

# Employee Policy & Procedure Manual



Community Living, Inc.

Frederick, MD

*Print date 01/2017*

**COMMUNITY LIVING, INC.**  
**EMPLOYEE ACKNOWLEDGEMENT FORM**

The statements contained in the Employee Policy & Procedure Manual are intended to serve as a guideline only and as general information concerning Community Living, Inc. (“Company”) with respect to its existing policies, procedures, practices of employment and employee benefits. I understand that I should consult my supervisor or the CEO regarding any questions not answered in the handbook. I have entered into my employment relationship with the Company voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Company or I can terminate the relationship at will, with or without cause, and at any time.

Since the information, policies, and benefits described here are subject to change, I acknowledge that the Company reserves the right to interpret, apply or eliminate any of the policies in the handbook. Only the CEO of the Company has the ability to adopt any revisions to the policies in this handbook. The Company may inform me when changes occur.

Furthermore, in the event of termination, I acknowledge that repayment of any outstanding debt is expected at the time of termination and that failure to do so could result in my account being turned over to an attorney or collection agency for further action.

Lastly, I acknowledge that this handbook is neither a contract, contract of employment nor a legal document. I agree to review the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee’s Signature: \_\_\_\_\_

Employee’s Name: \_\_\_\_\_

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

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# Introduction

The Employee Policy and Procedure Manual (sometimes called a Personnel Policy Manual, and referred to as the “Manual”) is a compilation of personnel policies, practices and procedures currently in effect at Community Living, Inc. (sometimes referred to as the “Company”, or “CLI”).

The Manual is designed to provide you with a description of these company policies as they pertain to you as an employee, and to help answer many of the questions that may arise in connection with your employment. It presents a standardized approach for the administration of policies to reduce ambiguities and difficulties that might arise from unwritten or inconsistent policies or lack of proper communication.

This manual is not a contract, it is not a contract of employment nor a legal document. Only the CEO or other authorized representative of CLI has the authority to enter into an agreement guaranteeing employment for a specific term. The Manual is intended solely to describe the present policies and working conditions at CLI. The Manual does not purport to include every conceivable situation. It is merely meant as a guideline, and unless laws prescribe otherwise, common sense shall prevail. Of course, Federal, state and/or local laws will take precedent over Company policies, where applicable. For some items, such as employee benefits, the descriptions in this Manual should not be relied upon; rather you need to consult the actual plan documents for detailed plan information.

Personnel policies are applied at the discretion of CLI. The Company reserves the right to change, withdraw, apply or amend any of our policies or benefits, including those covered in this Manual, at any time. The Company may notify you of such changes via email, via a printed memo, notice, amendment to or reprinting of this Manual, but in its discretion may make such changes at any time, with or without notice.

## History

Community Living, Inc. is a private, not-for profit organization governed by a volunteer Board of Directors. The agency provides homes, vocational and support services to individuals with intellectual disabilities (mental retardation) from Frederick County and surrounding areas of Maryland. Established in 1979 to serve 16 residents, the agency has grown to where it now serves over 100 individuals in homes throughout the City of Frederick.

Community Living is dedicated to helping all of its residents achieve their maximum potential for independent living. Individuals receiving services range from persons with the ability to live independently to those with profound, multiple disabilities requiring around the clock care.

# Mission & Vision Statements

## MISSION

Community Living provides supports and services to empower adults with intellectual and developmental disabilities to live their lives to the fullest.

## VALUES

- We expect trust, respect, and integrity in all our relationships and partnerships.
- We promote safety, dignity, and collaboration in all of our interactions.
- We passionately support each individual to realize his/her unique potential through inclusion and integration.
- We are responsible stewards of our resources.

# Guiding Principles

## Guiding Principles

- Persons we serve direct their own lives
- “Living Life” includes developing and maintaining on-going relationships with family and friends, with staff functioning as extended family
- We create a stable, nurturing environment while fostering maximum independence
- Each of us is committed to providing the structure, resources, and support to enable our staff to be successful

When people share a sense of mission, values, vision and guiding principles they can stay on task and help manage their daily activities. At CLI, we strive to put the individuals we serve first. Our mission statement is testament to that. Our vision is to attract and hire great staff, while creating a culture of respect and accountability, allowing us to become the employer of choice in the area. We feel that if we have the best staff and create an atmosphere where they can excel, we will provide great service. Our values and guiding principles are our core beliefs that guide our daily activities.

# Section I



# Employment Policies

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**Policy: Equal Employment Opportunity**

Effective Date: 3/1/09

Revision Date:

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It is the policy of Community Living to provide equal opportunity to all employees and applicants for employment. No person will be discriminated against in employment because of race, religion, color, sex, age, national origin, disability, marital status, military status, sexual orientation, or genetic information. The Equal Employment Opportunity policy shall apply to all employees with respect to compensation, recruitment, training, and opportunities for advancement.

CLI adopts this policy to insure compliance with all legal mandates and to reaffirm its continued commitment to a program of equal opportunity and merit employment policies.

It agrees to assert leadership within the community and to put forth the maximum effort to achieve full employment and utilization of the capabilities and productivity of all our citizens without regard to race, religion, color, sex, age, national origin, disability, marital status, military status, sexual orientation or genetic information.

Community Living further recognizes that the effective application of a policy of merit employment involves more than just a policy statement and will, therefore, undertake a program of affirmative action to make known that equal employment opportunities are available on the basis of individual merit and to encourage all persons to seek employment with Community Living and to strive on this basis.



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Policy: Americans with Disabilities Act

Effective Date: 3/1/09

Revision Date:

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The Americans with Disabilities Act is designed to protect individuals with physical or mental disabilities. CLI is committed to complying with the Act in all of its practices. If you have a disability, you may wish to make this known to the Human Resources Department through self-identification. The Director of Human Resources will work with you and your supervisor to find a reasonable accommodation within the requirements of the law.

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Policy: Whistleblower

Effective Date: 5/1/2015

Revision Date:

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## **General**

Community Living, Inc. (hereinafter referred to as CLI) requires directors, other volunteers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

The objectives of the CLI Whistleblower Policy are to establish policies and procedures for:

- Compliance with Federal and State Medicaid Fraud Acts.
- The submission of concerns regarding questionable accounting or audit matters by employees, directors, officers, and other stakeholders of the organization, on a confidential and anonymous basis.
- The receipt, retention, and treatment of complaints received by the organization regarding accounting, internal controls, or auditing matters.
- The protection of directors, volunteers and employees reporting concerns from retaliatory actions.

## **Reporting Responsibility**

Each director, volunteer, and employee of CLI has an obligation to report in accordance with this Whistleblower Policy (a) questionable or improper accounting or auditing matters, (b) violations and suspected violations of CLI code of conduct and (c) violations or suspected violations of Federal or State Medicaid Fraud Acts.

## **No Retaliation**

This Whistleblower Policy is intended to encourage and enable directors, volunteers, and employees to raise Concerns within the Organization for investigation and appropriate action. With this goal in mind, no director, volunteer, or employee who, in good faith, reports a Concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, a volunteer or employee who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

## **Reporting Concerns**

### **Employees**

Employees should first discuss their Concern with their immediate supervisor. If, after speaking with his or her supervisor, the individual continues to have reasonable grounds to believe the Concern is valid, the individual should report the Concern to the Director of Human Resources. In addition, if the individual is uncomfortable speaking with his or her supervisor, or the supervisor is a subject of the Concern, the individual should report his or her Concern directly to the Chief Executive Officer.

If the Concern was reported verbally to the Director of Human Resources or the Chief Executive Officer the reporting individual, with assistance from the Director of Human Resources or the Chief Executive Officer, shall reduce the Concern to writing. The Director of Human Resources or the Chief Executive Officer is required to promptly begin investigation of the concern and notify the president of the board of directors and executive committee. The reporting individual should expect a response in writing within 10 days. If the reporting individual does not receive a written response, or if the response is not adequate, the individual may report to the president of the board of directors. Contact information for the president of the board of directors can be obtained from the Director of Human Resources or the Chief Executive Officer.

