

# **Employee Handbook**

Effective July 1, 2017



## TABLE OF CONTENTS

INTRODUCTION .....	3
EMPLOYMENT AT PHS .....	8
PAY, TIMEKEEPING & ATTENDANCE.....	14
BENEFITS .....	20
YOUR TIME AWAY FROM WORK .....	25
YOUR RESPONSIBILITIES AS AN EMPLOYEE.....	28
RULES & PERSONAL CONDUCT .....	34
HEALTH, SAFETY & SECURITY .....	45
COMPLIANCE.....	47
INFORMATION TECHNOLOGY .....	56
INDEX .....	64
EMPLOYEE HANDBOOK AND CODE OF CONDUCT ACKNOWLEDGEMENT .....	69

## **INTRODUCTION**

### **Welcome Letter from Our President**

Presbyterian Homes and Services (PHS) is a ministry, a mission, and a biblical call to make a difference in people's lives. This ministry offers you opportunities to express your love to older adults through acts of service and to receive that deepest satisfaction of having helped someone.

In that spirit, our residents, clients and co-workers extend a warm welcome to you as a member of the Presbyterian Homes' family. You will discover that special "spirit" which comes from the Christian foundation upon which PHS is built. As part of our team, you will share in this spirit of Christian character, faith, and service.

You are now part of a team that has accepted the challenge of serving and caring for older adults. As a team member, you will have a unique privilege and opportunity to meet their physical, social, mental, emotional, and spiritual needs. In meeting those needs, you will "Create smiles in the eyes of the people we serve" and significantly impact their lives.

Daniel A. Lindh, President & CEO

## **PURPOSE OF THIS EMPLOYEE HANDBOOK**

This handbook applies to all full time, part time, on call, and casual (formerly known as temporary) employees. It does not apply to volunteers or unpaid interns. This handbook contains employment policies which reflect the concern and interest we have in you as an employee. It provides information concerning your employment with Presbyterian Homes & Services (PHS) and relationships with partners, co-workers and residents. It explains your benefits and obligations as an employee. You are expected to be familiar with its contents and all updates and revisions to it. Exceptions to these policies are made only with the approval of the Vice President of Human Resources. Notice of changes to the contents of this handbook may be communicated to employees periodically. However, because the changes are effective as soon as they are posted, it is your responsibility to review the contents of this handbook on the intranet ([www.thevinephs.org](http://www.thevinephs.org)) periodically and to contact your supervisor or Human Resources if you have questions about its contents or how it applies to your situation. A printed copy of this handbook will be provided for your reference upon request to Human Resources. However, the information on the PHS intranet will prevail in the event of a conflict between the printed copy and the intranet posting. Interpretation and application of these policies by PHS is binding.

PHS and you have an employment relationship known as "employment-at-will." This means that you have the right to terminate your employment with Presbyterian Homes whenever you choose, with or without notice. PHS has the same right.

This handbook does not modify or limit the at-will employment relationship. It is not meant to create and does not create a contract between PHS and you. No oral or written statements that have been made to you are an employment contract unless provided in writing and is signed by management of PHS. PHS reserves the right to amend, change, or discontinue any of the policies, practices and benefits described in this handbook without notice and for any reason it deems necessary. All previously distributed employee handbooks are revoked, and the provisions of this handbook supersede their provisions. Accepting or continuing employment with PHS after you have been shown how to access this handbook is considered to be your acceptance of its contents as the sole source of information regarding your employment, other than applicable employment and benefit documents and other documents and policies which are referred to in this handbook and are created after its issuance.

PHS intends to comply with all applicable federal, state, and local laws. Nothing in this handbook is intended to prohibit or interfere with employees' right to engage in protected, concerted activity under the National Labor Relations Act, including discussing with one another, or with third parties who are not competitors of PHS, wages, hours, and other terms and conditions of employment. To the extent that there is a conflict between the contents of this handbook and any applicable law, individual employment contract, or collective bargaining agreement, the terms of the law, contract, or agreement prevail.

## **Our Mission & Guiding Values**

### **Statement of Presbyterian Homes & Services**

Presbyterian Homes & Services (PHS) was started in close collaboration with the Synod of Lakes and Prairies of the Presbyterian Church (U.S.A.) (Synod), and reflects in its operational ministries the spirit of Jesus Christ, which is understood by both residents and their families through the actions of its employees. Today, a covenant relationship exists between PHS and the Synod. Consistent with that covenant agreement and our biblical heritage, PHS develops and maintains personnel relationships that are open, realistic, compassionate and stress high standards for both professional and moral conduct, which we emphasize as foundational to our mission and ministry.

### **Our Motto**

“Creating smiles in the eyes of the people we serve”

### **Our Mission Statement**

To honor God by enriching the lives and touching the hearts of older adults.

### **Our Vision**

To provide more choices and opportunities for older adults to live well.

### **Our Values**

#### **Christian Ministry**

Serving with compassion, modeling Christ and spending time in prayer and reflection.

#### **Ready and Engaged People**

Treating others as we would like to be treated, leveraging strengths, attracting the right talent and providing a nurturing environment.

#### **Operational Integrity**

Leveraging operational standards, enhancing programming, providing or creating new continuum services and being a pioneer in innovation.

#### **Service Excellence**

Establishing and consistently delivering service standards, being responsive and creating memorable experiences.

#### **Stewardship**

Optimizing with careful responsibility, the people, financial, charitable and physical resources entrusted to us and to intentionally grow our ministry.

### **Our Commitment to Service**

I will greet each person with warmth and sincerity.

I will anticipate needs and give prompt, personalized service.

I will demonstrate the love of God in all I do.

## **Our Logo & Brand Promise**

In 2005, Presbyterian Homes & Services celebrated 50 years of serving older adults through housing and services. Even as we were filled with gratitude, reflecting on how God has blessed us over the past years, we were challenged to consider what the future might hold.

To represent our commitment to those we now serve, as well as generations to come, in 2006 we unveiled a new logo and brand promise for Presbyterian Homes & Services.

### **The logo represents our:**

- desire to have God at the center of all we do
- desire to have God unify our efforts to help each individual live well
- interest in providing choices that come in different “shapes and sizes” and are unique for each individual
- innovative spirit



At the same time the logo was designed, a brand promise was created to work along with it. This is another means to consistently communicate our mission and purpose to our customers.

### **Our brand promise - “Freedom to live well” - helps identify what people can expect from us, such as:**

- personal choices in housing, service, and care
- opportunities to maintain vitality
- quality living spaces, dining, social and spiritual programming
- emphasis on wellness in physical, social, mental, emotional and spiritual health
- communities where individuality is respected and celebrated
- access to a wide variety of resources and personalized services

### **As an employee, you are encouraged to uphold the brand promise by:**

- following our practices, promises, and commitments to service
- being familiar with its meaning, as stated above, so that you can tell those who ask you the meaning of “freedom to live well”
- helping identify new or better ways we can provide our residents the “freedom to live well”

## **PHS: Our Story**

The original purpose of Presbyterian Homes—to meet the needs of retiring pastors and missionaries after a lifetime of service—was inspired by a call to serve others out of gratitude for God’s goodness. That purpose was embodied in 1955 in the organization’s first community in Arden Hills, Minnesota. Now, over sixty years later, Presbyterian Homes & Services has established over forty communities for older adults of all backgrounds throughout Minnesota, Iowa, and Wisconsin and we plan to add at least one new community every year.

Innovation and leadership have been Presbyterian Homes’ watchwords through its years of growth. PHS has created a continuum of care with numerous components, which allows residents to move from independent living to assisted living to short- or long-term care as necessary. At the foundation of this continuum is the compassionate, life-affirming hard work of employees, board members, donors, and volunteer partners.

True to its founding vision and modern-day mission, PHS has cultivated unique partnerships, implemented innovative programs, and created significant projects. PHS established Senior Housing Partners and Senior Lifestyle Design to provide development, marketing and interior design expertise for PHS and for other organizations. International Nurse Recruitment was founded to assist nurses from the Philippines to come to the United States for employment as a means of addressing this significant need. PHS has partnered with churches, hospitals, colleges, and other senior housing providers to meet the need for senior living options and care.

Optage was created with a repositioning of our home and community services. Today it includes In-home Care & Services, Senior Dining Choices, Hospice and Primary Care.

Progress, compassion and faith have been the guiding principles for Presbyterian Homes. Inspired by God’s love and word, it has stayed the course in answering its biblical call to serve older adults.

## **EMPLOYMENT AT PHS**

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

Presbyterian Homes has a policy of providing Equal Opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity/Affirmative Action laws, directives, and regulations of Federal, State and Local governing bodies or agencies.

Presbyterian Homes will not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, gender, disability, age, sexual orientation, genetic information, familial status, marital status, membership in United States military forces, status with regard to public assistance, or any other characteristic protected under federal, state or local law.

Presbyterian Homes' employment practices are free of discrimination. These employment practices include, but are not limited to: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, selection, layoff, corrective action, termination, rates of pay or other forms of compensation, and selection for training including internship.

Presbyterian Homes has appointed the Vice President of Human Resources to manage the Equal Employment Opportunity Program. The Vice President of Human Resources responsibilities will include monitoring all Equal Employment Opportunity activities and reporting the effectiveness of Presbyterian Homes' Affirmative Action Program, as required by Federal, State and Local agencies. The Chief Executive Officer of Presbyterian Homes will receive and review reports on the progress of the program. If any employee or applicant for employment believes they have been discriminated against, please contact the Vice President of Human Resources.

### **IMMIGRATION LAW COMPLIANCE**

Presbyterian Homes is committed to employing only United States citizens, permanent residents, and others who are authorized to work in the United States.

In compliance with the Immigration Reform Control Act of 1986, each new employee, as a condition of employment, must complete the Employee Eligibility Verification Form I-9 and present documentation establishing the ability to legally work in the United States as required by law.

### **EMPLOYMENT STATUS**

Your employee classification is determined by the planned scheduled hours shown on your Employment Agreement, which is signed by you and your immediate supervisor upon hire or change of status. Failure to work your scheduled hours may result in: a change of status, ineligibility for certain employee benefits or termination of employment.

- Full time employees have approved hours, are scheduled for, and work a minimum of 60 hours per 2 week pay period in any combination of jobs for PHS.
- Part time employees have approved hours, are scheduled for and work less than 60 hours per 2 week pay period.
- On call employees work as supplemental employees with no scheduled hours. You are required to follow department specific staffing guidelines. Those in departments without specific staffing guidelines are required to work a minimum of 1 shift per month.



- Casual employees work as supplemental employees and are not required to fulfill on call requirements, but are required to work 1 shift within 12 months. In order to qualify for casual status, an employee must be expected to have some predictable pattern of work or specified project/assignment. For status purposes, paid interns are also considered casual employees. Availability of casual positions may vary by site or department and will be based on operational needs.

### **HOURS OF WORK**

Your immediate supervisor or designated person assigns your scheduled work hours. Hours of work and/or work schedule may vary by department to meet site operational needs. You are expected to be on the job ready to work at the time scheduled. Regular and punctual attendance to work is considered an essential job function. Except for breaks, you must remain on duty at your work site for your entire work period.

If you have received your supervisor's prior approval to be absent, you may be asked to secure an acceptable replacement. In some departments, employees of similar training may be allowed to exchange scheduled work hours if the exchange does not result in overtime pay. You should check with your supervisor to see whether this procedure is followed in your department.

PHS reserves the right to modify and/or change employee scheduled hours due to, but not limited to the following: performance issues, employee & resident safety concerns or business needs, i.e. low census.

Shifts which are affected by switching between Standard and Daylight Savings Time are paid for actual hours worked.

### **LOCKERS, COAT ROOMS AND EMPLOYEE LOUNGES**

Coat rooms and/or lockers may be provided for your convenience. Consult with your supervisor for location. The coat rooms and lockers are property of PHS and PHS reserves the right to inspect any person, locker, vehicle, package, purse, handbag, briefcase, lunch box or other possessions carried to, on, and from its property, and to question all persons on its premises. It is expected that you will respect the property rights of others. Presbyterian Homes is not responsible for loss, theft or damage of any personal belongings placed in lockers, coat rooms or employee lounges.

### **ALTERNATE JOBS, PROMOTIONS, & TRANSFERS**

You may work in more than one department or at more than one PHS location as long as your performance is not adversely affected. To be considered for employment in an additional department or location, you must have successfully completed your initial six month evaluation period in your current position and meet the position qualifications of the other department or location, including any required health assessments. If you work in more than one department, or at more than one PHS location, it is your responsibility to inform your primary supervisor of the additional hours you are working and in which department or location. If hours worked in another department or at another location result in overtime when combined with hours worked in your primary department or location, then the hours must be approved in advance by your supervisors.

Presbyterian Homes & Services encourages the promotion of employees when appropriate. To the extent possible, job vacancies will be filled from within PHS through the internal job posting process. Full time and part time openings for positions will be posted internally so qualified employees who have an interest in the position may apply. Some direct departmental promotions/transfers and selected positions may not be posted.

To be eligible for consideration for an open position, your performance must be in good standing and you must have worked at least six months in your current job. Corporate Human Resources may waive this requirement if deemed appropriate. Promotions will be based on a variety of factors, including but not limited to: qualifications, work performance record, attendance records, additional training requirements, demonstrated reliability and commitment to PHS' mission.

A Criminal Background Check and Health Assessment may be required.

### **EMPLOYEE VOLUNTEERS**

Staff are also encouraged to volunteer their time with our residents. However, staff may not volunteer for the same or similar tasks for which they are hired. For example, a recreation therapy or activities staff member may not volunteer to go on an outing or to read to a resident, but a housekeeper may volunteer for these roles. Staff who wish to volunteer on a regular basis should:

- become a registered volunteer
- ensure there is a clear separation between their paid time and their volunteer time
- punch out of the time clock system
- change their uniform if appropriate
- wear their volunteer name tag rather than their staff name tag
- make sure that the volunteer time is not occurring during their scheduled work time

If you have any questions about issues regarding staff volunteers, contact your Site Human Resources or Corporate Human Resources staff.

### **INITIAL EVALUATION (PROBATIONARY) PERIOD**

As a new employee, your performance may be periodically evaluated during the first six months of work to determine your ability to perform the job, to follow instructions, and to interact in a positive fashion with residents, employees, and others. The evaluation period may be extended at the discretion of PHS. The initial evaluation period also applies to an employee transferred or promoted to another job or PHS location.

The purpose of the initial evaluation period is to give you a reasonable opportunity to perform the job for which you have been employed and to give Presbyterian Homes an opportunity to determine whether your employment should be continued. After the initial evaluation period you may receive a written evaluation regarding your performance and whether your employment will be continued. Completion of the initial evaluation period is not a guarantee of continued employment, nor does it alter your at-will employment status at any time.

### **PERFORMANCE SUMMARIES/EVALUATIONS**

It is PHS' policy to evaluate your performance periodically so that you are kept advised of your contributions and progress. You will be evaluated on the key result areas for your position, as well as: personal vision, personal leadership, personal management, interpersonal leadership, and communication. As a general rule, your review will take place annually on or about the anniversary of your hire date or the date of the most recent position change.

So that your performance on the job can be effectively reviewed, you should make sure you understand the work expected of you and the standards of performance that pertain to your job. If you have any questions or concerns about these matters, you should discuss them with your supervisor.

A completed performance appraisal is not a guarantee of continued employment, nor does it alter your at-will employment status at any time.

## **EMPLOYMENT RECORDS**

As an employee of PHS, you are required to complete and update certain employment records and related forms. All records must be completed fully and truthfully. Presbyterian Homes maintains an employment file for each employee. Your employment file may include such information as your job application, resume, records of training, documentation of performance, and other employment records.

Employees and former employees may, upon written request, review and/or obtain a copy of their personnel record at no charge, in accordance with applicable law. Such written requests should be directed to Site Human Resources.

PHS will comply with your written request within 7 working days after receipt of your request, or within 14 working days after receipt of your request if the personnel record is stored outside of Minnesota and you are employed at a PHS site located in Minnesota. If you request to review your personnel record, it will be made available for your review at your job site or other reasonably nearby location. PHS may require that the review take place in the presence of a PHS representative.

If you dispute specific information contained in your personnel record, you and PHS may agree to remove or revise the disputed information. If an agreement is not reached, you may submit a written statement explaining your position concerning the disputed information. You will not be the subject of discrimination or retaliation for asserting your rights or remedies under applicable law relating to the review of your personnel record.

## **EMPLOYMENT VERIFICATIONS**

No information regarding your employment other than verification of job titles and dates will be released in response to a request for a reference. In some circumstances, when written requests are submitted and you have signed an authorization, information related to your earnings and job performance may be released. All requests for information on current and former employees should be forwarded to Site Human Resources. PHS accepts no responsibility for personal references given by its employees.

## **OUTSIDE EMPLOYMENT**

Any outside employment, consulting, and working as an independent contractor, full time or part time, in an activity that interferes with or adversely affects the performance of your duties and responsibilities for, or in the interests of, Presbyterian Homes & Services is prohibited. Working or providing services that might provide service or personal profit to yourself, or to any other person or firm is also prohibited if the work or services:

- provides or uses systems, programs, computer software or technology developed or owned by PHS
- involves the use of PHS information, property or services
- results from your position with PHS

Any exceptions to this policy must be approved in writing, in advance of services being rendered, by the Site Leader or Corporate Director of Human Resources. Violations of this policy may result in corrective action, up to and including termination.

## **NEPOTISM**

Presbyterian Homes & Services understands the potential value of current employee referrals of high-quality, high-integrity individuals for available employment. We believe that often our best source of great, new employees is our current employees.

PHS is also committed not to discriminate in employment actions, with respect to employees, or applicants, on the basis of marital or family status. Standards for hiring, promotion, performance evaluations, salary actions, working conditions or terminations will be handled with objectivity and without regard to factors such as close family relationships.

