

# **ELIZABETH RICHARDSON CENTER, INC.**

*To enhance the quality of life for individuals with disabilities.*

## **PERSONNEL POLICY MANUAL**

**Revisions through  
November 9, 2016**

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President, Board of Directors

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Date

# EMPLOYEE ACKNOWLEDGMENT

I acknowledge receipt of The Elizabeth Richardson Center, Inc. Personnel Policy manual. I understand that it is my responsibility to review and be accountable for adherence to the policies outlined therein. I further understand that, upon my request, my supervisor and/or the Executive Director are available to provide clarification of the policies contained in the manual. Policies and procedures may be revised at any time and revisions will be communicated to employees.

I understand that it is my responsibility to review ERC's Operations Policy and Procedures found on ERC's website; at [www.ercinc.org](http://www.ercinc.org). I further understand that I will be held accountable for adherence to the policies outlined therein.

I agree to abide by the rules, regulations, practices, policies and procedures of The Elizabeth Richardson Center, Inc. I understand that the employment relationship with The Elizabeth Richardson Center, Inc., is of an "at will" nature which means that I may resign at any time and that The Elizabeth Richardson Center, Inc., may discharge me at any time with or without cause, subject to Federal and State statutory limitations. Further, the "at will" employment relationship may not be changed by any written document unless such change is specifically acknowledged in writing to the Executive Director of The Elizabeth Richardson Center, Inc. This is not an employment contract.

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

Employee Printed Name: \_\_\_\_\_

## **DRUG TESTING POLICY**

*THE ELIZABETH RICHARDSON CENTER, INC., IS COMMITTED TO PROVIDING A DRUG FREE WORKPLACE FOR ALL PEOPLE. This policy statement is a written notice for all staff to read and understand. Detailed policy guidelines are available for review in the HR or Executive Director offices.*

The Elizabeth Richardson Center, Inc., will assist any employee who acknowledges that they have a substance abuse problem by providing referrals for assistance for education, counseling and training.

For the purpose of this policy, any employee who tests positively for marijuana measuring 15 mg/ml or greater, confirmed by DOT threshold standards, will be in violation of this policy. Other drugs which The Elizabeth Richardson Center, Inc., will screen for include amphetamines, barbiturates, cocaine, opiates and phencyclidine.

The Elizabeth Richardson Center, Inc., will not tolerate the use, possession, concealment, transportation, sale, promotion, purchase or distribution of drugs by employees during work time. Violators will be terminated.

### Substance screening means testing an individual urine sample as follows:

Employment Applicants:      Subject to drug screening with absence of above-mentioned drugs as a condition of employment.

After Employment:            All staff are subject to testing in accordance with the circumstances described below.

**Reasonable Cause Testing:** When there is reasonable evidence to suspect an individual reporting to work is impaired or suspected of using drugs while on The Elizabeth Richardson Center, Inc.'s, property.

**Compensable Accident Testing:** Anyone involved in a compensable accident requiring outside medical treatment or attention from a physician will be required to take a drug test. Additionally, anyone involved in a traffic accident while driving a company-owned vehicle is subject to testing.

**Random Drug Testing:** Everyone is subject to testing at any time on a random basis as a term and condition of continued employment. Random testing may be facility-wide, by shift, by department or by job classification.

All employees are required by law to inform The Elizabeth Richardson Center, Inc., within five (5) working days after he/she is convicted for a violation of any Federal or State criminal drug statute where such a violation occurred on the employer's premises. A conviction means a finding of guilt (including a plea of nola contredre) or the imposition of a sentence by a judge or jury in any Federal, State or other court of competent jurisdiction.

As a condition of further employment on any Federal or government contract, the law requires all employees to abide by this policy. The Elizabeth Richardson Center, Inc., must notify the U.S. Government agency with which the contract was made within 10 days after receiving notice from the employee or otherwise receiving notice of such conviction. The Elizabeth Richardson Center, Inc., shall contact the Deputy Director of the division of Management Services at the address noted in the Personnel Policy Manual.

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Employee Signature

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Date

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## 1.0 DAILY MANAGEMENT RESPONSIBILITY

The Executive Director has responsibility to develop operating procedures for the daily management of The Elizabeth Richardson Center, Inc. (ERC.) These procedures are communicated to employees in writing. Personnel issues, as well as other concerns that impact effective and efficient day-to-day management of operations, are to be included in these operation procedures. The Policy and Procedure Committee of the Board of Directors has responsibility to review all operating procedure changes at least annually or as needed.

## 2.0 EQUAL EMPLOYMENT OPPORTUNITY

The Elizabeth Richardson Center, Inc. is an equal opportunity employer. It is the policy of The Elizabeth Richardson Center, Inc. to provide all employees and applicants with equal employment opportunities and to provide current employees with training, compensation, promotion and all other attributes of employment without regard to gender, age, race, color, creed, religion, disability, national origin or ancestry. All personnel actions will be accomplished with due care for provisions of applicable federal and state regulations. The purpose of this policy is to prevent, for any individual, the exclusion from consideration for recruitment, training, promotion, retention or any other personnel action and/or the denial of benefits based on the grounds of political or religious beliefs, gender, physical disability or age. Employment status is based on bona fide occupational qualifications and the ability to perform the essential functions of the position.

## 3.0 SEXUAL HARASSMENT

All employees are responsible for assuring that the work place is free from sexual harassment. Because of The Elizabeth Richardson Center, Inc.'s strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment including:

- Unwelcome sexual advances
- Request(s) for sexual acts or favors
- Other verbal or physical conduct of a harassing nature that could interfere with an individual's work performance, create an intimidating, hostile or offensive work environment or adversely affect the individual's employment opportunities.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors and administrators, is responsible for bringing the details of the incident to the attention of their immediate supervisor, Human Resources representatives or the Executive Director. Upon receipt of a report, the supervisor is responsible for immediately reporting the information to Human Resources representatives or the Executive Director. In the event the incident involves Human Resources representatives, the individual shall contact the Executive Director. In the event the incident involves the Executive Director, then the individual shall contact the Chairperson of the Board of Directors. The Chairperson of the Board of Directors shall notify the Chairperson of the Board's Personnel Committee of the allegations and need for investigation.

The sexual harassment investigation processes are confidential with information being

released on a need-to-know basis only. Individuals failing to observe confidentiality are subject to appropriate corrective action up to and including termination. Retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a compliant investigation is prohibited. Appropriate corrective action will be taken against any employee found guilty of harassing another employee. The Executive Director is responsible for reporting all sexual harassment allegations, investigations and final conclusions to the Board Personnel Committee.