### **Directors and Other Volunteers**

Directors and other volunteers should submit Concerns in writing directly to the president of the board of directors. Contact information for the president of the board of directors may be obtained from the Chief Executive Officer or the Director of Human Resources.

### **Handling of Reported Violations**

The president of the board or his/her designee shall address all reported concerns brought to his/her attention. The president of the board of directors shall immediately notify the Executive Committee and the Chief Executive Officer and the Chief Financial Officer of any such report. The president of the board of directors will notify the sender and acknowledge receipt of the Concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted Concerns.

All reports will be promptly investigated by the president of the board of directors and/or his/her designee, and appropriate corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the Concern.

The board of directors has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

**Acting in Good Faith**

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or auditing practice, or a violation of the Codes. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

**Confidentiality**

Reports of Concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Disclosure of reports of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

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**Policy: Sexual Harassment**

Effective Date: 3/1/09

Revision Date:

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It is the policy of CLI to promote a productive work environment whereby employees and volunteers are able to enjoy a work environment that is free from all forms of unlawful discrimination or harassment. CLI does not tolerate verbal or physical conduct by any employee or volunteer that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment.

Definition of Harassment

Sexual harassment infringes on an employee's and volunteer's rights and is a form of misconduct that undermines the integrity of the employment relationship.

The Equal Employment Opportunity Commission (EEOC) defines unlawful sexual harassment as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Types of Harassment

**Quid pro quo harassment** (something for something) – The EEOC defines this harassment as “harassment consisting of unwelcome advances, requests for favors, other verbal or physical conduct when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.”

**Hostile Work Environment** – The work environment is considered hostile when supervisors or coworkers, or both, have created an atmosphere so infused with unwelcome sexual conduct that it unreasonably interferes with an individual's job performance.

General

Employees and volunteers are expected to maintain a productive work environment that is free from harassing and disruptive activity. No form of harassment will be tolerated, including harassment based on race, national origin, religion, marital status, disability, pregnancy, age, military status, sex, sexual orientation, or genetic information.

It shall be a violation of company policy to harass another employee or volunteer sexually or to permit the sexual harassment of an employee or volunteer by a non-employee. In order to help assure compliance with this policy, we want to remind everyone the kinds of conduct currently prohibited by applicable federal and state regulations. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their gender.

Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, including sexual harassment. Sexual harassment left unchecked contributes to interpersonal conflicts, poor morale, and poor performance. Violations of this policy will result in severe disciplinary action, up to and including termination.

### Complaint Procedure

Any employee who believes that he or she has been the subject of sexual harassment should report the alleged charge immediately in accordance with the following procedures.

**STEP 1:** The individual alleging the sexual harassment will report the incident to their supervisor, another supervisor they feel more comfortable with, the Director of Human Resources, or the CEO. CLI strongly encourages complainants to submit their complaints in writing. However, all complaints, written or oral, will be investigated promptly. The Director of Human Resources will assist in the preparation of the written complaint upon request.

**STEP 2:** After the complaint is filed, a written copy of the complaint will be given to the alleged harasser within forty-eight (48) hours, or at the harasser's next scheduled shift. At this time, the alleged harasser will be informed of the seriousness of the allegations. The Director of Human Resources will review the company policy with the individual and advise them that a charge has been made. The alleged individual will then be given the opportunity to refute the allegations in written form.

**STEP 3:** The Director of Human Resources will commence a fact finding investigation, interviewing witnesses as needed. If the evidence warrants, the alleged harasser may be suspended, with or without pay, pending the completion of the investigation.

**STEP 4:** Upon completion of this investigation, the Director of Human Resources will issue a final determination on the complaint. If sexual harassment has occurred, per the complaint, the Director of Human Resources will specify the disciplinary action to be taken, up to and including termination. The determination of action will be taken on a case by case basis. If the allegation does not constitute sexual harassment, the alleged harasser will be so notified and, if previously suspended, shall be reinstated to work with pay retroactive to the date of suspension.

Any individual who knowingly files a false complaint or who provides false or intentionally misleading information during the course of the investigation shall be subject to severe disciplinary action, up to and including termination of employment. There will be no retaliation imposed on employees who report a complaint of harassment or who cooperate in an investigation.

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**Policy: Employee Confidentiality**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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During the course of your employment with CLI you will have access to personal information of the individuals in your care. All information in our client's file is strictly confidential. It is considered to be the possession of the individual and is to be shared and communicated only with persons authorized to access and use the information. This includes electronic records to which you have access.

Persons authorized to directly access this file and routinely use this file are:

- The client, their legal representation or the CEO
- Legal guardians or counsel
- Agency staff working with the client on a regular basis to the extent that information is needed to deliver services
- The client's House Manager
- The client's Service Coordinator, if applicable and requested
- Government regulatory agencies

Other persons may be authorized to use the file or its content by the client or their legal representative. Such authorization must be in writing and specify the information to be disclosed.

In the event of suspected or known loss, theft, destruction, or unauthorized uses of this file or its contents notify the CEO at once.



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**Policy: Fundamental Rights of Individuals Served by CLI**

Effective Date: 3/1/09

Revision Date:

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It is the policy of this state that each individual who receives any service from this agency has the following basic rights under the annotated Code of Maryland, Health General Article 7-1003. CLI is committed to honor and protect client rights that include:

1. The right to be treated with courtesy, respect and full recognition of human dignity and individuality.
2. The right to receive treatment and services in the least restrictive environment that is available, adequate, appropriate and in compliance with relevant laws, rules and regulations.
3. The right to be free from physical and mental abuse.
4. The right to be free from chemical restraints except for minimal restraints that are:
  - a. Authorized in writing
  - b. Made a part of the individuals record
  - c. Found by a physician or qualified mental retardation professional to be clearly indicated for the protection of the individuals and others
5. The right to receive respect and privacy in an individually developed program.
6. The right to worship as the individual chooses.
7. The right to an accounting of any funds of the individual that are held or otherwise administered by the facility.

Furthermore: Subject to certain provisions of the law, individuals have a right to:

  - a. A written statement of services and charges
  - b. Information about the individual's diagnosis, treatment, prognosis in language the individual can reasonably be expected to understand.
  - c. Unless medically inadvisable:
    - Participate in the planning of and know the consequences of medical treatment
    - Refuse medical treatment
8. Have the agency records kept confidential from those individuals who are not involved directly in the individual's treatment.

9. Share a room with a spouse who is also a resident of this agency.
10. Present a grievance or recommend a change in the agency's policy or services.
11. Except for the welfare of the individual and upon the order of the CEO of the agency:
  - a. Have reasonable access to a telephone
  - b. Send and receive mail
  - c. Receive visitors during reasonable visiting hours
  - d. Have privacy during visits by the individual's spouse
12. Talk or visit with the individual's attorney or clergyman.
13. Possess and use clothing and other personal effects.
14. Refuse to do any work for the agency without consent and without written approval of the CEO of the agency.
15. Exercise the individual's civil right such as voting and owning property.
16. An individualized program plan.

You may contact the CEO of this agency if you need more information or want a right explained to you.

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**Policy: Recruitment and Selection**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI will employ individuals with the highest qualifications in order to meet the individual needs of the individuals served by the Agency in accordance with local and federal guidelines. Equal employment opportunity will be offered to all applicants in order to prevent discrimination in employment because of race, religion, color, sex, age, national origin, disability, marital status, military status, sexual orientation, genetic information, or any other characteristic protected by applicable federal or state law.

Position vacancies are announced regularly, via Carematic. In conjunction with internal job postings, the Human Resources department may utilize additional recruiting resources outside the company, including but not limited to newsprint, recruiting services, local collegiate career centers, radio, television, and job fairs.

Prior to being hired by CLI, prospective employees must successfully complete pre-hire screenings set forth by company policy and applicable State and Federal laws. Examples of screenings tests that prospective employees may be subject to include, but not limited to, criminal background checks, medical examinations, drug testing, examination of driving records, or additional pre-employment screening tests.