Therefore, if those referrals are family members, or related through marriage, as defined below—we require that those relationships be disclosed via completion of a Nepotism Disclosure document and submitting said document, before hire, to PHS Vice President of Human Resources for specific approval.

If you are a relative of another employee working for PHS, you will not automatically be denied employment. However, you may not be hired by, or through the direct involvement of, a relative and will not be assigned to positions where a relative may influence your pay, promotion, or other aspects of employment practice. For purposes of this policy, relatives who must be disclosed, and may not be hired by, or report directly to an existing employee include: spouse, father, mother, child, brother, sister, grandparents, grandchildren, aunt, uncle, niece, nephew, the corresponding “step” and in-law relatives, and domestic partners.

There may be other working relationships that would be considered a conflict of interest for PHS. Each situation will be reviewed by Corporate Human Resources on an individual basis.

### **CODE OF ETHICS**

You are required to adhere to the Resident/Client Bill of Rights, the Vulnerable Adults Act of 1981, and other laws and regulations governing Presbyterian Homes' services and its facilities. Honesty and kindness in speech and manner in association with each other and the residents are qualities expected of all employees.

You should not give advice to any resident on personal or financial matters, even if the resident asks for it. Furthermore, you are prohibited from acting as a witness, notary public, or power of attorney to legal matters or transactions that would benefit PHS or yourself unless the Site Leader has given prior written approval. Relationships that exist prior to the employee-resident relationship may be excluded from the policy. Exceptions to this policy may be made by the Corporate Compliance Officer.

### **VOLUNTARY TERMINATION**

Should circumstances require you to voluntarily terminate employment with Presbyterian Homes, it is expected that you will give notice to your supervisor at least 2 weeks before the last day you intend to work. Supervisory and Management level personnel are expected to give at least a 1 month notice. At PHS' discretion, it may waive this notice period and pay you for the expected notice period. Keys and other property of PHS in your possession must be returned by your last day of employment.

### **INACTIVITY**

Except in unusual circumstances, if you have not worked for 12 months, you will be considered to have resigned from your position unless you were on an approved leave of absence for some or all of that time. A letter indicating your termination of employment will be mailed to your last known address.

## **INVOLUNTARY TERMINATION**

PHS may initiate a termination of your employment as a result of policy violations, attendance issues, unacceptable behavior, or other types of unsatisfactory performance, a layoff, or other reasons deemed appropriate. PHS is not required to provide notice of performance problems or other information in advance. Keys and other property of PHS (keys, fobs, phones) in your possession must be returned by your last day of employment.

## **W-2**

To ensure that you will receive your W-2 earnings statement, you should make sure that your correct mailing address is on file in PHS records. If you should move after you are no longer working for PHS, please update your information through Dayforce Self Service.

## **FINAL PAYCHECKS**

The payroll check for your final hours worked may be mailed to your home address on file with Human Resources on the next scheduled payday. You will receive your remaining accrued PTO hours at 100% of their value on your final paycheck. PHS complies with applicable state laws regarding final paychecks.

## **REHIRE**

To be considered for re-employment, you must have left your employment with PHS in good standing. If you are rehired by PHS within 6 months of your termination, you will be credited with your original hire date and lifetime hours worked. You will immediately begin accruing PTO at the rate according to the scheduled hours of your new position. All other benefits are subject to plan provisions as specified in plan documents.

## **PAY, TIMEKEEPING & ATTENDANCE**

### **PAY PERIOD/PAYCHECK**

Each payroll period is two weeks in length beginning Sunday at 12:01 a.m. and ending Saturday at midnight. Paychecks are normally distributed on the Friday following the end of the pay period. You are responsible to review your paycheck for accuracy, and notify your supervisor within the following pay period of any discrepancies. All discrepancies will be processed within a reasonable time frame.

Your paycheck will only be released to you, or your pre-approved designee. You may be required to sign your name indicating that you or your designee have picked up or received your paycheck. You may print your pay stub through Dayforce Self Service.

In the event that you need a paycheck reissued, you may be subject to a waiting period and a replacement/stop payment fee.

### **RATE OF PAY**

Your rate of pay is based on a variety of criteria, which may include your job classification, your work performance, and in some cases, your length of service. Generally pay rates for all positions are reviewed at least annually and any adjustments are subject to the pay administration guidelines.

PHS will not prohibit employees from discussing wages. An employee's wages are personal. Each employee has the right to keep his or her wage information private or to choose to share his or her wage information with others.

PHS will not take any adverse employment action against an employee who chooses to disclose his or her own wages to others, or who discusses another employee's wages if the other employee has already disclosed those wages to the employee.

However, nothing in this policy creates an obligation on the part of any employee to disclose his or her wages. Employees are free to refrain from such discussions and may not be subject to retaliation of any kind for choosing not to discuss his or her wages.

Employees of PHS may at any time bring questions or concerns regarding their pay rate or administration process to their supervisor or the corporate compensation representative.

### **SHIFT PREMIUM PAY**

Standard shifts for employees whose position(s) are eligible for shift premiums are defined as:

6:00 AM – 2:00 PM	1 <sup>st</sup> shift (AM)
2:00 PM – 10:00 PM	2 <sup>nd</sup> shift (PM)
10:00 PM – 6:00 AM	3 <sup>rd</sup> shift (NOC)

Shift premiums are applied to hours worked as defined above.

## **DIRECT DEPOSIT**

Enrollment for direct deposit of your paycheck is available through Dayforce Self Service.

## **TIME CLOCKS/TIME SHEET RECORDS**

In order to maintain accurate records of work hours, all hourly employees must use a designated time clock. Your supervisor will show you where your time clock is located and how to use it. You are responsible to punch in on your designated time clock when you are ready to begin work and punch out immediately upon completing your shift. You are required to punch out when leaving the premises for personal reasons and punch in upon your return (see “Leaving the Building/Off Premises” page 17). All hours worked must be accurately reported on your time record including missed punches, after hours worked, and shift extensions. All employees have access to their time sheet records via Dayforce Self Service. Employees are responsible to verify their time sheet record for all hours worked within the current pay period.

If your position is exempt, you are responsible to enter and review time away from work requests and applicable mileage and expense reimbursements such as paid time off (PTO).

## **PAYROLL DEDUCTIONS**

Federal and State income tax and Social Security and Medicare taxes are required to be withheld from your earnings. Your income tax deduction is based on your gross earnings and the number of exemptions you claim on your Employee Withholding Allowance Certificate (W-4 Form). You may change your withholding allowances through Dayforce Self Service, unless PHS is notified by the IRS that no more changes in withholdings will be allowed. No other deductions will be made without your written permission unless required to do so by court action. You are responsible for notifying your supervisor of any errors in your paycheck within the following pay period.

## **OVERTIME**

Overtime is administered in compliance with applicable federal and state laws and regulations for hourly paid employees.

Overtime is paid at a rate of time and a half and will be paid for hours worked in excess of 40 hours in a single week (Sunday through Saturday).

You may be asked to work overtime to meet operational needs on some occasions. No overtime may be worked unless your supervisor approves it in advance. If you work overtime without receiving prior authorization from your supervisor, you may be subject to corrective action, up to and including termination.

If you are an hourly paid employee, you will be paid two times your regular rate of pay for hours worked on a holiday and these hours will be included in overtime calculations.

Holidays that are not worked, bereavement leave hours, jury duty hours, paid time off (PTO) and sick pay (formerly EST / Extended Sick Time) which fall during the normal work week in which overtime hours are worked are excluded as time worked in computing overtime.

## **SALARY DEDUCTION POLICY**

If you are a salaried exempt employee, you are paid a weekly guaranteed salary for all hours worked. Salaried exempt employees are not eligible for overtime.

PHS complies with the salary basis requirements of the FLSA and applicable state laws. If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor or Human Resources. Reports of improper deductions will be promptly investigated and reimbursed as appropriate.

## **MEALS AND BREAKS**

An employee dining room or employee break room is provided for your meals and breaks. You may bring your meal or utilize the facilities provided. Beverages and food are to be consumed in designated areas only. Your mealtime is scheduled by your supervisor to accommodate resident and site needs. Scheduled meal breaks will automatically be subtracted from your time record. If you are an hourly employee and work 6.5 or more hours on a given shift, you are required to take a non-paid half hour meal break. Non-paid half hour meal breaks for shifts less than 6.5 hours are at the discretion of the supervisor. When taking meal breaks off premises, you must obtain prior supervisory approval and punch out and in on the time clock (see “Leaving the Building/Off Premises” page 17). If you are unable to take your meal break or your meal break is interrupted because of a work-related emergency or issue, punch out using the waive meal option and contact your supervisor to ensure that your meal break will be paid.

You may have a paid 15-minute break for each four hours worked.

Example 1: If you are scheduled to work 8 hours with a non-paid half hour break (i.e. paid for 7.5 hours), you may have one paid 15-minute break during your shift

Example 2: If you are scheduled to work 8.5 hours with a non-paid half hour break (i.e. paid for 8 hours), you may have two paid 15-minute break during your shift

Based on operational needs your supervisor may elect to combine your breaks on a given shift. Your breaks are to be taken in the employee dining room, employee break room or in designated areas approved by your supervisor. Taking breaks in non-designated areas requires prior supervisory approval and may require punching out and in at the discretion of your supervisor. In some situations, your supervisor may suspend breaks to meet operational needs; however, non-exempt employees will be provided adequate time within each four consecutive hours of work to use the nearest convenient restroom. If you are not able to take a 15-minute break during your shift, you will not receive any additional compensation for missed breaks. Breaks may not be added to your mealtime or subtracted from the end of your shift without supervisory approval.

PHS will allow an employee who needs to express breast milk for her infant child (up to one year of age) reasonable break time to do so. If possible, the break must run concurrently with the employee’s regularly scheduled break or lunch time. In that case, the break will be paid according to PHS’ regular break time policy. If the employee must take the break at a time other than her regularly scheduled break, the break time will be unpaid for non-exempt employees unless the employee has received prior approval from her supervisor.

PHS will provide a room or location, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public that includes access to an electrical outlet in the close proximity to the employee’s work area, where the employee can express her milk in privacy.



## **COMMON AREAS**

Lounges, courtyards, wellness centers, and all common areas belong to the residents and their invited guests. Your use of these areas should be with discretion. Sites may designate areas that are for resident use only. If you are occupying a lounge, courtyard area, or wellness center during a break, or before or after work hours, and a resident or invited guest desires to use the area, you are expected to extend the courtesy of deferring to the resident. Abuse or misuse of furniture, grounds, and equipment will not be tolerated and may result in corrective action, up to and including termination.

## **LEAVING THE BUILDING/OFF PREMISES**

There are occasions when you would like to leave the building or premises during your work shift for your unpaid meal break, paid breaks, or for personal reasons. Because of our special responsibility of caring for vulnerable adults, for security/safety purposes, when leaving the building for a break, you must punch out at the time clock to indicate you are not on site during your shift. Prior supervisor approval to leave the building for a break is required.

We must ensure that a satisfactory number of employees of each job position are available to safely operate the department/site, and the quality of care we provide to our residents is not compromised. Therefore, some employees with certain specialties or job responsibilities may not be eligible to leave the premises at particular times if their absence would jeopardize care levels for our residents.

## **ATTENDANCE POLICY**

Your presence on the job during your scheduled work time helps ensure the proper care for our residents and clients as well as maintaining a team oriented work environment. Regular attendance and punctuality is considered an essential function of your job.

You will be scheduled to work according to the needs of the site and residents. It is important that you plan ahead for any time that may result in missing scheduled work. However, it is understood that there may be times of unplanned absences or tardiness. This policy allows you to have a specified number of unplanned absences without any negative outcomes. Each department has an approved set of guidelines for how planned time away from scheduled work will be approved. It is your responsibility to be familiar with the departmental guidelines as well as this policy.

The following definitions will be used for recording your attendance:

### **Presence:**

Your presence during your scheduled work time and location will be recorded through your time clock/time sheet entries.

### **Planned Absence:**

Time away from scheduled work that has been pre-approved by your supervisor is a planned absence. A planned absence includes pre-approved Paid Time Off (PTO), Personal Leaves of Absence, Family and Medical Leaves of Absence (FMLA), and other Leaves of Absence.

### **Unplanned Absence:**

You will be considered absent any time you are away from your scheduled work time and/or work location that has not been pre-approved by your supervisor (excluding work-related injuries).

### **Arriving Late or Leaving Early:**

You are expected to be on the job ready to work at the time scheduled. Regular and punctual attendance at work is considered an essential job function. Attendance points accrue as follows:

- 1 point will be recorded if you report to work anywhere from 8 minutes late to half of your scheduled shift or if you leave early (unplanned, but with your supervisor's permission) and miss less than half of your scheduled shift.
- 2 points will be recorded if you miss more than half of your scheduled shift.
- If you are sent home early for business reasons, no absence will be counted.

**No Call No Show:**

A No Call No Show will be recorded for each shift that you do not report to work and do not call to report your absence within 1 hour following your scheduled start time.

**Spell of Illness or Injury:**

When you have consecutive unplanned (more than one) days of absence for the same illness or injury for yourself or your dependent family member (child, spouse or parent) you will have one absence recorded. It will be considered the same illness/injury if you return to work for up to and including one full shift and become ill with the same illness/injury. It is expected that you will frequently update your supervisor during your absence so that appropriate provisions may be made for staffing coverage purposes.

For your own illness or injury, you may be required to consult with the Employee Health Nurse (EHN) and to provide a doctor's note for your safe return to work. A doctor's note may be required after you have missed three consecutive scheduled work shifts. A doctor's note does not excuse an unplanned absence. When your spell of illness or injury lasts for more than three scheduled work days, the necessity for a leave of absence may be assessed through coordination with Human Resources, your supervisor and/or Employee Health and the PHS Leaves Administrator.

In order to comply with the Genetic Information Nondiscrimination Act, if you are asked to provide a doctor's note, PHS asks that it not include any genetic information about you or your family members, including your family medical history, the results of your or your family members' genetic tests, the fact that you or your family member(s) sought or received genetic services, and genetic information of a fetus carried by you or your family member or an embryo lawfully held by you or a family member receiving assistive reproductive services.

**Attendance Recording:**

Attendance will be tracked on a 12 month rolling period date to date, beginning with hire. Your supervisor maintains an individual attendance record for you. PHS maintains one attendance record for you, regardless of which location or department you work in. If you transfer to a different PHS location or department, your attendance record will transfer with you.

1. 2 points will be recorded for each instance of an unplanned absence.
2. 2 points will be recorded for a No Call No Show.
3. 1 point will be recorded for arriving late or leaving early.
4. An absence will not be recorded if you replace yourself on the department schedule in accordance with department procedures. If the agreement to replace a co-worker or "trade shifts" would result in overtime for either employee, advance approval of your supervisor is required. The approval may or may not be granted by your supervisor.
5. A request to leave early or come late is subject to your supervisor's approval. Communicate with your supervisor as early as possible to ensure quality care for residents/clients.

6. An absence will not be recorded for the date of a work-related injury, or any subsequent absences related to the same work-related injury, provided that doctor's restrictions cannot be met or the doctor has stated that you are incapable of working.
7. Attendance problems identified during your initial six month evaluation period for any position may be addressed outside of this policy.
8. First No Call No Show will result in a written warning. Two No Call No Shows (including two or more consecutive shifts) within a 12 month rolling period will result in your termination.
9. Termination will also occur if you have reached the point of a third written warning related to absenteeism within 12 rolling months or have reached the point of a second suspension for absenteeism within 12 rolling months.

**Consequences:**

The following guidelines will be used in addressing attendance:

Point Levels	Then you will have the following corrective action:
10 recorded points in a rolling 12-month period	A documented verbal warning will be given by your supervisor.
14 recorded points in a rolling 12-month period	A documented written warning will be given by your supervisor.
16 recorded points in a rolling 12-month period	A documented unpaid suspension will be given by your supervisor. The Site Leader or Human Resources will review all documentation prior to your suspension.
18 recorded points in a rolling 12-month period	A documented termination will be given by your supervisor. The Site Leader or Human Resources will review all documentation prior to your termination.

\* A suspension is defined as the next scheduled shift(s) for attendance purposes.

## **BENEFITS**

PHS offers a variety of benefits including Medical, Dental, Basic Life and AD&D, Voluntary Life & AD&D, Voluntary Long Term Disability (LTD), Flexible Spending Accounts (FSA), Health Savings Account (HSA), Retirement Savings & Investment Plan, Cash-in-Lieu, Paid Time Off (PTO), Holiday Pay, Sick Pay (formerly EST / Extended Sick Time), Adoption Assistance, PHS Education Assistance Scholarship Program, personal and professional development curriculum and an Employee Assistance Program.

You and your dependents, as defined by the plan, are eligible for the medical and dental insurance coverage beginning the first of the month coincident with or following the waiting period of one full calendar month of continuous active full time employment. You can apply for coverage anytime from your date of full time employment up until your coverage effective date. If you apply on or after your eligibility date, your coverage may be delayed until the next annual enrollment period.

**Contact your Site Human Resources for detailed information and eligibility requirements.**

### **PAID TIME OFF (PTO)**

Paid Time Off is paid time away from work that can be used for vacation, illness and personal time off; designed to include 5 days of discretionary sick time and the remaining time for vacation/personal. Should you not use the 5 days for discretionary sick, you may use them for the other intended purposes. You accrue PTO benefits based on all hours paid by PHS except overtime. When you use your PTO, you are paid at your current base pay rate including applicable lead premiums. As a full time employee, you start accruing PTO at your date of full time employment. For extended illnesses, you may be eligible to use available Sick Pay (see Sick Pay on page 22).

You may begin using your accrued PTO benefits in the pay period after you complete 1 month of full time employment. As a full time employee, your PTO accrual rate will change in the pay period after you have completed 4 years of service and again in the pay period after you have completed 11 years of service.