All reported incidents of sexual harassment are investigated by Human Resources representatives, the Executive Director or the Chairperson of the Board of Directors depending upon the individual(s) being reported as violating the policy. During the investigation process, any actions deemed necessary to prevent possible further occurrences will be taken by the investigator. Examples include temporary reassignments or suspensions with pay for purposes of investigation. The investigation process includes but is not limited to:

- **Interviewing the individual(s) making the report.** The interview process includes verifying the information contained in the required written documentation submitted by the individual making the report of policy violation. In order to aid the investigator, this written documentation should include as many details as possible and any witnesses. This written documentation will be used to determine the scope and severity of the policy violation and, should the charges of policy violation be validated, the level of any potential corrective action.
- **Interviewing the individual(s) accused of policy violation.** Interview processes include providing sufficient information to the accused so that they may reply to the specific charges in writing. The written response should include any witnesses to the alleged policy violations.
- **Interviewing any witnesses to the reported policy violations.** Interview processes for witnesses include providing sufficient information so that they may provide written documentation of the behavior or actions they witnessed.
- **Documenting the investigation** including dates and times of the report, receipt of written documentation, interview location, actions taken, etc.
- **Reaching a conclusion** based on all available information. The conclusion should include any recommended corrective action and/or staff training. The investigator reports the conclusion as follows: Human Resources personnel to the Executive Director; Executive Director to the Chairperson of the Board of Directors; and the Chairperson of the Board of Directors to the Chairperson of the Personnel Committee who reports to the Board of Directors during the next regularly scheduled meeting.
- **Taking corrective action** if justified by the investigation. The specific action taken depends upon the scope and severity of the policy violations.



## 4.0 NEPOTISM

No employee shall directly supervise an immediate family member. For the purposes of this policy, immediate family members include spouse, parent, child, brother, sister or relative living in the employee's household.

The Executive Director under unusual circumstances may authorize exceptions to this policy when the intent of the policy can be maintained.

The Executive Director may apply the nepotism prohibition in the case of other organizational and/or personal relationships when, in the opinion of the Executive Director, failure to do so would be detrimental to The Elizabeth Richardson Center, Inc.

## 5.0 COMMUNICATIONS Policy

### 5.1 Professionalism

ERC staff are to treat everyone with respect and dignity at all times. All employees are prohibited from engaging in any conduct that would reflect unfavorably upon The Elizabeth Richardson Center, Inc.

#### **Appropriate Behavior and Conduct Guidelines**

1. Professionalism
  - a. Staff are to treat other staff, clients or family members with respect and dignity at all times.
  - b. All employees are prohibited from engaging in any conduct that would reflect unfavorably upon ERC.
2. All employees are expected to refrain from inappropriate conduct.

### 5.2 Appearance

As most staff members have client contact, it is important that a certain standard of dress be maintained, as appearance is a reflection of The Elizabeth Richardson Center, Inc. A clean, conservative, well-groomed appearance is recommended. Professional and direct care staff shall dress according to program and position. Your immediate supervisor or department head will instruct you on the proper dress for your position. Due to safety concerns staff providing client services must adhere to the following:

Footwear shall have closed toes.

Footwear shall be secured at the heel.

Supervisors are responsible for consistent application of this policy with the Executive Director or designee being responsible for final decision when necessary.

### 5.3 Moving or Lifting Objects

All employees shall use proper body mechanics, and if necessary, obtain assistance when moving or lifting anything. Back supports are available to employees engaged in lifting more than 50 pounds.

### 5.4 Appropriate Conduct

ERC Staff are expected to refrain from inappropriate conduct. Employees are encouraged to exhibit a professional demeanor.

### **Appropriate Behavior and Conduct Guidelines**

- To meet the intent of this policy ERC requires all staff, volunteers and contractors to be professional with all internal and external individuals and groups.
- ERC believes that effective 2-way communication is very important to the success of our team-based work environment. Working effectively together, building trust and consistently modeling respectful professional communication between ERC staff, volunteers, contractors and ERC clients/families is expected.
- Understanding the ERC Communication Policy, and implementing it consistently, is required of all ERC employees, volunteers and contractors.
- To assist in understanding this policy, we offer the following guidelines and behavioral expectations:

#### **1. Organizational Channels and Open Door Philosophy**

- a. ERC believes in open, honest communication. Employees will follow appropriate chain of command beginning with their supervisor for questions or problems relating to any working condition, policy, practice, or action taken by ERC or by any employee or member of management that you feel is inappropriate.
- b. Employees are responsible for directing all inquiries concerning administrative matters to their supervisors.
  - i. For example, days off, leave, vacations, changes of shift, individual performance issues, etc – through the employees immediate supervisor and proper organizational channels.
- c. If, after speaking with the supervisor, the employee feels as though they have not achieved a resolution, the employee may contact the Program Director.
- d. The employee may contact the Program Director or Human Resource Director without first going through their supervisor if the issue involves the supervisor. For more information please refer to the Employee Grievance Policy (Conflict Resolution).
- e. ERC considers the use of proper communication channels to air grievances an essential part of job performance.
- f. Constructive criticism regarding the organization should be passed on to through appropriate ERC channels.

#### **2. Abusive Language**

- a. Employees, volunteers and contractors are required to refrain from the use of abusive, exploitive, or profane language on company premises or where company business is conducted. Use of this type of language around our clients shows a complete lack of respect and will not be tolerated. In addition, staff is expected to keep their voices to a respectful tone which means no yelling or shouting is allowed.

#### **3. Communicating with coworkers**

- a. Timely and appropriate communication is essential in ensuring client needs are met. Staff members are encouraged to communicate with one another and with supervisors regarding all workplace concerns.

#### **4. Communicating with Clients**

- a. Working effectively together, building trust, and consistently modeling respectful communication between you and your clients and coworkers is expected.

## 5. Communicating with Family Members and Guardians

- a. Medical, programming and personnel issues will ONLY be provided to by program supervisors, nurses, therapists or team leaders.
- b. Direct care staff will not initiate contact with families unless there is an emergency or directed to by their supervisor.

## 6. Definitions

- a. **Professional:** Conforming to the technical or ethical standards of one's profession.
  - i. **Importance of Acting Professionally:** It is important to remain professional at all times when engaged in a work environment whether for ERC or your own business. Being professional not only lets people know you are a reputable person to work with, but also conveys intelligence and poise regarding your position.
  - ii. **Characteristics of Professionalism:** People who are professional are unfailingly polite, courteous and well-spoken, no matter what the situation. Being professional means you keep your cool and remain calm under any circumstances. No matter how upset a co-worker or customer makes you deal with the situation rationally and calmly.
- b. **Mandated Reporter:** individuals who are obligated by law to report suspected case of abuse and neglect.

## 7. Additional Offer of Support

- a. If you have questions or need more information regarding these guidelines and expectation, please speak with your supervisor or program director.

## 5.5 Workplace Safety

The Elizabeth Richardson Center, Inc. is committed to achieving a safe workplace environment free from work site area hazards, violence, threats of violence, harassment, intimidation, and other disruptive behavior for its employees. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary processes, criminal penalties, or both. It is each employee's responsibility to review the safety manual and protocols for specific site procedures. All employees must immediately report any unsafe conditions or violent related act or incident to his/her supervisor immediately. [PLEASE NOTE: Threats or assaults that require immediate attention must be reported first to the police by calling 911 and then to the Program Director and/or Human Resource Director].

Aisles, office floors and facilities must be kept free from clutter. Spills must be immediately wiped from floor surfaces in order to prevent slips and falls. Fall protection must be used any time an employee is more than three feet above the surface.