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**Policy: Initial Period of Employment**

Effective Date: 3/1/09

Revision Date:

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Every new employee, whether newly employed or in a new position, goes through an initial period of employment. During this time the employee has the opportunity to determine if they are suited to and like their new position.

Additionally, this period of time gives the supervisor the opportunity to evaluate the employee's performance. The Initial Period of Employment lasts 90 days.

During this time the employee will be given training and guidance from their supervisor. Employees within the Initial Period of Employment may be discharged if it is determined they are not progressing or performing satisfactorily. Under appropriate circumstances the Initial Period of Employment may be extended. Additionally, as is true at all times of an employee's employment at CLI, employment is not for any specific period of time and may be terminated at will, by either party with or without cause or prior warning.

At the end of the Initial Period of Employment, provided that the employee's performance is satisfactory and all trainings are complete and current the employee will continue at CLI as an "at will" employee.

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**Policy: Personnel Records**

Effective Date: 3/1/09

Revision Date:

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Personnel records will be maintained by the Human Resources Department. In order to keep these records accurate, it is extremely important to notify Human Resources anytime you have a change in address, phone number, W-4 information, name, etc.

Items in the personnel file will include applications, resumes, and all documents (e.g. evaluations, tax forms, etc.) developed during the period of employment. These records are the property of CLI, but each employee has the right to review and/or obtain copies of their Personnel File. Requests should be made in writing.

If an employee disagrees with anything in their Personnel File, they have the right to write a rebuttal and have it added to their record. The Director of Human Resources reserves the right to add a written response to the employee's statement.

No one outside of the agency may review the contents of this file without a signed consent, from the employee or former employee, specifically authorizing the release of this information. CLI reserves the right to verify basic information such as dates of employment, wage information, employment status, and position title without notification to the individual involved.

The Director of Human Resources has the authority to share personal information (e.g. phone numbers, addresses, etc.) to other employees of CLI who have a business need to know such information.

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**Policy: Employee Training**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI offers an extensive training program for all direct support staff. These trainings ensure that you will be able to provide for the individuals in your care. Our Training Director will meet with you and discuss your initial training and schedule the classes required for your position.

Training classes are typically scheduled during the day, Monday-Friday. You will be scheduled to attend these trainings in addition to the hours of your normal work schedule. Trainings are mandatory. Missing a training class without notice is the same as missing a scheduled work shift without notice.

All initial trainings must be completed within the first 90 days of employment, the employee's Introductory Period. Failure to meet that deadline will result in an extension of your Introductory Period, reduction in salary, and delay your benefit accruals and holiday pay. If you still have not completed your trainings at the end of the extension, your employment with CLI will be in jeopardy.

It is your responsibility to notify the Training Director if you are unable to attend a class for any reason. Training sessions in the office are paid at minimum wage. All training hours must be recorded and submitted on a Training Timesheet as well as in the electronic time keeping system as training hours.

In addition to initial trainings, you will periodically be renewing and/or updating previous trainings. It is your responsibility to contact the Training Director to insure all trainings are up to date. A list of scheduled trainings is posted on the bulletin board in the front hall.

# Section II



## Attendance & Leave Policies

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**Policy: Absenteeism**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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Punctual and regular attendance is an essential responsibility of each employee at Community Living, Inc. Any tardiness or absence creates a burden for fellow employees and supervisors. When an employee is absent, others must perform the work, which diminishes the smooth functioning of the entire organization.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided. The purpose of this policy is to promote the efficient operation of the organization and minimize unscheduled absences.

Any employee who fails to report to work without notification to his or her supervisor for a period of 3 days or more will be considered to have voluntarily terminated his or her employment relationship.

“Absence” is defined as the failure of an employee to report for work when the employee is scheduled to work. The two types of absences are defined below:

- 1) Excused absence occurs when all four of the following conditions are met:
  - a) The employee provides sufficient notice to his or her supervisor.
  - b) Employee personally contacts his or her supervisor. (Texts, voicemails, messages left with a coworker, etc... are not acceptable).
  - c) The reason is found credible or acceptable by his or her supervisor (see number 2 below)
  - d) Such absence request is approved by his or her supervisor
  
2. Unexcused absence occurs when one of the four conditions in number 1 is not met. If it is necessary for an employee to be absent or late for work because of illness or emergency, the employee must notify his or her supervisor no less than 4 hours prior to the start of the employee’s scheduled start time. If the employee is unable to call, he or she must have someone make the call for the employee.

Sixteen hours of unexcused absence may subject an employee to immediate termination. Progressive discipline will be administered according to the table in the section “Progressive Discipline for Unexcused Absences” below.

Employees who have three consecutive days of excused absences because of illness or injury must give CLI proof of physician’s care. If an illness or injury prevents an



employee from performing his or her regularly scheduled duties, a physician's statement must be provided verifying:

- 1) The nature of the illness or injury
- 2) If and when the employee will be able to return to work, if applicable
- 3) Whether the employee is capable of performing his or her regularly scheduled duties, and if not, what duties the employee is capable of performing.

The employee is responsible for providing CLI with the above described proof of physician's care. Without an acceptable excuse, the employee may be subject to immediate termination.

### **Sufficient Notice**

To be considered an excused absence as defined above, sufficient notice must be given to the supervisor. Sufficient notice is:

- 1) For a schedule absence of one full day or more, employees must give a notice of 2 weeks (14 days).
- 2) For a scheduled absence of less than one full day, employees must give a notice of two working days. (No exceptions, other than Family Medical and Leave Act qualified leave or as a reasonable accommodation under the Americans with Disabilities Act).
- 3) For an emergency absence occurring:
  - a) The day of an employee's shift, the employee must notify his or her supervisor no less than 4 hours before the start of the employees shift.
  - b) During an employee's shift, the employee must notify his or her supervisor prior to leaving the premises.

If an employee fails to provide the proper notice, the supervisor may require the employee to report to work until a replacement can be found. Failure to report to work without providing proper notice is an unauthorized absence and could result in termination.

An employee's supervisor must approve any exceptions to this provision.

### **Tardiness**

Employees are expected to report to work on time. If employees cannot report to work as scheduled, they should notify their supervisor no less than 4 hours prior to the start of their regular starting time. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary.

## Progressive Discipline for Unexcused Absences

First instance	Verbal warning
Second and all future instances totaling fewer than 16 hours	Written warning
At 16 hours of accumulated unexcused absences	Subject to termination

Time away from work that is covered by Annual Leave, Jury Leave, Bereavement Leave, Military Leave, or approved FMLA will not count as absences. .

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Policy: Annual Leave

Effective Date: 3/1/09

Revision Date: 12/05/2014

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Our annual leave policy recognizes that a period of rest and relaxation helps morale and productivity. Employees must successfully complete the Initial Period of Employment and work a regular scheduled shift of at least 30 hours to be eligible for annual leave. Leave must be accrued before it is taken. Annual leave must be pre-approved, preferably 14 days prior to the onset of the leave. Employees working 40 hours per week or more will accrue annual leave at the following rates:

1-3 years of service	8 hours per month
3-5 years of service	12 hours per month
5+ years of service	16 hours per month

Employees working less than 40 hours per week will accrue annual leave on a prorated basis. Employees working a regular scheduled shift of less than 30 hours per week are not eligible for leave accruals. Temporary employees, substitutes, contractors, and volunteers are not classified as regular employees of CLI and will not accrue annual leave. Annual leave may not be accrued in excess of 240 hours. Leave is accrued on the first pay of each month, unless three pays fall in that month, then it will be accrued on the second pay of that month.

Employees who give two weeks notice, or who are terminated through no fault of their own (e.g., reorganization or job elimination) will be paid for their unused accrued annual leave. Employees who resign and do not give two weeks notice or are terminated for cause forfeit any unused accrued annual leave.

Annual leave may be donated to other employees that have exhausted their paid leave accounts, in the event of illness or injury to the person to receive the donation.

Employees paid on an hourly basis have the opportunity to “buy down” their annual leave. In order to participate in this program, employees must have accrued more than 100 hours of annual leave. Employees cannot take their annual leave totals below 100 hours of leave during the “buy down” process.

