

# PERSONNEL POLICIES

ADAPT, INC.

Welcome, we are pleased you have chosen to work at ADAPT. The work you will perform and the impact you will have on our consumers and residents is very important. Please take time to read these policies carefully. The policies give you information about your rights and responsibilities as an ADAPT employee. If you have any questions at anytime about the information contained in these policies (or any other issues) please contact your supervisor. Changes from the previous policies are noted in the margins or underlined.

Welcome to ADAPT, we look forward to working with you.

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## Receipt of Personnel Policies

I have received a current copy of the personnel policies (revised 6/2010). I understand that I have no reasonable expectation to believe these policies will remain in effect indefinitely. I understand that this handbook does not constitute an expressed or implied contract. I further understand that these personnel policies do not constitute a contractual arrangement between ADAPT, Inc. and myself. I understand that the company reserves a unilateral right to change, withdraw, or add to these policies at any time.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## ADAPT

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# PERSONNEL STANDARDS, POLICIES, AND PROCEDURES

## I. GENERAL

### PURPOSE

The purpose of ADAPT is to provide residential services, CLS Services, work experiences, and other opportunities for developmentally disabled and mentally ill adults and children. It is the desire of this organization to provide the least restrictive environment possible that will maximize the growth of the consumers and assist them to become as self-sufficient as possible.

### BOARD OF DIRECTORS

ADAPT is governed by a Board of Directors. The Directors have the responsibility and the authority for the operation of all programs of ADAPT. This Board employs an Executive Director for the effective operation and growth of ADAPT'S programs. In delegating such authority the Board realizes that effective programming is directly related to adequate state, federal, and local funding. Board members shall be encouraged to attend conferences and seminars as they relate to their involvement with ADAPT. Any expenses incurred with regard to those activities, including mileage, shall be reimbursed.

### AT-WILL STATUS OF EMPLOYMENT

The employee/employer relationship is "at-will." This means that at the sole discretion of either the employer or the employee, the relationship may be terminated with or without cause and with or without notice. Personnel practices, including the right to hire, assign, transfer, suspend or discharge, to relieve employees from duty and to maintain discipline and efficiency of employees, rest exclusively in the sole discretion of the employer. The employer may introduce new administrative methods and job requirements as changing needs indicate. Nothing in these policies operates to change the status of the employee from at-will to other status. All disciplinary provisions in this manual are advisory. The employer expressly reserves the right to terminate any employee at the sole discretion of the employer. Any representations that change the employee status from an at-will employment status must be in writing and must be signed by the Executive Director. Any other purported changes in the at-will nature of the employment arrangement are without any effect. Employees acknowledge and certify that no oral statements or promises of employment beyond the at-will policy of the employer were made prior to, or relied upon by employee prior to hire.

### EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

ADAPT subscribes to a policy of equal employment opportunities and will maintain and conduct all practices relating to recruitment, hiring, discipline, and other terms and conditions of employment in a manner which does not discriminate on the basis of race, color, religion, national origin, age, sex, disability, marital status, height, weight, or veteran status.

Under Michigan law, a person with a disability needing accommodations for employment must notify the employer in writing within 182 days after the need is known or reasonably should have been known. Failure to notify the employer may result in your loss of rights. However, this does not waive the individual's right under Title I of the Americans with Disabilities Act of 1990, as amended, which imposes no time limit and does not require accommodation request to be in writing. Should you have any questions or concerns on your rights, please contact the Executive Director immediately in writing. ADAPT will not discriminate against persons with disabilities in regard to any employment practice or terms, conditions, and privileges of employment. This prohibition covers all aspects of the employment process, including application, testing, hiring, assignment, evaluation, disciplinary actions, promotions, medical examinations, training, layoff/recall, termination, compensation, leave, benefits, or any other term, condition or privilege of employment. If you are a person with a covered disability as defined by law, then we will make every reasonable effort to accommodate your disability. Postings detailing the law shall be displayed at each ADAPT location.

### MANAGEMENT RIGHTS

The employer expressly retains and reserves, including but without limiting the generality of the foregoing, the right to:

- ◇ Hire, fire, suspend, and otherwise discipline its employees as the employer, in its sole discretion, deems advisable.
- ◇ To determine the work hours of the employee, to assign the employee and to lay off the employee as the employer, at its sole discretion, deems fit. Management reserves the right to reduce work hours and transfer employees.
- ◇ To determine job classifications and duties of each employee, subject to change without written notice to the employee.
- ◇ To manage its affairs efficiently and economically, including the determination of quantity and quality of services to be rendered, the control of equipment to be used, and discontinuance of any services or methods of operation.
- ◇ To introduce new equipment, methods, or processes, change or eliminate existing equipment, and institute technological changes, decide on supplies and equipment to be purchased.
- ◇ To sub-contract or purchase the construction of new facilities, or the improvement of existing facilities, as the employer, at its sole discretion, deems advisable.
- ◇ To determine and adjust the number, location, and type of facilities, to direct the work force, to assign the type and location of work assignments, and determine the number of employees assigned to operations.
- ◇ To close or otherwise reduce the scope of operation of any or all facilities.
- ◇ To determine starting and quitting times, and the number of hours to be worked by employees.

- ◇ To establish and change work schedules, work standards, and the methods of processes and procedures by which such work is to be performed by employees.
- ◇ To select employees for promotion or transfer to other supervisory positions, and to determine the qualifications and competencies of the employees to perform the available work.

### ANTI-HARASSMENT POLICY

Harassment because of religion, race, color, national origin, sex, age, height, weight, handicap, disability, marital status or other legally protected status is unlawful discrimination and is prohibited by federal law and the employer. The employer will not tolerate any form of harassment.

For the purposes of this Policy, "Harassment" means unwelcome verbal communication or physical contact because of religion, race, color, national origin, sex, age, height, weight, handicap, disability, marital status, or other legally protected status, which unreasonably interferes with a person's work performance or which creates an intimidating, hostile or offensive work environment.

"Harassment" includes "sexual harassment", which means unwelcome sexual advances, unwelcome requests for sexual favors and other unwelcome verbal or physical conduct or communication of a sexual nature when:

- (a.) submission to such conduct or communication is made either explicitly or implicitly a term or condition of the individual's employment;
- (b.) submission to or rejection of such conduct or communication by an individual is used as a basis for employment decisions affecting such individual; or
- (c.) such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

Examples of Harassment may include one or more of the following:

- ◆ Physically touching an employee in an offensive manner;
- ◆ Making suggestive or derogatory comments or gestures about a person's religion, race, color, national origin, age, sex, height, weight, handicap, marital status or other legally protected status;
- ◆ Displaying magazines, cartoons or jokes which are derogatory about a person's religion, race, color, national origin, age, sex, height, weight, handicap, marital status or other legally protected status;
- ◆ Telling jokes which are derogatory about a person's religion, race, color, national origin, age, sex, height, weight, disability, or other legally protected status.

Examples of sexual harassment may include one or more of the following:

- ◆ Repeated and unwelcome requests for dates after work;
- ◆ Sending letters which make romantic suggestions;
- ◆ Sexual advances or propositions or threats;
- ◆ Continuing to express interest after being informed that the interest is unwelcome;
- ◆ Suggestive or insulting comments or sounds, including whistling;
- ◆ Commentary about an individual's body;
- ◆ Display of sexually suggestive objects, pictures, or letters;
- ◆ Obscene gestures;
- ◆ Unwanted physical contact, including offensive touching, pinching, brushing the body, impeding or blocking movement, unwanted sexual intercourse or other unwanted sexual acts, sexual assault or battery.

The above list is not meant to be exhaustive, but is included to provide examples of prohibited action.

The employer does not condone, either explicitly or implicitly, and will not tolerate, harassment of any kind by anyone in the organization, consumers, vendors, independent contractors, applicants for employment, or visitors to the workplace.

Any employee who believes that the actions or words of a fellow employee or member of management constitute harassment should report the incident as soon as possible to his/her supervisor. If the employee cannot report the complaint to his/her supervisor because the supervisor is the offending party, the employee may speak to the Executive Director, Human Resource Director, Director of DD Services or Director of DD/MI Services.

If possible, all complaints should be reported within 48 hours of occurrence. In filing a complaint about harassment, the employee should be prepared to specifically identify the incident(s) in question, the dates (if possible), the name of the person accused of wrongdoing, witnesses, a description of exactly what happened and what remedy would be satisfactory. This information affords management the opportunity to make a thorough investigation into the alleged incident(s) of harassment, which shall be conducted promptly.

Further, after the employee has raised his/her harassment complaint with the appropriate party and the employee continues to believe the problem is occurring, he/she is encouraged to pursue his/her complaint to the Board of Directors or the Equal Employment Opportunity Commission (EEOC).

Employees found to have engaged in harassment shall be disciplined. Such discipline can range from a written warning to discharge depending on the judgment of management as to the seriousness of the offense. Management will take into consideration proposed suggestions of the victim of the harassment regarding disciplinary action, but reserves its right to make the final decision.

ADAPT shall assure that no individual shall be retaliated against for making a complaint of harassment, opposing harassment, or participating in an investigation under this policy, regardless of whether a policy violation is found, no policy violations found, or no determination of a policy violation is possible.

#### WEAPONS POLICY / WORKPLACE VIOLENCE

Weapons of any kind, including but not limited to guns and knives, are not allowed on any of ADAPT premises. Employees, visitors, or consumers may not bring weapons into the workplace. This applies even if person has a concealed weapons permit.

Violence or threats of violence in the workplace will not be tolerated. Pushing, choking, fighting, or intimidating acts of violence against any Employee, Employee's personal property or Employer property is forbidden.

If an Employee feels he or she is a victim or potential victim of violence in the work environment, it is recommended that the Employee file a written complaint with his or her supervisor or the Director. Filing a complaint will allow the Employer to undertake an immediate investigation of the complaint and take whatever action is deemed appropriate.

All complaints will be treated on a confidential basis to the extent possible. No disciplinary action or retaliatory action will be taken against any Employee filing a complaint in good faith.

If a friend or relative of an Employee enters or attempts to enter the Employer premises under the suspicion of threat to the Employee or other persons, the Employee will be removed from the schedule until the potential or actual risk to the Employee or others is eliminated.

The Employer endeavors to provide a safe work environment for its Employees.

#### ADAPT SUBSTANCE ABUSE POLICY

ADAPT recognizes the problems associated with substance abuse in society and in the workplace. We believe substance abuse poses a serious threat to our employees and clients.

This policy seeks to balance our respect for individual privacy with our need to keep a safe, productive, work environment. ADAPT reserves the right to change this policy at any time upon notice to our employees.

ADAPT prohibits the possession, use, and distribution of a controlled substance (as defined in federal and state law), or any form of narcotic or intoxicant (including the abuse of a legal drug) in the workplace, while on ADAPT business, during any contact with clients, or while driving a vehicle on ADAPT business.