## **5.6 Smoke, Tobacco, and Nicotine Free Campus**

The Elizabeth Richardson Center, Inc. follows all applicable laws regarding the use of tobacco and nicotine products on our campus, including the Arkansas Clean Indoor Air Act and the Arkansas Tobacco Products Tax Act of 1977. All campuses, grounds, facilities, and vehicles of the Elizabeth Richardson Center, Inc. are smoke, tobacco, and nicotine free. This prohibition extends to all tobacco products, vapor products, alternative nicotine products, and e-liquid products, as defined under the Arkansas Tobacco Products Tax Act of 1977, as amended by Act 1235 of 2015.

## **5.7 Confidentiality**

All employees have access to confidential information about the people and families served by The Elizabeth Richardson Center, Inc. Employees will maintain confidentiality and not share information acquired while an employee with individuals outside of The Elizabeth Richardson Center, Inc.. Employees are authorized to share information with other employees on a need-to-know basis only. No original paper documents, electronic photocopies of those documents or computer-generated information is to be taken off The Elizabeth Richardson Center, Inc.'s property without written authorization of the Executive Director. Unauthorized or irresponsible disclosure of such information could severely damage the reputation of The Elizabeth Richardson Center, Inc.. No employee shall violate the right to privacy of the individuals or families served. Unauthorized disclosure of information about the individuals or families served will result in corrective action up to and including termination.

## **5.8 Staff Visitors**

To promote a safe and productive work environment, visitors (including family members) must stay in designated public areas.

## **5.9 Personal Telephone Calls.**

### **PERSONAL CELL PHONES**

- A. To ensure compliance with HIPPA and the safety of the individuals ERC serves, employee's "personal cell phones" are not permitted in areas where children and /or adults receive services unless the employee works for ERC's Waiver program or permission has been granted in writing by the Program Director.
  - i. Waiver Staff - Cell phones shall be used according to ERC HIPPA and Security policies and procedures.
- B. Personal cell phones may be left in a location designated by the Program Directors if you choose to bring your cell phone in the facility.
- C. If an employee chooses to leave their personal cell phone in the designated area, ERC will not be responsible for the care, condition or custody of the phone.
- D. Staff is permitted to turn their personal cell phones on only during regularly schedule breaks.
- E. ERC business Cell phones provided by ERC for ERC business may be turned on and used during work hours for ERC business ONLY.

**5.10 Disparaging or Degrading Remarks.**

Employees are prohibited from engaging in disparaging and degrading remarks about other employees. Any employee engaged in this behavior is subject to corrective action up to and including termination.

**5.11 Mandated Reporters.** All employees of The Elizabeth Richardson Center, Inc. are federal and state mandated reporters of any and all suspected cases of child abuse, neglect, maltreatment and exploitation and any and all suspected cases of adult endangerment, exploitation, abuse or maltreatment. All employees will comply with reporting and documenting requirements and forward a copy of all reports to the Executive Director within 24 hours of the incident. Any employee who does not comply with these reporting requirements is subject to corrective action up to and including termination.

## **6.0 EMPLOYMENT PROCEDURES**

- 6.1** The Board of Directors shall select the person for the position of the Executive Director when it becomes vacant.
- 6.2** The Executive Director or designee(s) shall select personnel for all other positions as necessary and authorized.
- 6.3** All employees will meet the legal requirements of their positions.
- 6.4** All staff positions have job descriptions that include position title, education requirements, experience requirements, skills necessary location, supervisor and essential functions.
- 6.5** Prior to employment, an applicant must agree to the following as a condition of employment:  
Complete the Applicant's Statement included on the application form.  
Complete a mandatory drug screen.  
Complete a Central Registry form to be sent to the Arkansas Department of Human Services for processing. (A returned Central Registry form indicating no documented record of substantiated charges of adult or child abuse, neglect or maltreatment is a condition of continued employment).  
Provide professional and/or personal references.  
Provide a current TB skin test card from the Arkansas Department of Health.  
Submit to a criminal record check,(including finger print checks if an applicant has not lived in the state of Arkansas for a period of five years or provide proof of five year continuous residency) , as required by state licensing agencies.
- 6.6** Failure to comply with the above criteria can result in suspension without pay, withdrawal of offer of employment or termination.
- 6.7 ERC's Internal Transfer Procedure**  
ERC is committed to providing opportunities for employees to apply for internal transfers for better job opportunities and greater job satisfaction.  
  
In order to be eligible to be considered for a transfer, employees must meet the following conditions:
1. If they are a full-time employee, they must have completed 90 days in their current position.

2. If they are employed as a substitute or on an as needed (PRN) basis, they may apply for any position as soon as it is posted.
3. Have a satisfactory performance evaluations/rating in current position, if applicable.
4. Maintain an acceptable level of performance including but not limited to absence of correction /action and or resolution of previous corrective action.
5. Possess stated minimum qualifications for the position
6. Be willing to accept the position's pay rate, as posted.
7. Notify current supervisor of intent to apply

If all of the above conditions are met, any employee desiring to transfer is encouraged to apply for vacant positions within ERC by circling the desired position on the current job posting sheet. The posting should be signed and dated by the employee and forwarded to Human Resources for processing.

If the employee is deemed qualified for the position Human Resources will forward the request to the appropriate program or department. If the employee is unqualified for the desired position a Human Resources representative will contact the employee to inform them of the status. The supervisor may not forbid, terminate or penalize the employee in any way for applying for a transfer.

The program or department supervisor s will negotiate the start date.

## 7.0 EMPLOYMENT RECORDS

A separate confidential personnel record is maintained for each employee. Relevant information pertaining to each individual's application, hiring, employment history, staff development, performance evaluations and separation (voluntary or involuntary) will be entered into the record. Each employee shall have the right to review the contents of their personnel file in the presence of Human Resources staff or designee(s) with prior written request and appointment. Developmental Disabilities Services (DDS) Licensure and Federal Compliance Personnel shall have access to personnel records for the sole purpose of monitoring completeness and accuracy.

## 8.0 EMPLOYEE CATEGORIES

Designations of **exempt** (salaried) or **non-exempt** (hourly) from the overtime provisions of the Fair Labor Standards Act (FLSA) are made for each position by Human Resources representatives and/or the Executive Director or designee(s.) Bonafide executive, administrative and professional employees are exempt from the minimum wage and overtime provisions of the FLSA. All non-exempt employees will be paid at least the standard overtime rate for any actual hours worked over 40 per week.

**8.1 Full-time regular class employees** are defined as those who regularly work a minimum of 40 hours per week on a continuous basis. These employees are entitled to all privileges and benefits of full-time employment as defined by the Board of Directors and Executive Director.

**8.2 Part-time regular class employees** are defined as those who regularly work less than 40 hours per week on a continuous basis. These employees are entitled to specific privileges and benefits of part-time employment on a pro-rata basis as defined by the Board of Directors and Executive Director.

**8.3 Billable hour employees** are defined as those who have obtained professional license in certain disciplines.

**Temporary employees** are defined as employees holding jobs of limited or specific duration due to assignment to special projects, assignment to a position that is vacant while the selection process is being completed, emergency coverage or any other reason established by the Executive Director. **8.4** Temporary employees may work either full-or part-time for the duration of the assignment but are not eligible to receive any benefits or privileges of regular class employment including service credit. Individuals working as substitutes or on as-needed basis are defined as temporary.

## 10.0 JOB DESCRIPTION

**10.1** It is the responsibility of all employees to observe the policies and regulations necessary for the proper operation of The Elizabeth Richardson Center, Inc.

