



# ***Employee Handbook***

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# The Arc Carroll County Employee Handbook

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# The Arc Carroll County Employee Handbook

## INTRODUCTION

The Arc Carroll County, Inc. (“Company”) was chartered in 1955 as a nonprofit, charitable organization. The philosophy of The Arc is to plan and implement programs and services for eligible individuals that foster maximum development without discrimination on the basis of race, gender, age, color, creed, national origin, marital status, physical or mental disability, religion, or veteran status.

A volunteer Board of Directors, elected by the General Membership, governs the affairs of and sets policy for The Arc. The Board of Directors serve terms as outlined in The Arc Bylaws.

## MISSION, VISION & VALUES

### MISSION

To support people in their individual pursuit of a fulfilling life.

### VISION

We are a leading organization that champions for and supports people with developmental disabilities, while cultivating relationships that enrich our community.

### VALUES

***Innovation*** – our founders pioneered the opportunities that exist today for people with developmental disabilities. We build on their courageous tradition of innovation and creativity in the design and delivery of our services.

***Integrity*** – we operate with integrity in all that we do – as a service provider, as an employer, and as members of our community.

***Respect*** – we treat everyone with respect. Dignity, choice, ability, privacy, and opinion are fundamental principles of who we are.

***Quality*** – we embrace the highest standards in all that we do. Quality in service and character drives our actions and attitudes.

***Caring*** – we act with a genuine spirit of caring. A sincere interest in and concern for the complete well-being of all people define our actions.

## **Section 1 - GOVERNING PRINCIPLES OF EMPLOYMENT**

### **WELCOME**

For employees who are commencing employment with The Arc Carroll County ("The Arc Carroll County" or "The Arc"), on behalf of The Arc, we extend a warm and sincere welcome. For employees who have been with us, thanks for your past and continued service. We extend our best wishes for success and happiness here at The Arc Carroll County. We understand that it is our employees who provide the services that our individuals rely upon, and who will enable us to create new opportunities in the years to come.

### **AT-WILL EMPLOYMENT**

Your employment with The Arc Carroll County (the Company) is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the company at any time, with or without notice and with or without cause.

Nothing in the Employee Handbook or any other Company document should be understood as creating guaranteed or continued employment, a right to termination only "for cause," or of any other guarantee of continued benefits of employment. Only the Executive Director has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the Executive Director.

### **CODE OF ETHICS**

It is the goal of The Arc Carroll County to provide an example for other human service, non-profit organizations, by establishing a high standard of performance, professionalism, and ethical conduct. The Arc Carroll County intends to create an environment that fosters ethical conduct, where no employee will ever feel the need to compromise personal integrity to help achieve the mission of the agency.

The Arc Carroll County Code of Ethics sets forth values, ethical principles, and ethical standards to which The Arc Carroll County staff aspire and by which their actions can be judged. The Arc Carroll County Code of Ethics cannot guarantee ethical behavior. Moreover, the code of ethics cannot resolve all ethical issues, disputes, nor capture the richness and complexity involved in striving to make responsible choices within a moral community.

The Arc Carroll County Code of Ethics is relevant to all of The Arc Carroll County's Board of Directors, staff, volunteers, and consultants, regardless of their professional functions, the settings in which they work, or the population they serve. While working under The Arc Carroll County's Code of

Ethics, the staff, volunteers and consultants must be conscientious, committed and honest in their work as well as in aspects of their private lives that are related to their respective jobs in the organization.

The Arc Carroll County pledges to set the standard for professional conduct by acting with integrity. We know that acting with integrity builds credibility, both within the organization and throughout the communities within which we operate. A reputation for integrity is a significant corporate asset. The Arc Carroll County Board of Directors and the executive staff are committed to making The Arc Carroll County the most valued Arc in our field. We will accomplish this by saying what we mean, doing what we say and making a positive difference in the lives of the people we serve.

The Arc Carroll County will be accountable to the public by demonstrating the highest standards of personal and corporate integrity, fairness, honesty, and compliance with both the spirit and the letter of the law. The Arc Carroll County aims to set the standard for ethical conduct by subscribing to the established Codes of Ethics for social workers, certified rehabilitation counselors, certified public accountants, and other relevant professions. Beyond this, The Arc Carroll County endorses five basic principles:

**Honesty**

To be truthful in all our endeavors, to be honest and forthright with one another and with our individuals, referral sources, and community partners.