Alcohol consumption during work hours is prohibited, whether on company property or off. If it is reasonably suspected that you are impaired by alcohol or illegal drugs, or if you are involved in an accident in the workplace, you may be asked to immediately present yourself for drug testing at an authorized medical facility. Reasonable suspicion will be determined in the sole discretion of the authorized ADAPT supervisor.

Reasonable suspicion shall be based upon the observations of a supervisor or others that the employee is impaired. All determinations will be based upon articulable suspicion that an employee is using or has used drugs or alcohol and shall be drawn from specific objective facts and reasonable inferences drawn from those facts in the light of experience. If you refuse to submit to drug testing, under these circumstances of reasonably suspected impairment, your employment will be terminated.

ADAPT will contract with an appropriate agency for conduct of drug and alcohol testing, which will be based upon a sample of urine submitted at the time of the test. Sufficient quantities of the sample will be obtained and segregated into two units. One unit will be tested for the presence of metabolites of illegal drugs or alcohol. If the test is positive, the employee may, if he or she wishes, have the second sample sent to another lab for testing, at his or her expense.

A positive test will result in disciplinary action up to and including termination of employment. It is a condition of your continued employment with ADAPT to authorize the release of test results to the employer of any tested sample.

As with other medical reports, all testing results will be maintained in a confidential medical file of the employee, and will not be released absent authorization of the employee, or court order, or in compliance with state and federal law.

#### POLICY ON FRAUD, WASTE AND ABUSE

The purpose of this policy is to provide ADAPT's management, employees, agents, and contractors with information pertaining to state and federal fraud, waste, and abuse laws. This policy also provides information regarding ADAPT's compliance program policies and procedures designed to detect, investigate, and report any suspected fraud, waste, or abuse in accordance with the Federal Deficit Reduction Act. For purposes of this policy, abuse refers to abuse of financial resources rather than physical or mental abuse.

- It is the policy of ADAPT to detect, investigate, and report any suspected fraud, waste, or abuse within the organization's operation. As an organization, ADAPT is committed to preventing fraud, waste, and abuse while furthering its mission. In order to meet these objectives, ADAPT has established a corporate compliance program and appointed a corporate compliance officer who shall be ADAPT's Business Manager.
- All employees are expected to adhere to all legal, regulatory, fiscal and program requirements.
- Each employee is responsible to read and understand, and implement ADAPT's policy on fraud, waste, and abuse as set out in the full Corporate Compliance Plan, including information on the Federal False Claim Act, Michigan Medicaid False Claim Act and Michigan Whistleblowers' Protection Act. The Federal and State Whistleblower's Protection Act are fully explained and available at every ADAPT location on wall posters.
- Each employee shall immediately report any suspected fraud, waste, or abuse to ADAPT's corporate compliance officer. Employees shall not be discriminated or retaliated against, or be subjected to any form of disciplinary or other adverse employment action for making such reports in good faith.

Employees are expected to provide only those services authorized and necessary, accurately documenting and billing for authorized services rendered. Under no circumstances shall any employee knowingly make false or inaccurate claims; bill for services not rendered; provide and/or bill for medically unnecessary services, or submit duplicate billings

#### COMPLIANCE PROGRAM FOR DETECTING AND PREVENTING FRAUD, WASTE, AND ABUSE

**Auditing and Monitoring:** ADAPT will conduct regular reviews of policies and procedures to ensure all practices are current and optimally designed to ensure the detection of fraud, waste, and abuse. ADAPT's annual audit includes a management review of internal practices to make sure accounting and billing duties are monitored and split among different personnel.

**Standards and Procedures:** ADAPT has a clear and up-to-date procedure for records retention

**Compliance Officer:** ADAPT's Business Manager shall be designated as ADAPT's Compliance Officer. This position shall be responsible for overseeing the compliance program; establishing methods to improve the process and reduce our vulnerability to fraud, waste, and abuse; Be prepared to revise the compliance program if changes are required; ensure that the compliance training is current and up-to-date; ensure the HHS-OIG's List of Excluded Individuals and Entities, and the GSA's List of Parties Debarred from Federal Programs have been checked with respect to employees, medical staff, and independent contractors; and investigate any report or allegation concerning possible unethical or improper business practices, and monitor subsequent corrective actions and/or compliance.

**Training:** ADAPT shall ensure that ALL employees are fully trained in the compliance program, in the consequences of violating standards, in the role of each employee in the compliance program, and how employees can perform their jobs in compliance.

**Responding to Detected Offenses:** The Corporate Compliance Office shall conduct an investigation into any suspected violation and report the results to the Executive Director. All investigations, whether substantiated or not, shall be reported to the Corporate Compliance Officer at the appropriate Community Mental Health agency. If a violation of law possibly occurred, the appropriate law enforcement agency, as well as legal counsel, will be notified.

**Communication:** Discussions concerning the importance of Fraud Detection shall be not only handled during initial training but also at periodic staff meetings. All employees shall receive a copy of this personnel policy manual and any and all updates shall likewise be conveyed to all staff.

**Publicizing Disciplinary Standards:** During initial and on-going compliance training staff shall be made aware of the disciplinary actions taken if non-compliance is detected. Any non-compliance incidents shall be fully documented and include the date of the incident, name of the reporting party, the name of the person responsible for taking action, and the follow-up action taken. The type of disciplinary action could range from a written corrective action to termination, depending on the results of the investigation and severity of the violation.

#### GOOD MORAL CHARACTER/CRIMINAL HISTORY CHECKS/ DRIVING RECORDS/OTHER CHECKS

It is the policy of ADAPT to conduct an on-going criminal history check through the Michigan State Police, Sex Offenders Registry, Abuse/Neglect, CNA registry and other police agencies where appropriate. Since this information may not be available until after an applicant has been hired and assumed responsibilities, it may be necessary to conduct a post-hire good moral character assessment that includes information found in the criminal history report. If the employer substantiates that the employee provided dishonest or false answers on the job application or during employment interviews, the employee can be terminated immediately. ADAPT also will conduct on-going checks with the Department of Motor Vehicles for moving violations. Three (3) or more moving violations may result in loss of employment. An offense involving alcohol within a five-year period may likewise result in loss of employment. If, during employment, an employee does accumulate three (3) or more moving violations, an offense involving alcohol, or has their driver license suspended for any reason they must immediately notice the ADAPT office.

Effective April 1, 2006 ADAPT must comply with Public Act 29 of 2006. In brief summary, this state statute mandates the obtainment of extensive criminal history background information, including FBI fingerprinting, of all individuals who seek employment, independently contract, or clinical privileges in positions that provide "direct access" to consumers served by this company. "Direct Access" is defined as on-going and regular periodic access to a patient or consumer or to a patient or consumer's property, financial information, medical records, treatment information, or any other identifying information. This law supplements and reinforces ADAPT's long standing policies relating to requisite good moral character and suitability to work with vulnerable adults.

PA 29 of 2006 prohibits individuals with certain conviction histories from regularly providing direct services to consumers.

PA 29 of 2006 also prohibits the employment, independent contract or clinical privileges to individuals who have been the subject of a finding of not guilty by reason of insanity and findings of neglect, abuse, or misappropriations of property by a state or federal agency pursuant to an investigation conducted in a skilled nursing facility.

The criminal history background information obtained mentioned in this policy will be obtained by ADAPT only after a good faith offer of conditional employment or contract has been extended. All workers covered under this law must, as a condition of employment, execute any and all consent forms, acknowledgements, and releases arising from compliance with PA 29 of 2006.

As a condition of continued employment, all direct access workers must immediately report to ADAPT any arraignment or conviction of one or more offenses that make them ineligible to work under PA 29 of 2006. As an additional condition of employment, all direct access workers must report to ADAPT if they have become the subject of an order or disposition finding of not guilty by reason in insanity. Similarly, workers are to report if they are the subject of a substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation arising in a skilled nursing facility. A complete listing of the offenses is provided to staff at hire and is available on ADAPT's website: [adaptinc.org](http://adaptinc.org)

The provision of false, incomplete, or misleading information during the hiring and application process will result in refusal of work and/or termination. Under Michigan law, an individual who knowingly provides false information regarding his or her identity, criminal convictions, or substantiated finding is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500 or both.

#### OTHER EMPLOYMENT

Employees are not permitted to perform any services or have any interest or involvement, either directly or indirectly, in any other business, which resembles or competes with ours. If an employee violates this policy, he or she may be terminated. If you already have or are considering an outside business involvement or employment which would appear to violate this rule, you should advise your supervisor immediately.

#### SUBPEONAS, SEARCH WARRANTS, LEGAL SERVINGS

Employees who are served with subpoenas, search warrants, or any other legal documents are to contact their supervisor immediately. If the legal process (search warrant) must be started immediately, staff shall allow law enforcement to begin after thoroughly reading the legal documents and then contact their supervisor. Any other legal papers or servings that are served must be communicated as soon as possible to a supervisor.

#### PUBLICITY

Only the Executive Director or a staff member specifically designated by the Executive Director shall make all official statements to the public of whatever nature.

#### PROFESSIONAL DEVELOPMENT

ADAPT encourages professional development and staff education. The Executive Director shall encourage staff members to attend professional meetings, rotating attendance when possible. The Executive Director shall employ such recognized elements as staff meetings, evaluations and progress reports and in-service education sessions.

ADAPT may have funds available for fees for staff training, all training expenditures must be approved by the Executive Director.

#### GIFTS, GRATUITIES, AND LOANS

An employee shall not be permitted to accept loans, gifts, money, goods, services or other preferred arrangements of personal benefit under any circumstances directly or indirectly involving possible interest, or appearance of influence upon the manner in which they perform their work, make their decisions or otherwise discharge their duty as an ADAPT employee. Any gift of doubtful nature shall be cleared with the Executive Director. Employees are not permitted to borrow or loan money to consumers or family members under any circumstances. Employees are not to commingle, borrow, or pledge funds of a consumer. Michigan law makes it a misdemeanor, with the possibility of 2 years in jail, a \$25,000 fine, or both if convicted. Consumer's accounts shall be individual to the consumer. Neither ADAPT nor any ADAPT employee shall have any ownership interest in a consumer's account.

#### SOLICITATIONS AND FUND DRIVES

Contributions by employees to community organizations shall be totally voluntary. The Executive Director and/or Board shall at no time estimate or determine what amount such contributions shall be. No solicitations of any kind shall be allowed in ADAPT, with the exception of those approved by the Board.

#### QUALIFICATIONS

Direct Care Staff shall meet all of the following to obtain and maintain employment, unless the Executive Director approves an exception:

- ◇ Must be able to complete required reports and follow written and oral instructions that are related to the care and supervision of consumers.
- ◇ Must be suitable to meet the physical, emotional, intellectual, and social needs of each consumer in their care.
- ◇ Must be capable of handling emergency situations.
- ◇ Must successfully complete training curriculum.

