the highest standards of professional conduct. All communications over the system should be business-related, professional, and representative of the high ethical standards of NCMMHC. Employees should remember that the system is a public forum, and employees should only access those sites, or communicate to third parties, with whom the employee would be willing to leave a business card or other form of identification.

Employees are not permitted to transmit or receive, or retain from the system, communications that:

- Contain obscene, profane, abusive or threatening language or graphical representations.
- May be construed as discriminatory, harassing or offensive by reference to race, national origin, gender, religion, age, disability, sexual orientation, or other legally protected criteria.
- Contain references to any sexual acts, sexual relationships, or personal relationships.
- Further any illegal activity.
- Contain agency proprietary or classified information, without prior approval of NCMMHC.
- Reveal client/client sensitive information without the prior consent of the client.
- Are used to solicit or approach others for commercial ventures, religious or political causes, outside agencies, or other non-job related solicitations without permission from NCMMHC.

Unauthorized or inappropriate use of the agency's email/Internet system, including agency-issued MiFi devices, may result in discipline or termination, depending upon the severity of the circumstances. Employees will be solely responsible for any illegal activity or crime (federal or otherwise) committed with any agency property. (See also HIPAA Workforce Confidentiality & Information Security Agreement in this manual.)

Personnel Data Changes

It is the responsibility of each employee to promptly notify the Executive Assistant of any changes in personnel data. Personal mailing addresses, telephone numbers, marital status, change in name, emergency contacts, educational accomplishments, and other such status reports should be accurate and current at all times. Reporting deliberately false information can be grounds for

discipline, up to and including termination.

Access to Personnel Files

NCMMHC maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance evaluations and salary increases, and other employment records.

Personnel files are the property of the agency, and access to the information they contain is restricted. Personnel files shall be accessible only to the Executive Director, Executive Assistant, President of the Board of Directors, auditors, state or federal examiners, or employees designated by the Executive Director.

Distribution or Solicitation

The agency's distribution and solicitation policy is to prevent disruption in the operation of the agency, to prevent disturbances or inconvenience to clients, and control litter problems that could result if the distribution of written materials was unregulated.

Persons not employed by this agency may not solicit business on agency property. Charitable organizations or other agencies may leave literature in the administrative office to be placed in designated areas. Sales persons may not solicit business from employees or clients on agency property.

Employees may not hold raffles or sell anything on agency premises without prior approval by the Executive Director. Approval is also required to distribute advertising material or printed matter. Solicitations for contributions, sale of merchandise, circulation of petitions, solicitation for membership in clubs or organizations, and all other forms of solicitation by employees are prohibited during their working hours. Meal and break times are not considered working hours.

Lost and Found

All found articles should be turned over immediately to the Executive Assistant.

To recover any lost articles, please check with the Executive Assistant. If lost articles are not in the Executive Assistant's office, leave a description of the lost item(s) and request for it to be posted. Check back with the Executive Assistant for follow-up information.

Parking

All offices have designated areas for employee parking.

Personal Vehicle and Property

Damage or theft to an employee's personal property or vehicle while on agency property or while performing agency business is not the responsibility of NCMMHC. Law enforcement authorities should be called as appropriate to report a crime or accident.

All employees who drive a personal vehicle while performing agency business (to/from client homes) will be required to maintain a current valid driver's license with a satisfactory driving record. The agency reserves the right to determine what constitutes a satisfactory driving record. Records will be checked upon employment and/or commencement of driving privileges, and at regular intervals thereafter. Each employee shall provide (at their own expense) a copy of their personal driver record from the Department of Revenue/License Bureau, both upon hire and every three (3) years or as requested thereafter. Should an employee's driving record become unsatisfactory, thus preventing the employee from performing the duties of their job safely and effectively, the employee may be subject to termination.

Accident deductibles, tickets, violations, etc. incurred by employees while using a personal privately-owned vehicle for agency business are the responsibility of the driver. Seat belts are required to be used by employees when conducting agency business in a personal vehicle.

In the case of an accident, the driver/vehicle's personal auto liability policy will be the primary coverage until the policy limits are exhausted; the agency's auto insurance shall cover the excess if necessary. Employees are required to carry (at minimum) liability insurance on personal vehicles; employees are encouraged to carry their own collision and comprehensive physical damage coverage. Employees shall present upon hire and annually thereafter a copy of their personal insurance declaration page, demonstrating (at minimum) liability coverage on the personal vehicle(s) used for employment purposes. Employees bear the expense of any personal auto policy premiums and deductibles. Employees driving their personal vehicles for agency business or to agency events are entirely dependent upon their personal insurance.

The following guidelines regarding cell phone usage in personal vehicles while conducting agency business include:

- Avoid unnecessary calls.
- Avoid calls when driving in heavy traffic or hazardous weather conditions.
- Become familiar with the cellular phone and its features, such as voice commands, speed dial and redial.
- When available, use a hands-free device such as Bluetooth, speakerphones or hard-mounted kits.
- Position the wireless phone within easy reach.
- Keep calls as brief as possible.
- Pre-program common phone numbers to avoid having to look up phone numbers.
- Whenever possible, place calls when not moving or before pulling into traffic.
- Avoid stressful or emotional conversations.
- Do not check emails, text messages or take notes.

Personal Appearance

NCMMHC employees represent the agency to a wide audience on a daily basis. For this reason, discretion in style of dress is essential to ensure that a positive image of NCMMHC is portrayed to every individual encountered on agency business and to the efficient operation of NCMMHC as a whole. All employees are expected to be neatly dressed, well groomed, and to practice good hygiene at all times. Employees should look to their supervisors for answers concerning appropriate dress. If it is necessary to request that an employee change clothing, they will be expected to make up the time that they are away from work. Dress should be appropriate to the position held by the employee. Employees shall not wear shorts above the knee or attire with offensive slogans. Blue jeans may be worn by office staff on "Casual Friday" only.