**Respect**

To treat one another with dignity and fairness, appreciating the diversity of our work force the uniqueness of each employee, and the confidentiality of each individual served.

**Trust**

To build confidence through teamwork and open, candid communication at all levels of the organization.

**Citizenship**

To obey the laws of the land, work to make our communities more productive, and act with pride and confidence as a representative of The Arc Carroll County.

**Integrity**

We promise to apply the standard of integrity to all we do as related to our staff, The Arc Carroll County Board of Directors, volunteers, financial practices, marketing activities, individual services, referral/funding source interests, and other stakeholders' issues.

The following examples provide a framework within which The Arc Carroll County applies the foregoing standard:

**Treat in an Ethical Manner Those to Whom The Arc Carroll County has an Obligation.**

We are committed to the ethical treatment of those to whom we have an obligation. For our employees we are committed to honesty, just management, and fairness providing a safe and healthy environment, opportunity for career growth, and respecting the dignity due everyone.

For our individuals, families, and guardians we are committed to respect, concern, courtesy, and responsiveness recognizing that service to them is our primary responsibility.

For our customers, we are committed to produce reliable products and individual-driven services, delivered in a timely manner, at a fair price, and with expected outcomes.

For the communities in which we live and work, we are committed to acting as concerned and responsible neighbors as we seek ways to share The Arc Carroll County's mission with others, reflecting all aspects of good citizenship.

For our funding sources and governing authorities, we are committed to pursuing financial stability, sound growth and to exercising prudence in the use of our assets in a manner that helps promote the improvement of programs and services to persons with disabilities.

### **Obey the Law**

We will conduct our business in accordance with all applicable laws and regulations. Compliance with the law does not comprise our entire ethical responsibility. Rather, it is a minimum, absolutely essential condition for performance of our duties.

### **Promote a Positive Work Environment**

All employees want and deserve a workplace where they feel respected, satisfied, and appreciated. Harassment or discrimination of any kind and especially involving race, color, religion, gender, age, sexual orientation, national origin, disability, and veteran or marital status is unacceptable in our workplace environment.

Providing an environment that supports the honesty, integrity, respect, trust, responsibility, and citizenship of every employee permits us the opportunity to achieve excellence in our workplace. While everyone who works for The Arc Carroll County must contribute to the creation and maintenance of such an environment, our executive and management personnel assume responsibility for fostering a context for work that will bring out the best in all of us.

### **Work Safely: Protect Yourself and Your Fellow Employees**

We are committed to providing a drug-free, safe, and healthy work environment. Each of us is responsible for compliance with environmental, health, and safety laws and regulations. Observe posted warnings and regulations. Report immediately to the appropriate management staff person any accident or injury sustained on the job, or any environmental or safety concern you may have.

### **Keep Accurate and Complete Records**

We must maintain accurate and complete records. Financial Transactions between The Arc Carroll County and outside individuals and organizations must be promptly and accurately entered in our books in accordance with generally accepted accounting practices and principles. Entries into the case record must be made in a timely manner and reflect the desires and preferences of the persons receiving services, the services provided in response, and the actual outcomes achieved. Financial records and case record information must be treated with strict confidentiality. No one should



rationalize or even consider misrepresenting facts, falsifying records, or compromising confidentiality. It is illegal, will not be tolerated, and will result in disciplinary action. In addition, a third party should witness all documents to the extent that one is available; if a third party is not available, then the staff person soliciting the signature will witness the document signing in acknowledgement that they have reviewed the content with the person.

### **Steer Clear of Conflicts of Interest**

Playing favorites or having conflicts of interest, in practice or in appearance, runs counter to the fair treatment to which we are all entitled. Avoid any relationship, influence, or activity that might impair, or even appear to impair, your ability to make objective and fair decisions when performing your job. When in doubt, share the facts of the situation with your supervisor.

### **Fraud**

Management is responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury.

Acts constituting fraud include, but are not limited to:

- Any dishonest act
- Forgery or alteration of any document or account belonging to the Company, including checks, bank drafts and other financial documents
- Misappropriation of funds, securities, supplies or assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of Company activities
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors or persons providing services to the Company. Exceptions: gifts less than \$50 in value, and
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment.

The Executive Director has the primary responsibility for the investigation of all suspected fraudulent acts. If the investigation substantiates that fraudulent acts have occurred, he will issue reports to appropriate management personnel, and, if appropriate to the Board of Directors.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

Any employee who suspects dishonest or fraudulent activity should notify the Executive Director immediately and should not attempt to investigate the matter personally. All information will be treated confidentially. While the matter is under investigation, the employee should not discuss the matter with anyone other than the Executive Director or any person he may designate.