- ◇ Must be in such physical and mental health so as not to negatively affect either the health of the consumer or the quality of his or her care.
- ◇ Must be at least 18 years of age.
- ◇ Must be able to physically assist in the lifting/transferring of consumers who range in size from child to adult.
- ◇ Must be physically capable of engaging in physical intervention once properly trained.
- ◇ Must be able to report to assigned work site at the assigned time.
- ◇ Must be able to operate a motor vehicle safely and legally, and be insurable under ADAPT's policy.
- ◇ Must attend all regular and special staff meetings and in-services.
- ◇ Must be of good moral character as defined by the AFC licensing requirements.

#### TRAINING

- ◇ All necessary training and tests required by the State, any governmental agency, or ADAPT must be successfully completed.
- ◇ Any additional requirements which the State or ADAPT may impose in the future must be complied with.
- ◇ All employees will be required to attend all regular and special staff meetings and special in-service training sessions that may be held at the home, program or contracting agency.
- ◇ Employees will have two (2) opportunities to successfully pass all aspects of the training curriculum.
- ◇ Employees who are 30 minutes or more late will not be allowed to attend that training module.
- ◇ Through orientation, the formal training provided, and ongoing in-services, ADAPT employees review those licensing rules and requirements, and guidelines relevant to their responsibilities.

Scheduled pay increases will occur upon successful completion of all required modules.

Successful completion of all required re-certifications is a requirement of maintaining employment.

#### GRIEVANCES

An employee who is dissatisfied with any aspect of the employment relationship, other than termination, may file a written grievance with the employee's supervisor. The supervisor shall, within 10 working days, discuss the grievance with the employee and attempt to resolve it. The proposed resolution suggested by the supervisor shall be final and binding, unless reviewed by the Executive Director.

If the employee is not satisfied with the decision of the supervisor, the employee may request a review by the Executive Director. Such request shall be in writing. Such review shall be promptly conducted, and a copy of the proposed resolution suggested by the Executive Director shall be final and binding, unless reviewed by the Board of Directors.

An employee who is not satisfied with the proposed resolution of the grievance by the Executive Director may file a written appeal with the Board of Directors. Final action shall be taken by the Board of Directors. Such action shall be reduced to writing, included in the minutes of the Board and a copy thereof shall be delivered to the employee. The proposed resolution of the Board of Directors will be final and binding.

#### MEDICAL EVALUATIONS

ADAPT requires all direct care staff to have an pre-employment physical and all staff to have a TB test following a conditional job offer. The Human Resource Director or Director of DD/MI Services will arrange an appointment with ADAPT'S physician to conduct said physical and TB test. The TB test will be updated at least every three years or as required by the Office of Children and Adult Licensing.

The Hepatitis B Vaccine is available for all staff. If the staff person chooses not to accept the vaccine, a waiver must be signed. The staff person can change their mind at any time by contacting the Human Resource Director or the Director of DD/MI Services.

After a person starts work, a medical examination or inquiry of an employee may be made if it is job related and necessary for the business. The employer also reserves the right at its sole discretion and expense to require an employee to provide a physician's statement verifying that the employee is physically and emotionally capable of performing the employee's job responsibilities.

#### EMPLOYMENT OF RELATIVES AND PERSONAL RELATIONSHIPS AMONG COWORKERS

The employment of relatives of employees is permitted by ADAPT, as long as qualifications for the position are met and, in the opinion of ADAPT, employing the relative will not create an actual or perceived conflict of interest. Employees will not be permitted to work in positions where relatives will influence, or be influenced by, decisions affecting work assignments, responsibilities, salary, promotion or other career matters. Managers who seek to hire, transfer or promote their own relatives must obtain prior approval from their supervisor.

Relatives include: spouse, parent, parent-in-law, child, stepchild, grandparent, grandchild, sister/brother, sister-/brother-in-law, aunt/uncle, niece/nephew, and any individual with whom an employee has a personal relationship.

Personal relationships may create an actual or perceived conflict of interest, and/or create the risk of sexual harassment/hostile work environment related claims. Thus, supervisors may not hire, promote or directly supervise any person with whom they have a personal relationship, nor may they engage in any personal relationships with their subordinates.

A personal relationship includes, but is not limited to the following activities: dating, sharing the same household or living together.

An employee must notify ADAPT if his or her relationship to another employee changes to fit the definition of 'relative' above. If a personal relationship develops between a supervisor and subordinate, both employees are required to inform their supervisor.

Adapt reserves the right to use its sole discretion in placing and transferring relatives of its current employees in a manner calculated to eliminate potential conflicts of interest or other employment complaints. To do this, ADAPT will take action that is fair and equitable and that will remove any direct reporting or management relationship between employees who are defined as 'relatives.'

Similarly, Adapt reserves the right to use its sole discretion in the hiring or placement of new employees who have personal relationships with current employees. The employer further reserves the right to review and modify the placement of all current employees who have personal relationships with co-workers. ADAPT will take action that is fair and equitable to eliminate any direct reporting or management relationship between employees who are involved in a personal relationship. Finally, the employer may change the placement of individuals involved in a personal relationship regardless of whether there is a direct reporting or management relationship if the employer determines that the personal relationship interferes with the employee's job performance.

#### STAFF/CONSUMER RELATIONSHIPS

Employees shall refrain from pursuing or engaging in intimate personal relationships with agency consumers. Given the nature of our work, such dual relationships can easily become confusing and possibly result in unethical conduct.

Employees shall not use their position within the agency as a means of developing relationships with consumers.

When an employee has a pre-existing relationship with a person who becomes a consumer, the employee shall inform his/her supervisor of the relationship and agree to remove him/herself from work related duties regarding that consumer. If circumstances require the employee to perform his/her duties with or regarding that consumer, the employee's supervisor shall closely monitor the situation.

Employee/consumer relationships that develop in a way that is entirely independent of the agency shall be handled in the same manner as a preexisting relationship.

#### PERSONNEL POLICIES

- ◇ These policies apply to all employees of ADAPT, Inc. and ADAPT St. Joe, Inc.
- ◇ The development of policies shall be the responsibility of the Executive Director or his designee. Such policies shall be subject to review by the Board. All policy statements shall be distributed to each employee.
- ◇ Whenever there is a disagreement between a member of the staff and their supervisor over interpretation of a personnel policy, it is to be presented to the Executive Director.
- ◇ These policies are only meant to serve as a reference guide. The Policies and Benefits described are not conditions of employment, and do not reflect a contract between the employer and the employee. The employer reserves the unilateral right to add, delete, or amend the policies and benefits provided for in these policies. Employees should contact their supervisor or any member of management with questions concerning the contents of these policies.
- ◇ A copy of ADAPT'S Personnel Policies will be given to each new employee. Additional copies will be readily available to all employees. Revisions will be distributed to all employees after a revision is made.

#### JOB DESCRIPTIONS

A written job description listing date of hire, salary, duties, qualification, and any conditions of employment shall be signed by the employee and maintained on file in their personnel file.

#### PERSONNEL FILES

A personnel file will be maintained for each employee. For the purpose of maintaining complete and accurate personnel files, employees are required to report any changes in their personal status to the employer. The information needed is:

- ◇ change in address or phone number
- ◇ any change affecting your tax withholding status
- ◇ legal change of name
- ◇ change of persons designated to call in case of emergency
- ◇ changes that would affect your insurance benefits

You may see your personnel file by submitting a written request to the Human Resource Director or Director of DD/MI Services. Employee access to their personnel file will be provided in compliance with all State and Federal laws. Copies will be provided and a reasonable per copy cost may be charged.

#### EVALUATIONS

Staff evaluations are for the purpose of evaluating job performance, providing feedback to employees, and letters of recommendation. A written evaluation will be performed at the end of three months and at least annually thereafter. All staff evaluations are maintained in their personnel file. If there is disagreement, a written statement by the staff member may be

attached to the evaluation and placed into their personnel file. The statement must specifically state what the disagreement is about, be signed and dated.

### RESIGNATION

- ◇ Resignations are requested to be in writing.
- ◇ Should you decide to terminate your employment with ADAPT please notify your supervisor.

### TERMINATION

The employment of any employee may be terminated by the Executive Director/or designee, or Board of Directors of ADAPT, at any time, for any reason whatsoever, effective forthwith, and in such event written notice of said termination shall be delivered to the employee.

### PROCEDURE FOR STAFF INJURIES

Any employee who is injured while at work must follow the following procedures.

- :
1. Report the injury to your on-site supervisor immediately.
  2. You must complete an Employee Report of Injury Form, making sure you complete the entire front page, sign it, date it, and leave it for your supervisor to review within 24 hours. If form is not accessible you must contact a supervisor for approval.
  3. If you require medical attention during normal business hours or if you are able to wait until normal business hours, you must contact the office during regular business hours. They will authorize an appointment at Prompt Care for you.
  4. If you require attention after normal business hours, you are to go to the Emergency Room at the nearest hospital. You must bring with you and use the Authorization for Medical Services form that is available at all work locations.
  5. Employees must contact the business office the next business day and arrange to be seen by Occupational Health.
  6. Time off due to work injury may be counted towards your Family Medical Leave time.

## **II. EMPLOYEE CONDUCT**

### PERSONAL APPEARANCE AND CONDUCT

All employees should constantly be aware that they act as role models for the consumers, and that their appearance and conduct are a reflection of ADAPT. Staff are expected to maintain a high standard of neatness, cleanliness, and personal hygiene. All employees should arrive for work in neat, clean clothing, appropriate for the working conditions. Clothing can be casual, but should be in good repair and presentable. Closed toe shoes must be worn at all times by direct care and workshop staff. All staff must wear acceptable length shorts, shirts and skirts. ADAPT staff serve as role models and should wear appropriate attire for planned activities. Bare feet are not accepted or tolerated at any time unless specifically appropriate for the specific activity being engaged in. (Example: Swimming).

### EMPLOYEE HONESTY AND INTEGRITY

As a new employee, you were accepted by ADAPT with the fact in mind that your honesty and integrity are of the highest level. We are certain these traits will greatly increase your chances of success if you continue them through your lifetime. It is every employees responsibility to enforce and/or report policy, rules, and procedure violations to their supervisor or an administrative staff person. . Property, equipment, or supplies of ADAPT are not to be removed from the ADAPT premises by any employee without express permission to do so from your employer.

### CONFIDENTIALITY STATEMENT

All consumers and staff have the right to confidentiality. In accepting employment at ADAPT, you are placed in a position of trust in regard to information regarding consumers. Employees must be constantly aware of the confidential nature of all information regarding consumers. All reports, records, and data are confidential which pertain to testing, care, treatment, reporting, and research associated with the serious medical condition. Any employee who releases information in any form about a consumer or employee's medical status may be guilty of a misdemeanor, punishable by imprisonment for not more than one year or a fine of not more than \$5000.00 or both, and is liable in a civil action for actual damages of \$1000.00 whichever is greater, and cost and reasonable attorney fees. If anyone contacts you about a consumer or employee for which this section is applicable, immediately direct that person to the Executive Director and contact the Executive Director yourself. Information concerning consumers or other staff is not to be released outside the home or CLS Service. Information concerning consumers or staff persons shall not be released, whether written, orally, or over the phone, to any individual or agency without the written authorization of the employer and/or consumer/guardian.