Retirement

An employee may continue working after the standard Social Security retirement age dependent upon the employee's ability to continue performing their job function according to their job description and maintenance of an acceptable work standard.

Tobacco Use

NCMMHC is a smoke-free and tobacco-free environment agency-wide. All offices, including outreach facilities and agency vehicles, are smoke and tobacco-free. Smoking (including electronic smoking devices) and use of smokeless tobacco or snuff must be done outside buildings and vehicles.

Telephones

Good telephone habits give people the feeling that we are interested in serving them. Speak in a courteous and friendly manner (to colleagues as well as outside callers).

When using the telephone, answer promptly, give accurate, courteous, and conscientious answers, transfer calls, and hang up carefully. Employees are requested not to abuse the agency telephones for private calls.

Employees should not make personal long distance calls. If personal long distance calls are made and charged to the agency, the employee making the call must pay for these calls. Personal incoming calls shall be kept at a minimum.

Transfer and Promotion

From time to time, various positions become available within the agency. It is the policy of NCMMHC to fill positions from within the agency whenever possible. Any openings available will be posted on employee information bulletin boards. Staff may also be informed verbally, by memo, or through staff minutes.

Qualified staff is encouraged to apply for any existing vacancy, and may do so by submitting a letter of intent to apply for a position opening or a newly created position. In case of newly created positions, staff may be required to comply with regular application procedures. Application for transfer to another program within the agency should be made through the appropriate supervisor. Each request will be given consideration based upon qualifications and the requirements of the program with the open position.

Inclement Weather

It is the policy of NCMMHC to maintain available and accessible services during periods of inclement weather only when provision of these services does not pose an imminent threat to life and limb of staff. All staff members are expected to exercise good judgment in making individual decisions regarding travel or exposure to the elements during severe weather.

If an employee is unable to get to work because of inclement weather, their supervisor shall be notified. The employee may elect to work from home, take a vacation day, make up the hours or be docked for the time off, depending on exemption status. If the employee chooses to make up the hours lost due to inclement weather, the hours lost must be made up within the same workweek. Time off due to inclement weather is not a paid benefit.

When severe weather occurs or threatens during normal working hours, contact the Executive Director or designee to inform him/her of weather conditions and a decision whether to close offices or reduce services. When the Executive Director makes the decision to close offices, notification will be given to all offices, and employees should seek safe shelter. When the decision is made to reduce services, affected employees shall be notified. If the Executive Director makes the decision to close agency offices, the time the offices are closed is paid time for affected employees.

When severe weather occurs outside of normal working hours so as to make highway travel impossible or extremely life threatening, employees should:

- Tune in to the local radio stations for reports of school cancellations or office closures.

- Call the Trenton office for instructions if in doubt.

- Report to the service center nearest your place of residence if road or street conditions permit.

- Remain in safe shelter unless it is clearly possible to reach a service center without risk.

CODE OF ETHICS

NCMMHC identifies, develops and documents its required ethical practices and values. NCMMHC has an Ethics Task Force process to follow-up, investigate and address all allegations of violations of ethical conduct and allegations of infringements of the rights of the persons served. The ethics violation complaint will be given to the Executive Director, who will decide which department director to work with regarding the composition of the Task Force. The Task Force will investigate the ethics complaint and copy its report, with recommendations for follow-up, to the Executive Director.

Each employee is encouraged to subscribe and adhere to the following Code of Ethics:

1. The employee shall conduct himself or herself in a manner that is in the best interest of the public health, safety or welfare of clients served by the agency;
2. The employee shall be able to justify all services rendered to clients as necessary for diagnostic or therapeutic purposes;
3. The employee shall practice only within the competency areas for which they are qualified;
4. Witnessing of legal documents, including documents such as guardianship and advance directives, is prohibited by NCMMHC. NCMMHC staff will maintain a professional relationship with clients centered on community services. Involvement with clients in legal matters is not appropriate. A NCMMHC staff person may witness a signature, for example, on a power of attorney if that staff person has been commissioned as a Notary Public.
5. The employee shall report to their supervisor or Executive Director known or suspected violations of the laws and regulations governing the practice of professional counselors;
6. The employee shall neither accept nor give commissions, rebates, or other forms of remuneration from referral of clients for professional services;
7. Fundraising activities will be entirely transparent regarding financial information and fundraising practices;
8. The employee shall ensure clients are aware of fees and billing arrangements before rendering services;

CODE OF ETHICS (continued)

9. The employee shall keep confidential their counseling relationships with clients, with the following exceptions:
 - a. When the client constitutes a danger to him/herself or to others; or
 - b. When the professional counselor is under court order to disclose information; or
 - c. As required by law.
10. The employee shall disclose counseling records to others only with the expressed written consent of the client per State/Federal regulations;
11. The employee shall ensure the welfare of clients is in no way compromised in any experimentation or research involving those clients;
12. The employee shall avoid dual relationships with clients that might compromise the client's well-being or impair the counselor's objectivity and professional judgment including, but not limited to, counseling close friends or relatives and engaging in sexual intimacies with a client;
13. The employee shall engage in no social or personal relationships, including sexual intimacies, with a former client for 24 months (two years) after termination of services;
14. The employee shall avoid using relationships with clients to promote, for personal gain or the profit of an agency, commercial enterprises of any kind;
15. The staff shall adhere to a strict policy of non-discrimination because of disability, race, ethnicity, religion, age, gender, sexual orientation, national ancestry, and other protected classes including persons served, and will work toward the prevention and elimination of such discrimination in rendering service and overall employment practices;
16. The employee shall respect the basic human rights of the client, including the client's right to make their own decision, even to reject help unless a court order stipulates otherwise;
17. The employee shall recognize the fact that professional practices require professional education, and further, shall hold themselves responsible for their personal growth and continuing education and training;
18. The employee shall adhere to a strict policy of professional respect for the views, actions and findings of colleagues and members of other professions and programs and shall always use appropriate practices to express disagreement in judgment on these matters;
19. The employee shall respect program policies and cooperate with management functions;