**10.2** Directors of the major programs or designee(s) are responsible for the proper and efficient operation of programs and for enforcing the policies and regulations of The Elizabeth Richardson Center, Inc.

**10.3** The immediate supervisor establishes a job description for all regular and temporary class employees prior to the first day of employment. The job description includes:

- Major tasks and job responsibilities including essential job functions.
- Minimum standards of performance.
- Necessary qualifications including education, licensure, certification and/or registration, and applicable training requirements including CPR.

**10.4** Job descriptions and annual performance evaluations are reviewed periodically.

- Each time an open position is posted, the job description will be

reviewed and updated, prior to forwarding the advertising request to the Human Resources Director or designee(s) for posting.

**10.5** Job descriptions are signed by the employee and immediate supervisor:

- On or before the first day of employment for new employees.
- At least annually or each time the job description is revised for all employees.

## **11.0 PERFORMANCE EVALUATION**

**11.1** The Board of Directors is responsible for the annual written performance evaluation of the Executive Director.

**11.2** Immediate supervisors are responsible for ongoing evaluation of competency and for the annual written performance evaluation. Annual evaluation conducted approximately 12 months following date of hire and annually thereafter.

**11.3** Human Resources staff and/or the Executive Director are responsible for providing systematic processes in support of ongoing and annual employee evaluations.

## **12.0 CORRECTING PERFORMANCE (Disciplinary Processes)**

**12.1** Correcting performance is the responsibility of The Elizabeth Richardson Center, Inc.'s supervisors and/or the Executive Director or designee(s). Supervisors are authorized to apply such disciplinary measures as may be necessary without prior approval of the Executive Director or designee(s) with the exception of suspension and termination. Under the at-will employment relationship, The Elizabeth Richardson Center, Inc. may utilize disciplinary options or may immediately terminate an employee based upon the specific circumstances of each instance. Cases of extreme misconduct that violate the organization's mission, actions that are in direct conflict with The Elizabeth Richardson Center, Inc.'s policies and procedures, physical or verbal abuse of clients and violations of personnel policies and procedures are causes for immediate termination.

**12.2** Corrective action may be taken for conduct or actions that interfere with or prevent The Elizabeth Richardson Center, Inc. from effectively and efficiently discharging its responsibilities to the people served. The following shall be sufficient reason for taking corrective action, up to and including termination.

- Willful neglect or abuse in the performance of assigned duties including failure to work cooperatively with supervisors, staff, individuals served and members of the community.
- Disregard for or frequent violations of The Elizabeth Richardson Center Inc.'s policies and procedures
- Willful misuse, misappropriate, destruction or negligence with respect to The Elizabeth Richardson Center, Inc.'s property or conversion of The Elizabeth Richardson Center, Inc.'s property to personal use or gain.
- Frequent tardiness or absence from duty without prior approval.
- Acts of insubordination including, but not limited to, violation of any reasonable or official order, refusal to carry out lawful and reasonable directions given by proper supervisor.



- Habitual use of intoxicating beverages to excess or abuse of narcotics, drugs or other controlled substances so as to interfere with job performance or the efficiency of The Elizabeth Richardson Center Inc.'s services.
- Intoxication or use of alcoholic beverages, narcotics, drugs or other controlled substances while on duty or on The Elizabeth Richardson Center Inc.'s property.
- Criminal, dishonest or other unsuitable conduct that interferes with effective job performance or has an adverse effect on the efficiency of The Elizabeth Richardson Center, Inc.'s services.
- Disregard for or frequent violations of ordinances or laws.
- Violation of privileged or confidential information or its use for private gain.
- Being medically or emotionally unfit for duty.
- Any other conduct or action of such seriousness that corrective action is considered warranted including, but not limited to, false or misleading statements during the employment process, violation of drug free workplace, violation of patient neglect and maltreatment guidelines, etc.

**12.3** Corrective actions include:

**A. VERBAL CORRECTION**

Whenever grounds for corrective action exist and the supervisor determines that more severe action is not immediately necessary, the supervisor verbally communicates to the employee the supervisor's observation of the deficiency and offers assistance in correcting the deficiency. Whenever possible, sufficient time for improvement should precede more formal corrective action. The supervisor notifies the employee that the corrective action has been documented and will be placed in the employee's personnel file.

**B. WRITTEN CORRECTION**

When employee performance has not been corrected through verbal correction(s) or when the supervisor determines that more severe action is immediately needed, the supervisor communicates the corrective action in writing including:

The charge and, when appropriate, the specific behavior and dates of the behavior to support the charge. The circumstances affecting the severity of the corrective action may also be included.

A warning that continuance of the behavior will result in more severe corrective action.

An offer of assistance in correcting the behavior.

**Signature of the employee.**

The employee has responsibility for signing as acknowledgement of receipt of the corrective action. Employee signature does not constitute agreement with the contents of the corrective action. The employee has the opportunity to include relevant information in their written response to the corrective action that is attached and filed with the supervisor's documentation of the written corrective action. Should the employee refuse to sign as acknowledgement of receipt, the action will be so noted by the supervisor after which the documentation will be filed in

the personnel file in accordance with policies and procedures.

**C. SUSPENSION WITH OR WITHOUT PAY**

Under normal circumstances, with prior written approval of the Executive Director or designee(s,) a director of a major program may suspend an employee without pay for up to 30 calendar days. On or before the date of the suspension, the employee is furnished with a written statement setting forth the reasons for and effective dates of the suspension.

In the event an employee's behavior or an incident occurs that jeopardizes the immediate health and/or well-being of staff or a person or family receiving services, the immediate supervisor may immediately suspend the employee with pay for the remainder of the employee's scheduled hours for that day. An investigation into the behavior or incident will immediately begin and the program directors, with prior written approval of the Executive Director or designee(s,) may continue the suspension with or without pay. Due to the urgency of this type of situation, the employee is furnished with a written statement setting forth the reasons for and effective dates of the suspension within 24 hours either by mail or in person.

**Investigation Process.**

During the suspension with or without pay, an investigation is conducted. The investigation is to be of adequate scope and is to include gathering sufficient evidence to reach a conclusion as to whether or not the violation occurred in the manner reported and the severity of the violation. Following conclusion of the investigation process, a recommendation will be made for:

- Termination.
- Reinstatement to current position with no loss of benefits.
- Transfer to another department or location.
- Demotion to lower position including salary adjustment due to unsatisfactory service in the current position.

The employee is given written notice, signed by the Executive Director or designee(s), stating the recommendation.

**Appeal.**

Suspension without pay may be appealed by following the conflict resolution procedure. Suspension with pay may not be appealed.

**Notification of the Board of Directors.**

The Executive Director, or designee(s), notifies the Human Resources Committee of the Board of Directors during or before the next regularly scheduled board meeting.

**12.4** Employees have the right to submit comments to be attached to and filed with the supervisor's documentation of the corrective action in the employee's personnel file.

**12.5** Documentation of corrective actions, including employee comments, remains in the personnel file for a period of 12 month. At the end of this time period, the documentation is removed providing there have been no other corrective actions during that time period.

**13.0 SEPARATION: INVOLUNTARY (Termination)**

**13.1** Program directors may terminate an employee with the prior written

approval of the Executive Director or designee(s). Termination may be for any of the causes outlined in Section 12.2 of this document.