ADAPT complies with all HIPPA rules and regulations.

Consumers shall not be talked about in front of themselves or other consumers. Discussions of their personal lives outside the CIP Service or home with anyone, including ADAPT employees, is not acceptable. Whatever happens in the home or CLS Service must not leave that environment. Staff is not to discuss consumer behavior, programs, or information with a home or CLS Service unless it is germane to their treatment.

### SMOKING

Smoking is prohibited in all ADAPT facilities and vehicles. Staff members are not allowed to smoke when engaged with consumers or within 15 feet of non-smoking consumers or entrances to buildings. The sale of smoking products at ADAPT is prohibited. (Please see the policy on Breaks for further instruction regarding smoking breaks.)

### STAFF BREAKS

In the residential sites, only one staff member is to take a break outside of the home (to smoke, check cell phone, etc.) at a time, and only after it has been determined to be safe and not disruptive to the operation of the home or the residents' routine. This determination will be made with the other staff members/supervisor working in the home and depends on the circumstances in the home at any given time. There should not be a time when all of the staff members are outside of the house and residents remain in the house unsupervised. In situations where a home only has one staff member working at a time, arrangements will be made for staff to smoke where they have line of vision inside the home or "eyes on" consumers who require it.

Day program staff members will take breaks according to needs of the program/consumer schedule. The supervisors of these programs will make decisions regarding the number of staff permitted to break at the same time. No more than half of day program staff members may take a break outside of the building at the same time.

Staff members should avoid smoking breaks while responsible for transporting consumers. If a break is needed due to the length of time, only one staff should take a smoking break outside of the vehicle at a time. If only one staff member is transporting, smoking should be avoided. If the outing is long and a break is necessary, the staff person should have the key to the vehicle in hand, have eyes on consumers during the entire break, and keep the break as short as possible.

### SOCIAL NETWORKING POLICY

In order to maintain the integrity of ADAPT and to assist and ensure compliance with confidentiality laws protecting those employed and those in association with ADAPT, the following policy has been adopted.

No employee or agent of ADAPT may make any mention of the consumers, customers, employees, representatives, events, findings, opinions, policies, or procedures of ADAPT in any public format. This includes but is not limited to formats such as MySpace, Face Book, or any blog or other networking site. Nonpublic information relating to the company is the property of the company and the unauthorized disclosure of such information is forbidden. Employees acknowledge that these public on-line forums are accessed by many people and are a reflection on the employee and potentially ADAPT. Confidentiality of nonpublic information will be strictly enforced.

Furthermore, any derogatory remark made in reference to or in association with ADAPT and/or consumers, contract agencies, employees, representatives, events, findings, opinions, policies or procedures in any public format whatsoever whether verbal or written will be considered slander and therefore legal restitution may be sought in addition to disciplinary actions up to and including termination.

Except as the law may otherwise provide, employees do not have a right to privacy while working on the Company's premises; engaged in business off premises; using any material, equipment, space, or systems provided by or owned by the Company. Additionally, the Company reserves the right to monitor an employee's work or work product as well as all means of communication—internal or external—including telephonic, voice mail, email, intra-Company paper mail, and mail processing through the Company's facilities and electronic systems, including the Internet and tele-transmissions.

### PET POLICY

Pets are allowed in residential homes. Determination as to whether or not to have a pet shall consider residents needs and desires as the sole criteria. No pet that poses a danger to any resident shall be allowed. If a pet is allowed all licenses and shots must be current. Final determination as to whether a pet can be obtained shall rest with the County Director. The Home Supervisor shall be responsible for ensuring the care of the pet. Employees shall not bring their personal pets to work without specific approval from their supervisor.

### SLEEPING ON DUTY

Sleeping on the job is not permitted, and may be grounds for immediate dismissal

### STAFF'S VISITORS / SPECIAL EVENTS

Staff are prohibited from receiving visitors while at work.

At times during Special Events, staff families may be invited to the home, CLS Service, or other community location. Children should remain under constant visual supervision by their parent or caregiver. Staff who is actually working a scheduled shift should not have their children at the event unless there is another adult present to take responsibility for them. It is not our intention to discourage the presence of children during appropriate occasions or activities, however ADAPT cannot assume responsibility for their supervision.

In the event of an environmental, behavioral or medical emergency please be prepared to remove any visiting children from the site, if appropriate, for their protection and the protection of others.

### ABSENCES AND TARDINESS

- ◇ Upon accepting employment with ADAPT, you assumed the personal responsibility of being on the job each scheduled day. You should strive for perfect attendance.
- ◇ Absenteeism is defined as a failure to meet a scheduled shift exclusive of approved leaves. Tardiness is defined as the failure to report to work at the time scheduled.
- ◇ We recognize that the occasional absence and lateness are unavoidable. However, absenteeism and tardiness always cause lost wages to you and difficulty in meeting staffing requirements. Because consumers require round the clock care, the tardiness of an employee will necessarily force the other employees to continue working for the health, welfare and safety of the consumer.
- ◇ Employees are expected to inform their supervisor that they will be late or absent as soon as it becomes evident. A minimum of eight (8) hours notice is required for all residential staff. You must call each day you are going to be late or absent. Failure to do so will result in the employee being recorded as "late" or "no-show." Asking a friend, another employee, or a relative to give notification is not considered acceptable.
- ◇ Any employee who is absent three (3) consecutive scheduled work days without reporting their absence to their supervisor will be considered to have voluntarily quit their job and will no longer be employed by ADAPT.

### PERSONAL BUSINESS AND APPOINTMENTS

Personal phone calls, incoming and outgoing, texting, and use of electronic devices are not to be made or used during working hours. Cell phones are to be turned OFF during working hours. Messages may be checked/returned during lunch/dinner breaks only. The office phone may be used for personal calls only in the case of an emergency or with specific approval from your supervisor. Van drivers are not to use cell phones while they are driving. Vehicles will have a cell phone available for emergency use only. All calls made with this cell phone must be logged on the mileage sheet.

All personal appointments should be scheduled outside working hours. Permission must be obtained from your Home or Program Supervisor for any appointment that is scheduled during working hours.

Personal business while responsible for consumers is generally discouraged. Permitted personal business would generally be of an incidental nature, must not interfere in any way with the normal course of business, should be related to the purpose of the activity in which the consumers are participating. Examples of permitted personal business include: an employee cashing their own paycheck while taking consumers to the bank to cash their own paychecks, buying a small incidental item while taking consumers shopping, or buying personal souvenirs when on a field trip.

### BUILDING AND EQUIPMENT USE

Staff are not to be at the ADAPT's building after working hours without the knowledge and permission of the Executive Director. If work related activities involve non-work hours, approval from the Executive Director must be obtained.

Equipment and supplies belonging to ADAPT shall be used only for projects and activities which directly involve the operation of ADAPT.

Staff members are also instructed that the personal use of email and the Internet on company time is not permitted and may be grounds for corrective action including termination. Internet sites, other than those used for business purposes, should not be visited. All staff members are specifically prohibited from downloading programs and/or adding unauthorized software without the permission of the Executive Director. This policy shall be reviewed annually if changes are necessary.

Licensing - ADAPT will observe the terms of all copyrights, software licenses, and agreements. Unauthorized software will not be allowed.

### PROMOTIONS

ADAPT supports the promotion of current staff into positions of greater responsibility. All positions are posted and staff are encouraged to gain the skills and abilities necessary to perform job requiring supervisory ability. Staff who are interested in advancing within the organization are encouraged to make their interests known. Supervisors will work closely with those staff to assist them in gaining the skills and abilities they would need to advance within the company.

### MEALS

Staff shall be responsible for furnishing their own meals during working hours. Staff shall not eat or use food prepared for consumers except for special occasions such as Thanksgiving, Easter, Christmas, parties and occasional cookouts. Leftovers from consumer meals are for consumer consumption only. Staff should not stop and get food for themselves while on an outing with consumers if they intend to eat in front of the consumers, unless the consumers will also be eating. Reimbursement rates for staff meals while taking consumers on outings will be established will be specified in each home or facility.

### INSPECTION OF CONTAINERS AND PACKAGES

The employer reserves the right to inspect all containers and packages entering and leaving the premises such as boxes, bags, lunch buckets, briefcases, etc. at all locations on the employer's premises.

### CHAIN OF COMMAND

Executive Director

County Director  
Business Manager

<i>Residential</i>	<i>CLS Services</i>
Home Supervisor	Program Supervisor
Assistant Home Supervisor (if used)	Assistant Program Supervisor (if used)
Training Coordinator (if used)	
Shift Leader	Para-professional or Coach
Residential Aide	

SHIFT LEADERSHIP ROLES

Whenever the Training Coordinator is on duty they will assume the shift leadership role. If more than one shift leader is working the same shift, that shift leader with the most seniority with ADAPT's specific home or facility will be in charge of that shift. In the event that no shift leader is working a particular shift, that staff person with the most seniority within the specific home or facility will be in charge. Exceptions to this policy can be made at the discretion of the Home Supervisor, if clearly communicated to everyone involved. All staff working must be aware of who is the shift leader. If there is any doubt about who is the shift leader, staff must contact their Home Supervisor or other authorized individual for a clear designation of shift leadership.

**III. CONSUMER RELATED**

CONSUMER RIGHTS

\*\*\*\* ADAPT staff receive training on Consumer Rights and are expected to honor those rights at all times. Violations of consumer's rights will not be tolerated. Any staff observing any person violating these Consumer Rights must first make every effort to protect the consumer from further violations (if possible) and then report it to the administrator/home supervisor or consumer rights officer immediately and preferably in writing. These rights include:

- ◇ The right to be free from discrimination on the basis of race, religion, color, national origin, sex, age, handicap, marital status, or source of payment in the provision of services and care.
- ◇ The right to exercise his or her constitutional rights.
- ◇ The right to refuse to participate in religious practices.
- ◇ The right to write, send, and receive uncensored and unopened mail at his or her expense.
- ◇ The right of reasonable access to telephone for private conversation including long distance and collect calls.
- ◇ The right to voice grievances and present recommendations pertaining to policies, services, and house rules without fear of retaliation.
- ◇ The right to associate and have private communications and consultations with his or her attorney, physician, or any other person of their choice.
- ◇ The right to be free from financial, emotional, sexual, physical and other forms of exploitation.
- ◇ The right to participate in the activities of social, religious, and community groups at his or her own discretion.
- ◇ The right to use services of advocacy groups and attend other community services of his or her choice.
- ◇ The right of reasonable access to and use of his or her personal belongings and clothing.
- ◇ The right to have contact with relatives and friends and receive visitors in the home at a reasonable time. Exceptions shall be covered in the Consumer's Assessment Plan, and special consideration shall be given to visitors coming from out of town or whose hours of employment warrants deviation from the usual visiting hours.
- ◇ The right to employ the services of a physician, psychiatrist, or dentist of his or her choice for obtaining medical, psychiatric, or dental services.
- ◇ The right to refuse treatment or services, including the taking of medication, and to be made aware of the consequences of that refusal.
- ◇ The right to request and receive assistance from the responsible agency in relocating to another living situation.
- ◇ The right to be treated with consideration and respect, with due recognition of personal dignity, individuality, and the need for privacy.
- ◇ The right of access to his or her room at his or her discretion.
- ◇ The records of the consumer that are required to be kept by the licensee under the Adult Foster Care Facility Licensing Act or rules shall be confidential and properly safeguarded as required by the Licensing Act, Section 12(3).