CODE OF ETHICS (continued)

20. The employee shall abstain from the non-medical use of any mood-altering chemicals while on the job.

I HAVE READ AND WILL ABIDE BY THIS CODE. I UNDERSTAND FAILURE TO ADHERE TO THIS CODE MAY RESULT IN MY TERMINATION.

Staff Signature

Date

XV. Disaster Plans

The authorized person in charge at each office location shall be responsible for contacting the appropriate authorities in case of a disaster (fire department, police department, etc.)

The escape routes shall be designated on the disaster plan and assembly point(s) shall be identified.

All new staff will be required to become familiar with the disaster plan and procedures during their orientation process.

All staff will be required to participate in practice drills regarding disaster plans at least twice annually.

SEE: Policy and Procedure Manual for disaster plans for each outreach office.
Emergency disaster plans are posted in each office.

Bomb Threats

All bomb threats will be taken seriously and considered factual until investigated.

Staff should remain calm and courteous and gather as much information as possible, keeping the caller on the line as long as possible, while signaling another staff person to notify the Executive Director or designee. The Executive Director or designee will notify the police and quietly alert all supervisors regarding evacuation.

If a bomb is discovered, staff shall not disturb it. Law enforcement and the Executive Director shall be notified immediately. The danger area containing the bomb shall be identified, secured and vacated. All electronic equipment such as cell phones, wireless laptops/tablets, radios, etc. shall be turned off to prevent the possibility that a signal could trigger an explosion.

In case of a bomb threat, the agency will be vacated, without waiting to determine the reality of the threat, in the following order:

Children
Other Clients
Staff

No one will be admitted or returned to the building until bomb disposal personnel have determined the building is safe for occupancy.

Biohazard or Chemical Threats

In case of a concern about a potential exposure to a chemical or other airborne hazard, immediately notify the Executive Director or designee and local officials. Local officials may advise to “shelter-in-place” and “seal the room”. To shelter in place and seal the room:

- Close and lock all windows and exterior doors

- Turn off all fans, heating and air conditioning systems

- Go to an interior room that is above-ground level and without windows (in the case of a chemical threat, an above-ground location is preferable because some chemicals are heavier than air and may seep into basements even if the windows are closed)

Local officials will tell you when you can leave the room in which you are sheltering.

XVI. Sexual/Other Unlawful Harassment, Workplace Bullying and Harassment, and Workplace Violence

Sexual/Other Unlawful Harassment

NCMMHC is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's gender, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. The following is a partial list of sexual harassment examples:

1. Unwanted sexual advances, physical or verbal including propositions, touching, assaulting, or impeding or blocking movements.
2. Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons, or posters.
3. Verbal conduct that include making or using derogatory comments, epithets, slurs, or jokes.
4. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations.
5. Offering employment benefits in exchange for sexual favors, or making or threatening reprisals after a negative response to sexual advances.

If an employee experiences or witnesses sexual or other unlawful harassment in the workplace, it should be reported immediately to their supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Executive Assistant. An employee can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, an employee's confidentiality, and that of any witnesses and the alleged harasser, will be protected against unnecessary disclosures; however, confidentiality cannot be guaranteed even if it is requested. The reporting employee will be informed when the investigation is completed.

Any supervisor who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Assistant so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Workplace Bullying and Harassment

NCMMHC is committed to creating and maintaining a workplace environment which foster mutual respect, integrity and professional conduct. In keeping with this commitment, NCMMHC will not tolerate bullying or harassment in the workplace and will make every reasonable effort to prevent and eliminate conduct which falls within the scope of this policy.

Workplace bullying and harassment:

1. Includes any inappropriate conduct or comment by a person towards a colleague that the person knew or reasonably should have known would cause that colleague to be humiliated or intimidated.
2. Excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees and their positions or the place of employment.

Bullying and harassment are often characterized through insulting, hurtful, hostile, vindictive, cruel or malicious behaviors which undermine, disrupt or negatively impact a colleague's ability to do their job and results in a harmful work environment of the colleague.

Bullying may be the result of deliberate intent or not; it is important to recognize that it is the impact of the behavior on others, not the intent, which determines whether or not bullying has occurred.

Depending upon the severity and impact of the behavior, a single significant incident may constitute bullying if it is found to be sufficiently offensive, threatening or intimidating. To determine whether or not bullying has occurred, each situation must be examined reasonably and objectively, based on its specific facts.