**13.2** The employee is given written notice of the termination signed by the Executive Director or program director.

**13.3** The Executive Director, or designee(s), notifies the Human Resources Committee of the Board of Directors during or before the next regularly scheduled board meeting.

#### **14.0 SEPARATION: VOLUNTARY (Resignation)**

**14.1** Employees may voluntarily resign in good standing by submitting written advance notice, indicating the effective date and the reasons, to their immediate supervisor.

- Advance notice must be submitted at least ten working days prior to resignation date. During the notice period, PTO or extended illness leave days may not be counted as working days for the purposes of calculating notice requirements.
- Failure to furnish notice as defined by these policies/procedures shall be cause for denial of payment for any unused accrued PTO leave.
- Employees are not compensated for unused accrued sick leave upon departure from the Center. Accrued sick leave usage during the notice period is not counted as actual days worked for the purpose of calculating compliance with the notice requirements outlined above.
- An exit interview shall be conducted prior to the end of the notice period by Human Resources staff or designee(s).
- The immediate supervisor, with the joint approval of the Executive Director, may request an employee who has resigned to leave employment at any time prior to the end of the notice period.

#### **15.0 CONFLICT RESOLUTION POLICY AND PROCEDURES**

**15.1** The Elizabeth Richardson Center, Inc.'s policies, rules and practices are designed to benefit both employees and the employer. All employees are encouraged to discuss and resolve work-related issues with their immediate supervisors. However, employees who are experiencing a conflict or who believe they have been treated in a manner inconsistent with approved policies, and have not resolved the issue through informal supervisory channels, may request clarification and resolution through the Center's conflict resolution policies and procedures and the process outlined below.

The use of the conflict resolution policy and procedures is the right of all employees. Employees who utilize the process will not be discriminated against nor suffer reprisals for such use.

Falsifying information to initiate a conflict resolution process may result in corrective action up to and including termination of the employee who initiated

the false allegations.

- 15.2** A **formal complaint** is an allegation by an employee that there has been a specific violation, misrepresentation or unfair application of any of the Center's rules, policies or procedures. Vague or general charges of "unfairness" that are not substantiated by facts will not be processed in accordance with these policies and procedures.
- 15.3** A formal process must be initiated by the employee within five working days of the specific violation, misrepresentation or unfair application of the Center's rules, policies or procedures.
- 15.4** The conflict resolution procedure consists of the five-step process outlined below. A decision at each step of the process is rendered within ten working days. The employee who initiated the process have ten working days in which to appeal a decision from one step to another.

**A. Step One**

The employee initiates the formal complaint process by submitting a written complaint to the Human Resource Director. Formal complaints that involve the Human Resource Director are to be submitted directly to the Executive Director. The written formal complaint must include:

- Pertinent facts.
- Reason(s) why the employee believes there is a violation, misrepresentation or unfair application of the Center's rules, policies or procedures.
- Employee's recommendation for resolution of the issue

Human Resources will notify the Executive Director, Program Director and immediate supervisor of the complaint.

**B. Step Two**

The Human Resource Director will facilitate a meeting between the employee and his/her immediate supervisor to discuss the formal complaint.

If the conference with the supervisor does not resolve the concern or conflict, the employee may pursue the matter with the Program Director *or* next level of management. In cases involving the Program Director, Chief Financial Officer (or equivalent positions), the employee shall proceed directly to Step Three. If the formal complaint involves the Executive Director, the employee shall proceed directly to step four.

**C. Step Three**

If the Program Director's or next level of management's decision does not resolve the complaint, the employee may pursue the process by submitting a written request to the Executive Director for review.

The Executive Director is responsible for notifying the Board President of all conflict resolution processes when this step is necessary.

**D. Step Four**

The Executive Director discusses the complaint with the employee,

investigates the issue, seeks consultation from the Human Resource Director and relevant senior management employees as needed, and provides a written decision to the employee. If the employee is not satisfied with the decision of the Executive Director, the employee may submit a written request for review to the President of the Board of Directors within five working days. The Board President will immediately forward the complaint to the Board of Directors for review in executive session and a decision will be rendered within ten working days. The decision of the Board of Directors is final.

**E. Step Five**

If employee's complaint is with the Executive Director, the employee will use step One to initiate process. The Executive Director will utilize step Four for resolution.

## 16.0 LEAVES

### 16.1 HOLIDAYS

ERC observes the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- Floating Holiday (must be taken between December 23<sup>th</sup> and January 31<sup>st</sup> of the following year with Program Director's or Department head approval).

The term "holiday" refers to either the actual holiday or the day that the holiday is observed.

Holiday pay is eight hours or is prorated based on the percentage of time the employee works as reflected on the most recent Personnel Action Form.

Programs that are not normally working weekends will observe holidays that fall on a Saturday on the preceding Friday, and holidays that fall on a Sunday will be observed the following Monday.

In order to receive holiday compensation the following conditions apply:

- The employee has been on the payroll for at least sixty (60) days.
- The employee is not on lay-off status.
- The employee is not on leave of absence when the holiday occurs.
- The employee must have worked their regular schedule shift the day before and day after unless:

- Approved by the Program Director in advance.

- Unable to work due to illness and has provided a physician's statement.

- The employee refuses to work the holiday as requested by immediate supervisor.

The following groups of employees are not eligible for holiday pay:

1. Substitutes,
2. PRN/temporary,
3. Billable hour employees.

ERC's Residential Service Programs non-exempt (hourly) employees that are required to provide client services during a holiday will be compensated at a double time for hours worked. The compensation will be for hours worked between 12 midnight to 11:59 P.M. on the actual holiday.

Any salaried employee who is required to work on a holiday may take holiday leave at the employee's discretion with supervisory approval.

If a holiday occurs within an employee's scheduled PTO period, the employee will be paid for the holiday and the PTO hours will be carried forward for future use.

## 16.2 **Paid Time Off (PTO) Leave**

The purpose of Paid Time Off (PTO) is to provide employees with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments, jury duty, military leave, FML, or approved medical leaves, etc.) and other activities of the employee's choice.

All regular class employees start accruing on the first day of employment, however accrued PTO cannot be utilized until after sixty (60) days of employment.

PTOs must be requested in advance and approved by the Program Director, department head or designee.

Full-time regular class employees who work in programs that operate 12 months of the year and who work 2080 hours per year accrue at the following rates:

- 0 - 1 years of service = 10 days/year
- 1 - 4 years of service = 13 days/year
- 4 - 10 years of service = 20 days/year
- 10+ years of service = 25 days/year

Employees who work less than 2080 hours per year accrue on a pro-rated basis that correlates to most recent Personnel Action Form (PAF).

Therapists that provide services for the Children's Program that are salary/exempt status may accrue up to a maximum of 91.52 hours per year

after the first year of service.

Unscheduled approved PTOs shall be used in cases of illness, and emergencies. ERC's unscheduled time off policy 18.2 must be utilized. Failure to use proper notification can be cause for disciplinary action.

For an employee to take time off, they must:

- Complete a Benefits Request form including signature approval by Program Director, department head or designee.
- If this is for unscheduled time off due to illness or emergency, the Benefits Request form shall be filled out and turned into their immediate supervisor as soon as they return to work.
- The signed Benefits Request form must be received by accounting no later than noon on Monday prior to Friday pay check.
- Any PTO/Benefit Request received after noon on Monday will be applied to the next payroll check.