RIGHTS RESTRICTIONS FOR CONSUMERS

The rights of consumers are valued and will be protected. As a last resort and with the informed consent of the consumer and/or guardian, the rights of a consumer may be restricted if deemed appropriate for the safety and well-being of the consumer, and in accordance with the recommendations of the CMH service delivery team. Restrictions need to be specified in the current Person-Centered Plan (PCP). Staff members working with the consumer will be trained in the use of restrictive procedures. Staff members will continue to use positive behavior interventions, such as Gentle Teaching, while the restriction is in place. The effectiveness of the restriction will be monitored by the program supervisor and communicated to the appropriate CMH personnel. Further, the service delivery team will ensure the restriction is removed as soon as the safety and well-being of the consumer has been sufficiently restored, as agreed upon by the service delivery team. In the case of an emergent or urgent situation, verbal

approval may be obtained and documented by the program supervisor or designee, until a PCP or addendum is received by Adapt personnel.

**CONSUMER INFORMED CONSENT/CHOICE**

Prior to a referral to Adapt, Community Mental Health (CMH) workers review all available services and providers with consumers and family members/guardians. It is up to the consumer and/or guardian to choose a provider and agree to the services approved by the CMH agency. Upon intake with Adapt, program personnel will discuss the legal decision-making status of the consumer (guardian, no guardian, payee, etc.) with the consumer, the CMH worker, the legal decision-making authority, and any other individuals, as appropriate. The scope of the legal decision-making authority will be discussed and how it is related to the consent to services, making choices relevant to daily program participation, and the selection of participants in the consumer’s planning meetings.

Adapt program personnel will maintain open communication with the legal decision-making authority (i.e. guardians, payees, Power of Attorney (POA’s) and will strive to involve the consumer in as much decision-making as possible, within legal limits. Further, any consumer who maintains the legal authority to make his/her own decisions will be respected as such, with Adapt personnel recognizing the consumer’s right to make his/her own decisions. Consumers and/or family members interested in pursuing guardianship or some other legal decision-making arrangement, should seek assistance and resources from the CMH worker.

Written Informed Consent is obtained for the following purposes, using the following means:

- (1) Consent to participate in the program and work on the individual’s program plan is given by the consumer through the annual Person Centered Planning process.
- (2) Consent for emergency medical treatment is obtained prior to the consumer starting in the program.
- (3) Photo or electronic images
- (4) Authorization to exchange information with other parties related to the care/treatment of the consumer.

**INFORMED CONSENT**

Informed consent is obtained in writing for the following purposes, using the following means:

- (5) Consent to participate in the program and work on the individual’s program plan is given by the consumer through the annual Person Centered Planning process.
- (6) Consent for emergency medical treatment is obtained prior to the consumer starting in the program.
- (7) Photo or electronic images

**RIGHTS POLICY**

ADAPT adheres to the Michigan Mental Health Code’s Recipient Rights requirements. Each county Mental Health agency has it’s own procedures, coordinated by that county’s Recipient Rights Officer. ADAPT follows the policies and procedures as required by Pines Behavioral Health and St. Joseph Community Mental Health. These include:

Consent for treatment	Sterilization	Fingerprinting, photographing, audio taping, and use of 1 way glass	Abuse and neglect
Treatment by spiritual means	Qualification for training the rights staff	Changes in the type of treatment, medication procedures	Use of psychotropic drugs
Restrain and seclusion	Dignity and respect	Least restrictive environment	Entertainment materials, information and news
Comprehensive exams	Freedom of movement	Resident labor	Communication and visits

Consumers who are in programs funded by Michigan Rehabilitation Services are also covered by their “Client Assistance Program” rights protection mechanisms. ADAPT’s Personnel Policies cover the ADAPT policies on several key rights related issues, including Recipient Rights, Abuse, Neglect, Mistreatment, Incident Reports, Staff/Consumer Relationships, and Confidentiality.

**ABUSE OR NEGLECT POLICY**

All suspected abuse and or neglect shall be reported orally and in writing to the supervisor, administrator or Director immediately.

- ◇ As an entity under contract with a Mental Health Agency, if you have reasonable cause to suspect the abuse or neglect of a consumer, you shall immediately make or cause to be made, by telephone or otherwise, an oral report of the suspected abuse or neglect to Children’s or Adult Protective Services at the DHS, the law enforcement agency of the county, or city, in which the abuse or neglect is suspected to have occurred or to the State Police, and to the County Mental Health’s Office of Consumer Rights or their CEO.. The report of abuse or neglect is not required if the employee has reported the incident to their supervisor and has knowledge that the suspected abuse or neglect has been reported to the appropriate agency.
- ◇ Within 48 hours a written report shall be filed with the appropriate agencies and/or the licensee.

- ◇ A person who makes the report of abuse or neglect will not be dismissed or otherwise penalized for making the report unless he or she is the cause of the abuse or neglect. The report of abuse or neglect shall be confidential and subject to disclosure only with the consent of that person or by judicial process.
- ◇ The following abuse that is required to be reported are: assault, assault and battery, sexual intercourse under the pretext of medical treatment, murder, manslaughter, criminal sexual conduct including sexual penetration, criminal sexual contact, assault with intent to commit sexual conduct including penetration.
- ◇ The following constitutes neglect and is required to be reported. Harm or threatened harm to an individual's health or welfare that occurs through either of the following: negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care. Placing an individual at unreasonable risk to their health or welfare by failure to intervene to eliminate that risk when that person is able to do so and has or should have knowledge of the risk.

The procedure for reporting abuse to the appropriate law enforcement agency does not include an assault or assault and battery which is committed by a consumer against another consumer. This type of incident must still be reported to the licensee, administrator, supervisor or director.

All the above must be reported by the licensee to Adult Foster Care Licensing, Consumer Rights, and other appropriate governmental agencies.

Community Mental Health's Office of Consumer Rights will investigate the abuse or neglect charges and ADAPT will take appropriate action to protect consumers including reassigning or removing suspected staff during the investigation.

It is ADAPT's intention to strictly adhere to all current and future policies and procedures pertaining to consumer's rights as approved by the Department of Mental Health and/or their respective Community Mental Health agency.

#### MISTREATMENT

Employees shall not mistreat a consumer. Mistreatment is defined to include any action or omission that exposes a consumer to a serious risk of physical or emotional harm or the infliction of pain by any means.

Staff shall not:

- ◇ Use any form of physical force other than approved physical management.
- ◇ Restrain a consumer's movement by binding or tying or through the use of medication, paraphernalia contraptions, materials, or equipment for the purpose of immobilizing a consumer.
- ◇ Confine a consumer in an area, such as a room where egress is prevented, in a closet or in a bed, box, or chair or restrict a consumer in a similar manner.
- ◇ Withhold food, water, clothing, rest or toilet use.
- ◇ Denial of shelter, clothing, or essential personal needs
- ◇ Denial of essential program services
- ◇ Excessive chemical, mechanical, or physical restraint
- ◇ Consumer disciplining another consumer
- ◇ Subject a consumer to any of the following: Mental or emotional cruelty, verbal abuse, and derogatory remarks about the consumer or members of his or her family, threats.
- ◇ Ensure consumers are not subject to humiliation or ridicule
- ◇ Denial of visits or communication with family
- ◇ Denial of opportunity for at least 8 hours sleep in a 24-hour period.
- ◇ Refuse the consumer entrance to a home for Developmentally Disabled.
- ◇ Isolate a consumer by complete and unattended separation from staff and other consumers.
- ◇ Use of any electrical shock device.

Whenever possible, behavioral management plans utilized by ADAPT will include positive reinforcing components.

ADAPT currently utilizes the MANDT behavioral management system. ADAPT will provide MANDT training to staff in the appropriate programs and in sufficient numbers to ensure coverage.

#### RELIGIOUS POLICY AND PRACTICES

Upon request of the client or the client's parent and/or guardian, ADAPT will make every effort to afford the client the opportunity to participate in religious activities and services in accordance with their own faith.

#### ACCESS TO CASE RECORDS

Access to case records shall be limited to program supervisors, administrative staff, and others with a legal right to have access to the records. Classroom aides may be given access with the permission of their program supervisor.

#### Consumer Access To Records

Information to be released to the individual may only be information generated by ADAPT. Any additional information must be requested through the process of the agency involved. The consumer or guardian will request information in writing stating the information requested. ADAPT will be allowed five days to respond to such request and schedule an appointment with the consumer or guardian to review the information. The DD Director will review the record, deleting information from other sources.

The individual will view the chart in the presence of the DD Director of record or other designated representative. In no case will the consumer be left alone with the chart nor will the chart be allowed to be removed from the premises. The individual may request photocopies of materials from the record and will be charged \$.10 per copy or the prevailing rate if higher per page. Charges for said copies must be paid in advance of the individual receiving the information.

### INCIDENT REPORTS

The purpose is to assure timely review, and consistency in reporting unusual incidents involving a consumer that disrupts the normal routine, home management or administration of the home or CLS Service. All unusual incidents shall be reported, reviewed and, when appropriate, investigated, so that appropriate follow up care and/or remedial action is taken to assure the safe and humane treatment of the consumer, and proactive intervention to reduce future risk, when possible.

The following types of unusual incidents must be reported: Behavioral Incidents, Unauthorized Leave of Absence, Abuse, Neglect, Exploitation, Physical Injury, Medication Errors, Unusual or Serious Medical Events, (Communicable Diseases), the unauthorized use/possession of licit and illicit substances Illness Requiring Hospitalization, property destruction, Death, Sexual Abuse/Contact, Assault, Biohazardous Accidents, or a Criminal Offense involving a consumer.<sup>9</sup>

Employees shall immediately report all unusual incidents on the "Incident Report" form. Reports should be complete, detailed, clear and concise. (See the form for items which must be recorded.) If two or more employees witness an unusual incident and they do not concur each shall fill out a separate report.

Staff should protect, comfort, and assure treatment of the consumer as needed.

Submit all incident reports to the Director of DD Services or the Director of DD/MI Services Reports will be routed from this point to licensing and as directed by the Office of Consumer Rights for the County and OCAL.