Examples of conduct or comments which might constitute bullying and harassment include:

- Verbal, written or physical threats or intimidation
- Insulting or derogatory remarks, gestures or actions

- Shouting or yelling
- Non-verbal gestures that can convey threatening messages
- Swearing at and/or calling someone derogatory names
- Targeting an individual through persistent, unwarranted criticism
- Public reprimands, ridicule or humiliation
- Socially or physical excluding or disregarding a person in work-related activities
- Spreading malicious rumors, gossip or negative innuendo
- Manipulating the ability of someone to do their work (overloading, withholding information, setting unattainable deadlines, giving deliberately ambiguous instructions)

Bullying or harassment would not include:

- The normal exercise of supervisory responsibilities, including performance reviews, direction, counseling and disciplinary action where necessary, provided they are conducted in a respectful and professional manner
- Social interactions, jokes and bantering which are mutually acceptable, provided the interactions are respectful and there is no negative impact for others in the work environment
- Disagreements, misunderstandings, miscommunication and/or conflict situations, provided the behavior of the individuals involved remains professional and respectful

While every employee is responsible for maintaining and contributing to an environment which is free from bullying and harassment, those in positions of authority over staff carry more responsibility than other employees within NCMMHC. Management personnel have additional obligations to make every reasonable effort to establish and maintain a workplace free of bullying or harassment, including:

- Ensuring that employees have full access to information regarding agency policies and procedures
- Respecting the rights of all parties to a fair, equitable and confidential process for responding to complaints
- Providing support to all those who participate in a problem-solving process
- Enforcing corrective and/or disciplinary measures when applicable

If an employee experiences or witnesses bullying or harassment in the

workplace, it should be reported immediately to their supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Executive Assistant. An employee can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of workplace bullying or harassment will be quickly and discreetly investigated. To the extent possible, an employee's confidentiality, and that of any witnesses and the alleged bully or harasser, will be protected against unnecessary disclosures; however, confidentiality cannot be guaranteed even if it is requested. The reporting employee will be informed when the investigation is completed.

Any supervisor who becomes aware of possible workplace bullying or harassment must immediately advise the Executive Assistant so it can be investigated in a timely and confidential manner. Anyone engaging in workplace bullying or harassment will be subject to disciplinary action, up to and including termination of employment.

Workplace Violence

Workplace violence is defined as any threat, threatening behavior, or violent act or attempt against an employee that creates an environment that negatively affects the employee, or employee performance, either physically or psychologically. Workplace violence will not be tolerated.

Indicators of workplace violence include, but are not limited to:

- Disturbance outside of the agency building
- An individual with a weapon
- Force is used to enter the building
- Attempted entry through locked doors, windows or roof
- Shots or violence heard or seen outside the agency
- Any threats or suspicious activity in the parking lot, against the agency, the building or any of its occupants
- Restraining order violations
- Disturbance in the agency building: Angry voices, threats, display or use of weapons, physical force, screams for help
- Vehicle tampering
- Hostage situation
- Threatening phone calls, written or drawn materials including electronic media

If the situation involves verbal threats without physical threats or weapons present, attempt to notify a supervisor to handle the incident. If the threatening situation is verbal and you believe the situation is deteriorating and may lead to physical violence, or if the incident involves physical force to property or person, call 911 and notify the Executive Director or designee.

NCMMHC has adopted a “No Weapons” policy for all program sites and vehicles. Employees and clients who are engaged in agency activities shall observe the “No Weapons” regulation in any off-site location where agency activities may take place.

XVII. Grievance Procedure

Employee Grievance Procedure

North Central Missouri Mental Health Center is committed to providing the best possible working conditions for all agency employees, thereby helping to maintain good employee relations and assuring equal treatment of all employees. Part of this commitment is encouraging an open and frank atmosphere in which any issue, concern or question can be addressed and discussed. Employees should be aware of the communication channels available and how to use them when questions or concerns arise. This procedure is designed to ensure prompt and fair handling of employee concerns, complaints, misunderstandings and grievances, including those related to the ADA (Americans with Disabilities Act).

1. The agency encourages informal resolution of concerns and complaints. If there is a work-related concern, complaint, misunderstanding, or grievance, employees should discuss the matter first with their direct supervisor. This should be done as soon as possible but no later than ten (10) working days from the date the concern arose. Supervisors will exert great effort to informally resolve any work-related questions or concerns. They have the responsibility and authority to listen, evaluate, investigate and respond objectively. It is both the employee's and the supervisor's responsibility to make sure that a sincere effort is made to settle the issue at this step. If the employee feels the issue is not resolved as a result of this discussion, or such a discussion is not appropriate under the circumstances, proceed to Step 2.
2. If an employee is uncomfortable discussing an issue with their direct supervisor, or reasonably believes that their direct supervisor should not be present during the first step of the resolution process, or that the matter cannot be brought to the attention of the direct supervisor directly, the employee should contact the Executive Assistant/Human Resources for assistance. The Executive Assistant shall be contacted and informed if the employee's concern or grievance moves beyond the direct supervisor's intervention.
3. If the employee feels the concern was not resolved in informal discussion with their supervisor, they will have three (3) working days from the date of the informal discussion to prepare and submit a formal written complaint for review by and request an appointment with the Department Director (if applicable). From the date of this request, the Department Director will

have ten (10) working days to both meet with the employee and submit their response in writing to all concerned parties.

4. If the employee feels that they have not obtained a satisfactory solution from the Department Director, they will have three (3) working days to forward their formal written complaint to and request an appointment with the Clinical Director (if applicable). From the date of this request, the Clinical Director will have ten (10) working days to both meet with the employee and submit their response in writing to all concerned parties.
5. If the employee feels that they have not obtained a satisfactory solution from the Clinical Director, they will have three (3) working days to forward their formal written complaint to and request an appointment with the Executive Director. From the date of this request, the Executive Director will have ten (10) working days to both meet with the employee and submit their response in writing to all concerned parties. The decision of the Executive Director will be final.

The Executive Assistant is responsible for assuring each concern or grievance is handled equitably and fairly. Therefore, at any time, they may be called upon to facilitate the Fair Labor Standards Act and/or answer any questions regarding fair employment practices. The Executive Assistant can also supply individuals with any materials relating to the Fair Labor Standards Act. The Executive Assistant has the responsibility for communicating how any work-related issue will be resolved and confirming that any related follow-up actions are satisfactorily completed.