Employees may not use annual leave to exceed the number of hours they are scheduled to work in a pay period.

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**Policy: Sick Leave**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI provides paid sick leave to protect employees from loss of income in the event they are unable to work due to injury or illness affecting them or members of the immediate household. In this instance, the immediate household covers children, the employee's spouse or significant other, and parents.

Employees must successfully complete the Initial Period of Employment and work a regular scheduled shift of at least 30 hours to be eligible for Sick Leave. Leave must be accrued before it is taken. Employees working at least 40 hours per week accrue leave at the rate of 4 hours per month. Employees working less than 40 hours per week accrue sick leave on a prorated basis. Temporary employees, substitutes, contractors, and volunteers are not classified as regular employees of CLI and will not accrue sick leave. Sick Leave may not be accrued in excess of 240 hours. Leave is accrued the first pay of each month.

Three consecutive days of absence due to injury or illness, or excessive absenteeism, shall require a physician's statement in order for the employee utilize sick leave.

Employees may not use sick leave to exceed the number of hours they are scheduled to work in a pay period.

Regardless of the reason why an employee leaves CLI, unused sick leave will not be paid upon termination.

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**Policy: Holiday Leave**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI designates and observes certain days each year as holidays. Eligible employees will receive holiday pay for each holiday observed.

Employees working at least 40 hours per week will receive 8 hours pay for each holiday observed. Those working less than 40 hours per week will be paid on a prorated basis. Temporary employees, substitutes, contractors, and volunteers are not classified as regular employees of CLI and will not receive holiday pay.

Employees must successfully complete the Initial Period of Employment and work a regular scheduled shift of at least 30 hours in order to be eligible to receive holiday pay. In order to receive holiday pay employees must be present the day before and the day after the holiday, or be on a supervisor-authorized absence. Types of authorized absences would be preapproved sick leave, preapproved annual leave, bereavement leave, or jury duty. Leave is preapproved when a leave request is submitted and approved by your supervisor prior to the holiday.

Because of the nature of our business, we cannot close our residential homes to observe holidays. Direct support staff will receive their stipend provided they complete their entire shift or are on a supervisor-authorized absence.

CLI recognizes 10 holidays each year. They include:

New Year's Day	Labor Day
Martin Luther King's Birthday	Thanksgiving Day
President's Day	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	1 Floating Holiday at the discretion of the CEO

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**Policy: Compassionate Leave**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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Compassionate Leave may be granted in the event of the death of an immediate family member. This policy defines immediate family member as a spouse, significant other, parent, sibling, child, step-child, grandparent, grandchild, mother in law, father in law, brother in law, sister in law, son in law and daughter in law. Employees become eligible for Compassionate Leave upon the successful completion of the Initial Period of Employment.

Employees will be given up to 24 hours paid Compassionate Leave. The leave is not to exceed 3 days of your regularly scheduled shift. Employees must request annual leave in the event more than 24 hours of leave is needed.

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**Policy: Military Leave**

Effective Date: 3/1/09

Revision Date:

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It is the policy of CLI to grant military leave of absence, as required by a federal law known as the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted a leave of absence for military service, training or related obligations in accordance with applicable law.

At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the job and benefits they would have attained if not for their military service, or in some instances, a comparable job.

Re-Employment

Upon return from military service, employees have the right to be re-employed if they left their civilian job to perform duties in the uniformed service and:

- The employee gives CLI advance written notice of service
- The employee has 5 years or less cumulative uniformed service while working for CLI
- The employee returns to work or reapplies with CLI in a timely manner following their uniformed service
- The employee was not separated from uniformed service for disqualifying discharge or other than honorable conditions

Health Insurance Protection

- If the employee leaves for military service, they have the right to elect insurance continuation for up to 24 months. This coverage is available for the employee and any dependants covered under the employer's group health plan.
- If the employee does not elect to continue coverage, they have the right to be reinstated to the employer's group health plan upon their return from military service. This reinstatement is not subject to waiting period or other exclusions (e.g. pre-existing conditions) other than service connected injuries or illnesses.

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**Policy: Jury Duty**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI believes it is the civic responsibility of every citizen to serve as a juror when called upon to do so. Therefore, CLI will pay your normal wages for the leave period. To qualify for this leave, you must work at least 30 hours per week and provide proof of jury duty. This leave is only applicable if you have been summoned as a juror or subpoenaed as a witness. Employees who are appearing as a plaintiff or defendant, or are personally involved in a civil suit may not use this type of leave and must request annual or personal leave.



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**Policy: Family & Medical Leave Act**

Effective Date: 3/1/09

Revision Date:

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The Family and Medical Leave Act (FMLA) allows eligible employees to take a leave of absence for certain family and medical reasons. Under FMLA, eligible employees may take up to 12 weeks of unpaid leave for the following reasons:

- Incapacity due to pregnancy, pre-natal care, or the birth of a child
- The adoption, or placement in foster care of a child
- To care for the employee's spouse, son, daughter, or parent who has a qualifying serious health condition
- For the employee's own serious health condition that makes them unable to perform the essential functions of their job

**Military Family Leave**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12 week leave entitlement to address certain qualifying contingencies.

Qualifying contingencies may include attending certain military events, arranging alternate child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration meetings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12 month period of time. A covered service member is a current member of the Armed Forces, including a member of the National Reserves or Guard, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Employees who have advance knowledge of the need for such leave must give CLI 30 days notice. During FMLA leave the employee will be required to use the balance of annual leave, sick leave, and personal leave prior to the leave being taken unpaid.

Any employee who would like more information about FMLA eligibility and the components of the Act should contact Human Resources to review the Act in its entirety.

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**Policy: Inclement Weather**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI will be open for business every scheduled working day unless closed by the CEO. The agency expects each employee to make a reasonable effort to report to work in inclement weather conditions.

If the office is open for business, administrative and day program staff will be allowed a reasonable amount of time to report to work. If the weather conditions delay reporting to work on time, the employee should notify their supervisor as soon as possible. If staff is unable to report for work and the office remains open administrative staff must utilize annual leave or leave without pay. If the office is closed for business the administrative staff and day program staff will be paid and will not have to take annual leave.

Direct support staff members are expected to stay on the job until their replacement arrives to relieve them. If weather or traveling conditions delay reporting to work on time or at all, the employee is expected to notify their supervisor. If the supervisor is not available, or if the office is closed, then you should notify the emergency on call staff (Emergency Cell Phone). This notice should be given as soon as you realize you can not make it to work. You are required to give at least four (4) hours notice if possible.

If Frederick County Public Schools close for the day, transportation will not be provided and the participants in CLI's day programs will not attend that day. In the event the office remains open for the day, employees in our day programs should report as scheduled. School closing does not affect the employees of the day programs. If schools are delayed, employees are to report to work at the beginning of their shift and ROW participants will arrived on a delayed schedule. Day program employees that do not report to work will be required to use annual leave or personal leave, as stated above.

Individuals that receive support services for independent living will receive emergency services as needed, regardless of the status of the office. Extracurricular activities will normally follow the lead of Frederick County Public Schools. If the schools close for the day, the activity will be cancelled. If schools are delayed or are open with a normal schedule, the activity will be held as scheduled.

# Section III



## Compensation & Benefit Policies

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**Policy: Performance Evaluations**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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At designated intervals, formal written evaluations will be completed covering all aspects of performance. You will have the opportunity to review this evaluation and add your comments. It will then become part of your personnel record. The performance evaluation provides a formal opportunity for feedback, questions, guidance, and reinforcement between you and your supervisor.

A performance evaluation measures, among other things, your performance relative to the standards established for your specific job, as well as taking into consideration general standards as acceptable work performance. Open, objective communication is integral to the performance evaluation process.

Employees will receive performance evaluations yearly in the month of their hire date.

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**Policy: Hours of Work**

Effective Date: 3/1/09

Revision Date:

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CLI will provide staffing in accordance with DDA guidelines. These guidelines vary depending on the individuals and their needs. For more information about the specific schedule for a particular house, please contact Residential Services. Each home will minimally be staffed by a House Manager and a Residential Assistant. Homes could also have Double Coverage or Awake Overnight positions, if applicable.