If the incident involves suspected Abuse, Neglect, Serious Physical Injury, Illness Requiring Hospitalization, Death, Sexual Abuse/Contact, Assault, or a Criminal Offense involving a consumer all the previous steps should be taken as well as the following additional steps:

- Notify the Home Supervisor, Program Supervisor, or administrative staff IMMEDIATELY and be prepared to give the incident report to the Supervisor or administrative staff prior to the end of the shift.
- The guardian should be notified in a timely manner.
- The Supervisor or administrative staff will notify Office of Consumer Rights of all allegations of Abuse, Neglect, or other Rights Violations.
- The Supervisor or administrative staff will report Allegations of Criminal Offenses against a consumer to the prosecutor or appropriate police agency.
- The Supervisor or administrative staff will report violations of Adult Foster Care Licensing Rules to the Licensing Consultant. (The responsibility of the supervisor to report these incidents does not limit the right or responsibility of any interested party to file complaints with the Office of Consumer Rights, AFC Licensing or appropriate police agency.)

Staff are trained in procedures for Incident Reporting as part of their Consumer Rights training within thirty days of hire.

Incident reports shall be reviewed, analyzed for facts, causes, trends, and data aggregated at least quarterly. The reviews will be conducted by the Director of DD Services or the Director of DD/MI Services, or their designee. Actions which can be taken to reduce risk will be identified as they occur and at the time of the review, and summarized in the review. A record of such actions, including their implementation, will be included with the review. These quarterly reviews will be submitted to the Safety Committee.

### HOUSE RULES

House rules are posted in each home.

### VISITATIONS

Consumers are allowed visitors of their choosing unless the consumer's record contains documentation that visits by certain individuals are detrimental. The decision to deny visitation on this basis would have to be by consensus of the Person Centered Planning Team. The consumer's normal schedule should not be interrupted unless arrangements have been made. Whenever any individual wishes to take a consumer away from the home for a visit or activity, a consumer inspection/leave form must be filled out. Upon arriving home from the visit, that portion of the consumer inspection form must also be filled out.

### VISITOR ID

Anyone wishing to enter the home for any reason should be asked for proper identification and why they wish to enter the home. Any person stating they are from any agency we deal with will have an agency issued identification card.

Under no circumstances should anyone be allowed in the home without being properly confirmed by staff. All visitors must sign in. If you are ever unsure as to whether to allow someone to enter the home, contact your Home Supervisor or the county Director of DD or MI Services for verification. Remember that you are the responsible party at the time.

### SAFETY AND HEALTH POLICY

Every effort shall be made by ADAPT personnel to ensure that staff and consumers have a safe environment in which to work and learn. It shall be the Executive Director's responsibility to guarantee that ADAPT is in compliance with all OSHA and MIOSHA

standards. A safety committee shall oversee the safety program. All equipment shall be grounded and guarded, safety glasses shall be worn on appropriate tasks, aisles shall be free of obstructions, and in general, ADAPT shall maintain a clean and safe facility. Specific policies address the various aspects of the safety program.

#### EMERGENCY RESPONSE

1. REMAIN CALM
2. ASSESS THE SITUATION
3. CALL FOR STAFF ASSISTANCE
4. FOLLOW ALL INFECTION CONTROL GUIDELINES
5. FOLLOW PROCEDURES AND LEARNED IN TRAINING

#### NON-EMERGENCY RESPONSE

- Assess the situation
- Call for staff assistance, if needed.
- Remove injured person to quiet area or move other clients from the area.
- Apply basic first aid, follow all infection control guidelines.
- Notify home provider/guardian
- Fill out incident report (client or staff).
- Follow specific homes/program procedures

#### PRIVACY

Staff should knock on all doors before entering. Allow time for consumers to respond before entering room. Respect each individual's privacy at all times. Ex. No male/female in the same bathroom or no 2 males or 2 females in the same bathroom. Whenever possible, consumers should have assistance with intimate personal hygiene (bathing, toileting, dressing etc.) performed by the same sex staff.

#### TRANSPORTATION OF CONSUMERS

These Guidelines and policies apply to all vehicles in which consumers of ADAPT are transported.

- Requirements for Drivers: It is the policy of ADAPT that all staff and drivers of the ADAPT'S vehicles, or when using their own vehicles to conduct business for ADAPT, shall have a valid operator's license, be insurable under the employers insurance policy, or when using their own vehicles, have proper and adequate automobile insurance, and meet other criteria described below.  
Staff is defined to mean any individual who may be required to transport a consumer in an employer's vehicle, including emergency situations, or who use their own vehicle to conduct business for ADAPT.  
Staff and Drivers agree to advise ADAPT of any traffic tickets or other citations involving an automobile in which staff or driver are found to be responsible, at fault, or guilty. ADAPT also will conduct periodic checks with the Department of Motor Vehicles for moving violations.  
An employee who becomes incompetent to drive or is inflicted with a mental or physical infirmity will not be permitted to drive ADAPT'S vehicles, provided such disability constitutes a threat to public safety. Evaluation of competency or ability will be determined by appropriate medical opinion.  
ADAPT reserves the right to deny employment or to terminate employees whose driving record or driving ability is believed to pose a threat to the safety of consumers, or limits consumer's participation in activities.
- Seat belts: The driver of each vehicle is responsible for the safety of his or her passengers. Therefore, it shall be the policy of ADAPT that all occupants in any vehicle must be properly restrained, using restraint systems, any time a vehicle is in motion.
- Cell phone usage while driving is strictly prohibited. A cell phone is available in each residential vehicle for emergency use only. All phone calls made with the vehicle cell phone must be logged on the vehicle mileage form. Staff shall ensure the vehicle is safely parked prior to using the phone.
- Smoking: Due to the safety hazard and out of consideration for non-smokers, smoking while in an ADAPT vehicle shall be prohibited.
- Assistance to consumers: It shall be the responsibility of the driver to assist consumers in need with entry and exit from the vehicles. Assistance shall be given to those consumers who are susceptible to injury due to age, physical condition, or adverse weather conditions.
- Vehicle Speed and Parking: In order to ensure the safety of consumers, all ADAPT vehicles travel at or below the posted speed limits. Each ADAPT building shall have designated parking areas. ADAPT staff, whether transporting consumers or not, are expected to comply with neighborhood speed limits and parking regulations. Defensive driving must be practiced at all times.
- Accidents: All accidents and/or incidents involving ADAPT vehicles shall be immediately reported to the police and/or the ADAPT office. Failure to do so may subject driver to disciplinary action. A written Van Incident Report form must be completed.
- Road Emergencies/Mechanical Failures: In case of a mechanical breakdown, if a phone is nearby the driver shall ensure that consumers on the vehicle are secure and safe, they then shall notify ADAPT administration for instructions/assistance. If a phone is not nearby or if the consumers on the vehicle cannot be briefly left alone, the driver shall raise the vehicle hood, put out the hazard signal, and wait for help. If anyone on the vehicle is injured, emergency help shall be sought immediately.

- Van Condition and Operation: The driver shall be responsible to report any mechanical or structural problems encountered. Basic Interior cleanliness of the vehicle shall be the responsibility of the driver. Litter should not be allowed to accumulate on the floor and clipboards and reports shall be maintained and stored properly.
- Vehicle environment: ADAPT strongly encourages consumers to talk and enjoy themselves. The vehicle driver is an important part of this and should seek to establish a warm and positive relationship with and among consumers. This involves greeting the consumers, active and sincere discussion with them while in the vehicle, allowing their input with regards to radio station selection, climate control, etc. Consumers shall be treated with courtesy and respect at all times. However, the driver is also in charge of discipline while in the van and shall maintain an orderly safe ride.
- During transporting the safety of ADAPT's consumers rests in the hands of the vehicle drivers. The above guidelines and policies are intended not only for the protection of consumers but also for the driver. Responsibility for enforcement of the above guidelines shall rest with the vehicle drivers.
- Cell phone use: Cell phones are not to be used by drivers while the vehicle is in motion. In an emergency, other staff in the vehicle should make any necessary phone calls, or the driver should pull to safety at the side of the road or in a parking area before placing a call. Use of cell phones for personal business is not permitted. Cell phones are available in ADAPT vehicles for emergency use only. All phones are able to call 911

#### PERSONALLY OWNED VEHICLES DRIVEN BY EMPLOYEES ON BEHALF OF ADAPT

The following policy has been established to encourage safe operation of vehicles, and to clarify insurance issues relating to drivers and Adapt, Inc.

- All drivers must have a valid driver's license.
- Motor Vehicle Records will be checked periodically. Driving privileges may be suspended or terminated if your record indicates an unacceptable number of accidents or violations. Should your record fall into our insurance carrier's guidelines of an, 'unacceptable driver,' your employment may be terminated.
- Your supervisor must be notified of any change in your license status or driving record.

When operating your own vehicle for Adapt, Inc.:

- Your Personal Auto Liability insurance is the primary payer. Adapt, Inc.'s insurance is in excess of your coverage.
- Adapt, Inc. is not responsible for any physical damage to your vehicle. You must carry your own collision and comprehensive coverage.
- You should carry at least \$300,000 per occurrence liability coverage. Report your mileage for expense reimbursement.

In the event of an accident:

- Take necessary steps to protect the lives of yourself and others.
- Comply with police instructions.
- Do not assume or admit fault. Others will determine liability and negligence after thorough investigation.
- Report the accident to Adapt, Inc. as soon as possible.

## IV. BENEFITS

### ABSENCES WITH PAY

With the approval of the Executive Director, absences for the following reasons may be permitted with no reduction of personal time.

- ◇ Pre-Induction Physicals-Employees ordered to report to the Armed Services will be excused for the time needed for such examinations.
- ◇ Illness caused by Immunizations and Tests-Absences caused by illnesses resulting from an immunization or test required as part of the physical examination requirement of ADAPT may be excused.
- ◇ Professional Conferences-Attendance at professional conferences or related meetings, when authorized by the Executive Director, shall be treated as special work assignments.
- ◇ Hearings-The employee will be excused to attend a hearing on a grievance which they have presented to the Board, and also when requested to appear at the hearing of another employee.
- ◇ Emergencies-At the Executive Director's discretion, when employees are prevented from reporting to work due to Acts of God, the absence may be excused.
- ◇ Jury Duty- Leave shall be granted to any employee who is called for jury duty. A statement shall be provided by the employee to indicate the total amount of compensation received for jury duty. Employees shall have the option of receiving their normal pay for jury duty or receiving the court rate. If an employee chooses to be paid by ADAPT for jury duty, then the court fee (excluding transportation) shall be turned over to ADAPT. Employees who work 2<sup>nd</sup> or 3<sup>rd</sup> shift will have their situation determined on a case-by-case basis.
- ◇ Service on Committees-An employee may serve on committees of a community or professional group. The Executive Director must approve such appointments and absences from work.