The maximum PTO accrual is 200 hours. If an employee reaches the maximum accrual amount and does not utilize any hours, no additional PTO hours will be accrued until the accrual has been reduced below 200 hours.

Program Directors may or may not approve unpaid time off depending on the needs of the program or department.

If the employee's Program Director does not approve time off requested by the employee in advance and employee takes the denied time without approval, employee may be terminated for insubordination (cause.)

### **16.3 Extended Personal Illness Leave (EPL)**

The purpose of this policy is to provide pay time off for extended illness or injuries.

All regular class employees may accrue up to 1.85 hours/per payroll period with a maximum accrual of 240 hours. Accrued EPLs cannot be utilized until after sixty (60) days of employment.

EPL accrual will be based on percentage of time worked as reflected on most recent Personnel Action Form (PAF).

Employees must be absent three (3) consecutive work days for the below listed reasons to be eligible for extended personal leave;

- Employee serious illness or injury.
- Family member has a serious illness or injury.
- For the purposes of this policy, an immediate family member is defined as spouse, child or parent.
- Birth or placement of a child for adoption or foster care.

### **16.4 FUNERAL LEAVE**

In the event of a death in the immediate family of an employee, the employee will be allowed up to three days off with pay.

The employee must have been employed for sixty (60) days.

Program Directors or designee may approve additional accrued benefit leave beyond the three days. For the purposes of this policy, immediate family is defined as

“spouse, child, parent, sibling, grandparent, grandchild, in-laws or any relative who regularly resides with the employee.”

## **16.5 JURY DUTY**

Employees who are called for jury duty are entitled to receive time off without loss of pay or credit for length of service. Upon receipt of a notice to serve, the employee is responsible for immediately reporting the notice to their immediate supervisor. Employees are paid for time spent on jury duty based on their work schedule for a maximum period of two weeks. The Center will make up the difference between jury duty fees and the wages that would ordinarily be received under the employee's regular work schedule. If the employee is released from jury duty before 11:00 a.m., the employee is expected to return to The Elizabeth Richardson Center, Inc. to work during the remainder of their shift if days and the entire shift if evenings or nights. Upon return from jury duty, your statement of earnings received, as a juror must be provided to your immediate supervisor, who will provide the information to the payroll department, so that your jury duty pay can be processed.

## **17.1 MILITARY TRAINING AND SERVICE LEAVE**

Employees of The Elizabeth Richardson Center, Inc. who are required to participate in National Guard, Military Reserve or other military training are entitled to receive time off and may use accrued vacation for that purpose. If the employee chooses not to use accrued vacation or when accrued vacation balance is zero, leave will be without pay. Sick leave and annual leave do not accrue when an employee is on military leave in excess of two weeks.

## **17.2 FAMILY MEDICAL LEAVE (FML)**

According to federal law, employees are granted up to twelve (12) workweeks of unpaid leave during any 12-month period the employee is unable to work due to the following reasons:

- A serious health condition that makes the employee unable to perform the essential functions of his or her job;
- Birth of a child and to care for the newborn child within one year of birth;
- Placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- Military service provisions  
A qualifying crisis arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty" grants up to twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for a covered service member with a serious injury or illness who is the spouse, son, daughter, parent, or next of kin to the employee (military caregiver leave).

Types of Leave

- "Block Leave" is defined as continuous leave that has a beginning and ending date with no breaks in time.
- "Intermittent Leave" is defined as scheduled periods of time that would reduce the employee's regular work schedule.  
Intermittent leave must be approved by the Director of Human Resources or the Executive Director for birth of a child or to care for the newborn child within one (1) year of birth.

In order for an employee to be eligible for FML, the following criteria must be met:

- The employee must have been employed by ERC for a total of twelve (12) consecutive months.
- The employee must have been employed by ERC for a minimum of 1,250 hours over the previous twelve (12) months.
- The employee must work at a location where at least fifty (50) employees are



employed by ERC within 75 mile radius.

ERC requires a 30-day advance notice of the need to take extended FMLA leave when the need is foreseeable.

- ERC requires medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member. ERC reserves the right to request a second or third medical opinion (at ERC's expense).
- ERC may require monthly medical reports during the leave regarding the employee's status and intent to return to work.
- ERC requires a "fitness-for-duty" certification before an employee returns to work.

PTO and Extended Personal leave do not accrue when an employee is on FML leave in excess of two (2) weeks.

During FML leave, Paid Time Off (PTO) and Extended Personal Leave (EPL) are automatically utilized until the balance of each account is zero. Leave will automatically be without pay after PTOs and EPLs have been exhausted.

During FMLA leave, ERC will continue health insurance benefits for an employee on the same terms as if the employee had to work whenever such coverage was provided before the leave was taken.

If the employee chooses not to return to work, ERC will recoup the premium paid by ERC.

Upon the employee's return from FML leave, ERC will restore the employee to the original job or to an equivalent job with equivalent pay.

The possibility for denial of extended FML leave exists if an eligible employee is a "key employee".

For the purposes of this policy, "key employee" is defined as a salary eligible employee among the highest 10% paid within 75 miles of the worksite and if the requested leave would result in substantial and grievous economic injury to the operations of ERC.

If a "key employee" takes extended FML leave regardless of the denial, ERC may refuse to reinstate the employee to his/her previous job or to an equivalent job with equivalent pay.

Employees may not waive their rights under this act and may not trade their rights to take leave for some other benefit covered by the employer.

Military training and service leave

- Employees of ERC who are required to participate in National Guard, Military Reserve or other military training are entitled to receive time off and may use accrued PTO for that purpose.
- If the employee chooses not to use accrued PTO or when accrued PTO balance is zero, leave will be without pay.

EPL leave and PTO do not accrue when an employee is on military leave in excess of two (2) weeks.

## 18.0 ATTENDANCE

All employees are expected to report to work on time as scheduled and to work his/her scheduled hours. Excessive amounts of unscheduled time off, repeated absences, tardiness, falsifying information about the reason for

absences

or tardiness, or absence without notice will be cause for corrective action up to and including termination. Definition of excessive amounts is determined by department or program based upon the staffing needs specific to the service area.

**18.1 Scheduled Time Off** is defined as time off from work approved in advance by the employee's supervisor.

The following are examples of scheduled time off that does not adversely effect the employee's attendance record:

- Scheduled PTO and/or Extended Illness Leave
- Funeral leave for immediate family
- Jury duty
- Military leave
- Job-related injuries
- Disciplinary suspension
- Approved leave of absence

**Unscheduled Time Off**

Defined as when an employee determines that he/she is going to be unavoidably delayed in getting to work, does not complete a regularly scheduled shift and/or will not make it in at all on a given day.