Typical shifts for House Managers and Residential Assistants are:

**Shift I-House Managers**

Day	Start	Stop	Start	Stop	Total Hrs.
<b>Monday*</b>	12:00 PM	11:00 PM			11.00
<b>Tuesday*</b>	6:00 AM	9:00 AM	3:00 PM	11:00 PM	11.00
<b>Wednesday*</b>	6:00 AM	9:00 AM	3:00 PM	11:00 PM	11.00
<b>Thursday*</b>	6:00 AM	9:00 AM	3:00 PM	11:00 PM	11.00
<b>Friday</b>	6:00 AM	11:00 AM			5.00
				<b>TOTAL</b>	<b>49.00</b>

**Shift II –Residential Assistants**

Day	Start	Stop	Start	Stop	Total Hrs.
<b>Friday*</b>	3:00 PM	11:00 PM			8.00
<b>Saturday*</b>	7:00 AM	11:00 PM			16.00
<b>Sunday*</b>	7:00 AM	12:00 AM			17.00
<b>Monday</b>	12:00 AM	9:00 AM			9.00
				<b>TOTAL</b>	<b>50.00</b>

\*Employees that sleep overnight in a CLI residence are not typically paid for that time. Our work schedules follow the rules, guidelines, and interpretations of the Department of Labor. If certain conditions are met, such as length of shift or days worked consecutively, CLI has the right to deduct up to 8 hours of “sleep time” per day. For more information on this policy, please see Human Resources.

Office hours are Monday through Friday from 8:00 am until 5:00 pm.

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**Policy: Payment of Salary**

Effective Date: 3/1/09

Revision Date:

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Paydays are bi-weekly, usually on every other Friday. Employees will be paid their base salary or appropriate wages earned during the previous two week pay period.

All non-exempt employees are eligible for overtime at a rate of one and one-half of their hourly rate of pay for all hours worked in excess of 40 hours during any standard work week. Any hours worked in excess of an employee's normal schedule must be pre-approved by their supervisor.

Under Department of Labor Guidelines, certain positions may be exempt from overtime and minimum wage laws if they fall under one of the following exemptions:

- Executive
  - Paid on a salary basis, not less than \$455 per week
  - The employee's primary duty must be managing the business, or managing a recognized department or subdivision of the business
  - The employee must regularly direct the work of 2 or more full time employees
  - The employee must have the authority to hire and fire employees, or the employees suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change in status of other employees must be given particular weight
- Administrative
  - Paid on a salary basis, not less than \$455 per week
  - The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or their customers
  - The employee is required to exercise discretion and independent judgment with respect to matters of significance
- Professional
  - Paid on a salary basis, not less than \$455 per week
  - The employee's primary duties requires advanced knowledge, defined as work predominantly intellectual in character and requires the consistent exercise of discretion and judgment
  - The advanced knowledge must be in a field of science or learning
  - The advanced knowledge must be customarily acquired by a prolonged course of specialized instruction
- Computer Employee
  - Paid on a salary basis, not less than \$455 per week, or paid on a hourly basis, not less than \$27.63/hour

- The employee must be employed as a systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field performing the duties listed below
  - The application of systems analysis techniques, including consulting with users to determine hardware, software, or system functional specifications
  - The design, development, documentation, analysis, creation, testing, or modification of computer system programs, including prototypes, based on and related to user or system design specifications
  - The design, documentation, testing, creation, or modification of computer programs related to machine operating systems
  - A combination of the duties mentioned above, the performance of which requires the same level of skills
- Outside Sales
  - The employee's primary duty must be making sales, as defined by the FLSA, or obtaining orders or contracts for services or for the use of facilities for which consideration will be paid by the client or customer
  - The employee must be customarily and regularly engaged away from the employer's place of business

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**Policy: Employee Referrals**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI is always looking for qualified employees and appreciates recommendations made by current employees. CLI employees who refer applicants to Human Resources may be eligible to receive a bonus.

To take advantage of this program, submit a hiring referral form along with the application of the candidate to Human Resources. Upon completion of the referred employee's sixth month of employment the referring employee will earn \$250. A second bonus of \$250 will be paid when the referred employee completes one year of continued employment. Referrals requests must be logged prior to the applicant being interviewed for the position.

Both employees must be on the payroll, in regular full-time positions of at least 30 hours per week, at the time the bonus is awarded. Referral bonuses will not be paid for part time positions, temporary positions, or consultant positions. Senior management and Human Resources staff are not eligible for the referral bonus program.



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**Policy: Tuition Reimbursement**

Effective Date: 3/1/09

Revision Date:

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CLI offers education assistance for employees to further their education. In order to be eligible for coverage under this policy the program must be related to the employee's current job or enhance the employee's ability to advance within the agency. To be eligible for educational assistance, employees must be scheduled to work at least 30 hours per week and have at least one year of consecutive service with CLI. Eligible employees will be able to recoup up to \$250 per year to apply towards the cost of tuition. Reimbursement will be based upon the final grade of the course. "Pass/Fail" courses will be reimbursed at 75% of the \$250. Employees who receive funding from other sources, such as scholarships or grants, may apply for tuition assistance, but CLI's contribution may not exceed 100% of the reimbursable cost.

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**Policy: Insurance Coverage**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI offers a variety of insurance plans to our employees. Employees who work an average of at least 30 hours per week are eligible to enroll following applicable waiting periods. Specific information detailing the waiting periods and the various plans is available from the Human Resources Department.

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue insurance coverage under CLI's group plan when a "qualifying event" would normally result in the loss of coverage. Under the provisions of COBRA the employee or beneficiary pays the full cost of coverage normally charged to CLI plus an administration fee. Employees are given a written notice of their rights and obligations under COBRA when they become eligible for coverage.

Employees that desire more information about insurance benefits or COBRA are urged to contact Human Resources.

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Policy: 403(b) Retirement Plan

Effective Date: 3/1/09

Revision Date:

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CLI employees may enroll in a 403(b) retirement plan to help achieve financial security for retirement. Employees that meet the eligibility requirements for the plan can join at the onset of their employment with CLI. CLI will match employee contributions on a dollar for dollar basis, for up to the first 5% of the employee's regularly scheduled earnings. Employees must have worked 1000 hours and been employed with CLI for 1 year to be eligible for the match.

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**Policy: Workers' Compensation**

Effective Date: 3/1/09

Revision Date:

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The Workers' Compensation Policy protects an employee from loss of income in the event of an injury on the job.

When an injury occurs in a work related setting, the employee must immediately report this incident to their supervisor and to Human Resources. All accidents or injuries must be reported within 24 hours of the incident.

All employees are eligible for income protection under this plan. The amount of income protection is determined by your base salary and normal hours worked.

All employees are covered under this benefit from their first day of employment. Benefits under this plan are subject to review by the insurance carrier and the State Workers' Compensation Commission.

Return to Work Program

It is the policy of CLI to take appropriate action to bring employees who are injured in the line of duty, back to work as soon as it is determined to be a medically sound decision. CLI believes that it is important to aid an injured employee's rehabilitation by providing opportunities for returning to work at the earliest time possible.

CLI will make arrangements to accommodate, where possible, the return to work of an injured employee by one or more of the following means:

- Allowing the employee to return to work on a part time basis, or with a modified work schedule.
- Assigning defined modified duties to the employee based upon the need of those duties and the medical capability of the employee.
- Assigning the employee to a different department or location than the employee's original assigned location if the appropriate modified duties are not available at the employee's original location. It shall be understood that the reassignment shall be within a reasonable geographic distance to the employee.

The actions above shall be temporary measures not to last more than a three month period. If, at the end of three months, an employee is not medically ready to assume his/her original position, an evaluation will take place involving input from the employee, the treating physician, management of CLI, and the Workers' Compensation Claims Management Company. Based upon this evaluation, a plan of action will be developed to determine how to proceed to continue to facilitate the total rehabilitation of the employee.