Matters will be dealt with in confidence whenever possible, but employees must realize complete confidentiality may not be possible in all circumstances.

No Management Penalties

Any employee who initiates this procedure and follows its steps will not be criticized, penalized or discriminated against, nor will documents relating to the use of this procedure be kept in the employee's permanent file.

XVIII. Corporate Compliance

All North Central Missouri Mental Health Center employees are a part of the process of ensuring the integrity of the service provision and billing system and need to be properly trained to understand how services are delivered and properly billed.

NCMMHC operates a Corporate Compliance Program designed to ensure the integrity of service provision and billing.

This program includes the following elements:

1. Regular and systematic monitoring of services delivered and billed.
2. Maintain policies and procedures to assure that services delivered meet standards and are billed correctly.
3. The appointment of a Corporate Compliance Officer who is empowered by the Board of Directors to investigate, report to the Board and make an annual report of all corporate compliance issues to the Board on an annual basis.
4. Conduct education and training on its program in new employee orientation and on an ongoing basis. This education and training will be tailored to address any issues that are raised by auditing or monitoring as well as any perceived risks.
5. Respond to any detected offenses by developing a Plan of Correction and educate staff through the newsletter and training.
6. Although the Corporate Compliance Officer may be contacted formally through e-mail or by phone, an open door policy will be maintained to promote open informal communication of any potential issues that might arise.
7. A disciplinary process that establishes a method of consistent enforcement but flexible enough to account for mitigating or aggravating circumstances.

The Corporate Compliance Program will address the following issues at a minimum:

1. Reasonable and necessary services – All services delivered should be reasonable and necessary for the diagnosis and/or treatment of a mental disorder defined in the Diagnostic and Statistical Manual (DSM) IV to improve functioning.
2. Documentation – All services delivered must be accurately, legibly and completely documented as soon as possible after the service is delivered,

but within five (5) business days after the service is delivered. The following must be present for the documentation to be considered accurate and complete:

- Identification of the individual served
 - The date, start and stop time are documented
 - The specific title or code of the service
 - Summary of the service rendered with clinical content related to the treatment plan
 - Timely updates to the treatment plan
 - Description of service provided
 - The individual's and/or family's response to the service rendered
 - The signature of the person providing the service
 - The setting in which the services were rendered
 - Each document must be wholly original
3. Coding and Billing – Only services that are actually delivered will be billed. The clinician providing the service will enter the initial charge and care will be taken to avoid the following issues:
- Billing for services not rendered and/or documented
 - Claims that are not reasonable or necessary
 - Double billing and payment of claims
 - Billing for non-covered services
 - Knowingly misusing billing numbers
 - Failure to use coding modifiers
 - Clustering – using mid-level codes exclusively rather than billing for the actual service with the idea that it will all balance out with some higher and some lower
 - Up-coding – billing for a higher level of service than the one provided
4. Improper Inducements, Kickbacks and Self-referrals:
- Remuneration for referrals is strictly prohibited
 - Provision of services based upon profit incentive rather than the need of the person being served is prohibited
 - Self-referral to a clinician or health service provider in which the clinician or an immediate family member has financial interest is prohibited
 - No gifts will be received or given by clinicians, other than nominal value (less than \$50), from anyone who may benefit from referrals from NCMMHC or as an inducement to over-utilize services.
 - No contracts or joint ventures with hospitals, suppliers or referral

sources that pay based upon referrals or referrals received.

5. Medical records, financial records and records of compliance-related activities shall be retained a minimum of 7 years or as provided for in contracts, if longer. In no case shall records be destroyed that are in the course of an investigation of lawsuit. In the case of dissolution of the corporation or sale, medical records will be maintained by a reputable contractor for the allotted period of time or transferred to the new owner for safekeeping.

Training and Education

NCMMHC will conduct and document both new employee orientation and ongoing corporate compliance program training of its employees to ensure the integrity of service provision and billing.

This program includes the following elements:

1. All employees will receive and document new employee orientation and training on NCMMHC's Corporate Compliance Program.
2. Each employee will be provided a copy of NCMMHC's corporate compliance policies and procedures and will sign that they understand and agree to follow these procedures. These policies and procedures will be a part of the annual policy and procedure update.
3. The Corporate Compliance Officer may attend training dealing with Corporate Compliance or Professional Ethics.
4. If specific issues arise as part of the Corporate Compliance Program, specialized training will be developed to address the issue(s).
5. Training topics will include:
 - Policies and Procedures
 - Coding and billing requirements
 - Compliance checks
 - Legal sanctions for submitting deliberately false or reckless billings
 - Disciplinary process

Monitoring/Auditing

NCMMHC will monitor the accuracy of services billed through ongoing compliance monitoring of services and regular auditing of a random sample of billings.

This program includes the following elements:

1. Policy and Procedure integrity – On an annual basis, a review of current practices and regulations will be undertaken to insure that tools used in compliance monitoring are up-to-date.
2. Regular Compliance Audit – Periodically, samples of billings and documentation will be reviewed to ensure that they accurately reflect services that were delivered. The process will be conducted as follows:
 - Goal: Bills are accurately coded; documentation is completed accurately; and services delivered are reasonable and necessary with no incentives for unnecessary services.
 - Sample size: A sample of at least three progress notes per physician; three progress notes per outpatient therapist; and two progress notes per community support specialist.
 - Monthly: The audits will be conducted as part of NCMMHC’s ongoing quality assurance program.
 - Response: When an issue is found, the clinician will be notified with any corrective action necessary.