The following guidelines apply:

- 18.2**
- Day shift hourly employees must call in and speak directly to their immediate supervisor or designee at least one (1) hour prior to the start of their scheduled shift.
  - Van drivers must call in and speak directly to their immediate supervisor or designee at least two (2) hours prior to the start of their scheduled shift.
  - Evening, night and weekend ICF/Waiver employees must call and speak directly to their immediate supervisor or designee in at least four (4) hours prior to their scheduled work time.
  - An employee who is late for work may not stay on duty beyond the regular scheduled work time to make-up the lost time unless specifically approved to do so by their immediate supervisor or the appropriate Program Director or department head.
  - The employee must submit a benefits request form to the Program Director or department head for approval of paid or non-paid time off.
  - Unscheduled time shall be used only in cases of illness and emergencies.
  - Employees may request to apply their PTO in order to be paid for their unscheduled time off.
  - In order for the unscheduled time off to be considered excused and not counted against excessive unscheduled time off the employee must present a physician statement.

Employees utilizing excessive amounts of unscheduled time off not associated with a Federal or State law provision or an approved leave of absence may be subject to corrective action up to and including termination.

Excessive Unscheduled Time Off is defined as more than three (3) unscheduled days off during a 90 day period that do not pertain to FML or ADA provisions.

Consideration will be given to extenuating circumstances that prevent a staff member from giving timely notice. This consideration may include review with the program director or department head or designee.

- 18.3 Absence Without Notice** is defined as when a regular staff member fails to report to work for a scheduled shift and fails to timely notify The Elizabeth Richardson Center, Inc. of such absence. Absence without notice can be grounds for corrective action up to and including termination. Two days without notice is considered a voluntary resignation by the employee and the vacated position will be filled by The Elizabeth Richardson Center, Inc.
- 18.4 Leaving in the middle of an assigned work shift** without notification to and approval of their supervisor or the program director may subject the employee to corrective action up to and including termination.
- 18.5 Absences for religious observance.** Reasonable efforts will be taken to accommodate an employee's religious preference. Staff members desiring a day off for religious observance shall request a paid absence in accordance with policies and procedures. If the staff member does not have accrued time off, the request must be for an authorized absence without pay. Requests are evaluated and decisions on work assignments are made by the program director based on the priority of client needs and service delivery requirements. A key decision factor is whether or not the absence would be detrimental to program operation. The program director informs the employee of the decision in a timely manner.

## **19.0 CLOSING THE ELIZABETH RICHARDSON CENTER, INC. FOR THE DAY**

ERC day programs (Richardson Industries, Life Skills and all CDC's) may "close for the day" when severe weather conditions such as snow, ice or other severe circumstances may cause a health and safety risk for ERC consumers. The Executive Director or designee shall make the final determination concerning the closing of any program.

### **POSTING A CLOSING NOTICE**

The only place that ERC will post a notice that any of the programs are closed is on the front page of the ERC website at [www.ercinc.org](http://www.ercinc.org).

All children and adult day programs will be closed whenever the local school district the facility is located in is closed for the day. For instance, if Fayetteville public schools are closed then the Fayetteville CDC will be closed. If the Springdale public schools are closed, then all ERC day programs in Springdale will be closed including the Springdale CDC, Richardson Industries and Life Skills.

### **19.1 When The Elizabeth Richardson Center, Inc. Is Closed Or When An Employee Is Unable To Report For Work.**

The employee will utilize PTO as defined in section 16.2

## **20.0 WORK WEEK, PAYROLL AND WAGES**

- 20.1** The normal workweek for all staff is based upon a 40-hour week that runs Monday through Sunday for accounting purposes.
- This normal workweek includes times for breaks for those employees working for six or more hours per day. Maximum break time allowed is two 15-minute periods per day.
  - The cut-off period for hours worked during a pay period is Sunday evening, 12 midnight, prior to payday the following Friday.
- 20.2** Employees who paid at an hourly rate will normally be paid time-and-a-half for hours worked in excess of 40 hours per week.
- Prior authorization from the immediate supervisor or program director is required prior to an employee working overtime.
- 20.3** Wages will be paid biweekly unless otherwise ordered by the Executive Director due to an unforeseen emergency.

## **21.0 RETURNING TO WORK FOLLOWING ACCIDENT, INJURY OR CONTAGIOUS ILLNESS**

- 21.1** Employees who have been off work due to workplace accident or injury or a contagious illness must provide a written physician's return-to-work statement to their supervisor or the program director prior to reporting back to work. The physician's statement must communicate the conditions of the return-to-work including "return to full duty," "return to partial duty," "return to light duty," "return with restrictions," etc. The statement shall also include the time period of any status other than full duty as well as when it is necessary the employee follow-up with the physician.
- 21.2** When an employee is injured on the job, the following actions are required.
- The employee immediately reports to the nurse or designee to determine any medical treatment necessary.
  - The employee immediately completes: Incident Report, Release of Medical Information and Employee's Notice of Injury – Form N. Completed forms are forwarded to the Human Resources within 24 hours.
  - The Human Resource Department completes the First Report of Injury Claim form.
  - The employee sees The Elizabeth Richardson Center, Inc.'s designated physician or medical consultant. Any employees seeing their own physician shall be personally responsible for any fees incurred.

- Drug testing is mandatory in the event of an accident including any automobile accident.

Failure to comply with the above shall be cause for corrective action up to and including termination.

## **22.0 REIMBURSEMENT FOR WORK-RELATED EXPENSES**

- 22.1** The Elizabeth Richardson Center, Inc. reimburses employees for reasonable travel expenses that are incurred within Washington County when performing duties on behalf of the Center with prior authorization of the Executive Director or designee unless the Executive Director has waived the requirement.
- 22.2** All travel outside Washington County must have prior approval by the Executive Director. Proof of expenditures, such as lodging and meal receipts, gasoline receipts or mileage driven, is required prior to reimbursement unless the Executive Director waives this requirement.

## **23.0 STAFF DEVELOPMENT**

- 23.1** The Elizabeth Richardson Center, Inc. is committed to providing quality services to clients and will, therefore, make every effort to provide staff with opportunities to upgrade their skills. Staff development plans that meet state requirements are developed annually. Employees that wish to be considered for career development funding may apply by contacting the Executive Director.
- 23.2 Requests for job related career development**  
Requests for special pay arrangements will be considered on a case-by-case basis and will be evaluated in terms of the needs of the employee and the needs of The Elizabeth Richardson Center, Inc. with the Executive Director being responsible for the decision in accordance with the Elizabeth Richardson Center, Inc. operational policies and procedures.

## **24.0 CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT**

- 24.1 Conflict of Interest.** No personal shall be employed by The Elizabeth Richardson Center, Inc. while a member of their immediate family serves on the Board of Directors, serves on a committee that has authority over personnel issues, or who has supervisory responsibility with the following single exception. The Executive Director may waive this limitation of employment for employees who are employed for less than 10 hours per week.
- 24.2 Outside Employment.** Employees are permitted to engage in outside

employment only during hours they are not scheduled to work providing:

- Such employment does not interfere with the efficient and effective performance of their job with The Elizabeth Richardson Center, Inc.
- Such employment does not constitute a conflict of interest.
- Such employment does not adversely reflect upon The Elizabeth Richardson Center, Inc.

## 25.0 VOLUNTEERS AND INTERNS

- 25.1** A job description will be provided to volunteers and interns. The document will include job title, education, experience, skills, hours, location and supervisor.
- 25.2** Volunteers and interns are required to complete a Central Registry Form and a TB skin (if required by program state licensure) test from the Arkansas Department of Health.
- 25.3** Individuals who leave employment due to involuntary termination with The Elizabeth Richardson Center, Inc. are prohibited from volunteering in any ERC program for a period of six months from the last date of employment.
- 25.4** Individuals who leave employment with The Elizabeth Richardson Center, Inc. must have left employment in good standing and have prior written approval of the Executive Director prior to beginning volunteer activities.