# Section IV



## Performance Expectations

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**Policy: Progressive Discipline Policy**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI's progressive discipline policy is intended as a guide for dealing with the improvement of performance or disciplinary concern. Depending upon the seriousness of the incident, the progressive disciplinary policy may be repeated, bypassed, or adjusted to fit the offense.

In general, CLI recognizes two levels of employee violations:

Simple Violations – Simple violations include errors or omissions that do not present significant hazards to residents and/or do not seriously interfere with CLI functions. Examples include technical errors, or omissions such as time sheet errors, incorrect reports, simple documentation errors, low levels of absenteeism, etc.

Serious Violations – Serious violations refers to employee conduct that jeopardizes the welfare of residents and coworkers, and/or significantly interferes with CLI operations. This conduct is more serious in nature and can result in probation and/or suspension without pay or termination on the first violation.

The following conduct is prohibited and considered to be in violation of CLI standards. Individuals involved in the following types of actions will be subject to discipline, including termination. This list is not all inclusive.

- Assault, abuse, or neglect of an individual served by CLI
- Assault on a fellow employee or guest
- Conduct detrimental to the overall well being of residents, employees or programs of CLI
- Intentional violation of residents rights
- Possession or consumption of alcoholic beverages or narcotics on CLI property; reporting to work under the influence of alcohol or narcotics
- The use, possession, sale, transfer, distribution, manufacture, or storage of an illegal drug or drug paraphernalia on CLI's property, CLI owned or leased vehicles, or in CLI residential premises
- Smoking where prohibited
- Possession of firearms or other weapons on CLI property
- Unsafe use of tools and equipment
- Destruction or abuse of CLI property
- Theft
- Failure to notify Human Resources of any criminal convictions while an employee of CLI

- Rude and unprofessional behavior
- Sexual Harassment
- Verbal/Physical Abuse
- Gross inefficiency or neglect of work or duty
- Insubordination
- Sleeping on the job
- Excessive tardiness or absenteeism, as defined in the Absenteeism Policy
- Failing to notify CLI in the event of a workplace injury or accident within 24 hours
- Failure to comply with the Call Off policy
- Unauthorized overtime
- Falsifying CLI records, including time sheets
- Leaving the building or work site without approval
- Sexual activity while on duty

This list is in no way exhaustive, and is not intended to be comprehensive and does not alter the employment-at-will agreement between CLI and the employee.

Under normal circumstances, CLI follows a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and opportunity to improve. CLI retains the right to administer discipline in the manner which it sees fit.

#### Verbal Warning

The supervisor will meet with the employee and verbally notify the employee of the violation. The supervisor will state during the meeting that this is a formal verbal warning. They will inform the employee of the nature of the problem and the action necessary to correct it. The details of the meeting will be summarized on a Verbal Warning form and documented in the employee's personnel folder. Repeat violations will result in further progression through the disciplinary policy.

#### Written Warning

If the problem continues, the supervisor will consult with Human Resources and prepare a written warning. The warning will reference the prior discussion and steps necessary to correct the behavior. The meeting will be summarized on a Written Warning form and documented in the employee's personnel file. Repeat violations will result in further progression through the disciplinary policy.

#### Final Written Warning/Suspension

In the event of another violation of the work rule the supervisor may give a Final Written Warning, suspend the employee without pay, or both. Employees on suspension will not accrue benefits for the duration of the suspension. The decision will be made jointly with the Director of Human Resources and will be based on the frequency and severity of the violation. If a Final Written Warning is given, the meeting will be summarized on a Final

Written Warning Form and documented in the employee's personnel file. Repeat violations will result in more severe disciplinary action, possibly termination.

If a disciplined employee works for a 6 month period without further disciplinary action, the next failure to meet performance or behavior standards will be treated as a first occurrence under this policy. However, CLI may still consider all past disciplinary actions in evaluating the employee.



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**Policy: MTTP Policy**

Effective Date: 4/01/2011

Revision Date:

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To maintain our standard of quality care to residents, Community Living, Inc. (CLI) requires all direct support staff to be Med Certified. A direct support staff is defined as any staff member working in a home, day program or in the community with a resident or residents who require medication on a regular or PRN basis.

Med Certification classes (MTTP) are provided to the employee free of charge and are scheduled monthly. Failure to successfully complete this class may result in termination.

Direct support staff are required to take the Med Tech training (MTTP) within their first 90 days of employment with CLI. The first time a direct support staff member fails the Med Tech training (MTTP) he/she will be allowed to take the training again. This training MUST be completed within 30 days of the first fail or the next time Med Tech training (MTTP) is scheduled. If the direct support staff again fails to successfully complete the Med Tech (MTTP) training they will be terminated.

If a direct support staff member has their Med Tech certificate revoked due to med errors they will be required to complete either a Med Tech (MTTP) refresher or the entire Med Tech (MTTP) training (20 hours). The class to be completed is depending on the severity of the med errors. This training MUST be completed within 30 days of the revocation or the next time Med Tech (MTTP) training is scheduled. If the direct support staff member fails to successfully complete the training, either by failing the course or by failure to attend, they will be terminated.

If a direct support staff members Med Tech certificate is permanently revoked due to med errors the employee will be terminated.

If a direct support staff member fails the Two Year Recertification they will be required to take the entire Med Tech (MTTP) training (20 hours). If the direct support staff fails the 20 hour training they will be terminated.

Any direct support staff that does not have a valid MTTP certificate and is waiting to take the class, will not be able to work in a lead position and must work with a med certified staff at all times. When available CLI will place non med certified staff in double coverage positions however CLI does not guarantee hours will be available.

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**Policy: Open Door Policy**

Effective Date: 3/1/09

Revision Date:

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CLI encourages free and open communication between employees at all levels of the organization. The Open Door Policy is the means by which you can have face to face discussions with members of the various levels of management, ask questions, offer suggestions, and resolve problems.

Employees should discuss questions, ideas, or problems with their supervisor when possible. In most cases, the supervisor can resolve the matter promptly or clarify misunderstandings. If the supervisor cannot be of assistance Human Resources is available for consultation or guidance. If the employee is not satisfied with the results of an Open Door discussion, they have the right to elevate the issue to another level of management, including the Board of Directors.

Items and issues that begin as Open Door discussions could become formal grievance issues. For details on the grievance procedures, please see our Grievance Policy. As with any personnel matter, employees are free to talk or discuss items with any level of management without fear of retaliation, threats, or harassment from any other employee of the agency. These types of behaviors will not be tolerated.

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**Policy: Grievance Policy**

Effective Date: 3/1/09

Revision Date: 12/09/2016

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Employees have the opportunity to present their work related complaints and appeal management decisions through a formal grievance procedure. The Company will attempt to resolve all disputes that are appropriate for this policy. There will be no retaliation imposed on employees who file a grievance or to those who cooperate in an investigation.

Examples of appropriate disputes under this policy include:

- Inconsistent application of policies, work rules, or regulations
- Treatment considered to be unfair such as coercion, reprisal, harassment, or intimidation
- Alleged discrimination on the basis of race, color, sex, age, religion, national origin, marital status, disability, sexual preference, or genetic information
- Improper or unfair administration of employee benefits such as scheduling, vacations, promotions, retirement, holidays, performance reviews, salary, or seniority

The grievance procedure may have up to a maximum of three levels. However, disputes may be resolved at any level in the process. Disputes will be processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal under the policy. A decision is binding when either the employee fails to file a timely appeal or when a decision is made in the final level of appeal and the right of further appeal no longer exists.

#### First Level

When an employee believes that they have a work related problem, they should bring the matter to the attention of their *immediate supervisor* in writing. It is the responsibility of the immediate supervisor to investigate the grievance and to attempt to resolve the grievance. Once the supervisor concludes the investigation, they must respond to the grievance in writing within 10 days of initial report. The Director of Human Resources will retain copies of the grievance and the reply for the employee's personnel file. If the employee's problem is with the immediate supervisor, the employee is permitted to skip to the next level supervisor.