The following PTO Table displays the accrual rates for a full-time employee working 80 hours per pay period. If you work less than 80 hours per pay period you will accrue PTO benefits on a prorated basis.

**Based on Full Time (80 hours) PTO Accrual Table**

<b>Years of Service</b>	<b>Vacation/ Personal (days)</b>	<b>Discretionary Sick (days)</b>	<b>Total Days</b>	<b>Accrual Rate Per Hour</b>	<b>Accrued Hours Per Pay Period (based on 80 hours per pay period)</b>	<b>Cash-In-Lieu Accrual Rate Per Hour</b>	<b>Cash-In-Lieu Accrued Hours Per Pay Period</b>
Through 4 <sup>th</sup> Anniversary	10	5	15	.0577	4.616	.0173	1.384
Through 11 <sup>th</sup> Anniversary	15	5	20	.07692	6.1536	.0269	2.152
After 11 <sup>th</sup> Anniversary	20	5	25	.0962	7.696	.0365	2.92

If you are scheduled to work less than 80 hours per pay period, your Accrued Hours Per Pay Period equals all hours paid by PHS, except overtime, multiplied by your Accrual Rate per hour.

If you transfer to full time status (from part time, on call or casual) and have been continuously employed by PHS for at least 1 month you are immediately eligible for PTO accrual. You may begin using your accrued PTO benefits in the pay period following your change to full time status.

If you are a part time employee, you start accruing PTO benefits in the pay period after you have completed 4 years of continuous employment. Your accrual rate is .05385 per hour worked.

If you are an on call or casual employee you are not eligible to accrue PTO benefits.

Employees who are participating in the Cash-In-Lieu Benefit accrue PTO at a reduced level.

You accumulate PTO hours on an ongoing basis; your balance will be reflected on your paycheck after completion of your benefit eligibility period. When taking time off from scheduled work, full time and part time employees must use available PTO to meet approved scheduled hours. Your PTO balance cannot go below zero, and you cannot borrow against unearned PTO.

The maximum amount of PTO hours that you may accrue is determined by your years of service. You may accrue above the maximum; however, any hours over the maximum will be forfeited in the pay period following October 1st of each year. It is your responsibility to monitor your PTO balance and the risk of forfeiting any unused hours over your maximum.

The following chart summarizes the accrual maximums for all employees:

<b>Years of Service</b>	<b>Maximum PTO Accrual Limits</b>
Through 4 <sup>th</sup> Anniversary	200
Through 11 <sup>th</sup> Anniversary	260
After 11 <sup>th</sup> Anniversary	320

### **PTO Low Census**

An employee going home or being called off due to Low Census (LC) must use PTO to meet 60 hours and may elect to use additional PTO to meet approved full time scheduled hours. Part time employees may elect to use PTO to meet approved part time scheduled hours.

### **PTO Cash In**

You may cash in up to a total of 33% of your PTO balance each fiscal year by submitting a PTO Cash-In Request Form to Site Human Resources. Your PTO will be cashed in at a value based on your completed years of service. Your cash in rate is your current base rate of pay in your primary job including applicable shift and lead premium. Employees who are participating in the Cash-In-Lieu program are not eligible to cash in PTO, however, you may cash out for the purposes of directing donations to the PHS foundation Your cash in rate is multiplied by your cash in value to determine your gross dollar amount.

The following chart summarizes the cash in values:

<b>Years of Service</b>	<b>Cash In Value</b>
Through 4 <sup>th</sup> Anniversary	75%
Through 11 <sup>th</sup> Anniversary	90%
After 11 <sup>th</sup> Anniversary	100%

PTO hours which have been cashed in, like PTO hours which are used, are not considered hours worked for purposes of calculating overtime and are considered taxable compensation.

### **PTO Payout**

At the end of your employment, your PTO balance will be paid at 100% of its value (base rate of pay in primary position including any applicable lead premium). A vacation or use of accrued PTO may not be used to extend your employment resignation/termination date.

### **PTO Donation**

You may transfer/donate up to 50% of your accrued PTO hours to another current employee under special circumstances. PTO may be transferred or donated to employees who have exhausted all of their available PTO and are on an extended medical leave which lasts more than two weeks or have been affected by a natural disaster (fire, flood, tornado, etc). Each individual circumstance will be evaluated by your Site Leader for advanced approval. Contact your Site Human Resources for more information.

### **PAY FOR OTHER ABSENCES**

The first three (3) scheduled workdays of any lost time because of illness, accident, non-work injury or work injury must be paid from your PTO account balance, if available.

After the third day of lost time for non-work illness and accidents, you may be paid out of your Sick Pay account balance, if available.

Before returning to work following a work-related or non-work-related illness or injury, you may be required to meet with your Employee Health Nurse to discuss your safe return. You may also be required to provide a Fitness-for-Duty assessment before returning to work.

### **Sick Pay**

Sick Pay benefits are available for your illness or injury and for the illness or injury of your spouse, dependent or adult child, sibling, parent, grandparent, grandchildren or stepparent, mother-in-law and father-in-law.

Employees are allowed to use Sick Pay for the purpose of providing or receiving assistance because of sexual assault, domestic abuse or stalking. Sick Pay is accrued while working as a full time employee and is available to be taken while working as a full time or part time employee.

Sick Pay benefits are available for use in the pay period after you have completed 1 month of full time employment. As a full time employee, you accrue Sick Pay benefits at the rate of .0192 hours per hour worked (equivalent to 40 hours a year if you work 80 hours a pay period).

Sick Pay will be paid at your current base pay rate including applicable shift or lead premiums for the fourth day and following consecutive scheduled days, regardless of scheduled hours per day missed.

While on an approved Family and/or Medical Leave Absence, Sick Pay benefits are available for consecutive and nonconsecutive scheduled days missed for absences relative to your certification. Sick Pay benefits should not duplicate benefits paid through PTO or Worker's Compensation.

Accrued Sick Pay benefit hours will be forfeited upon the end of employment and/or your status change to on call or casual. If you return to full time or part time employment within 12 months, your Sick Pay balance will be fully reinstated.

**HOLIDAYS**

Presbyterian Homes recognizes 7 paid holidays per year as follows: New Year’s Day, Easter, Memorial Day, Independence Day (July 4th), Labor Day, Thanksgiving Day, and Christmas Day.

	<b>Recognized Holidays</b>		<b>Defined Holiday Hours</b>	<b>Duration</b>
1	New Year’s Eve/Day		2pm Eve – 2pm Day	24 hr
2	Easter		10pm Eve – 10pm Day	24 hr
3	Memorial Day		10pm Eve – 10pm Day	24 hr
4	Independence Day		10pm Eve – 10pm Day	24 hr
5	Labor Day		10pm Eve – 10pm Day	24 hr
6	Thanksgiving Day		10pm Eve – 10pm Day	24 hr
7	Christmas Eve/Day		2pm Eve – 10pm Day	32 hr

**Holiday Pay:**

**Holiday Worked Benefit** = 2x your regular pay (Holiday Pay plus regular pay for working defined holiday hours as noted above)

**Holiday Not Worked Benefit** = 1 x your regular pay

The value of the **Holiday Worked Benefit** is determined by your rate of pay, including applicable shift and lead premiums as defined on your Employment Agreement.

If you are a full time hourly employee you are eligible for the **Holiday Not Worked Benefit** after completion of 1 month of employment. Full time hourly employees who do not work on the holiday will be paid for their regularly scheduled hours for that holiday (i.e. if normally scheduled to work 9 hours for that day/shift, you receive 9 hours of **Holiday Not Worked Benefit**). If you are a full time exempt employee, you are eligible for **Holiday Not Worked Benefit** upon hire.

If you transfer to full time status (from part time, on call or casual) and have been continuously employed by PHS for at least 1 month you are immediately eligible for **Holiday Not Worked Benefit**.

**Holiday Worked Benefit** is available to all hourly employees upon hire. Exempt employees are not eligible for Holiday Worked Pay. Any hours worked during the holiday, or paid as **Holiday Worked Benefit**, will reduce your **Holiday Not Worked Benefit**. If you receive your holiday benefit as **Holiday Worked Benefit** you are not eligible to take another day off as **Holiday Not Worked Benefit**. You may, with prior supervisor approval, take a day off within the same pay period as unpaid or use available PTO to be paid.

If you are a full time employee, you are eligible for holiday pay regardless of whether or not you are scheduled to work on the specific observed holiday. If you are not scheduled to work on the specified holiday you are, with the approval of your supervisor, allowed to take another regularly scheduled day off as your holiday. Any flexible scheduling to accommodate this must not result in overtime pay, and must be taken within the same pay period as the observed holiday, or the pay period immediately preceding or following the pay period of the observed holiday.

Employees may not be eligible for either **holiday worked or holiday not worked benefit** if absent without supervisor approval on the last scheduled shift before the holiday or first scheduled shift after the holiday. While on an unpaid leave, you will not be paid for holidays not worked.

If you are scheduled to work on the holiday and do not work, you will be required to use available PTO for hours not worked.

### **LONGEVITY RECOGNITION**

When you have served ten (10) or more years of continuous service and are resigning or retiring in good standing, you will receive a recognition gift of \$10.00 for every year of service. This gift will be paid to you on a check separate from your last hours worked paycheck.

### **CONTINUATION OF INSURANCE COVERAGE (COBRA)**

You and your dependents covered under certain PHS' group insurance benefit plans may elect to continue coverage upon certain "qualifying events", such as a reduction in hours resulting in ineligibility for benefits or termination of employment.

If covered under group insurance programs you must notify Site Human Resources of changes in status during your employment which could result in a change in eligibility for benefits for yourself or your dependents including a divorce or legal separation, a dependent child who exceeds the maximum age for coverage or who married, or if you become eligible for Medicare as your primary carrier, leaving dependent family members without coverage. Information on you or your dependents right to continue coverage and the cost of such coverage will be provided.

Eligible employees must apply and timely pay premiums to obtain and continue continuation coverage. If you elect to participate in continuation coverage, you will be required to pay the full cost (employee and employer contributions) of insurance premiums plus an administrative fee.

**If you have any questions about continuation of coverage please contact Site Human Resources.**

### **MILEAGE**

Your mileage expenses may be reimbursed if you use your own vehicle to conduct business for PHS or attend approved business related meetings. Eligible mileage includes those miles driven above and beyond your normal commute to and from your workplace. For reimbursement, a mileage reimbursement form must be signed by your immediate supervisor and will be processed with your regular paycheck.



## **YOUR TIME AWAY FROM WORK**

As an employee you are expected to fulfill your employment commitment per your employment terms for schedule and hours of work. As an Employer of choice, PHS wants to achieve a balance between the needs of the organization and your needs as an employee.

You must use available PTO for the first 3 days of approved absences. This includes worker's compensation related absences. For all leaves it is your responsibility to communicate with Site Human Resources and/or the PHS Leave Administrator. If you know in advance that you will be seeking a Medical Leave you must notify your supervisor at least 30 days in advance. If circumstances require that the leave begin in less than 30 days, you must notify your supervisor as soon as practical.

If you fail to provide requested medical certification or fail to respond to reasonable requests for information, your leave may not be approved. You will be off on an unapproved leave and your employment may be terminated. If you do not return to work at the end of your approved leave and have failed to communicate in a timely manner your employment may be terminated.

### **FAMILY MEDICAL LEAVE ACT**

Federal Family and Medical Leave of Absence (FMLA) is a leave of absence available to you, if you qualify, for up to 12 work weeks of unpaid leave in any 12 month period (or up to a total of 26 work weeks in a single 12 month period for Service member Caregiver Leave). The 12 month period is calculated by the 12 month period measured forward from the date your first Federal FMLA leave begins.

You are eligible for FMLA if you have been employed by PHS for at least 12 months and have worked at least 1,250 hours during the 12 month period immediately preceding the leave.

You are required to use any accrued PTO and Sick Pay during your Federal FMLA leave when taking time for your illness or injury and for the illness or injury of your spouse, dependent child or parent as defined by FMLA. Other qualifying FMLA leaves not involving an illness or injury will require you to use only accrued PTO.

**Contact Site Human Resources or the PHS Leave Administrator for a copy of the complete policy.**

### **MEDICAL LEAVE**

A medical leave may be available to you if you need time away from work for your own medical circumstances and you are ineligible for FMLA leave. Medical leave is an unpaid leave and is granted at the discretion of PHS. The decision to grant the leave and the length of any leave granted will be based on health care provider certification and business operational needs and will be determined on a case-by-case basis.

You will be required to supply documentation from your health care provider supporting the need for a medical leave prior to the start of the leave or as soon as practical for unforeseen medical circumstances. The health care provider documentation must address the reason for the leave, and anticipated duration. PHS reserves the right to request additional information to support the need for your leave. The PHS Leave Administrator will coordinate communication between you and PHS concerning your request for medical leave.

Although medical leaves are unpaid, you are required to use available PTO and Sick Pay. While on an unpaid leave, you will not accrue PTO, Sick Pay, or be paid for holidays not worked, bereavement leave, or jury duty leave.

### **PERSONAL LEAVE OF ABSENCE**

A Personal Leave of Absence (PLOA) is an unpaid leave of absence for personal reasons that are not covered under another type of leave. A personal leave of absence form must be completed and approved by your supervisor and Site Human Resources prior to the start of your personal leave of absence. The decision to grant the leave and the length of any leave granted will be based on business operational needs and will be determined on a case-by-case basis.

Because personal leaves are unpaid, you are required to have exhausted all available PTO prior to starting any unpaid PLOA. While on an unpaid leave, you will not accrue PTO, Sick Pay, or be paid for holidays not worked, bereavement leave, or jury duty leave.

When you are on an unpaid PLOA, there is no guarantee that you will be returned to the same job with the same pay, benefits, and terms and conditions of employment at the end of your leave. Should your time off extend beyond the end of your approved leave and you do not have written supervisory approval to extend your leave, your employment may be terminated.

During an unpaid PLOA, you may elect to continue benefit coverage at the full cost (employee and employer contributions) of insurance premiums. Failure to make timely payments for any benefits you elect to continue while on an unpaid leave of absence may result in the termination of your benefits.

### **BEREAVEMENT LEAVE**

PHS provides paid time off if you experience the death of a family member. You are eligible for this benefit immediately upon hire. Up to three scheduled calendar days paid bereavement leave will be available for the death of your spouse, child, brother, sister, mother, father, mother-in-law, father-in-law or corresponding step relations. You must be an active employee to receive bereavement benefits, and leave must be taken within 14 calendar days of the notification of death.

One day paid bereavement leave will be available for the death of your grandmother, grandfather, grandchild, direct “great” relations, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, son-in-law, or grandparent in-law.

Bereavement leave is paid only if you are scheduled to work and for the number of hours scheduled. Employees on an unpaid leave of absence are not eligible for bereavement leave pay. If you are on an approved paid leave of absence, you are eligible to use bereavement leave in place of PTO and/or Sick Pay. All requests for bereavement leave are to be approved by your supervisor in writing prior to your being absent. You may be required to provide documentation to verify the leave before receiving bereavement pay.

### **JURY DUTY LEAVE**

Serving on a jury is a fundamental responsibility of citizenship. If summoned to serve on a jury, you should immediately provide your supervisor a copy of the summons and make arrangements for the time away from work. Documentation of attendance may be required.

**For Federal Jury Duty contact Corporate Human Resources.**

## **MILITARY LEAVE**

If you are a PHS employee who enlists, is drafted, or is recalled to active service in the armed forces of the United States, you will be granted a military leave without pay in accordance with state and federal law. You may be granted unpaid military leave to participate in activities of the National Guard or the Reserves in accordance with state and federal law. You are not required to use accrued PTO while gone from work on a military leave. You are required to notify your supervisor of your intent to return to work as soon as possible. See Site Human Resources to coordinate your leave and continuation of benefit coverage.

Other types of leaves for employees that have family members serving in the military may be provided by law. See Site Human Resources for more information.

## **SCHOOL CONFERENCES AND ACTIVITIES**

If you have worked for PHS for at least 12 consecutive months you may take up to 16 hours of unpaid leave during any 12 month period to attend school conferences and school related activities related to your children, if the conferences or school related activities cannot be scheduled during non-work hours. You must provide reasonable prior notice of the leave to your supervisor and make a reasonable effort to schedule the leave so as to not unduly disrupt the operations of your department. You may use any accrued PTO while missing work for school conferences and/or activities.

## **VOTING**

PHS encourages you to exercise your right to vote, and provides employees with time off to vote in accordance with applicable state law. Employees are required to make arrangements with their supervisor for time off to vote at least three days prior to the election.

## **CRIME VICTIMS AND WITNESSES LEAVE**

As a PHS employee, you are eligible for Crime Victims and Witnesses Leave upon hire. Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with applicable state law. You are expected to give 48 hours advance written notice of the need for the leave except in unforeseeable extreme circumstances. All information related to the leave will be kept confidential, separate from your employment file. You are required to use available PTO while missing work for Crime Victims Leave. See Site Human Resources for more information.

## **ST. PAUL EARNED SICK AND SAFE TIME**

Effective July 1, 2017, employees working at least 80 hours per year in the City of St. Paul are generally covered by the St. Paul Earned Sick and Safe Time Ordinance. Any employee working in St. Paul should have received a notice of their rights under the St. Paul Sick and Safe Time Ordinance. The notice is also available by contacting Human Resources.

## **ADDITIONAL LEAVES**

Other Leaves you may be eligible for but not limited to:

Bone Marrow Leave (Minnesota)

Bone Marrow Leave (Wisconsin)

Family and Medical Leave (Wisconsin)

Parental Leave (Minnesota)

Pregnancy Disability Leave (Iowa)

Safety Leave (Minnesota)

Service in Elective Office Leave (Iowa)

## **YOUR RESPONSIBILITIES AS AN EMPLOYEE**

### **APPEARANCE AND UNIFORMS**

Personal appearance is important in representing PHS to our residents, family members, visitors, other customers and co-workers. In our working environment, modesty is the norm. Clothing should be appropriate for your job. Your choice of dress and appearance needs to be respectful of the values and expectations of those we serve and with whom we work.