Corrective Action/Disciplinary Process

It is the policy of North Central Missouri Mental Health Center to have a disciplinary process related to violations of Corporate Compliance Policies. NCMMHC will take appropriate action to address any detected corporate compliance issues.

This program includes the following elements:

1. Detection of Violation – Once a violation is detected:
 - A) An audit will be done within ten (10) days to determine if it is an individual clinician or staff person issue or a program issue, and if it is a pattern of practice or an individual incident;
 - B) The Corporate Compliance Officer or designee should be notified as soon as possible but no later than two (2) business days after the breach is discovered.
2. Corrective Action – Corrective action may include any or all of the following:
 - Corrective action plan – including re-education efforts and detection of further incidents. This report will be presented to the Executive Director for approval. The report will include the following elements:
 - i. How the violation was initially detected
 - ii. The extent of the audit for identification of trends

- iii. Whether it is an individual employee, program or systems issue
 - iv. Actions already taken
 - v. Action to be taken to prevent future violations
 - vi. Plan for monitoring compliance for the next three months
- Return of overpayments – Services that were not delivered, documented or billed correctly will be returned within 60 days.
 - Re-bill claims correctly - if not beyond period of timely filing, the claim will be re-billed within 60 days.
 - Legal consultation – To see if referral to law enforcement or governmental agency is appropriate for intentional violations or where other fraud is suspected.
3. Annual review of the Corporate Compliance Program by the Corporate Compliance Officer and the Board of Directors to insure the adequacy of the program
 4. When a violation of Corporate Compliance policies is detected, an investigation will be completed by the Corporate Compliance Officer or designee. A report will be generated outlining the violation including person(s) involved, methods used to investigate the violation, whether it is a systems issue or an individual employee issue, whether this is an isolated event or repetitive issue. Finally, it will include a list of recommended actions to correct the issue, report of repayment of erroneous claims, need for education and any disciplinary recommendations.
 5. The following disciplinary process will be followed depending upon the mitigating or aggravating circumstances of the violation:
 - A. Reorientation to the position or duty may be appropriate for minor violations that involve employees new to the agency or position with no intent to defraud or personally benefit from the error
 - B. Additional training related to the violation including regulations related to service delivery, documentation of services, billing of services and/or ethics may be used as part of the written plan of correction when it involves individual employee actions.
 - C. When there is evidence that the employee has been adequately trained and has a good base of experience and yet has violated regulations, a written plan of correction may be put in place and billing of services monitored for a period of not less than 30 days. Additional violations may result in termination when it involves employee error or lack of attention to the established procedure. Depending on the severity of the initial infraction, and when there is evidence that the employee has been adequately trained and has a good base of experience and yet has violated regulations, immediate termination

- may result.
- D. When the violation involves carelessness or inattention to detail, a written plan of correction may be implemented that will include at least 30 days of monitoring and may include suspension or, for repeated offenses, termination.
 - E. Employees with violations that involve personal gain will be subject to termination based upon the magnitude and circumstances surrounding the violation. NCMMHC's attorney may also be notified upon detection of the violation for legal advice on how to proceed.
 - F. When services are not provided, documented or billed because of a systems-related issue or inadequate processes, employees will not be disciplined, but will be asked to participate in improvement of the process or other corrective action
 - G. Intentional violations (i.e., copy and paste) or other willful fraudulent actions will result in immediate termination from employment.

Whistleblower Protection

NCMMHC Employees are a part of the process of ensuring the integrity of the service provision and billing system. It is necessary for employees to know that there will not be retaliation if they report suspicious practices.

Any employee who reports alleged false claims or improper billing will be protected from retaliation by management or any employee, whether or not the allegation was found to be true. In the event that retaliation occurs, the whistleblower is to contact the Corporate Compliance Officer, or in the event that it involves the Corporate Compliance Officer, the Executive Director.

This program includes the following elements:

1. In order to assure the integrity of our billing for services, NCMMHC assures that anyone reporting suspected billing of false claims, documenting services that were not delivered, delivering more treatment than is necessary, misrepresenting credentials, performing services outside the clinician's scope of practice, or other improper billing practices is protected from retaliation.
2. In the event that the whistleblower suspects retaliation, the person may contact the Executive Director, or in the event that it involves the Executive Director, any member of the Board of Directors.
3. Any staff member who is found to have retaliated against a whistleblower

shall be subject to disciplinary action that may include immediate termination.

Further detailed information regarding the Corporate Compliance Policy is found in the Policy and Procedure Manual.

XIX. Disciplinary Policies

Infractions of NCMMHC policies and procedures will generally be categorized as either minor or major offenses. All employees are considered to be employed "at-will"; this handbook does not create a contract of employment. This agency reserves the right to terminate employees for reasons not stated in this handbook or for no reason at all. It is understood that not everything that happens may be covered in this handbook. As circumstances arise, the agency may need to make decisions based on the situation at hand.