No action will be taken against an employee who, in good faith and with reasonable grounds, merely reports suspected fraudulent activity.

If an investigation results in a recommendation to terminate an individual engaged or complicit in fraudulent activity, the matter will be reviewed by the Director of Human Resources (HR) and outside counsel before any action is taken.

### **Marketing**

The Arc Carroll County will act responsibly in developing advertising and promotional opportunities so that the objective will advance The Arc and its mission. All outreach materials and efforts will be accurate and truthful in its representation of the organization, and anyone portrayed in them. The Arc Carroll County will respect the privacy and dignity of all people receiving supports, family members and donors in all marketing, promotional and outreach efforts.

#### *How we respect people receiving supports and their families*

- People receiving supports and their families will be represented in a positive light in all marketing and outreach materials used to promote The Arc Carroll County. They will not be exploited or portrayed in such a way as to generate sympathy or pity.
- People receiving supports and their families can be assured that confidential information regarding their relationship with The Arc will be protected.
- The Arc will have or will obtain permission to use the images or likenesses of people receiving supports and/or their families in marketing or promotional materials.

#### *How we respect donors*

- Gifts will be used for the purposes for which they were given. Donors will receive prompt and truthful answers to any questions they have when making a donation.
- Donors will receive appropriate acknowledgement and recognition. Donors may request that their names be deleted from any public recognition.
- Confidential information regarding individual donors and their gifts will be protected.
- Gifts will be processed expediently, and all funds will be handled in an appropriate manner.

### **Company Property**

The Arc provides numerous resources for all employees to assist them in the conduct of business. These include, but are not limited to, office equipment and office resources. These resources are the property of The Arc. Therefore, they are to be used for the conduct of business of The Arc, and not for personal business.

The use of The Arc's telephone during business hours for personal calls is not prohibited, but it is important that such calls be kept to a minimum. Employees are prohibited from charging personal long distance calls on agency phones.

### **Use of Personal Property**

The use of personal cell phones at work, during business hours, is to be kept to a bare minimum, preferably in emergency situations only. Employees are requested to have their personal mail sent to their home address.

When personal mail is received at the office, care will be taken to deliver it to the addressee unopened; however, The Arc assumes no responsibility for personal mail.

### **Setting Boundaries**

All relationships between supervisors, employees, and people receiving support shall be maintained in a professional manner.

### **Gift/Donation Acceptance**

Any gift or donation with a value estimated up to \$10,000 may be accepted by the Executive Director or his/her designee. A value that exceeds \$10,000 needs to be approved by the Board of Directors. Gifts or donations that cannot be valued through readily available sources may be subject to a valuation by a qualified third party. Gifts or donations that are viewed as not in keeping with The Arc's mission or are determined as not in the best interests of The Arc may be declined.

Acknowledgement of all gifts or donations must follow IRS procedures. Furthermore, all gifts or donations and acknowledgements must adhere to the Association of Fundraising Bill of Donor Rights, which is approved by the board of directors.

### **Mechanism to Address Violations of Ethics**

Any allegation or violation of The Arc Carroll County's standards for integrity will be taken seriously and thoroughly investigated by the appropriate executive staff member or governing authority.

Investigations of allegations will be initiated within five (5) days of receipt of the allegation.

In those situations where a potential breach of an established professional Code of Ethics may have occurred, the allegation will be reported in writing to the Executive Director within five (5) days and The Arc Carroll County's Board of Directors will be notified of the allegation within fifteen (15) days of notification of the Executive Director.

Any investigation will be completed within thirty (30) days of initiation with results reported to The Arc Carroll County's Board of Directors within ten (10) days of the completion of the investigation.

## **WHISTLEBLOWER POLICY**

The Arc Carroll County Inc. Code of Ethics requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of The Arc, all employees must practice honesty and integrity and comply with all applicable laws and regulations.

The objectives of The Arc's Whistleblower Policy are to establish policies and procedures for:

- The submission of concerns regarding questionable accounting or auditing 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**

It is the responsibility of all directors, officers, and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

### **No Retaliation**

No director, officer, or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within The Arc prior to seeking resolution outside the organization.