### LEAVE OF ABSENCE WITHOUT PAY

- ◇ An absence without pay may be granted by the Executive Director (or designee) for not more than one (1) year after the careful consideration of the reasons provided in the written request for such leave.
- ◇ A Leave of Absence Authorization form shall be completed for all leaves.
- ◇ Leave of Absence approval by the Executive Director (or designee) will specify the duration of the leave, and effects on seniority, personal time, insurance and insurance payments, and other benefits will be detailed. Up to one week of personal time may be retained by the employee with prior approval by Executive Director (or designee).
- ◇ Extension of the leave shall be requested in writing.
- ◇ A return to work earlier than the scheduled termination of leave date may be arranged by the Executive Director or designee and the employee, if a suitable position is available.
- ◇ An employee on leave without pay will be restored to their former position or to a similar position upon expiration of the leave if an opening is available. The employee should notify their supervisor of their intended return date as soon as possible so that suitable arrangements can be made.
- ◇ If the employer's portion of medical insurance is paid during leave (may be approved by the County Director if for less than 30 days or by the Executive Director if in excess of 30 days.), and the employee does not return to work after leave is over (for a minimum of 30 days), the employee shall be responsible for reimbursing ADAPT for ADAPT's portion of the health insurance premiums. Employees on leave are responsible to pay their portion of the health insurance premiums when due or coverage will be terminated.

### WORK SCHEDULES

- ◇ Work will be scheduled as necessary to assure staffing of regularly scheduled agency programs.
- ◇ Staff are expected to perform emergency services. Emergency services are those defined to be services that are immediately necessary for the good of the consumer, such as crisis intervention.

It may become necessary on occasion that an employee will work beyond their normal weekly hours. This request will be made by the supervisor or the Executive Director and is to be used only to perform those functions which were unable to be carried out during the normal working period. Additional work time must be approved by the supervisor or the Executive Director. This time will be compensated for as described under Overtime and Compensatory Time.

### MATERNITY LEAVE

- ◇ Not all Maternity Leaves meet the requirements of the Family Medical Leave Act.
- ◇ If Family Medical Leave is applicable see ADAPT'S Family Medical Leave Policy.
- ◇ If Family Medical Leave is not applicable ADAPT will grant 6 weeks Maternity Leave. During the Maternity leave, ADAPT requires employees to use all but one week of personal time of their personal time. Employees may choose to use all of their personal time. Unless otherwise requested, all of an employee's personal time will be used. Any leave not covered by personal time will be unpaid leave.
- ◇ ADAPT will continue to pay the employer's portion of the health insurance premium during that time. If the employee does not return to work after leave is over (for a minimum of 30 days), the employee shall be responsible for reimbursing ADAPT for ADAPT's portion of the health insurance premiums. Employees on leave are responsible to pay their portion of the health insurance premiums when due.
- ◇ If applicable Maternity Leave and Family Medical Leave will run at the same time.
- ◇ Maternity Leave is applicable to mother, but not father, or adoptive parents.
- ◇ Upon returning, employees will be reinstated to a similar position.

### MILITARY LEAVE

If you are inducted or enlist in the armed forces of the United States, you are to notify your supervisor so that arrangements can be made to authorize a leave. The leave shall be for a maximum period of four (4) years, except when the employee's period of military service may be involuntarily extended due to an act of war or a declared state of national emergency. In that event the period of military leave shall be extended, in accordance with federal law, until the end of the involuntary extension of the employee's military service. You must also apply for a reinstatement within ninety (90) days of your date of discharge or lose your seniority and forfeit your right to return. Members of the Armed Forces Reserve or National Guard Units who are required to participate in two (2) weeks of annual training will be granted a leave of absence provided proper documentation is provided. The employee may use personal time, or may take lost time without penalty or disciplinary action.

### LOST TIME

The use of lost time to cover shifts not worked is unacceptable and grounds for dismissal. Employees are expected to work the shifts they are assigned unless they have personal time available and have permission from their supervisor or have been granted an approved leave of absence. A Request for Time Off form shall be completed and approved for planned absences. It is the responsibility of each employee to manage their personal time so that hours are available to cover all needs for time off.

### PAY PERIOD/PAYDAY

Payroll will be issued bi-weekly.

The workweek shall be defined as 7 consecutive 24-hour periods beginning Sunday and ending Saturday.

The pay period shall be defined as 2 consecutive workweeks.

ADAPT issues payroll two ways, Direct Deposit or Payroll Debit Cards. Each employee will be given written details outlining policy at hire.

If you discover a discrepancy in your pay you must notify the office of the mistake. If the office is notified by noon of the Monday following payday and the mistake is a clerical error, then a new payment will be issued within two business days. If the error is due to the employee's failure to sign in correctly or if the error is not discovered until after noon on the Monday following payday, then the adjustment will be made on the next pay period.

**OVERTIME AND COMPENSATORY TIME**

The nature of the organization's services necessitates that there be flexibility of work, especially for professional staff members involved in direct work with consumers. Workloads, however, are expected to be reasonable and employees should be able to complete their assignments during regular working hours. Professional staff who must work overtime will be given an equal amount of compensatory time providing this is done within the next pay period. Clerical and para-professional staff members who must work in excess of forty (40) hours will be compensated on a time and one half basis. Our work period for hourly employees overtime calculations are based upon a 7-day work period beginning Sunday and ending Saturday. Overtime hours are based on actual time worked. Non-worked holidays and personal time hours are not included when calculating overtime.

**HOLIDAYS**

The following holidays will be observed by ADAPT. Holidays are not paid during a medical, educational, or maternity leave. All employees who work on one of the designated holidays (midnight to midnight) will be paid double their normal rate of pay. Time paid under this benefit will not be calculated as hours worked for the purpose of determining overtime unless the employee actually works on the holiday.

**Administration, CLS Service, Employment Resources, Outlook, and Salaried Residential Staff:**

New Year's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	PM Preceding Christmas Day
Labor Day	Christmas Day
	PM Preceding New Year's Day

In addition, Assistant Home Supervisors and Employment Resource employees will be paid double time for hours actually worked on Easter Sunday.

At the Executive Director's discretion, the p.m. preceding Christmas and the p.m. proceeding New Years can be eliminated provided that another day with an equal or greater number of hours is designated in its place.

For Administration, CLS Service, and Home Supervisors, if a holiday falls on a weekend a determination will be made by the Executive Director as to when the holiday will be taken off.

**Residential Hourly Staff/In-Home Support Staff**

New Year's Day	Thanksgiving Day
Easter Sunday	PM Preceding Christmas Day
Memorial Day	Christmas Day
Independence Day	PM Preceding New Year's Day
Labor Day	

Residential hourly staff will only be paid for holidays if they work the actual holiday.

**Salaried Live-In Residential Managers:**

New Year's Day	Thanksgiving Day
Easter	PM Preceding Christmas Day
Memorial Day	Christmas Day
Independence Day	PM Preceding New Year's Day
Labor Day	

If the Holiday falls on their regularly scheduled work day, live-In Salaried Residential staff may EITHER work the Holidays listed above (and receive an additional 24 hours, or 12 hrs if ½ day is a Holiday, of personal time) or take the day off and receive their normal pay.

**PERSONAL TIME (for employees hired after 4-1-02)**

All Vacation, Sick and Bereavement time is considered personal time. Employees will be paid personal time at their current hourly rate. Time paid under this benefit will not be calculated as hours worked for the purpose of determining overtime. Available personal time shall be paid out upon termination. Personal time showing on paycheck stubs indicate time potentially available through the end of the following pay period.

Personal time is available to use the pay period **following** the anniversary date.

Temporary employees are not eligible for personal time or other benefits.

Employees are responsible to verify the accuracy of their personal time. If an employee believes there is a mistake in their personal time calculation they have 90 days from the date of the mistake to request a review and correction if warranted.

Personal time is not accumulated during a medical, educational or maternity leave and/or vacations unless the employee has sufficient personal time to cover those pay periods. Anniversary hours will be pro-rated unless the employee has sufficient personal time to cover their leave and/or vacation. If the anniversary date occurs while an employee is on a leave, and the employee has enough personal time to get to the anniversary date, then the employee will receive the full year of annual personal time. If the employee does not have enough personal time, then the annual hours will be pro-rated.

**RESIDENTIAL STAFF**

When time off is desired, a request for time off sheet must be submitted prior to the Home Supervisors submitting their schedules. Request for time off submitted after the schedule has been turned in may be accommodated if possible, with the HS approval.

**RESIDENTIAL EMPLOYEES INCLUDING SUPERVISORS**

All residential staff who are full time (70 hours or more per pay period) shall accrue personal time as follows:

yrs of employment	Hrs. Earned Per Pay Period	Hrs. On Anniversary	Total Yearly Hours
0-1 yrs	3	40	118
2-4 yrs	2.75	72	143.5
5-9 yrs	2.75	104	175.5
over 10 yrs	2.75	123.7	195.2

For Regular Part-Time Residential Staff, the following schedule shall apply.

60-69.9 Hours Per Pay Period    80% of full-time schedule  
Below 60 hours per pay period:    0 Benefits

Residential employees may not accumulate personal hours in excess of 200 hours. Residential employees have the option of selling excess hours back based on the following:

- ◇ Employees must have a minimum of 100 hours of personal time before requesting a payoff.
- ◇ Employees may request a payoff of no more than 50% of time available.
- ◇ Payoff will be at the regular rate for hourly employees and at a predetermined rate for salaried staff.

Residential employees who accumulate in excess of 200 hours will be given one pay period to reduce those hours to or below 200. If you do not, then the hours in excess of 200 will be added to their your paycheck. The only exception to this will be if you receive your anniversary hours and those hours put you in excess of 200. In that case you will be given two pay periods to reduce your hours to 200 or below before you will automatically be paid for the excess hours.

**LIVE-IN RESIDENTIAL STAFF**

	Hrs. Earned Per Pay Period	Total Yearly Hours
Per Anniversary Year	9.23	240

Live-In Residential Salaried Staff who accumulate in excess of 240 hours will be paid \$120 for every 24 hours they wish to sell (must sell in 24 hr increments). If a Live-In Residential staff accumulates more than 360 hours they will automatically be paid off \$120 per 24 hours to remain under 360 hours. Staff must retain at least 50% of time available.

**NON-RESIDENTIAL STAFF**

All Non-residential staff who are full time (70 hours or more per pay period) shall accrue personal time as follows:

**CLS SERVICE EMPLOYEES INCLUDING SUPERVISORS**

yrs of employment	Hrs. Earned Per Pay Period	Hrs. On Anniversary	Total Yearly Hours
0-1 yrs	3	49	127
2-4 yrs	2.75	84	155.75
5-9 yrs	2.75	119	190.75
over 10 yrs	2.75	136.5	208

**ADMINISTRATION**

yrs of employment	Hrs. Earned Per Pay Period	Hrs. On Anniversary	Total Yearly Hours
0-1 yrs	3	63	141
2-4 yrs	2.75	101	172.5
5-9 yrs	2.75	139.5	211
10-30 yrs	2.75	156.5	228
Over 30 yrs	2.75	196.5	268

For Regular Part-Time Non-Residential Staff, the following schedule shall apply:

- 60-69.9 Hours Per Pay Period: 80% of full-time schedule
- Below 60 hours per pay period: 0 Benefits

Non-residential employees may not accumulate personal hours in excess of 240 hours (except employees over 30 yrs who may accumulate 280 hrs.), and may not sell hours back. Hours accumulated in excess of 240 will be forfeited. The only exception is, if anniversary hours cause an employee to be in excess of 240 then the employee will have two pay periods before those additional hours are lost.