Appearance is to be conservative, not offensive or a distraction to others and must meet department specific guidelines for infection control, hygiene and safety (this includes clothing, footwear and socks, hats, hair/nails, tattoos/ piercing / body odors).

With the approval of the Site Leader, there may be situations or special occasions or events where dress and appearance may deviate from this policy. Any designated “casual days” must be consistent with the intent of this policy. Certain departments may be directed or choose to wear uniforms that are functionally identifiable according to industry practices. See your supervisor regarding your department’s policy.

Notwithstanding anything in this policy, clothing, including but not limited to headwear and jewelry, which is required by an employee’s sincerely held religious belief or practice is permitted unless it would be an undue hardship to do so or would compromise the safety of the employee or others.

If you do not follow this policy, you will be sent home from work without pay and may be subject to corrective action, up to and including termination.

### **NAME BADGE**

A name badge is provided to you upon your employment and is a part of your work uniform. You are expected to wear your name badge while on duty to help residents, other employees, and visitors identify you. There may be a charge for replacing your name badge. Failure to wear your name badge properly may result in corrective action.

### **USE OF EQUIPMENT/KEYS**

When using PHS property, you are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

The electronic communication systems in use by PHS are the sole property of PHS. This includes, but is not limited to, our computer network, computer equipment, email, internet, intranet and web site(s). The systems are intended to be used primarily for PHS related business in support of our mission and ministry.

All communication made through these systems, and all material placed on them, must conform to the policies defined in the Information Technology Section of the Employee Handbook (page 56). Only authorized users are allowed to access the systems and any data on them; however, all employees who are given or have gained access to the systems are subject to the policies as defined in the Information Technology Section of the Employee Handbook.

You are to notify your supervisor if any equipment, machines or tools appear to be damaged, defective, lost or in need of repair. Prompt reporting of damages, effects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Your supervisor can answer any questions about your responsibility for maintenance and care of equipment used on the job.

Misuse of PHS property such as keys, garage door openers, access fobs, etc. is prohibited. Violations of this policy are subject to corrective action, up to and including termination.

### **CHANGE OF PERSONAL INFORMATION**

If you change your name, address, telephone number, family or marital status, it is your responsibility to update your information using Dayforce Self Service. Any change in your family or marital status is to be updated for paycheck deduction and benefit coverage purposes.

### **SOCIAL SECURITY**

Your legal name on file for payroll purposes must match your name as indicated on your social security card. If you change your name, it is your responsibility to update the Social Security Administration with this change, update your employee record using Dayforce Self Service and provide proper identification to Site Human Resources. The name change will be updated when this process is completed.

### **STANDUP**

"StandUP" is a short communication session held with all employees every shift, every day. We do StandUP at PHS because we value building culture and improving communication. StandUP is used to share site news, department updates, organizational announcements, work expectations, business goals and various aspects of PHS' culture like having an opportunity to pray together. It is a commitment to direct, face-to-face communication and team building. When you are at work you are expected to take part in StandUP so you are better equipped to care for and honor those we serve. StandUP is led each day by volunteer facilitators and all employees are encouraged to facilitate StandUP as they are comfortable.

In addition to StandUP, PHS may use bulletin boards, email, [www.thevinephs.org](http://www.thevinephs.org) and other forms of internal communication to share information with you. Personal use of the bulletin boards, email, and other forms of internal communication by employees is permitted only with advance approval of the Site Leader and in accordance with PHS' policies.

### **COMMUNICATION PROCESS**

PHS encourages ongoing, open communication. Your thoughts, ideas, and suggestions are valued and relied upon and are an important part of our operations.

We want you to have a clear understanding of our practices and policies and to routinely ask questions and suggest solutions to improve resident care, working conditions, communication processes, use of resources, and to make PHS a better place to work. You are encouraged to maintain an open dialogue with your supervisor and discuss any comments, questions, or concerns with them or your Site Leader.

## **PROBLEM-SOLVING PROCESS**

Working effectively together is essential for providing efficient services to residents and ensuring satisfaction with your job, your surroundings and your co-workers. You are expected to work in harmony with your fellow coworkers and your supervisor. Occasionally you may be dissatisfied with some aspect of your work. If this happens, you should follow the procedure below. A reasonable time frame for a response/resolution should be agreed upon between all parties involved, which may vary depending on the circumstances.

- You should discuss your job related problem, question or complaint with your supervisor. You may be asked to put your concern in writing.
- If you have not received a response or update regarding your concern within the agreed upon timeframe (no more than working 10 days), you may take your concern to Site Human Resources or your Site Leader.
- If you have not received a response or update regarding your concern within the agreed upon timeframe (no more than working 10 days), you may take your concern to the Regional Operations Director or Regional Human Resources Manager.
- If you have not received a response or update regarding your concern within the agreed upon timeframe (no more than working 10 days), you may take it to the Corporate Director of Human Resources.
- If you have not received a response or update regarding your concern within the agreed upon timeframe (no more than working 10 days), you may take it to the President and CEO, whose decision is final and binding.

If you are uncomfortable discussing the matter with any of the above individuals, you may take the matter to the next higher level or contact the Corporate Compliance Officer at 651-631-6168 or 1-844-761-0287.

## **SOCIAL MEDIA POLICY**

PHS has established the following guidelines for appropriate use of social media.

### **GUIDELINES**

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with PHS.

You are solely responsible for what you post online. Before creating online content, consider the risks that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of PHS or PHS’s legitimate business interests may result in corrective action up to and including termination.

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to corrective action up to and including termination.

### **Be Respectful**

Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of PHS. Keep in mind that you are more likely to resolve work-related complaints by speaking directly with an individual than by posting complaints to a social media outlet.

Refrain from using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, employees or vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be Honest and Accurate**

Be honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post rumors or any information that you know to be false about PHS, fellow employees, customers, suppliers or people working on behalf of PHS or competitors.

### **Post Only Appropriate and Respectful Content**

Maintain the confidentiality of PHS private or confidential information. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Do not post launch dates, release dates, or pending reorganizations.

Do not create a link from your blog, website or other social networking site to a PHS website without identifying yourself as an employee.

Express only your personal opinions. Never represent yourself as a spokesperson for PHS. If PHS is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of PHS, fellow employees, members, customers, suppliers or people working on behalf of PHS. If you do publish a blog or post online related to the work you do or subjects associated with PHS, make it clear that you are not speaking on behalf of PHS. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of PHS."

You are prohibited from posting any content that is considered PHI (Protected Health Information), including resident names, images, and diagnoses, without a written authorization for the use and disclosure of the information from the resident/resident's legal representative.

### **Personal Social Media Accounts**

To minimize the risk of inadvertent privacy and ethical violations, PHS discourages personal 'friending' of residents, clients, resident or client family member, or other non-PHS private caregivers. Engagement with PHS-managed social media accounts is encouraged, as the content on these PHS-managed accounts is reviewed and approved by PHS employees responsible for verifying appropriateness and proper permissions.

### **Using Social Media at Work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager. Do not use PHS email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Media Contacts**

Employees should not speak to the media on PHS's behalf. All media inquiries should be directed to your Site Leader.

## **Enforcement**

Report any violation, or possible or perceived violation to your Site Leader.

## **TELEPHONE: CELLULAR AND LAN/DESK PHONES ACCEPTABLE USE POLICY**

All telephone communication systems, and all communication and information transmitted by, received from, or stored in these systems are the property of PHS and, as such, are to be used primarily for job-related communications.

**Principles of Use:** Prohibited uses of telephones and voice mail include, but are not limited to, soliciting outside business ventures, advertising for personal enterprises or soliciting for non-PHS-related purposes. This policy does not prohibit personal messages of a social nature, which do not contain otherwise prohibited content.

Only designated telephones may be used for personal calls. No personal long distance phone calls may be made from PHS phones.

PHS Employees are not to use PHS' telephone or voice mail systems in any way that may be threatening or harassing to others, including, but not limited to, the transmission of sexually explicit messages, cartoons, ethnic or racial slurs, or anything that may be construed as harassment on the basis of any protected class status.

Resident phones are not to be used by employees for personal calls at any time.

## **Photographs and Videos**

It is never appropriate to take photographs or videos of residents or clients with personal or PHS Corporate phones or devices without written consent. Residents or clients must give written permission through a PHS consent form before any photographs or videos are taken. This includes but is not limited to site activities, birthday parties, holiday parties, etc. and is applicable to all staff, residents, patients, clients, contract/pool agency staff, students and volunteers.

From time to time your picture may be requested for internal purposes such as security, identification for employees, customers and residents, for our company intranet or internally distributed communications. Additionally, we may capture your image at events at our sites that may be published and accessible to the general public. If you object to the use of your image in any of these ways, please contact your Site Human Resources Representative and we will seek to address your concerns.

However, if you are featured individually in an externally directed communication released to the general public, we will obtain your specific consent with a media release form, unless your job duties include communication and public representations of PHS (e.g. Senior Management, Site Leader or other roles as defined by PHS).

All photographs that include an employee and all photographs taken by an employee at the request of PHS, using PHS equipment or employee equipment, are the property of PHS. The distribution of these photographs or other images to any person or entity outside the PHS organization without written authorization for permissible use is prohibited.

## **Personal Calls and Phone Use**

PHS telephones are used to conduct the business at the site, only. PHS recognizes that personal cell phones are an important tool for employees to receive important alerts from staffers/schedulers and for



personal family members in case of emergency. Cell phones may be kept on your person, however, must be kept out of sight, and must not be used in the presence of residents or others whom you are serving. If the need to use your phone is not urgent, we encourage you to return calls while on break. Disruptive or inappropriate use of any PHS phone, personal cell phone or other communication device or voicemail system may result in corrective action up to and may include termination of employment.

### **Cell Phones and Text Messaging While Driving**

PHS strongly discourages employees from talking on cell phones while driving for business purposes, while driving to and from work, and while communicating for business purposes when driving for business or not. If an employee feels it is necessary to talk on a cell phone while driving or communicating for business purposes, the employee must use a voice activated or other hands-free mode or device.

In accordance with applicable laws, PHS prohibits employees from operating a motor vehicle while using a wireless communications device (e.g. cell phone, PDA, etc.) to compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic. An electronic message includes, but is not limited to: email, a text message, an instant message, and/or accessing the World Wide Web. This prohibition applies at all times, including while driving for business purposes, while driving to and from work, and while communicating for business purposes when driving for business or not. This prohibition also applies regardless of whether the motor vehicle is personal or company-provided, and whether the wireless communication device is personal or company provided.

This policy does not apply if it is necessary to use a wireless communications device while operating a motor vehicle to obtain emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard or (ii) prevent a crime about to be committed, or if you reasonably believe that a person's life or safety is in immediate danger.

If an employee wishes to engage in conduct prohibited by this policy, the employee must pull out of traffic to stop the car in a safe location.

### **Privacy and Confidentiality**

PHS respects the desire of individuals for privacy. However, a user cannot expect privacy rights to extend to work-related conduct or the use of PHS-owned equipment, supplies or property, particularly with respect to responding to requests for information that can lead to liability for PHS.

Authorized representatives of PHS may monitor the use of such equipment. Such monitoring may include but is not limited to monitoring phone calls, accessing recorded messages, and printing and reading data files.

All PHS voicemail boxes must have a password assigned for secure access. Although PHS Employees have individual access passwords to voice mail systems, these systems are accessible at all times by PHS and may be subject to periodic unannounced inspections by PHS for business purposes. Backup copies of voice mail are maintained and can be referenced for business and legal reasons.

### **Violations**

Personal or other inappropriate use of PHS' telephone systems or resident telephones may result in corrective action up to and including termination.

## **RULES AND PERSONAL CONDUCT**

### **SOLICITATION**

To avoid work disruptions and possible discord between employees, the following restrictions apply to the solicitation of employees and the distribution of literature in connection with non-work-related causes, groups, or interests.

1. Solicitation is prohibited during the working time of either the employee doing the soliciting or the employee being solicited. "Working time" does not include the time before or after an employee's shift, meal periods, or other break times (whether paid or unpaid).
2. Solicitation is prohibited in immediate resident care areas at all times. Resident care areas are residents' rooms, places where residents receive treatment, such as x-ray and therapy rooms, and the halls and corridors adjacent to these areas.
3. Distribution of literature is prohibited in working areas and in immediate resident care areas at all times.
4. Nonemployees cannot solicit or distribute literature on PHS property at any time.
5. This policy does not restrict solicitation related to PHS' business functions or limited employer-sponsored charitable solicitation. There will be no solicitation of gifts for any purpose unless specifically authorized by the Site Leader.
6. PHS maintains bulletin boards to post information of interest and importance to employees. Employees and nonemployees are prohibited from posting or hanging literature or other materials on these bulletin boards or on the walls, windows or other surfaces located on company property.
7. All supervisory personnel have the authority and responsibility to enforce this policy in their work area and throughout the facility.

If you violate this policy, you may be subject to corrective action, up to and including termination

### **ENGLISH LANGUAGE POLICY**

PHS encourages diversity and inclusiveness. However, there are some occasions when PHS requires that you converse or take direction and guidance in English.

- English will be used when dealing with residents and visitors, unless the resident or visitor requests otherwise.
- All task directions and work directives will be provided in English and, while you are engaged in such work-related efforts or on project teams, you will be expected to communicate in English.
- All operational, safety, site, and security related materials will be provided in English, and team or departmental meetings that relate to business operations, safety, facility and/or personal security will be conducted in English.

If you have concerns or questions regarding these policies, you should address them with your supervisor or Site Human Resources for resolution. PHS remains committed to the expression of its diversity efforts, which include the use of languages other than English, but realizes that specific business operational requirements necessitate that communication with residents, employees, and customers are clear, concise and distinct. Thus, in meeting these operational requirements, the use of English will be required. When you find difficulty in communicating with others in English, you should seek out a supervisor for assistance. If you violate this policy you may be subject to corrective action, up to and including termination.

## **GIFT POLICY**

As an employee of PHS, you are compensated for the work you complete. Gifts from residents and family members are not an expected part of compensation. Receiving gifts from residents or family members could make the residents or family members feel that they need to give gifts to receive better care, that employees are taking advantage of vulnerable adults, and/or that there are inequities between employees. For all of these reasons, it is the policy of PHS that you are prohibited from accepting gifts from residents or their families. Gifts are defined as: cash and/or checks in the form of a tip or a gift, financial assistance in any form, and gifts-in-kind. Relationships that exist prior to the employee-resident relationship may be excluded from the policy. For employee, partner and vendor relations, see Code of Conduct #4. Exceptions to this policy may be made by the Corporate Compliance Officer.

However, we recognize that residents and clients have a right to exercise their own choices. If, after refusal of any gift, the resident or client is insistent upon giving the gift, it must not be used for your individual benefit. Follow the steps below in these situations. For purposes of this policy and procedure, residents are defined as: current or former residents of any PHS community, Community Services client, or family/friend of current or former resident/client.

1. At the time the gift is offered, you must explain that, while you appreciate the offer and its intent, you may not accept the gift offered.
2. If the individual remains insistent on giving the gift, the giver should be offered some acceptable avenues for giving, as defined by the Site Leader. These may include options such as: PHS Foundation, PHS Mission Benevolence Fund, site special projects, resident or employee council, or other charitable organizations.
3. If a gift-in-kind (i.e., flowers, food or plants) is accepted out of respect for the resident's wishes, the gift should be used for the greater benefit of the PHS site or organization. The benefit must be shared with as many employees as possible.
4. If you are named in a will, you may not accept the gift. If the gift is cash, it must be applied to an acceptable avenue of giving. If the gift is in-kind, fair market value will be determined and you may pay for the gift by giving the money to an acceptable avenue of giving.
5. Christmas and other holiday gifts are subject to these guidelines.
6. These steps have intentionally not addressed all possible situations. Any other situations not covered in these steps will be decided by the Site Leader.
7. If you violate this policy, you will be subject to corrective action, up to and including termination.

## **PET POLICY**

Employees must have site leadership permission to bring personal pets to work (if employee is a site leader, he/she must have permission from his/her Regional Operations Director). Employees must also sign the Visiting Pet Release Form.

Additionally, any employee bringing a personal pet to work must both adhere to the "control" requirements of the Visiting Pet Policy and the pet's presence must not impede effective performance of employee's work responsibilities. Those positions that specifically may not bring personal pets to the work environment - while attempting to be fully responsible for said pet's activities - are those holding nutrition & culinary roles, laundry roles, or clinical care roles such as Clinical Administrators, RN's, LPN's, TMA's, or RA's.

## **HARASSMENT AND OFFENSIVE BEHAVIOR POLICY**

PHS maintains a work environment that is free from harassing behavior and offensive remarks related to an employee's race, color, creed, religion, national origin, gender, sex, pregnancy, marital status, disability, age, genetic information, status with regard to public assistance, sexual orientation, familial status or any other characteristic protected under federal, state or local law.

Conduct prohibited by this policy includes, but is not limited to, sexual and other protected class harassment, verbal and nonverbal harassment, and physical harassment. This also includes retaliation for reporting alleged unlawful harassment or offensive behavior. If you engage in conduct or communication which violates this policy, you will be subject to appropriate corrective action, up to and including termination. If a non-employee violates this policy, management will intervene as appropriate to the circumstance.