#### Second Level

If the aggrieved employee is not satisfied with the immediate supervisor's reply, they may appeal to the *Department Director*. They must do this in writing within 10 days of

the previous decision. The employee shall submit a copy of their written grievance and the grievance reply from their immediate supervisor.

The Department Director will meet with the immediate supervisor and the employee, within 10 days of receipt of the grievance, to discuss the issue. A written decision will be communicated to the employee within 10 days following the meeting. A copy of the Director's Grievance Reply will be documented in the employee's personnel file.

### Third Level

If the employee is still not satisfied with the decision at the second level of appeal, they are permitted to appeal to the **CEO**. The appeal must be within 10 days of the second level decision. The employee shall submit a copy of the original Report and both replies.

The CEO will meet with the immediate supervisor and the employee, within 10 days of the receipt of the grievance, to discuss the issue. A final written decision will be communicated to the employee within 10 days. A copy of the CEO's Grievance Reply will be documented in the employee's personnel file.

### Severe Situations

In situations involving termination, the terminated employee may appeal the decision directly to the CEO. The appeal must be submitted in writing to the CEO within 10 days of the termination. The CEO will investigate the grievance and/or meet with the terminated employee and anyone else involved in the termination. A final written decision will be communicated to the terminated employee within 10 days of the receipt of the grievance.

All information concerning an employee grievance shall be processed with as much confidentiality as possible. Obviously as the number of people involved in the appeal process increases, the level of confidentiality the employee as a right to expect diminishes. Supervisors will only discuss a grievance with individuals who are involved in the processing of the grievance.

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Policy: Substance Abuse

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI is committed to the health, safety, and well being of its residents, as well as its employees. CLI recognizes that alcohol and drug abuse adversely affect productivity, efficiency, job performance, and workplace safety. Desiring to promote a safe and efficient workplace, CLI has enacted this Substance Abuse Policy.

The use, sale, transfer, manufacture, or storage of an illegal drug, alcohol, or controlled substance while on company premises or while on company business for CLI is strictly prohibited. In this policy, company premises shall be defined as property or vehicles owned, rented, leased, or possessed by CLI. Furthermore, no employee shall work while under the influence of or impaired by illegal drugs, alcohol, or controlled substances of any kind. Employees taking prescription drugs or over-the-counter substances which may adversely affect job performance must notify their supervisor. CLI may temporarily relieve the employee if it is in the best interest of the residents, employees, co-workers or the Agency.

It is the intent of CLI to encourage and assist employees in treatment and rehabilitation whenever appropriate. However, employees who violate this policy remain subject to disciplinary action, including termination.

#### Drug Testing

CLI is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at our work sites. This program is designed solely for the benefit of our employees to provide reasonable safety on the job and protection from offending individuals.

#### Pre-employment Testing

All offers of employment are subject to the applicant successfully passing a pre-employment drug test. Former employees that are applying for rehire are required to complete the same testing procedure. A confirmed positive test result will disqualify the applicant from being hired. Failure to complete the testing process or to submit a viable sample will disqualify the applicant from being hired. Applicants that fail an initial pre-employment drug test must wait 6 months to reapply.

#### Post Accident Testing

For the purposes of this policy, CLI defines an accident as an incident occurring while an employee is on Company business resulting in an injury requiring medical attention or

damage to Company property. CLI requires that all employees submit to a drug and/or alcohol test following these types of incidents.

Employees that fail to report an accident that meets testing criteria are in violation of company policy and subject to discipline up to and including termination.

#### Random Testing Program

For the added safety and health of our employees as well as the direct impact on CLI's image and reputation as a drug-free organization, all employees are subject to random, unannounced drug testing at any time.

#### Reasonable Cause

Current employees may be asked to submit to a drug and/or alcohol test if cause exists to indicate their ability to perform work may be impaired. Although reasonable cause testing does not require certainty, mere "hunches" are not sufficient to meet this standard. Therefore, a reasonable cause test will not be administered without careful consideration.

#### Testing Procedures and Positive Results

Employees will be required to report to a testing facility of the Company's choosing. Failure to report immediately or failure to provide a suitable specimen will be in violation of this policy and subject to disciplinary action up to and including termination.

#### Disciplinary Action

The Company reserves the right to use disciplinary actions, up to and including termination of employment in response to a positive test result. Factors such as the severity of the incident, the position of the employee, the employee's record with CLI, and other factors including the impact of the incident will all be considered.

A positive test does not necessarily call for the termination of the employee. In addition to any disciplinary actions taken, employees may be offered the opportunity to enter a rehabilitation program of their choice at their expense. Employees may be asked to take unpaid leave during their time in the rehabilitation program.

Employees that decide to enroll in treatment will be subject to follow up testing for one (1) year following the initial positive test result. A positive test result during that time period will result in the termination of the employee.

Any employee that fails to complete the treatment program or refuses to enter a treatment program will be terminated.

The offer to enter a treatment program is a one-time offer during the employment of the individual. A second positive test at any point will result in termination.

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Policy: Employee Safety

Effective Date: 3/1/09

Revision Date:

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It is the goal of CLI and a requirement of the Occupational Safety and Health Act (OSHA) to take all practical steps to eliminate or reduce exposure of employees to accidental injury or to conditions adversely affecting their health. Your safety is as much a concern to CLI as it is to you. Violation of safety rules can cause you to be in an accident and may be grounds for disciplinary action, including termination of employment.

The following safety rules are in place for your protection and will be enforced by CLI.

- Notify your immediate supervisor or Human Resources of all accidents or injuries, no matter how minor they may be.
- Wear personal protective equipment at all times when required.
- Keep halls and walkways clear of debris and obstacles.
- Familiarize yourself with emergency/fire procedures and fire extinguisher use.
- There will be no running, horseplay, fighting, or throwing objects on CLI properties.
- Report unsafe working conditions or malfunctioning equipment/appliances immediately to a supervisor. If the report happens after office hours or on the weekend, please notify the “on call” staff.
- Never attempt to service or repair electrical or mechanical devices yourself.
- All lifts and transfers should be done in accordance with the individual’s IP.

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**Policy: Pet Policy**

Effective Date: 3/1/09

Revision Date:

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CLI recognizes the therapeutic value of pets in the lives of many people, including those of the individuals receiving services from the agency. Accordingly, CLI extends the privilege to employees of bringing personal pets (cats and dogs only – reptiles, rodents and birds are prohibited) to work, provided **ALL** of the following requirements are met. Bear in mind that this is a privilege, **NOT** a right and can be revoked at any time.

- All pets must be screened by representatives of the Senior Management Team prior to entering a property owned or operated by CLI.
- Staff members must be scheduled to work at least 30 hours per week to be eligible to bring their pet to a CLI home.
- Residential Services and/or house staff are responsible for submitting and maintaining records of pets that are owned by their resident. In addition, house staff is responsible for cleaning up after the pet and insuring that the animal is clean and healthy.
- The individuals in the household must like animals and want them in their house. If even one resident of the household dislikes and/or is afraid of animals, staff may **NOT** bring any animals into the house. If an individual expresses a fear or dislike of a particular animal, that particular animal is not allowed in the home.
- The animal must be friendly, safe, and relatively calm. If an animal needs to be restrained or locked up while in the home, it is not allowed. Breeds that are considered to be aggressive by the general population are not allowed.
- The animal needs to be up to date on all shots and immunizations, per standard kennel guidelines.
- A copy of veterinary records must be kept in the home **AND** on file at the office.
- Animals must be healthy, clean, and free of fleas and/or other parasites. Animals are not allowed in homes of individuals who have allergies to pet hair, etc.
- Agency or resident food or funds may not be used to feed or otherwise care for the animal.
- Staff animals may **NOT** be left unattended in CLI homes. Animals need to go home with staff at the end of their shift.
- Animals must be housebroken. The pet's owners are required to clean up any messes in the yard and/or in the home made by the animal. The home must be kept clean and free of animal hair and odor. ***The pet's owner must accept all responsibility regarding any damage an animal may cause. The owner must pay for any repairs and/or damage caused by the animal.***
- Quarterly inspections to the home will be conducted to insure all requirements are met.