**TRANSPORTATION AND OTHER EXPENSES**

Reimbursement for the use of a personal car on the job other than to and from work, shall be paid upon the approval of the Executive Director. The rate of reimbursement shall be determined by the Board of Directors. Should an unusual circumstance or emergency occur, necessitating transportation by taxi, bus, or other mode of travel, the cost of such will be reimbursed upon submitting a receipt, and/or explanation of the same. All such requests must have the approval of the Executive Director.

The following items are chargeable to expense accounts with the approval of the Executive Director:

- ◇ Meals while out of the county, hotel expenses, telephone calls and other approved incidentals.
- ◇ Breakfast, luncheon, or dinner meetings required by the agency or in the interest of the organization.
- ◇ All expenses incurred shall not exceed state standards unless an emergency exists. Should an employee have any questions concerning work-related reimbursement they shall seek previous approval from the Executive Director.

**WORKERS COMPENSATION**

All employees are protected while on the job by Worker's Compensation Insurance. This insurance will provide coverage for you if you are injured, suffer and occupational illness at work, or have an absence in excess of 8 calendar days due to such an injury or illness. Payments for medical expenses and lost time at work are determined by state law. This insurance also provides death benefits to your dependents (if any) in case of death cause by work. ADAPT pays the full cost of this protection. Failure to promptly report an injury may result in loss of benefits. When an employee misses work due to a worker's compensation injury, those hours

lost shall count towards family medical leave. Employees are responsible for their portion of their health insurance premiums, payment shall be made to the ADAPT office on payroll Fridays.

Personal time will not be credited during a workman's compensation absence unless the employee has personal time available to receive a full paycheck (workman's compensation will adjust their payments to cover this). Likewise, anniversary hours will also be adjusted, by ADAPT, when and if the employee returns to work. ADAPT will pay our share of the individual's health insurance premiums for up to 3 months from the date the employee fails to have sufficient personal time to receive a full paycheck.

BONUS POLICY

It is the policy of ADAPT that bonuses may be provided periodically to specified employees based on the availability of funds. and at the sole discretion of the Board of Directors/Executive Director.

This bonus policy is discretionary and ADAPT retains the discretion both as to the fact of a bonus payment and as to the amount until a time quite close to the end of the period for which the bonus are written..

If ADAPT decides at its sole discretion to distribute bonuses, said bonus will be available only to employees who are actively employed with ADAPT in a regular position on the date bonuses are distributed. ADAPT does not promise to pay a bonus at any time or in any amount, either expressed or implied.

ANNUITY

ADAPT provides for a tax-sheltered annuity contribution of 5% of salary for all salaried staff. Other regular employees may join the annuity program, if eligible, but no contribution will be made by ADAPT. Information is available at the ADAPT office.

SECTION 125/CAFETERIA PLAN

ADAPT provides a section 125 plan that allows employees to pay for their health insurance premiums, out-of-pocket health and dental expenses, and day care expense with pre-taxed dollars. Information is available at the ADAPT office.

INSURANCE

ADAPT provides professional liability insurance for employees.

Health insurance coverage will be available to all eligible employees. Employees must be enrolled within 30 days from the date of hire into a regular position consisting of 60 hours or more per pay period. Employees are to contact the office as soon as they accept a position consisting of 60 hours or more, per pay period. All staff that elects to have health insurance coverage within thirty (30) days of when they become eligible will be accepted into the health care program. Coverage will begin on the first day of the month following 60 calendar days from when they became eligible. An employee who waits until after 30 days of becoming eligible must wait until the annual open enrollment period to enroll. This provision applies not only to the employee but also to their dependents. The specifics of the health plan will be distributed to employees when they receive their ID card and are available at anytime in the office. The plan documents will spell out more specifically what the benefits of the health program are, and the employer/employee rights under the plan. It is the intent of ADAPT to offer the health plan to all eligible employees based on the board adopted co-payment schedule. ADAPT will fully comply with the law but the employee will be responsible for 100% any cost above and beyond coverage for employee, spouse and/or children under the age 19 (through the end of the calendar year they turn 19) as per the schedule listed below. ADAPT reserves the right to cancel or amend its health insurance benefit at it's sole discretion.

CO-PAYMENT SCHEDULE FOR HEALTH INSURANCE

Hourly (70-80 hrs)	Training Coordinators and Residential Shift Leaders	Salaried Employees
ADAPT will pay: 80% of an individual plan	ADAPT will pay: 80% of an individual plan 70% of family or couple plan (training coordinators) or 60% of family or couple plan (shift leaders)	ADAPT will pay: 80% of an individual plan, or family, or couple plan

\*All employees, regardless of hire date, will adhere to the above schedule when adding initial coverage or when changing plans.

The annual open enrollment period is generally a two-week period sometime in May or June.

For less than full time staff, the following schedule shall apply:

60 - 69.9 scheduled hours per pay period = 80% of full-time schedule

Less than 60 scheduled hours per pay period = 0 benefits

COBRA (OPTIONAL)

If your employment with ADAPT ends through layoff, resignation, or discharge for reasons other than gross misconduct, and if at the time of employment separation from ADAPT you are receiving health insurance, or if your hours are reduced to the point where you no longer receive ADAPT'S paid medical benefits, your health insurance coverage may continue for up to 18 months AT YOUR

OWN EXPENSE. This continuation of insurance must be applied for within 60 days of the time your employment separation from ADAPT or notification of eligibility for continued coverage, whichever is later.

If one of the following events occurs to you (the former employee), your spouse and other dependents' health insurance may be continued for up to 36 months, at your (or their) own expense:

- Death
- Divorce or Legal Separation
- Having a child exceed the maximum age for coverage as your dependent (age 19 or age 25 if the child has been covered under ADAPT plan. Persons who desire these benefits should contact the Payroll/Benefit office as soon as any of these events occurs.

Extended coverage will end automatically if any of the situations listed below occurs:

- ADAPT stops providing group health benefits.
- Required health care premiums are not paid by the participant to ADAPT within 30 days of the due date (1<sup>st</sup> day of each month).
- A person eligible for extended benefits becomes covered under another employer's group health plan.
- A former spouse eligible for continued coverage remarries and becomes covered under the new spouse's group health plan.

The Cost for the Continuation of Benefits:

The cost to you or your dependents will be 102% of ADAPT'S current monthly cost for your (or their) coverage as outlined in the guidelines of the COBRA law and must be paid within 30 days of the due date (the 1<sup>st</sup> day of each month). If you have any questions please contact the Payroll/Benefit office.

#### FAMILY MEDICAL LEAVE ACT

Employees are generally eligible for family medical leave of up to 12 weeks if they:

- have been employed by us for at least 12 months; and
- have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

If you are a bona fide executive, administrative or professional employee and you have worked for us for at least 12 months, we will presume that you have worked 1,250 hours during the previous 12 months. The determination of whether you are eligible for the Family and Medical Leave Act is to be made at the time that your request for leave to begin.

The Family and Medical Leave Act requires us to grant leave to an eligible employee:

1. for birth of a son or daughter and to care for newborn child;
2. for the placement with the employee of a son or daughter by adoption or foster care;
3. to care for the employee's spouse, son, daughter or parent with a serious health condition; and
4. because of a serious health condition that makes the employee unable to perform the functions of the employee's job.

ADAPT has chosen a "rolling" 12 month period measured backward from the date an employee uses any FMLA leave to determine when the 12 month period shall begin and end. A "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example, if an employee has taken eight weeks of leave during the past 12 months, an additional four weeks of leave could be taken. Family Medical Leave will be tracked in ¼ hour intervals.

For the birth of a son or daughter of an employee and to care for the newborn child, or because of the placement of the son or daughter with employee for adoption or foster care, the employee's entitlement to family medical leave expires at the end of the twelve week period beginning on the date of the birth or placement.

Prior to taking unpaid leave, ADAPT requires employees to use all but the equivalent of one week of their personal time. Employees may choose to use all of their personal time. Unless otherwise requested, all of an employee's personal time will be used.

While you are on family medical leave, we will maintain your existing group health plan coverage. In the event that your health plan or benefits change, we will notify you and you will be entitled to the new or changed benefits.

Any share of health plan premiums, which have been paid by the employee prior to family medical leave must continue to be paid by the employee during the family medical leave period. Thus, payment would be due at the same time, as it would be made if by payroll deduction. Failure to make scheduled payments within 30 days of when they are due will result in a 15 day written notice requiring payment. Failure to make full payment after those 15 days will result in termination of coverage.

Failure to pay your portion of any co-payments may result in loss of coverage while on the family medical leave. Under the FMLA we may, at our discretion, pay your share of any missed premiums. Should this occur, we may recover this amount from you upon your return to work. If your coverage lapses we will restore all coverage and benefits, upon your return to work. This restoration will be equivalent to those you would have had if leave had not been taken and the premium payment had not been missed.

We also have the right to recover our share of the health plan premiums paid during a period of unpaid family medical leave from an employee if the employee fails to return to work (in a position similar to their previous position and for a minimum of 30 days) after

the employee's family medical leave entitlement has been exhausted or expires, unless the reason the employee does not return is due to: 1. The continuation, reoccurrence, or onset of serious health condition which would entitle the employee to leave under Family and Medical Leave; or 2. Other circumstances beyond the employee's control.

Upon return from family medical leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

Key employees may not be entitled to restoration rights. By definition, a key employee is among the highest paid 10% of all the employees employed by us within 75 miles of the employee work site.

The denial of restoration rights is allowed where substantial and grievous economic injury to the operations of the employer may result. The determination of whether you are a key employee will be made at the time you request family medical leave.

Once you make a request for family medical leave, we will provide specific notice including the following:

1. That the leave will be counted against your annual family medical leave entitlement;
2. Any requirements for the employee to furnish medical certification of a serious health condition and the consequence of failing to do so;
3. The employee's right to substitute paid leave and whether the employer will require the substitution of paid leave, and the conditions related to any substitution;
4. Any requirement for the employee to make up any premium payments to maintain health benefits and the arrangements for making such payments;
5. Any requirements for the employee to present a fitness for duty certificate to be restored to employment.
6. The status as a key employee and potential consequences that restoration may be denied following family medical leave;
7. The employee's right to restoration to the same or an equivalent job on the return from leave;
8. The employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid family medical leave if employee fails to return to work after taking Family Medical Leave; and
9. The notice may include other information such as whether the employer will require periodic reports of the employee's status of intent to return to work.

Again, it is our intent to fully comply with the Family and Medical Leave Act. Should you have questions or concerns, please do not hesitate to contact Office or your supervisor. The poster "Your Rights Under the Family and Medical Leave Act of 1993" has been posted in all our homes and programs.

#### TITLES AND HEADINGS:

Title and Headings to sections or paragraphs are inserted for convenience of reference only and are not intended to affect the interpretation or construction of this document.

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