**Sexual Harassment** is defined as unwanted sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is a condition of keeping or getting a job, whether expressed in explicit or implicit terms; or
- Personnel decisions are based on employee's submission to, or rejection of, such conduct; or
- Such conduct has the purpose or effect of substantially interfering with a person's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur intentionally or unintentionally and can be perpetrated by either men or women. It may be directed at members of the same or opposite sex. Examples of sexual harassment include, but are not limited to:

- unwelcome sexual flirtations, propositions, invitations to social events;
- offensive physical contact or physical closeness;
- use of offensive words of a sexual nature describing body parts or a sexual act;
- telling "suggestive" jokes or stories, and conversations about sexual exploits, sexual preferences, and desires;
- displaying in the workplace sexually suggestive objects, pictures, cartoons, pornographic materials, or representations of any action or subject which is sexual in nature;
- sabotaging an employee's character, reputation, work activity, or property because of gender;
- direct or indirect suggestions that an employee's job security, job assignment, evaluation, wages, shift, opportunities for advancement, or other employment conditions depend in any way on the granting of sexual favors or relations;
- any action relating to an employee's job status which is, in fact, affected by consideration of the granting or refusing of social or sexual favors.

Presbyterian Homes recognizes that consensual relationships sometimes exist between employees, which are, or have the potential of becoming, sexual in nature. These relationships are often problematic because conduct which is consensual during the course of the relationship can become unwelcome when one party no longer wishes it to continue, and because differences in age, background, position in the organization, and other characteristics of the individuals involved can compromise the ability of either one to freely choose whether to participate in the relationship. Presbyterian Homes retains the right to take whatever action it deems necessary in these circumstances, up to and including termination of either or both employees.

**Verbal and Non-verbal Harassment** includes derogatory or vulgar comments; threats of physical harm; or distribution of written, graphic, or electronically transmitted material having such effects and is based on an employee's protected class status.

**Physical Harassment** includes hitting, punching, harmful physical contact and direct or implied threats of physical contact based on an employee's protected class status.

If you believe you have been subject to sexual, verbal, nonverbal or physical harassment based on a protected class, you should make your concerns known by:

- If you are comfortable, telling the person engaging in the harassing conduct or communication that the conduct or communication is offensive, against this policy, and must stop; and/or
- Advising a supervisor or Human Resources. This option should be used if you do not wish to communicate directly with the person whose conduct or communication is offensive, or if direct communication has been unsuccessful. If the individual engaging in the offensive conduct or communication is your supervisor, you should immediately contact Human Resources. All complaints received by a supervisor or Site Human Resources will be reported to Corporate Human Resources.

Complaints of harassment will be investigated promptly and objectively under the direction of Human Resources. The investigation may include interviews with the individual making the charges, the accused individual, and appropriate witnesses.

If you are found to have engaged in offensive behavior, you will be subject to appropriate corrective action, up to and including termination.

Any retaliation because another employee has in good faith reported an incident of suspected offensive behavior is prohibited. Employees who engage in retaliation will be subject to appropriate corrective action, up to and including termination.

Any questions regarding your obligations and those of others under this policy should be directed to Site Human Resources or Corporate Human Resources.

### **WORKPLACE VIOLENCE POLICY**

PHS recognizes that violence in the workplace can affect any employee. Therefore, PHS is committed to maintaining a work environment free from intimidation, threats, and violent acts.

This policy applies to all employees while on PHS premises or acting as a PHS representative off PHS premises. It also applies to all persons while on PHS property.

Persons on PHS premises engaging in threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments which may endanger themselves, other individuals or PHS will not be tolerated. Prohibited behaviors include, but are not limited to:

- Willful destruction of or damage to employee, resident or PHS property, such as vandalism or bombing
- Criminal conduct
- Verbal, non-verbal, or physical behavior that may cause bodily harm to self or other individuals
- Violation of a restraining order
- Stalking

- Phone harassment
- Possession of firearms, knives, clubs, explosives or other objects that may be used as a weapon or may in any way cause damage to PHS property or harm to self or other individuals

Threats or acts of violence are prohibited whether transmitted through verbal, written, or electronic means against any individual and/or a group of individuals, and whether they occur either on or off PHS premises.

Presbyterian Homes & Services acknowledges the need for discrete treatment of any reports of violent or potentially violent behavior and has incorporated procedures, which respect the privacy of the reporter, to the extent possible. PHS will not condone any form of retaliation against any employee for making a report in good faith under this policy. Employees who engage in retaliation are subject to appropriate corrective action, up to and including termination.

The priority is to take immediate action to ensure the safety and security of any person on PHS premises or protection of PHS property.

Any individual who threatens another's health or safety, exhibits threatening behavior or engages in violent acts on PHS property will be removed from the premises. Any person who violates this policy may be subject to corrective action, up to and including termination of employment, termination of a business relationship, criminal arrest and/or prosecution of the person(s) involved.

Any questions regarding your obligations and those of others under this policy should be directed to Site Human Resources or Corporate Human Resources.

### **RULES OF CONDUCT**

As an employee of PHS, you are expected to conduct yourself in accordance with the mission of the organization and its policies and procedures. It may become necessary to use disciplinary measures when your conduct is contrary to accepted practices. Depending upon the circumstances, you may receive a verbal warning, a written warning, a suspension without pay, or be terminated. Not all of these steps or the progressive order may be followed in every case. Supervisory and Management employees may be held to a higher standard of conduct. Employees terminated for cause from one PHS location or department, may be terminated from all locations and departments. The following are some examples of conduct which may be subject to corrective action.

1. Soliciting or accepting tips or gifts from a resident, resident family, or vendor.
2. Unsatisfactory work performance.
3. Failure to follow employee appearance/attire/uniform standard.
4. Failure to be at workstation ready to work at starting time.
5. Poor personal hygiene.
6. Starting work before scheduled time, overstaying breaks, or combining breaks on any one shift without prior supervisor approval.
7. Using non-designated Presbyterian Homes' and/or resident telephones or computers for personal use without permission of your supervisor.
8. Using abusive or profane language.
9. Failure to report an accident and/or injury.
10. Not attending mandatory in-service programs.
11. Punching in before scheduled start time or after scheduled end time without approval, punching for another employee, allowing another employee to punch for you, or failure to punch in.
12. Violation of safety rules and/or practices.

13. Refusal to report for physical examination, laboratory tests, or x-ray or failure to present appropriate return-to-work documentation when requested.
14. Failure to follow PHS site parking restrictions.
15. Unauthorized posting or removal of bulletin board items or defacing of such items.
16. Soliciting while on working time or in immediate resident care areas.
17. Excessive unplanned tardiness or absenteeism.
18. Violation of PHS's Harassment and Offensive Behavior Policy.
19. Engaging in excessive personal conversations that interfere with resident care or other business operations.
20. Use of personal electronic devices such as cell phones, iPods, electronic recording devices, or other devices that could pose a safety hazard or HIPAA violation for your position.
21. Other circumstances, including failure to follow PHS Code of Conduct, where PHS feels corrective action is warranted.

When your conduct is considered cause for corrective action, your supervisor will inform you in written format. You will be asked to sign the corrective action notice acknowledging the discussion occurred. The supervisor will retain one copy of the notice, you may retain a copy, and another will be placed in your employment file.

Concerns that arise during your initial evaluation period (6 months) may be addressed outside of the corrective action guidelines as described above, where PHS feels that it is warranted.

### **IMMEDIATE TERMINATION**

Corporate Human Resources must be consulted if these actions do not result in termination.

The following actions may result in your immediate termination:

1. Endangering the welfare of a resident, client, visitor, vendor, volunteer, another employee, you or any other person. This may include resident abuse or neglect as outlined in the Resident Rights and Vulnerable Adult Act.
2. Engaging in acts of dishonesty, fraud, theft or sabotage.
3. Falsifying resident, client, business, or vendor records.
4. Violation of PHS' Confidentiality Policy.
5. Indecent or immoral conduct on Presbyterian Homes' premises or while on company business off premises.
6. Possession of a dangerous weapon on Presbyterian Homes' premises, or while on duty off premises.
7. Violation of PHS' Drug Free Workplace Policy.
8. Willful damage to or misuse of Presbyterian Homes', other employees', or resident/client's property.
9. Two No Call No Shows within any 12-month rolling period.
10. Insubordination. (Direct refusal to follow a supervisor's directions).
11. Gambling on Presbyterian Homes' property or while on duty.
12. Conviction of a crime, in accordance with PHS's policies and/or applicable law.
13. Sleeping or having the appearance of sleeping on duty.
14. Falsifying employment application, health assessments, time sheet records or other employment documents.
15. Failure to present proper documentation establishing the ability to legally work in the United States as required by law.
16. Failure to maintain licensure, registration or certification as required for your position.

17. Job abandonment. (Leaving PHS premises before the end of your shift without supervisory approval.)
18. Other circumstances, including failure to follow PHS Code of Conduct, where PHS feels termination of employment is warranted.

## **STANDARDS OF CONDUCT**

Presbyterian Homes & Services is committed to being a good corporate citizen of our community, state, and nation. In a resolution dated April 6, 2000, the PHS Board of Directors reiterated the organization's mission statement and commitment to comply with all laws that affect its various operations. In order to assure that its operations are being conducted in compliance with the law, the Board appointed a Compliance Officer to oversee PHS' compliance program.

The Compliance Officer, in cooperation with other managers within the organization, has developed the Code of Conduct and a set of Compliance Guidelines. A voluntary and mandatory reporting system has also been established. The PHS Help line is a voluntary reporting system that can be accessed by anyone, including employees, partners, residents, and referring health care practitioners. Additionally, PHS has established a mandatory reporting policy that requires you, as a PHS employee, to report any suspected violations of the Code of Conduct, Compliance Guidelines, operational policies or any law or regulation. Information related to reports of suspected violations will be reviewed and investigated. The disclosure of any information will be limited to those with a need to know or as required by law.

From time to time, the Compliance Officer may publish additional Compliance Guidelines to ensure compliance with the many laws, regulations and other expectations that govern PHS' business. Additionally, PHS will provide education to you and its partners; audit its operations in an effort to see that its Code of Conduct and Compliance Guidelines are adhered to; and investigate reports of suspected non-compliance. PHS may take disciplinary action up to and including termination if it finds that you have failed to fulfill the objectives of this program.

PHS' Compliance Officer will work closely with all PHS' employees to establish systems which enhance your ability to understand and adhere to the complex laws, regulations, and other expectations that govern our business. In doing so, the Compliance Officer will report his or her activities directly to PHS' Board of Directors.

## **CODE OF CONDUCT**

### CODE OF CONDUCT #1

#### **Employees and partners will strive to deliver quality health care services.**

“Partners” are defined as: mutual owners, vendors, members of PHS' and affiliate boards, volunteers, and any other people who have a relationship with PHS.

- You will respect a resident's dignity and will treat him or her with consideration, courtesy and respect.
- A resident has the right to choose what is done to their body and by whom. This includes choosing the agency that provides their health care.
- Residents have the right to know what they need to know to make intelligent decisions. This includes receiving information about PHS and its policies, procedures and financial charges, and who will provide services on behalf of PHS.
- PHS will only employ or work with persons with proper credentials, experience and expertise, following appropriate reference and background check processes.



- You deserve clear instructions about what is expected of you.
- No deficiency or error should be ignored or covered up. A problem should be brought to the attention of those who can properly assess and resolve the problem.
- Our highest priority is the health and safety of our residents and ourselves. We will strive to do our jobs so that no harm is caused to our residents, the public, or ourselves.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS' Compliance Guidelines, operational policies, or any law or regulation, you must report it to the appropriate level of management.

## CODE OF CONDUCT #2

### **Employees and partners will comply with all applicable laws and regulations that affect our various businesses.**

- PHS, by and through its employees and partners, will comply with all applicable laws, regulations, standards and other requirements imposed by any level of government. Specifically, but not limited to the foregoing, as an employee, you will comply with all requirements of the Medicare and Medicaid programs.
- PHS will not engage in unethical or illegal activity in pursuit of its business or a business opportunity.
- Neither PHS, its employees or partners shall pay employees, physicians, or other health care professionals, directly or indirectly, in cash or by any other means, for referrals of residents or health care business, unless such referral is determined in advance by the Compliance Officer to comply with applicable law.
- You are not authorized to enter into any joint venture, partnership, or other risk sharing arrangement with any entity that is a potential or actual referral source unless the arrangement has been reviewed and approved by PHS' legal counsel in advance.
- PHS will fully comply with all federal and state tax laws and regulations to preserve the tax-exempt status of PHS' non-profit entities.
- You will conduct PHS' operations in such a manner to further its charitable purpose and to enable the resources to be used for the benefit of the community, rather than the private interests of any individual within PHS.
- If you perform billing and/or coding of claims, you must take every reasonable precaution to ensure that your work is accurate, timely, and in compliance with applicable Federal, State, and local laws and regulations and PHS policies.
- You may not submit any claim that is false, fraudulent, inaccurate or fictitious for payment or reimbursement. Falsification of medical, time or other records as the basis for submitting claims will not be tolerated.
- PHS will bill only for services actually rendered and which are fully documented in a resident's medical records. If the services must be coded, then only billing codes that accurately describe the services provided will be used.
- PHS will act promptly to investigate and correct the problem if errors in submitted claims are discovered.
- PHS shall maintain complete and thorough medical and billing records.
- You will respect and protect the privacy of resident medical records and other personal information about residents.
- All drugs and other controlled substances will be maintained, dispensed and transported in conformance with all applicable laws and regulations.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS'

Compliance Guidelines, operational policies, or any law or regulation, you must report it to a supervisor or manager.

### CODE OF CONDUCT #3

#### **Employees and partners shall engage in ethical business relationships.**

- You will be honest in doing your job and must perform your duties in a way that promotes the public's trust in PHS. It is everyone's job to maintain PHS' integrity and reputation.
- You should be honest and forthright in any representations made to residents, vendors, payers, other employees or partners, and the community.
- You should not subordinate your professional standards, judgment, or objectivity to any individual. If significant differences of opinions in professional judgment occur, they should be referred to management for resolution.
- You shall not use or reveal PHS confidential or proprietary information, as defined in PHS' Confidentiality policy, without authorization or use such confidential or proprietary information obtained as an employee of PHS for personal gain.
- PHS seeks positive relationships with government programs and third party payers. Positive relationships require ongoing communication about resident progress and billing.
- PHS will comply fully with federal and state antitrust laws and regulations. You will not enter into agreements or understandings with a competitor that unlawfully limit or restrict competition or purchasing decisions.
- All reports or other information required to be provided to any Federal, State, or local government agency shall be accurate, complete, and filed on time.
- The source or amount of payment does not determine the quality of care that we deliver.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS' Compliance Guidelines, operational policies, or any law or regulation, you must report it to a supervisor or manager.

### CODE OF CONDUCT #4

#### **Employees and partners shall avoid conflicts of interest or the appearance of any impropriety.**

- You shall not have other jobs that interfere with your ability to perform your duties at PHS.
- You must avoid any interests or relationships that conflict with the interests of PHS or its residents, avoiding even the appearance of impropriety. If you suspect that a conflict may exist or be created, then you are to consult with management before engaging in the conduct.
- Advance disclosure and approval are required in any situation of doing business with any firm in which there is a family relationship.
- You should not become involved, directly or indirectly, in outside commercial activities that could improperly influence your actions. For example, you should not be an officer, director, manager, or consultant of a potential competitor, customer, or supplier of PHS without first disclosing that relationship to PHS management and receiving management's agreement.
- If you have the authority to make financial commitments for PHS, you should not accept or provide benefits that could be seen as creating conflict between your personal interests and PHS' legitimate business interests. This includes accepting expensive meals, gifts, refreshments, transportation, or entertainment provided or received in connection with the job.
- You are not permitted to give expensive gifts and benefits to other health care providers or referral sources. Occasional non-cash gifts that are of nominal value are acceptable.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS'

Compliance Guidelines, operational policies, or any law or regulation, you must report it to a supervisor or manager.

#### CODE OF CONDUCT #5

### **Employees and partners shall protect PHS' property and respect the property of residents and others with whom we do business.**

- As a PHS employee, you are personally responsible and accountable for the proper expenditure of PHS funds and for the proper use of PHS' property.
- You must obtain authorization prior to committing or spending PHS' funds.
- You have a duty to be productive during the time that is paid for by PHS.
- You may only use computer/technology systems, networks, and software consistent with PHS' licenses and/or rights. You shall take all reasonable steps to protect computer systems and software from unauthorized access or intrusion.
- PHS' confidential and proprietary information is valuable, and is protected from unauthorized use or exploitation. Additionally, you shall respect the intellectual property rights of others with whom we do business.
- Any improper financial gain to you through misconduct involving misuse of PHS' or a resident's property is prohibited, including, but not limited to, the outright theft of property or embezzlement of money.
- You are expected to report any misuse of PHS' property of which you are aware to management.
- You may not use PHS' or a resident's resources for personal or improper purposes, or permit others to do so.
- Surplus, obsolete, or junked property shall be disposed of in accordance with PHS' procedures. Unauthorized disposal of property is a misuse of assets.
- Medical waste or other hazardous materials shall be disposed of properly.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS' Compliance Guidelines, operational policies, or any law or regulation, you must report it to a supervisor or manager.

#### CODE OF CONDUCT #6

### **Employees and partners shall respect each other as human beings and health care professionals.**

- You shall show proper respect and consideration for all employees, regardless of position. Discriminatory treatment, harassment, abuse, or intimidation will not be tolerated as described in PHS' harassment policy.
- Applicants and employees shall be afforded equal employment and advancement opportunities, pursuant to PHS' policies.
- Quality resident care can only be delivered through the use of qualified, competent employees. PHS will contribute to your competence by making available continuing job-related education and training within the limits of its resources.
- PHS strives to maintain a working environment free from all forms of sexual harassment or intimidation as described in the Harassment policy. By way of example, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are serious violations of the standards of conduct and will not be condoned or permitted.
- PHS promotes a drug, alcohol, and tobacco-free workplace in accordance with its policies.
- Work and safety rules were created to protect us all. You are expected to comply with those rules.