## 26.0 COMMUNITY ACTIVITIES

- 26.1 Communications.** All communications to the community regarding the activities, programming, personnel or business of The Elizabeth Richardson Center, Inc. must have the prior written approval of the Executive Director or designee.
- 26.2 Fund raising.** All fundraising activities shall be forwarded to the Board of Directors Fund Raising Committee for their approval prior to implementation. No employee is to initiate any fund raising activity for the benefit of The Elizabeth Richardson Center, Inc. without the prior written authorization of the Fund Raising Committee of the Board of Directors.

## 27.0 BENEFITS AND ELIGIBILITY

Eligibility for health benefits co-funded by the employee and The Elizabeth Richardson Center, Inc. (ERC) is defined in the plan summary descriptions in accordance with the plan's contract and federal laws.

Benefit changes, additions or deletions to existing plans may be made only during the enrollment period for each benefit plan. Dates are established in accordance with contract and provider guidelines as outlined below under individual benefits.

The only coverage modifications that may be made prior to the end of the current plan year must be attributable to qualifying events defined as a change in family status (i.e., marriage, divorce, birth, adoption, or death) or a change in employment status. New enrollees may only make changes forty-five (45) days prior to benefit effective date, unless a qualifying event exists.

- **IRC Section 125 Plan** coverage allows the employee to pay certain benefit costs and other qualified expenses in pre-tax dollars resulting in a tax savings to the employee.
- **Benefits are subject to change** at the discretion of the Board of Directors.

**27.1** ERC sponsored benefits are medical, dental and vision insurance which are available through the current designated providers. Premiums for sponsored benefits are paid in part by ERC. Plan year is January 1<sup>st</sup>. Enrollment changes, additions or deletions can be made at the end of the plan year.

**27.2** ERC's Employee Retirement Plan (hereafter referred to as the "Plan") is available through the current designated provider. All eligibility requirements and provisions of the plan are explained in the Plan Summary, in accordance with the plan document.

The Plan year ends each December 31<sup>st</sup> at which time employees may enroll and/or make changes, additions or deletions.

#### 27.2 (a) Retirement Contribution for Career Service

Employees who have completed three years of continuous full-time service (see definition below) will receive one (1) percent of their total gross annual wages at the end of the year in which the three year anniversary occurred as a Career Service Pension Bonus.

At the completion of each additional year of full-time service beyond three years, each employee shall receive one (1) percent of their total gross annual wages as a Career Service Pension Bonus.

After the completion of each five year anniversary of continuous, full-time employment, each employee shall receive five (5) percent of their total gross annual wages in addition to the one (1) percent for that year as a Career Service Pension Bonus.

Definition: Continuous employment shall be defined as 1000 hours annually or greater without a break in employment created by resignation or involuntary termination.

(1) Career Service Pension Bonus will be deposited in the Elizabeth Richardson Center, Inc. sponsored Tax-Deferred Saving Plan (403-b) in the name of the employee, as an employer contribution subject to the plan document.

(2) Career Service Pension Bonus contributions will be made no later

than February 28<sup>th</sup> for the previous calendar year.

- (3) Retirement contribution for service bonus will be deposited in ERC's sponsored Plan (403-b) in the name of the employee, as an employer contribution subject to the plan document.
- (4) Retirement contribution for service bonus contributions will be made no later than February 28<sup>th</sup> for the previous calendar year.

- 27.3 125-C Plan (Cafeteria Plan)** includes opportunities to purchase a variety of small insurance policies through the current designated provider. Options include cancer, intensive care, accident and life insurance. The plan year ends each December 31st at which time employees may enroll and/or make changes, additions or deletions to their plan.
- 27.4 UARK Federal Credit Union** membership is available to ERC employees. Any employee has the option of joining at any given time by filling out an application that is available from the Business Office. The employee is also required to complete an additional form to instruct both UARK and ERC's Business Office of the amount to be deducted from the employee's pay and deposited in the credit union. All UARK participation is handled through payroll deduction. ERC does not match contributions made by employees to this organization.
- 27.5 Severance Pay for Long Term Employees** will be paid out at a rate of \$100.00 times the number of years of continuous employment for employees that voluntarily resign in good standing and that have that maintained a regular work status of at least 75% time (i.e., 30 hours per week) for ten (10) continuous years or more.
- 27.6 An Employee Assistance Program** is available to all employees (and their dependents) that have completed 90 days continuous regular full-time service at 75% time or greater. This service may be accessed beginning on the first day of the month following the completion of the 90 days and through the current designated provider. Each eligible employee may access five mental health visits per year with a mental health professional provided by the current designated provider at no cost to the employee or his/her dependents.

## **28.0 DRUG FREE WORKPLACE**

All employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using alcohol or controlled substances in the workplace. Any employee violating the above policy is subject to disciplinary action up to and including termination for the first offense.

- 28.1** Alternatively, The Elizabeth Richardson Center, Inc., may require the employee to successfully complete a drug abuse program sponsored by an approved private or governmental institution at the employee's expense.
- 28.2** The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other Federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to: Heroin,



Marijuana, Cocaine, PCP and “Crack.” Other drugs to be screened for include amphetamines, barbiturates, opiates and phencyclidine. Also included is “legal drugs” which are used outside the prescribed instructions of a licensed physician. For the purpose of this policy, any employee who has induced positive drug test for marijuana measuring 15 mg/ml or greater, confirmed by DOT threshold standards, will be in violation of this policy.

- 28.3** Each employee is required by law to inform The Elizabeth Richardson Center, Inc. within five working days after he/she is convicted for violation of any Federal or State criminal drug statute where such violation occurred on the agency’s premises. A conviction means a finding of guilt (including a plea of nola contendre) or the imposition of a sentence by a judge or jury in any federal court, state court or other court of competent jurisdiction. As a condition of further employment on any federal governmental contract, a law requires all employees to abide by this policy.
- 28.4** The Elizabeth Richardson Center, Inc., must notify the U.S. government agency with which the contract was made within 10 days after receiving notice from the employee of receiving the information in any other way of such a conviction. The Richardson Center shall contact:
- Deputy Director
  - Division of Management Services
  - 4<sup>th</sup> Floor, Donaghey Plaza West
  - P. O. Box 1437, Slot 3400
  - Little Rock, AR 72203-1437
- 28.5** Employment applicants are subject to drug screening with successful completion as a condition of employment.
- 28.6** After employment, employees are tested in accordance with the circumstances described below:
- Reasonable Cause Testing:** When there is reasonable evidence to suspect an individual reporting to work is impaired or suspected of using drugs while on The Elizabeth Richardson Center, Inc.’s property.
- Compensable Accident Testing:** Anyone involved in a compensable accident requiring outside medical treatment or attention from a physician will be required to take a drug test.
- Random Drug Testing:** Everyone is subject to testing at any time on a random basis as a term and condition of continued employment. Random testing may be facility-wide, by shift, by department or by job classification. All management and clerical staff will be subject to the same provisions including random testing.

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