A. Minor Offenses

Minor offenses will be handled under a progressive disciplinary procedure. Minor offenses will include, but are not limited to:

- Failure to follow instructions
- Safety rule violation
- Leaving the job without permission
- Gambling
- Profane or abusive language
- Excessive absenteeism or tardiness
- Failure to maintain acceptable work standards and/or levels
- Unauthorized, unsafe or inappropriate use of agency property
(including speeding/traffic tickets) or email/Internet system
(depending on severity, may be a major offense)

Progressive Disciplinary Procedures: The following steps will be followed for "minor" infractions of the agency's policies and procedures:

1. Employee is notified by supervisor of infraction.
2. Counseling session is set with a specific plan of action for employee.
3. An oral reprimand shall be given by direct supervisor if initial infraction is not corrected.
4. Written warning. After Steps 1 through 3 have been initiated without correction, a written warning is to be generated and signed by the supervisor and the employee, dated, and then forwarded to the Department Director, Clinical Director and Executive Director for additional signatures. The written warning will include a plan of corrective action to be taken by the employee, as well as an expected date of completion. Once the corrective measures have been made, a written summary of the actions will be composed by the supervisor, signed and

dated by the supervisor and the employee, and then forwarded to the Department Director, Clinical Director and Executive Director for additional signatures. Administrative suspension (time off with or without pay) may be implemented at the discretion of the Management Team for reasons such as, but not limited to, concerns of client or employee safety, or to allow for information regarding a claim of breach of ethics or other policy infractions to be investigated.

5. Termination. After completion of Steps 1-4 without successful resolution to initial violation or repeated minor offenses, the employee will be terminated.

Each step in the process shall be documented in the employee's personnel file.

B. Major Offenses

Major offenses that are subject to disciplinary action and may result in immediate discharge include, but are not limited to, the following:

- Physical or mental abuse of clients or staff
- Possession and/or use of intoxicating substances or other drugs while on duty
- Possession of a weapon
- Theft
- Fraud/Corporate Compliance violation
- Sexual or other unlawful harassment
- Gross negligence
- Insubordination
- Unauthorized, unsafe or inappropriate use of agency property (including speeding/traffic tickets) or email/Internet system (depending on severity, may be a minor offense)
- Any serious crime
- Repeated violations of minor offenses

Employees who are terminated for minor offenses may be considered for re-hire following a one-year waiting period. Employees who are terminated for major offenses will not be considered for re-hire.

Detailed information regarding disciplinary policies is found in the Policy and Procedure Manual.

XX. Substance Use Policy

1. General Policy Statement

NCMMHC is committed to maintaining a drug-free work place. The use of illegal drugs or the misuse of legal drugs or alcohol is incompatible with the obligation of NCMMHC to provide a secure, safe and productive environment to its employees and clients. This policy will ensure each employee meets and maintains the required suitability standards for continued employment.

NCMMHC will not employ individuals who traffic in or use illegal drugs, including marijuana and illegally prescribed drugs, or misuse legal drugs or alcohol.

2. Scope of Policy

- a. Alcohol: NCMMHC policy forbids the use, sale, purchase, transfer or possession of alcohol on agency premises or in the performance of agency business or while using agency property. In addition, being under the influence of alcohol on agency premises is expressly prohibited. This prohibition does not apply to off-site agency social functions where the use of alcohol is governed by state or local law. Employees will be subject to discipline up to and including termination for any violation of this paragraph.
- b. Illegal Drugs: NCMMHC policy prohibits the use, sale, purchase, trafficking, transfer or possession of any amount of any illegal drug, including marijuana. In addition, being under the influence of any illegal drug on agency premises is expressly prohibited. Employees will be subject to discipline up to and including termination for any violation of this paragraph. In addition, off-site involvement with drugs, including conviction of drug-related offenses, which impacts agency reputation in any way prejudicial to the agency, may be the basis for termination.
- c. Legal Drugs: All legal non-prescription and prescription medications shall be properly and clearly labeled in accordance with Missouri statutes and shall be kept with the employee's personal possessions or under lock and key. Legal drugs may include over-the-counter drugs, vitamins, and herbs. Employees who are taking or are in the possession of any legally prescribed drugs listed below are to report such drug use or possession as soon as possible to their supervisor to determine job-related consequences. Use or possession of the following categories of prescription drugs must be reported:

Psychotropic medicines, narcotics, sedatives, tranquilizers, amphetamines, and any other mind-altering or hallucinogenic drug. Being under the influence of any legally prescribed or over-the-counter drug such that it affects the employee's ability to safely and adequately perform the functions of their position is expressly prohibited. Violation of this paragraph may subject the employee to discipline up to and including termination.

3. Responsibility of Employees

It is the individual responsibility of each employee and applicant for employment to understand and abide by this policy. Any questions about the application of the policy may be directed to an employee's supervisor.

An employee with a substance use problem must understand they are personally responsible for seeking evaluation and undertaking rehabilitation. NCMMHC encourages such employees to seek help. Any employee who is aware that they are dependent upon alcohol and/or drugs and who either voluntarily admits the dependency to their supervisor or voluntarily seeks treatment ordinarily will not be subject to discipline for the first instance of admitting the problem or seeking treatment. More specifically, employees who are forthcoming will not be disciplined for doing so; however, NCMMHC will not consider the employee's actions to be voluntary and forthcoming if prompted by an accident, investigation, arrest, or other incident. Moreover, employees who conceal substance use problems from supervisors or who fail to voluntarily seek help place their employment with NCMMHC in jeopardy.

Any employee who is convicted of any criminal drug statute must report this to NCMMHC in writing within five (5) working days of the conviction. A copy of this policy shall be provided to every NCMMHC employee, and each employee shall be required to sign and date a receipt form, which will then be made part of the employee's permanent personnel file.

4. Drug Testing

Current employees may be asked to submit to drug testing if they display symptoms consistent with use and/or intoxication and/or if there is an impairment of job performance. Refusal to submit to drug testing will result in termination.

The purpose of the drug-testing program is to determine if the employee should be referred to treatment. Treatment will be paid under any applicable provisions of the agency or other medical plan in which the employee is enrolled, or by the

employee. Refusal to enroll in or successfully complete such a program will be grounds for discharge. As part of the program, the employee must authorize NCMMHC to receive all relevant information regarding the employee's progress in the program. All information received will be handled in a sensitive and confidential manner. Employees who successfully complete the program will be returned to work in accordance with the agency's normal return-to-work procedure 90 days following treatment if the position is still available. Outpatient therapy follow-up will be mandatory for one (1) year with required random drug/alcohol testing.