- You are expected to conform to the standards of your profession and exercise sound judgment in the performance of your duties. Any differences of opinion in professional judgment should be referred to your supervisor or their manager.
- PHS will not permit any action of retaliation or reprisal to be taken against you if you report a violation of law, regulation, standard, procedure, or policy.
- If you know of or suspect a practice or incident that may violate this Code of Conduct, PHS' Compliance Guidelines, operational policies, or any law or regulation, you must report it to your supervisor or their manager.

## **HEALTH, SAFETY & SECURITY**

### **TOBACCO USE**

Using tobacco in any form, including e-cigarettes while on-duty, while off-duty on PHS premises, or while conducting company business anywhere is prohibited (except where permitted by PHS policy) and is subject to corrective action, up to and including termination.

PHS remains committed to a healthy workplace and living environment, which includes smoke-free buildings and grounds. In addition to considering our employees and residents living with us in PHS communities, we also consider those living in the surrounding neighborhoods as important customers. Therefore, we have a no-smoking policy on PHS property and grounds. In order to make certain we are considerate of our PHS neighbors, there may be appropriate site-specific guidelines regarding smoking that meet the intent of the policy. Site Leaders may direct employees, who wish to smoke, to their cars or a designated area that is outside the view of the public and is not invasive to other employees or residents.

### **DRUG-FREE WORKPLACE**

Possessing and/or using alcohol or illegal drugs or appearing to be under the influence of alcohol or illegal drugs in any form while on-duty, while off-duty on PHS premises, or while conducting company business anywhere, is prohibited and may result in immediate termination. Having an odor of alcohol about you while on duty may also result in corrective action, up to and including termination. There may be some circumstances in which authorized employees may purchase and serve alcohol for a PHS-sponsored resident event. Site Leader approval is required in these situations.

“Illegal drugs” means not only street drugs like marijuana, cocaine or other controlled substances, but also include inhalants and medications which contain a controlled substance and are used for a purpose, in an amount, or by a person for which they were not prescribed or intended. The use or possession of properly prescribed drugs or medication is permitted provided that it does not interfere with your job performance or pose a direct threat to the health or safety of you and/or others.

If you are on an on call rotational schedule, you should not report to work under the influence of alcohol and/or drugs at the time you are called in. An absence will be recorded if you are called in during your on call rotational schedule and are unable to report to work due to being under the influence of alcohol and/or drugs.

### **DRUG AND ALCOHOL TESTING FOR DRIVERS**

To protect the safety and well-being of residents, volunteers, employees, other individuals and property, PHS will perform drug and alcohol testing of employees and applicants for employment who are required to possess a commercial driver’s license in order to operate a PHS vehicle in compliance with the U.S. Department of Transportation regulations regarding mandatory drug and alcohol testing.

The use of illegal drugs and/or alcohol in any manner which impairs the driver’s ability to safely and efficiently perform his or her job is unacceptable and may result in corrective action, up to and including termination.

Categories of Testing include:

1. Pre-Employment Testing
2. Reasonable Suspicion Testing
3. Post Accident Testing

4. Random Testing
5. Return to Duty Testing

For more information and/or a copy of this policy, please contact your supervisor, Employee Health Nurse, or Site Human Resources.

### **A Workplace Accident and Injury Reduction Program – AWAIR**

In compliance with Federal and state law, PHS has prepared and implemented a written Workplace Accident and Injury Reduction Program. The purpose of this program is to make PHS responsible for ensuring that safe practices are followed, thereby making our workplace safer and reducing Worker's Compensation costs for injuries. This program includes, but is not exclusive to: regular building inspections for safety, emergency procedure drills, regular review of safety procedures, loss control surveys, infection control programs, education and training programs under the Right to Know laws, pre-employment health screens to assess employee safety in job duties and on site security and surveillance. PHS' program is reviewed annually. A copy of PHS' AWAIR program is available for review by contacting your supervisor.

You are encouraged to report all potential hazards immediately to your supervisor for your safety and the safety of others. An employee safety committee meets regularly to discuss safety issues. Your input and suggestions are vitally important. Please notify your supervisor if you have any suggestions regarding safety issues at PHS.

### **WORKER'S COMPENSATION**

If you are injured while working, you may be covered under the provisions of State Worker's Compensation Law. You are required to report any accident, no matter how small, immediately to a supervisor, who may refer you to the designated nurse for necessary first aid and/or advice regarding appropriate medical care. An Employee Incident Report Form must be completed immediately following the incident. You may be required to provide a fitness-for-duty certification before returning to work following a work injury.

### **SECURITY**

It is important that the living and working environment at Presbyterian Homes be safe and secure for everyone. You should understand, therefore, that you have no right or expectation of privacy while working on behalf of PHS. PHS reserves the right to inspect any person, locker, vehicle, package, purse, handbag, briefcase, lunch box or other possessions carried to, on, and from its property, and to question all persons on its premises. PHS also reserves the right to inspect the contents of any equipment, file, mail, or other information contained on its data and voice network systems. For more information regarding electronic systems, data and communications, see the Information Technology section in this Handbook. There may be surveillance of the premises by electronic equipment. Inspections and surveillance may be done with or without prior notice. If you refuse, or do not cooperate with an inspection or questioning, you may be subject to corrective action, up to and including termination.

## **COMPLIANCE**

### **CONFIDENTIALITY**

The term “confidential or proprietary information” includes, but is not limited to, PHS’ trade secrets, existing or potential customers, customer lists, market studies, market plans and strategies, pricing formulas, financial information, new product plans, employee medical records, formulas, or other information relating to PHS business, books and records and private processes, as they may exist from time to time, which an individual has acquired by virtue of working for PHS.

The nature of our operations means that you may have knowledge about residents' illnesses and other personal matters. You are required to keep information about residents’ medical and personal matters private. Keeping information private means it is disclosed only to those who have a legitimate business need to know or as required by law. This is true whether you have learned the information directly or indirectly.

Information regarding residents cannot be released to anyone, including family members, without written authorization from the resident or responsible party. This includes disclosing any information, comments, pictures, etc. on any public blog or social networking sites, including, but not limited to Facebook, My Space and Twitter.

All employees share the responsibility of preserving the confidentiality of information. In addition, all employees agree, as a condition of employment to keep confidential, both during and after employment, all non-public information concerning PHS, its volunteers, its residents and potential residents, which might come to your attention during the course of, or because of, your employment. This includes information relating to business systems and future plans for PHS.

### **Presbyterian Homes & Services’ Compliance Reporting System**

Presbyterian Homes & Services (PHS) has both a voluntary and mandatory reporting system. PHS’ Help line is a voluntary reporting system that can be accessed by anyone, including employees, partners, residents and referring health care practitioners. Additionally, PHS has established a mandatory reporting policy that requires you to report any suspected violations of the Code of Conduct, Compliance Guidelines, operational policies, or any law or regulation.

### **PHS’ MANDATORY REPORTING POLICY**

If you suspect that another employee (including a supervisory or managerial employee) has violated the Code of Conduct, Compliance Guidelines, PHS’ policies or procedures, or any applicable State, Federal, or local law, you should immediately report your suspicion to your supervisor, the Site Leader, or the Corporate Compliance Officer. If you are for any reason uncomfortable reporting a suspected violation to any of the above-referenced individuals, you are encouraged to call PHS’ Help line at the number below. All reports of suspected violations will be treated with appropriate confidentiality, reviewed, and investigated; appropriate disciplinary action will be taken if warranted.

If your identity as the reporter is known, the Compliance Officer or designee will contact you, inform you of the status of the review, and provide an opportunity to discuss any additional information about the concern.

**RETALIATION AGAINST EMPLOYEES FOR REPORTING IS PROHIBITED.** Presbyterian Homes will not permit any employee to retaliate against another employee or partner for reporting compliance issues.

## **PHS' HELP LINE**

This help line is a voice mail box that is checked on a regular basis by the Corporate Compliance Officer. Any employee, resident, family member, or visitor may use the Help line to report any issues of concern for PHS. Examples of calls include concern about any of the PHS' Codes of Conduct, Compliance Guidelines, safety concerns, quality concerns, or any ideas to improve the services to PHS' residents.

**Presbyterian Homes & Services Help line Number: 651-631-6168 or toll free 1-844-761-0287.**

## **PREVENTION AND DETECTION OF FRAUD, ABUSE AND WASTE (FEDERAL FALSE CLAIMS AND THE DEFICIT REDUCTION ACT)**

### **Preventing and Detecting Fraud, Abuse and Waste**

PHS has a longstanding practice of fair and truthful dealing with its residents, clients, families, health professionals, and other business associates. This has been reinforced through our Corporate Compliance program. As an employee, you shall not engage in any acts of fraud, abuse or waste, and shall not knowingly make false statements in the preparation and submission of any claim for reimbursement under the Medicare or Medicaid programs, or commit any other prohibited activity. Other guidelines for fair, honest, and ethical behavior can be found in the PHS' Corporate Compliance Codes of Conduct and Compliance Guidelines. Violation of this policy is grounds for immediate termination from employment.

**Fraud** is intentional misrepresentation that, when relied on by a payor, or other person, deceives them to their detriment; abusive tactics are broader than fraud, and may include submitting deceptive or misleading claims to a government program like Medicare and Medicaid, or using a false statement to support a claim. Waste may include either deceptive tactics, such as over-utilization of otherwise necessary services or requiring arrangements where contracts are awarded or goods purchased only if the vendor promises to "kick back" an incentive to either the Medicare or Medicaid provider or an employee of such provider.

Types of fraud, abuse or waste which may lead to the submission of false claims to the Medicare or Medicaid program include, but are not limited to the following:

1. Billing for services not actually provided;
2. Documenting clinical care not actually provided;
3. Making payments to a phantom vendor or phantom employee;
4. Paying a vendor or employee for services not actually provided;
5. Paying an invoice known to be false;
6. Accepting or soliciting kickbacks or illegal promises from vendors of services, or offering or paying kickbacks or illegal promises to vendors of services;
7. Paying or offering gifts, money, remuneration or free services to entice a Medicare or Medicaid recipient to use a particular vendor;
8. Using Medicare or Medicaid reimbursement to pay a personal expense;
9. Embezzling;
10. Ordering and charging for over-utilized medical services that are not necessary for the resident or client.

PHS has put several steps in place to detect and prevent fraud, waste and abuse. These include:

1. Description of expectations and prohibited behavior in the employee handbook,
2. References to prohibited behavior in Code of Conduct #2 and compliance guidelines of the



- Corporate Compliance program,
3. Annual education through PHS' Stand-Up program,
  4. Description of expectations and prohibited behavior in contract templates,
  5. Internal audits of accounts payable and company-sponsored credit card purchasing systems,
  6. Annual audit by third party auditing firm, and
  7. Education of employees on the prevention and detection of fraud, waste and abuse.

### **Notification of Federal and State Laws and Rights of Employees under Whistleblower Protections and Qui Tam Actions**

Federal law requires Medicare and Medicaid providers, such as PHS, to provide employees with detailed information about the federal False Claims Act, 31 U.S.C. §§ 3729-3733, and the administrative remedies for false claims and statements established by 31 U.S.C. §§ 3801-3812. These laws are important to employees and PHS because they not only provide severe civil and criminal sanctions for submitting false claims to the federal Medicare or Medicaid program, they also provide individuals who alert federal and state officials to offenses with whistleblower protections.

Detailed information about the federal False Claims Act and any applicable state laws may be found on [www.thevinephs.org](http://www.thevinephs.org) or from your supervisor.

Under the Federal False Claims Act, individuals or organizations that are found to have submitted false claims to the federal government, including but not limited to the Medicare and Medicaid programs are subject to civil monetary liabilities, and can also face exclusion from the Medicare and Medicaid programs.

If you knowingly submit a false claim for payment to the United States Government, you are liable to the United States Government for civil monetary penalties, plus monetary damages which the Government sustains because of your act. The terms "knowing" and "knowingly" mean that you, with respect to information:

1. have actual knowledge of the information;
2. act in deliberate ignorance of the truth or falsity of the information; or
3. act in reckless disregard of the truth or falsity of the information, and no proof of specific intent to defraud is required.

The False Claims Act provides protection from retaliation to whistleblower employees. An employer may not fire, demote, threaten, harass or otherwise discriminate against an employee because the employee participates in the investigation for, initiation of, testifies for, or participates in a claim filed under the False Claims Act. An employee who is retaliated against in violation of the False Claims Act may file an action to be made whole, and relief includes reinstatement and damages of double the amount of lost wages if you are fired, and any other damages sustained, such as litigation costs and reasonable attorney's fees.

An action under the False Claims Act can be brought by the U.S. Attorney General or by a private citizen on behalf of the federal government. Known as "qui tam" actions, the suing private plaintiff, if successful, may be rewarded a portion of the recovery. The government may intervene in the action. If the government does not intervene, and the private plaintiff pursues the action individually, the private plaintiff's portion of the recovery is greater.

Civil penalties under 31 U.S.C. §§ 3801-3812 may be imposed against any person who makes or presents a claim the person knows or has reason to know is false, fictitious or fraudulent. In addition to

the other remedies authorized by law, these civil money penalties may be levied for each false claim, as well as monetary damages. Knowingly submitting a false claim with actual knowledge, reckless disregard or deliberate ignorance may lead to criminal prosecution and imprisonment.

### **Minnesota Law**

Minnesota Statutes Chapter 15C addresses false claims for Medical Assistance and actions that may be brought against wrong-doers by, or on behalf of, the State of Minnesota and/or its political subdivisions. The statute is very similar to the federal False Claims Act except that the Minnesota law applies only to claims for which the State of Minnesota, or a political subdivision, has provided or will provide a portion of the money or property that is demanded. As is the case with the federal act, any person may bring a civil action (i.e., a “qui tam” plaintiff’s action) to recover damages on behalf of the State or political subdivision, and such plaintiff is entitled to a portion of the damages recovered. Minnesota Statute §15C.14 provides protection from retaliation for employee whistleblowers.

Under Minn. Stat. § 609.466, any person who, with the intent to defraud, presents a claim for reimbursement which is false in whole or in part is guilty of an attempt to commit theft of public funds and may be sentenced accordingly.

Under Minn. Stat. § 256B.121, any vendor of medical care who willfully submits a claim for reimbursement that is known to be a false claim is also subject to a civil action by the State of Minnesota for treble damages, costs and attorneys’ fees.

Subjecting a vulnerable adult to unnecessary and over utilized services for the profit or advantage of another may also constitute financial exploitation under the Minnesota Vulnerable Adults Act under Minn. Stat. § 626.5572, subd. 9, and § 609.2335.

Under Minn. Stat. § 181.932, Minnesota law prohibits employers from discharging, disciplining, threatening or otherwise discriminating against or penalizing an employee for good faith reporting of suspected violations of any state or federal law or rule, or for participating in a government investigation. The law allows employees to refuse an employer’s order to perform an act that violates federal or state law. The Minnesota law expressly authorizes an employee to report in good faith violations of federal or state health care standards that put the public at risk.

### **Wisconsin Law**

Wisconsin Statutes §20.931 addresses false claims for medical assistance and actions that may be brought against wrong-doers by or on behalf of the State of Wisconsin. The statute is very similar to the federal false claims act except that the Wisconsin law applies only to “medical assistance” as defined in Wisconsin Statute §49.43(8). As is the case with the federal act, any person may bring a civil action (i.e., a “qui tam” plaintiff’s action) to recover damages on behalf of the state, and such plaintiff is entitled to a portion of the damages recovered. Wisconsin Statute §20.931 (14) provides protection from retaliation for employee whistleblowers.

### **Iowa Law**

Iowa Code Chapter 685 addresses false claims and actions that may be brought against wrong doers by or on behalf of the State of Iowa. The statute is very similar to the federal false claims act. As is the case with the federal act, any person may bring a qui tam plaintiff action to recover damages on behalf of the state, and such plaintiff is entitled to a portion of the damages recovered. The statute provides protection from retaliation for whistleblowers.

## **Mandatory Reporting Requirement**

If you have a reason to believe that any employee, including managers, or any contractor or vendor hired by PHS has violated this mandatory reporting requirement by committing fraud, abuse or waste, you have a duty to report your observation and concern immediately to your supervisor or Site Leader. Reports may also be made to the Corporate Compliance Officer via email, in person or by letter, or by contacting the help line at 651-631-6168 or toll free 1-844-761-0287. No employee, contractor or agent of PHS will retaliate against another for submitting a timely report according to this policy.

All reports will be investigated under the supervision of the Corporate Compliance Officer. All employees have a duty to cooperate with any investigation conducted by PHS under this requirement, including, but not limited to, providing information upon request and meeting with PHS' legal or accounting representatives, if directed to do so.

If substantiated, PHS will take any action which may be necessary to respond appropriately to any offense and to prevent any further similar offenses including but not limited to, terminating employees or terminating a vendor's contract. Offenses will be evaluated for voluntary self-disclosure under applicable federal laws and when warranted, offenses will be referred for prosecuting. PHS will cooperate with government officials prosecuting any individual referred by PHS for prosecution.

## **PRESBYTERIAN HOMES & SERVICES COMPLIANCE GUIDELINES**

Disciplinary action will be taken against employees or partners who authorize or participate in a violation of the Compliance program, who deliberately fails to report a violation, or who deliberately withhold relevant information concerning a violation. Disciplinary action of employees will follow PHS' guidelines.

**Compliance Monitoring:** Monitoring will be conducted through regular audits (record review and interview) throughout PHS and review of reports received through the Help line. If violations are confirmed, appropriate action will be taken to prevent recurrence.

**Compliance Reporting:** Any findings of prohibited conduct must be immediately reported to his or her supervisor, the Site Leader, or the Compliance Help line.

**Help line:** As always, the Compliance Help line, 651-631-6168 or toll free 1-844-761-0287, is available if you have legal, ethical or quality issues in the workplace. There is no obligation to identify yourself when you call.