### ***Reporting Violations***

The Code addresses The Arc's open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with our Director of Human Resources or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Ethics to The Arc's Executive Director, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following The Arc's open-door policy, individuals may contact the Board of Directors directly.

### **Reporting Concerns**

#### **Employees**

Employees are encouraged to 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 Director of Human Resources.

If the concern was reported verbally to the Director of Human Resources, the reporting individual, with assistance from the Director of Human Resources, shall reduce the concern to writing. All concerns of any nature are to be submitted in writing. The Director of Human Resources is required to promptly report the concern to the Executive Director, who has specific and exclusive responsibility to investigate all concerns, and who will share the concern with the Board of Directors. If the Director of Human Resources, for any reason, does not promptly forward the concern to the Executive Director, the reporting individual should directly report the concern to the Executive

Director. Concerns may also be submitted anonymously. Such anonymous concerns should be in writing and sent directly to the Executive Director.

### **Directors and Other Volunteers**

Directors and other volunteers should submit concerns in writing directly to the Financial Committee. Contact information for the Financial Committee may be obtained from our Director of Finance or from the Director of Human Resources.

#### **(1) Accounting and Auditing Matters**

The financial committee of the board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing.

##### **(a) Acting in Good Faith**

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

##### **(i) Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. The Arc's ability to conduct an adequate investigation may be hindered if a complainant wishes to remain anonymous. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

##### **(a) Handling of Reported Violations**

Management will notify the person filing the complaint, if that person is known, and acknowledge receipt of the reported violation or suspected violation within five (5) business days. All complaints will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

In those situations where a potential violation may have occurred, the allegation will be reported in writing to the Executive Director within five (5) days and The Arc Carroll County's Board of Directors will be notified of the allegation within fifteen (15) days of notification of the Executive Director.

Any investigation will be completed within thirty (30) days of initiation with results reported to The Arc Carroll County's Board of Directors within ten (10) days of the completion of the investigation.

## **EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

The Arc Carroll County is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances. The Arc Carroll County's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

The Arc will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon The Arc's business operations.

Any applicant or employee who needs an accommodation to perform the essential functions of the job should contact Director of Human Resources to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. The Arc then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. The Arc will evaluate requested accommodations, and as appropriate, identify other possible accommodations, if any. The individual will be notified of The Arc's decision regarding the request within a reasonable period. The Arc treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace shall bring these issues to the attention of Executive Director or Director of Human Resources. The Arc will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Director of Human Resources. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

### **Equal Employment Opportunity Complaint Process**

The Arc Carroll County's procedure for handling EEO employment complaints is as follows:

Applicants are encouraged to contact the Director of Human Resources for assistance. The Director of Human Resources, or designee, will respond to the concern within five (5) business days.

Current employees are encouraged to ask his/her immediate supervisor for assistance. The immediate supervisor will provide a response within three (3) business days of the contact. If questions/concerns remain after this interaction, the employee is encouraged to utilize an appropriate chain of command by then presenting the matter in writing to the appropriate Department Director, or the Director of Human Resources. The Department Director, the Director of Human Resources, or designee will respond to the concern within five (5) business days of receipt of the written concern.

If, after following these steps, continued concerns/questions remain, applicants and current employees may present concerns in writing to the Executive Director. The Executive Director will respond in writing within five (5) business days.

In the event the Executive Director does not satisfactorily resolve the concern, the final step in this process will be an opportunity to present the concern to the Executive Committee of the Board of Directors. Again, the request must be timely and in writing using the Employment Discrimination Complaint Form. The Executive Committee will review the concern and all prior attempts at resolution then render a final decision that will be communicated in writing, within thirty (30) business days. The decision of the Executive Committee is final. This procedure is not applicable to situations involving involuntary separation from employment.

## **DISABILITY ACCOMMODATION**

The Arc Carroll County complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the Company will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your supervisor or Human Resources in writing. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, the Company will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, the Company may need your permission to obtain additional information from your medical provider. All medical information received by the Company in connection with a request for accommodation will be treated as confidential.

The Company encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Company is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Company.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the Federal Family and Medical Leave Act and/or any other leave where permitted by State and Federal law. The Company will not discriminate or retaliate against employees for requesting an accommodation.

## **RELIGIOUS ACCOMMODATION**

The Arc Carroll County is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees may request an accommodation when their religious beliefs cause a deviation from The Arc dress code or the individual's schedule, basic job duties, or other aspects of employment. The Arc will consider the request but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that will be considered are cost, the effect that an accommodation will have on current established policies, and the burden on operations, including other employees, when determining a reasonable accommodation. At no time will The Arc question the validity of a person's belief.