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**Policy: Visitor Policy**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI understands that there are occasions for special activities, events, or holiday meals where staff's friends and/or family wish to visit during working hours. We understand that these times can also be beneficial to the people we serve. Therefore, guests of staff may be included in group activities under the following circumstances:

- Request for guest to visit the home must be sent to the appropriate Director (ISS or Residential) one week prior to the visit. Requests should be in writing and include the date, the reason for the visit, the names of all visitors, and the activities of the group. This must be approved prior to the visit.
- There may be no more than one visit per month per staff unless there is a specific written agreement otherwise.
- Visitors must provide their own transportation to and from the event.
- If an emergency takes place, the visitor must exit the event immediately.
- Children under the age of 12 may be present only with another adult present to supervise the child and with the approval of the appropriate department director.
- No person may be in the home if they are thought to have a contagious disease.
- Visitors may not provide training on outcomes.
- Visitors may not administer medications or first aid.
- Visitors may not assist with hygiene activities, such as toileting, bathing, etc.
- Visitors may not spend the night either in the home or on overnight outings.

Staff must understand that we are paid to assure the health and safety of the individuals we serve. This is our top priority at all times. Having added people in the home on a consistent basis does not allow us the time and continuity to provide quality services.

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**Policy: Household & Residential Funds**

Effective Date: 3/1/09

Revision Date: 02/11/2016

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Part of the care we provide the individuals we serve is assistance with finances. Direct support staff will work with Finance to request money, document purchases and expenses, and reconcile House and Individual accounts. Your supervisor will work in conjunction with Finance to train you in the process. There are some basic guidelines to follow in the handling of money.

- House Managers will act as the main point of contact between the staff working each home and Finance. In the event that the position of House Manager is vacant, alternate arrangements will be made.
- There will be money left in the house for the weekend shift. Weekend staff will be provided with a copy of the procedures for receipts and will sign a document that they are responsible for the funds.
- House Managers will reconcile the resident cash on hand and the household expense reports. Any discrepancies must be reported to Finance at once. Finance will follow up with the Residential Director. If staff does not report the discrepancy immediately, they assume responsibility for the debt.
- If weekend staff arrives for duty and there is no money on hand, they are to call Finance at once so arrangements can be made to provide for weekend expenses. Finance will follow up with the Residential Director.
- Staff is not to spend more money than is available. There should never be a situation where a resident owes staff or another resident because the staff decided to spend more than was available. It is the responsibility of the House Manager to request adequate funds.

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**Policy: Driving Policy**

Effective Date: 3/1/09

Revision Date: 7/01/2013

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In order to transport individuals served by Community Living and/or drive a Community Living vehicle, the following conditions must be met:

- The employee must have a valid driver's license for 3 or more years with no more than 2 points,
- The employee must complete the agency's vehicle training
- If an employee is caught running a red light, or has any other traffic citation, resulting in a fine in a CLI vehicle the employee is responsible for the amount.

Community Living, Inc. obtains a copy of each new employee's driving record to ensure that that it meets the standards set forth under this policy. Upon receipt and review of the driving record and completion of agency vehicle training, the employee is then eligible to transport individuals served by Community Living and/or drive a Community Living vehicle.

Employees understand that it is their responsibility to report:

- Any motor vehicle violation that results in the accumulation of more than 2 points on their driving record, along with any suspensions or restrictions or revocations; and/or,
- The onset of a medical condition or prescribed medications that may impair their driving and endanger the safety of the residents.

Employees driving a CLI vehicle on suspended, expired, or restricted licenses at the time of an accident are responsible for any expenses incurred by CLI, including but not limited to insurance deductibles or the costs of repairs.

Community Living, Inc. requires that all individuals who use their personal vehicle for business use to carry personal automobile insurance.

Cell phone use is prohibited in all CLI vehicles and in staff's personal vehicle if they are transporting a participant. This includes texting. If staff are caught using a cell phone while operating a vehicle the first step will be a warning the next step will be the loss of driving privileges for 3 months. As you are aware the loss of driving privileges could drastically reduce your ability to work. If caught the third time staff could be terminated.

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**Policy: Telephone Policy**

Effective Date: 3/1/09

Revision Date: 12/05/2014

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CLI recognizes that direct support staff might have occasional need to make or receive personal telephone calls from the house. These calls should be limited to what is absolutely necessary, and be limited to no more than 5 minutes in duration.

When necessity requires that an employee make a personal call resulting in charges to the residence telephone, the call must be charged, placed collect or charged to the employee's calling card.

The employee is also not to incur any added charges to the residence telephone resulting from the use of \*69 calls, call-forwarding, collect calls, 700# or 900# calls, or any other similar calls.

If an audit of the residence telephone bill indicates any charges resulting from other than legitimate business use, the employee(s) making the calls will be responsible for reimbursing Community Living for the charges.

Staff are on duty to provide care to the participants they are working with, therefore any cell phone use should be kept to an absolute minimum. We understand that staff may occasionally need to make or receive a personal call or text but this should be the exception, not the rule. Staff should not abuse this phone privilege. If staff are caught abusing this privilege they will be prohibited from bringing cell phones into the building or to any CLI event, either on CLI property or off.

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Policy: No Tobacco Policy

Effective Date: 12/1/2009

Revision Date: 7/01/2013

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To protect and enhance our indoor air quality and to contribute to the health and well-being of all employees, the use of all tobacco products, including chewing tobacco, is banned from the Community Living, Inc. (CLI) workplace, except as designated in this policy.

Smoking is prohibited in all of the enclosed areas within the CLI worksites, without exception. This includes common work areas, conference and meeting rooms, private offices, hallways, restrooms, employer owned or leased vehicles, and all other enclosed facilities. Employees are also prohibited from smoking in their own personal vehicle if they are transporting a CLI participant.

The only designated smoking areas are outdoors. The only smoking area for the main office is located near the rear of the building, near the fire exit between Health Services and Finance. The only smoking area for the vocational annex is located out the CSLA door in the back of the building by the maintenance garage door. No one may smoke along any path way or walk way leading to or from the designated smoking area, nor may employees smoke at the picnic tables nor outdoors in any of the grassy areas or the parking lots.

Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the CLI premises.

While CLI makes these areas available to smokers, it in no way has any legal responsibility to do so. Employees who choose to use these smoking areas do so at their own risk. No additional breaks are allowed to any employee who smokes. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.

Failure to comply with all of the components of this policy will result in disciplinary action in accordance with CLI's Progressive Discipline policy.

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Policy: Social Media

Effective Date: 12/09/2016

Revision Date:

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To assist in making responsible decisions about social media usage, we have established these guidelines for appropriate use of social media. This policy applies to all employees.

### **Definition of Social Media**

For the purposes of this policy, social media includes all means of communicating or posting information or content of any sort on the Internet, including to the employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, as well as any other form of electronic communication.

Ultimately, employees are solely responsible for what they post online. Any conduct that adversely affects the employee's job performance, the performance of fellow employees or otherwise adversely affects anyone associated with CLI, may result in disciplinary action up to and including termination.

### **Know and follow the rules**

Carefully read these guidelines, nondiscrimination/anti-harassment policy to ensure all postings are consistent with these policies.

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

### **Be respectful**

Always be fair and courteous to fellow employees, individuals or people who work with you. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage coworkers, other employees and anyone else associated with CLI or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law.

### **Be honest and accurate**

Make sure that postings are always honest and accurate and if a mistake is made, correct it quickly. Be open about any previous altered posts. Remember that the Internet archives

almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that are known to be false.

**Post only appropriate and respectful content**

Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Do not create a link from a person's blog, website or other social networking site to our company website without identifying oneself as an associate.

Express only personal opinions. Never represent yourself as a spokesperson for our company. Whether posting online or in instances where our company is a subject of the content, be clear and open about the fact that you are an associate and make it clear that your views do not represent the company, fellow employees or anyone else associated with CLI. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of CLI."

**Using social media at work**

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

We prohibit taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.