If you have any questions or concerns about the meaning of these guidelines as they apply to your job responsibilities, you should consult your supervisor, the Corporate Compliance Officer, or the Help line.

## **Compliance Guidelines Regarding Relationships with Actual or Potential Referral Sources**

### **Guideline:**

Any agreement, written or otherwise, that involves a potential referral source for items or services must meet the following criteria:

- 1) The agreement must (a) be in writing; (b) specify the services to be provided; (c) set a price for the service at the service's fair market value without regard for volume or value or referral; (d) be for a term of not less than one year; (e) be approved by PHS' legal counsel; and (f) be signed

by both parties.

- 2) If the services to be provided are part time, sporadic or periodic, the agreement must specify exactly (a) the schedule of the intervals; (b) the precise length; and (c) the exact charge per interval.

### **Prohibited Conduct**

- 1) Any offers of payment, loans, gifts, discounts, rebates, free space or any other item of value, direct or indirect, to an employee, physician, health care professional, marketing agent or referral source of any kind, in exchange for referrals of individuals or in exchange for purchasing or leasing an item or service either of which will be paid in whole or in part by the Medicare or Medicaid programs.
- 2) Any discounts, joint ventures, partnerships or other risk sharing arrangements with any entity that is a potential or actual referral source unless the proposed arrangement has been reviewed and approved by PHS' legal counsel in advance of any proposals, offers or letters of intent.

### **Compliance Guidelines Regarding Billings for Items and Services**

#### **Guideline:**

- 1) The bill must be accurate and submitted timely.
- 2) The bill must be only for items or services that (a) are medically necessary as ordered by the resident's physician; (b) fall within the coverage guidelines contained in the laws, regulations, manual provisions or contract; and (c) are documented in the resident's medical record.

### **Prohibited Conduct**

- 1) Bills for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious.
- 2) Falsified medical records, time sheets, or any other record used as a basis for submitting bills.
- 3) For services that must be coded, use of a code that does not accurately describe the documented service when there is a more accurate code that could have been used. This includes post dating orders or signatures. Late entries should include an explanation of reason for delay in entry.
- 4) Bills submitted to Medicare, Medicaid or the applicable insurance plan for items or services that you know are not covered by Medicare, Medicaid or the applicable insurance plan.
- 5) Filing claims for the same item or services to more than one payer source whereby the organization will receive duplicate or double payments.

### **Compliance Guidelines Regarding Informed Consent for Rehabilitative Services**

#### **Guideline:**

- 1) Before initiating services to a resident, the resident's attending physician must order, in writing, the therapist's evaluation and, if indicated, therapy services.
- 2) Before initiating services to a resident, the resident, and/or resident's representative, must (a) be informed of the physician ordered evaluation and services; (b) be informed of the expected source of payment (Medicare, Medicaid, other insurance or private pay); and (c) authorize the service.
- 3) The therapy services provided must relate to the resident's overall plan of care maintained by the facility and must be documented in the resident's medical record.

### **Prohibited Conduct**

- 1) Conducting evaluations and/or providing services without a physician's order or without the

- authorization of the resident and/or the resident's personal representative.
- 2) Failing to document therapy services in the resident's medical record.

### **Compliance Guidelines Regarding Non-Discrimination in Resident Services and Charges**

#### **Guideline:**

Each resident shall receive medically necessary items and services that, in the opinion of the resident's attending physician and as set forth in the resident's care plan, are required to assure the resident attains or maintains the resident's highest practicable physical, psychosocial and mental well-being.

Such medically necessary items and services shall be offered to the resident regardless of the resident's source of payment. Charges for all items and services provided shall be based upon PHS' usual and customary charges. Nothing of value, including but not limited to, an offer of free service by waiver of copayment of deductibles, should be offered to residents or prospective residents to induce the utilization of PHS' services.

Any discount, credit, charity care, or any other financial arrangement that will result in charges that differ from PHS' usual and customary charges, either higher or lower, must be approved in writing by a member of the Corporate Quality Service Team.

#### **Prohibited Conduct**

- 1) Failure to provide services that are either (a) ordered by the resident's physician; (b) indicated as necessary by the resident's most recent assessment; and/or (c) contained in the resident's plan of care.
- 2) Rendering care based upon the resident's payer source without regard to the resident's needs and/or stated preferences.
- 3) Waiver of resident deductibles and/or co-payments without advance written approval of a member of the Corporate Quality Service Team.
- 4) Discount, credit, charity care or any other arrangement that does not follow established PHS policy.

### **Compliance Guidelines Regarding Cost Reports**

#### **Guideline:**

All Medicare and Medicaid cost reports must be prepared utilizing generally acceptable accounting principles based upon documents and reports that are maintained in PHS' day-to-day business. Cost reports must document only those costs that PHS' employees and/or partners believe in good faith are allowable. As such, employees and partners must provide accurate and complete documentation and reports to the business office. Such documentation and reports include, but are not limited to, time studies, space utilization, and itemization of supplies by unit or payer source.

#### **Prohibited Conduct**

- 1) Falsification of any report or document used by PHS to document the cost or utilization of services by payer source.
- 2) Failure to report a known error or inaccuracy in any cost report or underlying document used to prepare a cost report.
- 3) Recording inappropriate, inaccurate or non-allowable costs on cost reports.

## **Compliance Guidelines Regarding Financial Relationships with Referral Physicians**

### **Guideline:**

The Federal Physician Self-referral law, commonly known as the “Stark law,” limits physicians who refer residents for the following health services from having a financial relationship with the provider of these services:

1. Clinical laboratory services;
2. Physical therapy services;
3. Occupational therapy services;
4. Radiology services including ultrasound, MRI and CT scans;
5. Radiation therapy services;
6. Durable medical equipment;
7. Parenteral and enteral nutrients, equipment and supplies;
8. Prosthetics, orthotics and prosthetic devices;
9. Home health services;
10. Outpatient prescription drugs; and
11. Inpatient and outpatient hospital services.

Any financial arrangement between PHS and a physician whose patients are residents of the facility or program must be approved in advance by the Compliance Officer.

### **Prohibited Conduct**

Entering into a financial relationship with a physician whose patients are residents of PHS without obtaining advance written authority from the Compliance Officer.

## **Compliance Guidelines Regarding Development and Signing of Contracts**

### **Guideline:**

PHS or its affiliates must be reviewed and approved in advance by PHS legal counsel. All contracts must be in writing and signed by an authorized officer of PHS or the affiliate, as applicable. This guideline does not apply to contracts with a pre-approved form that has not been altered (for example, a standard residency agreement).

### **Prohibited Conduct**

- 1) Signing any contract without prior review and approval by PHS legal counsel.
- 2) Signing any contract without the authority to do so.
- 3) Providing or receiving products or services without a written contract in place.

## **Compliance Guidelines Regarding Minimum Data Set (MDS) and OASIS Completion and Nursing Documentation**

### **Guideline:**

PHS staff will complete all required assessments (MDS and OASIS) in a timely and accurate manner, following all applicable rules and regulations. Any coding information will be accurate and provided in a timely manner. All claims made in the assessment will have appropriate documentation in the resident’s or client’s medical record.

**Prohibited Conduct**

- 1) For services that must be coded, use of a code that does not accurately describe the documented service when there is a more accurate code that could have been used.
- 2) Assessments that are post dated or falsified in any way.
- 3) Assessments that do not accurately reflect the resident's or client's current condition or which do not have appropriate documentation in the medical record.

**Compliance Guidelines Regarding  
Health Insurance Portability and Accountability Act (HIPAA) – Privacy Rule**

**Guideline:**

PHS staff will follow all requirements of the Privacy Rule of HIPAA. All residents and families will be notified of PHS' privacy practices and allowed to exercise their rights regarding their protected health information. Systems will be maintained to ensure that all resident information is kept confidential and only minimum necessary information is used for treatment, payment and operations.

**Prohibited Conduct**

- 1) Releasing a resident's protected health information without proper authorization.
- 2) Use of more than minimum necessary patient information for treatment, payment and operations.
- 3) Accessing a resident's protected health information without a proper purpose.

## **INFORMATION TECHNOLOGY**

This section contains policies which reflect the interest and concern we have in you as a user of PHS information technology and telecommunications systems. It provides information concerning your use of PHS' equipment and systems. It explains your benefits and obligations as a user. You are expected to be familiar with the contents. Exceptions to these policies are made only with the written approval of the Director of Information Technology. Notice of policy changes may be communicated to PHS employees through periodic communications. Interpretation or application of these policies by Administration is binding.

PHS reserves the right to amend, change or discontinue any of the policies, practices and systems without notice and for any reason it deems necessary. All previously distributed policies regarding these topics are revoked and the provision of this section supersedes their provisions. Accepting or continuing use of PHS equipment and systems after you receive this information is considered to be your acceptance of its contents as the sole source of information regarding your use, other than applicable documents and policies which are referred to in this section.

### **Information Security Policy**

The most current version of the **614 – PHS – Information Security Policy** can be found on theVine.

#### **Overview**

Presbyterian Homes & Services (PHS) Employees are responsible for taking precautions to protect the PHS Information and Network Security systems. PHS Employees shall not seek to breach systems security, nor aid or assist others in doing so. In the event a user uncovers what he/she believes is a system security or system integrity problem or violation, the user must notify either their Site Leader, the Information Technology Department at 651-631-6141 or email Corporate Security at [security@preshomes.org](mailto:security@preshomes.org), immediately.

#### **Network Security**

Activities that interfere with or disrupt network PHS Employees, services or equipment, including mass distribution of advertising or messages, intentional distribution of viruses, or seeking unauthorized access to other machines on the network are prohibited.

#### **Passwords**

Passwords are required on all PHS Information Technology devices and systems that may contain or access the PHS Network. PHS Employees are responsible for protecting passwords against unauthorized use. PHS employees are not to share their passwords with anyone, nor allow other individuals to work on the network under/using their log in.

#### **Unauthorized Access/Privacy**

PHS employees must respect the privacy of others. PHS employees shall not intentionally seek information on, obtain copies of, or modify file, data or passwords belonging to other PHS employees, except in the normal, authorized conduct of their work.

PHS provides employees access to devices and data based on their minimal requirements. PHS Employees must not read, use or tamper with PHS devices (computer, phones, tablets, etc.) or electronic data without prior approval from the device or data owner.



Action must be taken to secure computers that have access to confidential resident information, printers that print such information and fax machines that transmit such information. Computers, printers and faxes are to be located in an area where physical access is limited to authorized staff. Computer monitors are to be positioned to be visible only to the authorized user actively working on the computer.

### **Downloads**

PHS Employees shall not download nor install any executable files without the prior approval of the Information Technology Department. This can be requested by emailing [request@preshomes.org](mailto:request@preshomes.org).

### **Viruses and Malware**

Computer viruses are a common problem. They can result in lost data, repair costs, loss of productivity and more. The majority of viruses are spread by E-mail attachments or compromised websites. It is important to know from whom a message came before it is opened. PHS does utilize a virus detection system on all computers as well as scanning all emails coming into its network; however PHS Employees should participate in this area of security by:

- Deleting suspicious E-mails immediately. Do not open them.
- Contacting the Information Technology Support Line (651-631-6141) immediately if your system indicates that it has a virus.

Forward any E-mails you receive about viruses on to the Information Technology Department at [itsupport@preshomes.org](mailto:itsupport@preshomes.org). PHS IT will review the submission and will inform you if the E-mail is a hoax or a legitimate virus. Do not perform any instructions you receive in an E-mail notification (i.e.– delete files) without first notifying the Information Technology Department.

### **Logging Off/Locking Workstation**

PHS Employees must lock their workstation when not actively working on it. This can be done by hitting the Windows Key+L, or Ctrl-Alt-Del, then enter. In addition, when finished working for the day, PHS employees are to log off all individual applications, log off their computer. PHS Computers are to be left powered on so that they can be patched with security patches.

### **PHS Identity**

PHS Employees must be aware of their potential audiences when sending communications, just as they do when using any other PHS communication tools. This includes not presenting personal opinion in such a way as to confuse potential readers regarding PHS policies. The PHS E-mail accounts identify the user to others as a PHS employee/user and therefore, PHS Employees must conduct themselves in a manner that is consistent with PHS' policies and Code of Conduct.

### **Illegal Purposes/Prohibited Use**

The following uses are expressly prohibited. Engaging in any of these activities may result in immediate termination or other action that PHS deems appropriate. Prohibited uses include, but are not limited to:

- Transmitting or intentionally accessing threatening, obscene or harassing material.
- Promoting, fostering or perpetuating discrimination on the basis of race, creed, color, age, religion, sex, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation, or other status protected by applicable law.

- Communicating messages of an offensive, harassing, or threatening nature. Messages which may be considered offensive are those which contain sexual implications, racial slurs or any other comments that offensively address someone's age, gender, sexual orientation, religion, race, national origin disability, or other status protected by applicable law.
- Sending messages that contain any kind of sexually explicit remarks, material or attached documents which may be in violation of the PHS Harassment Policy. In addition, sexually explicit material and other materials that are disallowed under the PHS Harassment Policy shall not be archived, sorted, distributed, edited or recorded using PHS resources, unless done so for the purpose of an investigation or litigation or for legitimate personnel reasons.
- Participating in any electronic gambling activities.
- Any illegal transactions or information transmission.

### **Copyrighted Information**

Use of the electronic communication system to copy and/or transmit any documents, images, software, or other information protected by a copyright owned by someone other than PHS, without proper authorization from the copyright owner, is prohibited. Copyright protection applies to any documents, image, software or information unless it is specifically marked as public, not copyrighted or freeware. In the absence of any specific copyright markings, material or information should be considered copyright protected. PHS assumes no responsibility for reviewing, ascertaining or policing copyright material that may be transmitted to or from the electronic communication system by employees.

### **Storage of Data**

All data shall be stored on network servers/resources. The Information Technology Department does not back up PHS employee allocated devices (i.e. PC, Laptop, Tablet, etc). The process of reconfiguring devices may at any time result in the loss of data stored on the device.

### **Management of Files**

PHS Employees are responsible for deleting outdated files or files that are no longer required to do their job.

### **Hardware Additions/Procurement**

PHS has developed a standardized hardware platform that it supports. Any hardware that is not supported by this standard, is not appropriately procured, or is found to cause problems with our computer/network system(s) will be removed. All Technology related hardware purchases are to be completed/coordinated through the Information Technology Department.

### **Software Additions/Changes**

PHS recognizes that new technologies and applications/systems can add great efficiency to its operations. In order to assist with the development of new programs, PHS Employees are expected to consult with the Information Technology Department regarding requested software applications early in their review process. The Information Technology Department can assist with determining the appropriateness of the application for the PHS network, help plan a successful implementation and assure legal licensing protocols are followed.

### **Installations of Software**

PHS has developed a standardized software suite that it supports. Any software that is not supported by this standard, is not appropriately licensed, or is found to cause problems with our computer/network

systems(s) will be removed. The computer will then be restored to the PHS standard(s). All software installations are to be performed by the Information Technology Department.

### **Physical Device Removal from Buildings**

Only mobile devices and portable equipment (i.e., laptop computers) may be removed from PHS buildings by authorized PHS Employees. Desktop computers, printers and other attached devices shall not be removed from PHS buildings without the approval of the Information Technology Department.

### **Termination of User**

In order to protect the security of the network, supervisors are required to notify the Information Technology Department immediately via the User Disable Form when employment has been terminated or a consultant or vendor relationship has been discontinued. The User Disable Form is located on theVine.

### **Change of User**

In order to protect the security of the network, supervisors are requested to notify the Information Technology Department as soon as possible when a user role has changed such that their network access and/or security access is affected.

PHS Employees should also notify the Information Technology Department when transferring positions that affect their voicemail account. A new voicemail box will be established to create a new user set-up.

This is done via the User Change Form located on theVine.

### **Personal Owned Devices**

PHS will not purchase personal devices for PHS staff. In addition, PHS does not support devices that were not purchased by PHS IT.

Users can access PHS' Citrix Remote Access on their personal computers at their own risk. PHS does not accept any responsibility for any system conflicts nor system issues that happen to personal computer equipment as a result of using PHS' remote access solutions.

### **Inspection and Monitoring**

PHS has the authority to inspect the contents of any device, equipment, files or email in the normal course of management responsibilities. Reasons to review include but are not limited to: investigation of network slowdown, system hardware or software problems including software license compliance, general system failure, litigation or potential litigation, suspicion of a crime or violation of policy, or a need to perform work or provide service when the user is not available. PHS does not systematically inspect all records and relies on PHS employees to report offensive or inappropriate material to their immediate supervisor, Human Resources or the Information Technology Department.

By using PHS' devices, email and other technology systems, all PHS Employees consent that PHS may, at its discretion, use or disclose any electronic communications and/or data, including those messages that require passwords, without further notice for any legitimate business, legal or corrective action purpose and may disclose or disseminate such messages to appropriate third parties.

## **Violations**

Anyone who uses these systems in a manner that is not consistent with PHS policies may be subject to disconnection from the network, disciplinary action up to and including termination, or other action that PHS deems appropriate.

## **Mobile Device Policy**

The most current version of the **621 – PHS – Mobile Device Policy** can be found on theVine.

This policy is written to provide guidelines for the issuance and use of mobile devices owned by Presbyterian Homes & Services (PHS).

PHS Mobile Devices are managed by Renodis. The vendor relationship with Renodis is constantly managed by PHS IT. Renodis is responsible for processing mobile requests and support along the entire continuum of procurement to decommissioning.

Renodis also acts on PHS' behalf in our relationships with our mobile carriers, ensuring that all mobile devices are assigned to the proper data and voice plan to minimize the PHS overall spend.