NORTH CENTRAL MISSOURI MENTAL HEALTH CENTER
SUBSTANCE USE POLICY

I have received and read the Substance Use Policy for North Central Missouri Mental Health Center and agree to abide by the rules and regulations outlined in that policy.

Staff Signature

Date

HIPAA Workforce Confidentiality & Information Security Agreement

I understand North Central Missouri Mental Health Center (NCMMHC) for which I work, volunteer or provide services (contractual or otherwise) has a legal and ethical responsibility to safeguard protected health information (“PHI”).

In the course of my employment, assignment, or affiliation with NCMMHC, I understand that I may come into contact with PHI. I will access and use this information only when it is necessary to perform my job-related duties.

1. I understand that I should have no expectation of privacy when using NCMMHC information systems/equipment. NCMMHC may log, access, review, and otherwise utilize information stored on or passing through its systems, including e-mail, in order to manage systems and enforce security.
2. I will practice good workstation security measures such as positioning screens away from public view, logging off the system when not in use, and securely storing removable media when not in use.
3. I will only access or use records, documents, systems, or devices I am officially authorized to access, and will not demonstrate the operation or function of systems or devices to unauthorized individuals.
4. I am personally responsible for transactions under my user ID and password.
5. I shall not:
 - a. Connect to unauthorized networks through NCMMHC’s systems or devices
 - b. Knowingly include, or cause to be included, any false, inaccurate or misleading entry in any record or report
 - c. Use a workstation without logging out another user
6. I will not disclose or discuss any PHI with others, including friends or family, who do not have a business need to know it.
7. I will not in any way use, access, copy, release, sell, loan, alter, remove, or destroy any PHI except as properly authorized.
8. I will practice secure electronic communications by transmitting PHI only to authorized entities, in accordance with approved security standards.
9. I will only access electronic systems to review patient records for which my job responsibility has a legitimate need to access for treatment, payment, or healthcare operation.
10. Upon termination, I will immediately return any documents or media containing PHI to NCMMHC.

11. I agree that my obligations under this agreement will continue after termination of my employment, expiration of my contract, or my relationship ceases with NCMMHC.

I acknowledge that I have read this agreement and I agree to comply with the terms and conditions stated above in order to obtain authorization for access to PHI.

Signature

Date

NORTH CENTRAL MISSOURI MENTAL HEALTH CENTER
PERSONNEL HANDBOOK / POLICY & PROCEDURES
ACKNOWLEDGEMENT

I have access to and have read the North Central Missouri Mental Health Center Personnel Handbook (available on the agency’s 365 shared s:/drive) 1st Edition May 1990, and last revised June 2022.

I have read the Personnel Handbook, as well as the agency’s Policy and Procedure Manuals, and I am aware of the rules, regulations and policies of this agency. I have received a copy of the U.S. Department of Labor’s “Employee Rights and Responsibilities Under the Family and Medical Leave Act” and the “Victims of Domestic or Sexual Violence (Victims Economic Safety and Security Act – VESSA)” Notices as included in this Handbook. If I do not understand something, I will ask my supervisor, the Executive Assistant or the Clinical Director for clarification.

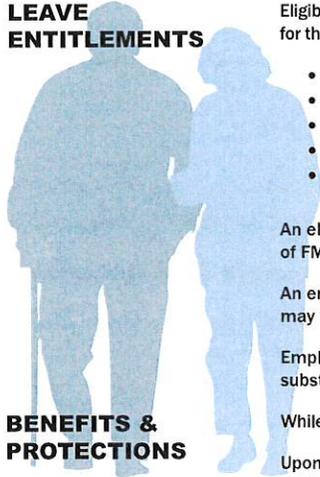
Employee Signature

Date

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



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

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

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

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

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

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

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

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

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

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

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

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

REQUESTING LEAVE

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

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

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

EMPLOYER RESPONSIBILITIES

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

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

ENFORCEMENT

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

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



For additional information or to file a complaint:

1-866-4-USWAGE

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

www.dol.gov/whd

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



VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE

LEAVE TIME ALLOWED

See [Section 285.630, RSMo.](#), and refer to [Sections 285.625 to 285.670 RSMo.](#) for definitions.

EMPLOYEES who are victims of domestic or sexual violence, or have a family or household member who is a victim of domestic or sexual violence, may take unpaid leave from work to address such violence by: _____

- Seeking medical attention for, or recovering from, physical or psychological injuries caused by such violence.
- Obtaining services from a victim services organization.
- Obtaining psychological or other counseling.
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or employee's family or household.
- Seeking legal assistance or remedies to ensure health and safety.

In the case of domestic or sexual violence as defined by statute, an individual who works for a business with 50 or more employees is entitled to up to two workweeks of unpaid leave within any 12-month period to address the related matters above. An individual who works for a business employing 20 to 49 employees is entitled to up to one workweek of unpaid leave within any 12-month period to address such matters.

Leave may be taken intermittently or on a reduced work schedule. The employee shall provide to the employer 48 hours notice unless such notice is not practicable.

EMPLOYER: _____

- May request certification that the employee or member of family or household is a victim as described above.
- Must restore the employee to the position of employment held prior to the reporting of domestic or sexual violence or an equivalent position.
- Must maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided had the employee continued in the employment previously held.
- May, under many circumstances, recover from the employee the premium paid for maintaining coverage if the employee fails to return from leave after the leave period has expired.