All mobile devices purchased by PHS require a filled out Mobile Device request form that can be found on theVine. In addition, the form requires the approval of one of the following roles: Regional Director of Operations, Clinical Director, Site Leader or Campus Administrator of the PHS Community where individual obtaining the mobile device is employed. This form is then submitted to [request@preshomes.org](mailto:request@preshomes.org) and the order is submitted.

Certain company-owned vehicles (transportation buses, facility vans) will be equipped with approved mobile devices to ensure resident safety and enhance productivity. Devices assigned to vehicles will be the responsibility of the driver at any given time and, ultimately, the Director of that department. All costs of the mobile device, including procurement cost as well as ongoing monthly fees are the responsibility of community or department approving the device. At the time of approval, the approver will provide the appropriate budget number to assign to the device. Invoices will come to PHS IT to pay centrally and then an internal charge will be placed to the approved budget number for each device. PHS does not support the use of Personal mobile devices to conduct PHS business. Further, PHS email may not be synced to personal devices (please see Mobile Device – Email Synchronization Policy). Phone numbers of each device will be maintained through PHS IT and will not be ported to non-PHS owned phones at any time.

Equipment assigned to employees may be used at any time by that employee. However, employees assume full responsibility for the equipment and phone usage during non-PHS time and activities. Generally, if equipment is lost, stolen, or damaged in the course of PHS' business, PHS will cover those costs. If the equipment is lost, stolen or damaged during non-PHS time or activities, the employee may bear the responsibility of the replacement costs.

## **Acceptable Use Policy**

The most current version of the **710 PHS – Acceptable Use Policy and Acknowledgement** can be found on theVine.

## **Overview**

The following policy covers all technology services provided by Presbyterian Homes and Services (PHS). This includes all hardware (i.e. mobile phones, tablets, laptops, PC's, etc) and software (i.e.

Web Browsers, email, Electronic Medical Records, Therapy, Finance and others). This policy applies to all PHS employees, contractors, consultants, volunteers, agents or any other persons who have gained or are given access to technology, applications or services provided by PHS.

PHS Employees shall maintain the highest professional ethics and conduct while using any of the PHS technology systems. PHS Employees are responsible for adhering to PHS standards and policies. Failure to adhere to these policies places PHS, and the individual, at risk for legal or financial liabilities, potential embarrassment, adverse employment actions and other consequences up to and including termination of employment.

### **Email Acceptable Use**

Use of the E-mail system is intended for the conducting of business for PHS. The E-mail system hardware is PHS property. Additionally, all messages composed, sent, or received on the electronic mail system are and remain the property of PHS. They are not the private property of any user. PHS Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval by PHS.

PHS employees are required to adhere to HIPAA regulation policies that prohibit email communication with Resident's family members without expressed written consent of the individual whose personal identifying information is being transmitted.

- Must have a signed release form on file that includes email communication, and who can receive those emails.
- Must ensure information is not exposed that the Resident doesn't want shared.
- Verify the email is addressed to the correct recipient.

PHS employees that include PHI in email correspondence with another employee must ensure the information is necessary to do their job, and verify the email is being sent to the correct recipient. PHS employees that communicate PHI with outside business partners, must ensure that a business associate's agreement is on file, and the email is sent in an encrypted method, to maintain the confidentiality of the Resident. Verify the business partner requires this information to perform their work for PHS or the Resident, and that prior to sending the email the email address is confirmed. The E-mail system may not be used to solicit for commercial ventures, political causes, outside organizations, or any other non-business-related solicitations, with the exception of charitable campaigns approved and coordinated by PHS. The E-mail system is not to be used to create any offensive, threatening, or malicious messages. Messages which are considered offensive are those which contain sexual implications, racial slurs, or any other comment that offensively addresses someone's age, gender, sexual orientation, religious beliefs, race, national origin, disability, or other protected class status. The E-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

### **Internet Acceptable Use**

As a condition of providing Internet access to its PHS Employees, PHS places certain restrictions on workplace use of the Internet. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred or accessed over the Internet may be at risk of detection by a third party. PHS Employees must exercise caution when accessing websites and applications via the internet.

PHS Employees are cautioned that obscene, offensive or other inappropriate information may be encountered while using the Internet. While PHS does utilize a filtering product for its business access to the Internet, PHS cannot completely prevent the possibility of this occurring. PHS Employees are expected to refrain from disseminating such information as well as intentionally accessing any websites that do not adhere to the PHS Mission and Values.

Internet usage by individuals may be monitored by the Information Technology Department, including external links and services being accessed by PHS Employees through the PHS provided Internet service.

### **Social Media Acceptable Use**

At PHS we support the use of social media as a way to socialize, share, and connect with each other. The use of social media can present certain risks, which we as PHS employees must embrace with care as we seek to represent PHS in all that we do. We have established a Social Media Acceptable Use policy in an effort to support good use and responsible decisions for the appropriate use of social media. This policy applies to all PHS employees. Please refer to the official Social Media Policy located on Page 30 - 31 of the Employee Handbook.

### **Mobile Device Acceptable Use**

Certain PHS employees will receive a mobile device to assist them in performing their job. The mobile device may consist of a phone, tablet, laptop or other physical device. Each employee has the responsibility of using this device in a manner that increases their productivity to perform company business. While email is approved to be synchronized to PHS owned mobile devices, please note that for hourly employees, all work performed utilizing synchronized email after hours must be approved in advance by his/her respective supervisor in order to be compensable.

Once an employee is no longer employed by PHS, all mobile devices assigned to that employee must be returned to PHS. While employed by PHS, and in the possession of a Mobile Device, employees are responsible for the physical security of that device and any and all data that may reside on that device. PHS mobile devices are not to be left unattended at any time during the course of doing business without being properly locked to prevent unauthorized use. In addition, PHS mobile devices are not to be left in unattended vehicles at any time as this increases probability of theft. If the device becomes lost or stolen, the employee is required to notify PHS IT immediately.

Generally, if equipment is lost, stolen, or damaged in the course of PHS business, PHS will cover those costs. If the equipment is lost, stolen or damaged during non-PHS time or activities, or if there is an unusual pattern of loss or breakage, the employee may bear the responsibility of the repair and/or replacement costs.

The use of personal mobile devices to access generally available PHS systems and information such as web based email and Dayforce Mobile App, require a valid username/password in order to access. Any use and access of this information is done at the employees convenience and will be at their expense and is not considered billable time. In addition, the employee assumes full responsibility for the security of their personal data on their personal mobile phone.

In accordance with applicable laws, PHS prohibits employees from operating a motor vehicle while operating a mobile device (e.g. Smartphone, tablet, smart watch, etc.) to compose, read, or send an electronic message, find/play music, when the vehicle is in motion or a part of traffic. An electronic message includes, but is not limited to, e-mail, a text message, an instant message, and accessing the

internet. This prohibition applies at all times, including while driving for business purposes, while driving to and from work, and while communicating for business purposes when driving for business or not. This prohibition also applies regardless of whether the motor vehicle is personal or company-provided, and whether the wireless communication device is personal or company provided.

This policy does not apply if it is necessary to use a wireless communications device while operating a motor vehicle to obtain emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard or (ii) prevent a crime about to be committed, or if you reasonably believe that a person's life or safety is in immediate danger.

If an employee wishes to engage in conduct prohibited by this policy, the employee must pull out of traffic to stop the car in a safe location.

### **Privacy and Confidentiality**

PHS respects the desire of individuals for privacy. However, a user cannot expect privacy rights to extend to work-related conduct or the use of PHS-owned equipment, supplies or property, particularly with respect to responding to requests for information that can lead to liability for PHS.

All PHS Technology and Services are the property of PHS and as such, there should be no expectation of privacy. The company maintains the right to review usage statistics, history, or any other content at any time.

### **Violations and Sanctions**

Any user who violates this policy, or uses the E-mail system for improper purposes may be subject to disconnection from the network, disciplinary action up to and including termination, or other action that PHS deems appropriate.

## INDEX

<u>Accidental Death and Dismemberment</u> .....	20
<u>Adoption Assistance Benefit</u> .....	20
<u>Affirmative Action</u> .....	8
<u>Alcohol</u> .....	43, 45
<u>Appearance</u> .....	28, 38
<u>Arriving Late</u> .....	17
<u>Attendance</u> .....	17
<u>Attendance Record</u> .....	18
<u>AWAIR (A Workplace Accident and Injury Reduction Program)</u> .....	46
<u>Background Checks</u> .....	10
<u>Benefits</u> .....	20
<u>Bereavement Leave</u> .....	26
<u>Body Piercing</u> .....	28
<u>Brand Promise</u> .....	6
<u>Breaks</u> .....	16
<u>Cash-In-Lieu Benefit</u> .....	20
<u>Casual Employment Status (formerly Temporary)</u> .....	4, 9, 21 – 23
<u>Cell Phones</u> .....	32, 33
<u>Change of Personal Information</u> .....	29
<u>Clothing</u> .....	28
<u>Coat Rooms</u> .....	9
<u>COBRA</u> .....	24
<u>Code of Conduct</u> .....	40
<u>Code of Ethics</u> .....	12
<u>Commitment to Service</u> .....	5
<u>Common Areas</u> .....	17
<u>Communication Process</u> .....	29
<u>Confidentiality</u> .....	33, 39, 42, 47, 61, 63
<u>Continuing Health Insurance Coverage</u> .....	24
<u>Corporate Compliance</u> .....	47, 48, 51
<u>Corrective Action</u> .....	39
<u>Crime Victims and Witnesses Leave</u> .....	27
<u>Criminal Background Checks</u> .....	10
<u>Dental Insurance</u> .....	20
<u>Dependent Care Reimbursement Plan (Flexible Spending Account/FSA)</u> .....	20
<u>Direct Deposit</u> .....	15
<u>Drug and Alcohol Testing for Drivers</u> .....	45
<u>Drug-Free Workplace</u> .....	45
<u>E-Cigarettes</u> .....	45
<u>Education &amp; Development</u> .....	20
<u>Education Assistance</u> .....	20
<u>Emergency Procedures</u> .....	46
<u>Employee Assistance Program (EAP)</u> .....	20
<u>Employee Health</u> .....	18, 22, 46
<u>Employee Lounges</u> .....	9
<u>Employee Volunteers</u> .....	10
<u>Employment File/Record</u> .....	11
<u>Employment Status</u> .....	8



<u>Employment Verification</u> .....	11
<u>English Language Policy</u> .....	34
<u>Equal Employment Opportunity Policy (EEO)</u> .....	8
<u>Extended Sick Time (See Sick Pay page 22)</u> .....	15
<u>Evaluations</u> .....	10
<u>False Claims</u> .....	48
<u>Family Leave</u> .....	25
<u>Federal False Claims &amp; Deficit Reduction Act</u> .....	48
<u>Final Paycheck</u> .....	13
<u>Flexible Spending Account (FSA)</u> .....	20
<u>FMLA (Family Medical Leave Act)</u> .....	25
<u>Footwear</u> .....	28
<u>Fraud</u> .....	48
<u>Full Time</u> .....	8
<u>Gift Policy</u> .....	35
<u>Hair</u> .....	28
<u>Harassment And Offensive Behavior Policy</u> .....	36
<u>Hats</u> .....	28
<u>Headwear</u> .....	28
<u>Health Assessment</u> .....	9, 10
<u>Health Care Reimbursement Plan (Flexible Spending Accounts/FSA)</u> .....	20
<u>Health Savings Account (HSA)</u> .....	20
<u>Help Line – Corporate Compliance</u> .....	48, 51
<u>Higher Education Assistance</u> .....	20
<u>Holiday Not Worked Pay</u> .....	23
<u>Holiday Worked Pay</u> .....	23
<u>Holidays</u> .....	23
<u>Hours of Work</u> .....	9
<u>Immediate Termination</u> .....	39
<u>Immigration Law Compliance</u> .....	8
<u>Inactivity</u> .....	12
<u>Information Technology</u> .....	56
<u>Initial Evaluation Period</u> .....	10
<u>Involuntary Termination</u> .....	13
<u>Jewelry</u> .....	28
<u>Jury Duty Leave</u> .....	26
<u>Leaving Early</u> .....	17
<u>Leaving the Building/Premises</u> .....	17
<u>Life Insurance</u> .....	20
<u>Lockers</u> .....	9
<u>Logo</u> .....	6
<u>Long Term Disability</u> .....	20
<u>Longevity Recognition</u> .....	24
<u>Mandatory Reporting</u> .....	40, 47, 51
<u>Meals</u> .....	16
<u>Medical Insurance</u> .....	20
<u>Medical Leave</u> .....	25
<u>Mileage</u> .....	24
<u>Military Leave</u> .....	27

<u>Mission Statement</u> .....	5
<u>Motto</u> .....	5
<u>Nails</u> .....	28
<u>Name Badge</u> .....	28
<u>Nepotism</u> .....	11
<u>No Call No Show</u> .....	18, 39
<u>Notification of Federal and State Laws and Rights of Employees under Whistleblower Protections and Qui Tam Actions</u> .....	49
<u>On Call</u> .....	8, 20-23, 45
<u>Outside Employment</u> .....	11
<u>Overtime</u> .....	15
<u>Paid Time Off (PTO)</u> .....	20
<u>Part Time</u> .....	8
<u>Paycheck</u> .....	14
<u>Pay for Other Absences</u> .....	22
<u>Pay Period</u> .....	14
<u>Payroll Deductions</u> .....	15
<u>Performance Summaries/Evaluations</u> .....	10
<u>Personal Calls</u> .....	32
<u>Personal Hygiene</u> .....	28, 38
<u>Personal Information/Changes</u> .....	29
<u>Personal Leave</u> .....	26
<u>Pet Policy</u> .....	35
<u>Phone Use</u> .....	32
<u>Photographs</u> .....	31
<u>Physical Harassment</u> .....	37
<u>Planned Absence</u> .....	17
<u>Prevention &amp; Detection of Fraud, Abuse, &amp; Waste</u> .....	48
<u>Probationary Period</u> .....	10
<u>Problem-Solving Process</u> .....	30
<u>Progressive Discipline</u> .....	38
<u>Promotions</u> .....	9
<u>Purpose of Employee Handbook</u> .....	4
<u>Rate of Pay</u> .....	14
<u>References</u> .....	11
<u>Rehire</u> .....	13
<u>Resignation</u> .....	22
<u>Retirement Savings and Investment Plan</u> .....	20
<u>Rules of Conduct</u> .....	38
<u>Salary Deduction Policy</u> .....	16
<u>School Conferences and Activities</u> .....	27
<u>Security</u> .....	46
<u>Service Member Caregiver Leave</u> .....	25
<u>Sexual Harassment</u> .....	36
<u>Shift Definitions and Shift Premiums Pay</u> .....	14
<u>Sick Pay (formerly Extended Sick Time / EST)</u> .....	22
<u>Social Media</u> .....	30, 31, 62
<u>Social Security</u> .....	29
<u>Solicitation</u> .....	34

<u>Spell of Illness or Injury</u> .....	18
<u>StandUP</u> .....	29
<u>Standards of Conduct</u> .....	40
<u>Statement of Presbyterian Homes</u> .....	5
<u>Status</u> .....	8
<u>Tattoos</u> .....	28
<u>Telephone Use</u> .....	32
<u>Temporary Employment Status (see Casual Employment Status)</u> .....	4, 9, 21, 22, 23
<u>Termination</u> .....	12, 13
<u>Time Away From Work</u> .....	25
<u>Time Sheet Records</u> .....	15
<u>Time Clocks</u> .....	15
<u>Tobacco</u> .....	45
<u>Transfers</u> .....	9
<u>Uniforms</u> .....	28
<u>Unplanned Absence</u> .....	17
<u>Use of Equipment/Keys</u> .....	28
<u>Verbal and Non-Verbal Harassment</u> .....	37
<u>Voluntary Termination</u> .....	12
<u>Voting</u> .....	27
<u>W-2</u> .....	13
<u>W-4</u> .....	15
<u>Welcome Letter</u> .....	3
<u>Worker's Compensation</u> .....	46
<u>Working in Another Department/Location (Alternate Jobs)</u> .....	9
<u>Workplace Violence Policy</u> .....	37

(This page left blank intentionally)

**YOUR EMPLOYEE HANDBOOK AND CODE OF CONDUCT**  
**ACKNOWLEDGEMENT**

I acknowledge that I have been informed that I can access the Presbyterian Homes & Services Employee Handbook including the Code of Conduct and Information Technology Policy dated 7/1/2017 in the following manner. I understand these instructions and how to follow them:

- In your web browser, type [www.thevinephs.org](http://www.thevinephs.org) in the address bar.
- Click on the Employee Handbook link on the bottom of the homepage.

I am aware it is my responsibility to read and understand the contents of the Employee Handbook, Code of Conduct and Information Technology Policy and to ask questions about anything in it which I do not understand. To the extent they are inconsistent, this new Employee Handbook, Code of Conduct and Information Technology Policy supersedes and replaces all previous handbooks, manuals, policies, rules and practices of Presbyterian Homes & Services effective 7/1/2017. I also understand that the 7/1/2017 Employee Handbook may be revised or amended and that it is my responsibility to stay informed of all revisions and amendments by consulting the [www.thevinephs.org](http://www.thevinephs.org) for Employee Handbook updates.

I understand that the Employee Handbook, Code of Conduct and Information Technology Policy are part of the guidelines for employer/employee relations between myself and the operating entities of Presbyterian Homes & Services.

I also understand that the Employee Handbook, Code of Conduct and Information Technology Policy do not constitute a contract between myself and Presbyterian Homes & Services, and that it is not a guarantee of permanent employment. I also understand that my employment with Presbyterian Homes & Services is employment at-will and that I can resign or be terminated at any time with or without cause or prior notice.

---

Employee's Name (Please Print)

---

Employee's Signature

Date \_\_\_\_\_ Location \_\_\_\_\_ Employee Number \_\_\_\_\_