If you require a religious accommodation, please see the Director of Human Resources.

## **HARASSMENT**

The Arc is committed to a workplace free of harassment based on race, color, religion, age, gender and sexual orientation, national origin, disability, marital status, status as a veteran, and any other protected basis, all as defined by applicable law. Harassment is considered a form of employee misconduct; therefore, any employee engaging in such behavior will be subject to disciplinary action up to and including termination.

This policy applies to all employees, and to customers, vendors, and other third parties with whom The Arc conducts business.

Offensive conduct and behavior may include, but is not limited to:

- Verbal forms (includes written and spoken): graphic or degrading comments, epithets, slurs; jokes; advertisements; posters; cartoons; content in letters, notes, facsimiles, and e-mails, etc.
- Non-verbal forms: gestures, unwelcome physical contact, etc.
- Additional forms: unsolicited and unwelcome sexual advances, requests for sexual favors, and other verbal or physical behavior of a sexual nature.

Such conduct will be considered a prohibited form of harassment if any of the following is true:



- There is a promise or implied promise of preferential treatment or negative consequence regarding any aspect of employment decisions or status.
- Such conduct has the effect of creating an intimidating, hostile, or offensive work environment, or unreasonably interferes with a person's work performance.
- A third party is offended by the prohibited conduct or communication of others.

Employees who believe that they have been subject to harassment should immediately advise their immediate supervisor, the Department Director, the Executive Director, or the Director of Human Resources. All such reports shall be made in writing, will be investigated promptly, and appropriate action will be taken.

Retaliation or attempted retaliation against an employee who files or responds to a bona fide complaint of harassment, or who serves as a witness in such investigation, will be considered a violation of this Policy and subject to disciplinary action up to and including termination.

## **DRUG AND ALCOHOL-FREE WORKPLACE**

The Arc Carroll County has a longstanding commitment to provide a safe, quality oriented and productive work environment. Alcohol and/or drug use or abuse pose a threat to the health and safety of The Arc's employees, persons served, and to the security of the Company's equipment and facilities. For these reasons, The Arc is committed to keeping our workplace free of the use and abuse of drugs and alcohol.

### **Scope**

This policy applies to all employees and all applicants for employment of The Arc. The Human Resources (HR) Director is responsible for policy administration.

### **Employee Assistance Program**

The Arc will assist and support employees who voluntarily seek help for drug or alcohol problems before becoming subject to discipline or termination under this or other Arc policies. Such employees will be allowed to use accrued paid time off, be placed on leave of absence, referred to treatment providers and otherwise accommodated as required by law. Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up drug tests.

If a drug test is initiated by the Company, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and will face possible discipline, up to and including discharge.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work

restrictions to their supervisor. Failure to do so will constitute a violation of this policy and result in appropriate disciplinary action, up to and including termination.

### **Work Rules**

The Arc's drug and alcohol policy prohibits the possession, use, sale, purchase, unlawful manufacture, and distribution of any illicit drug(s), illicit controlled substance(s), alcohol or any prescription medications that affect an employee's fitness for duty, such as opiate-based pain killers, by any employee while at work, while on company premises, or when driving an Arc vehicle, or a personal vehicle for Arc business. Employees who violate this policy shall be subject to disciplinary action as outlined below, up to and including discharge, at the sole discretion of management.

The Arc will not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees must report the use of such prescription drugs to the Director of Human Resources. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

### **Required Testing**

#### ***Pre-employment***

Upon receiving an offer, but prior to beginning work, employees joining The Arc will be given a pre-employment physical, which includes a drug and alcohol screen. Refusal to submit to testing will result in rescission of the employment offer and disqualification of further employment consideration.

#### ***For Cause (Reasonable Suspicion)***

To determine the necessity of "For Cause" or "Reasonable Suspicion" testing, the employee will be interviewed by the immediate supervisor and Department Director (or if unavailable, at least two supervisory personnel). If, as a result of the interview, the Department Director determines that there is cause for testing, both management and Human Resources will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within two hours. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.

Management must document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol.

Additionally, if supervisory or management staff become aware of information that indicates an employee may be in violation of this policy, the employee may be required to submit to drug/alcohol screening. The Director of Human Resources will be notified immediately.

*Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for a cab and arrange for the employee to be transported home.*

## **Post-accident**

Employees are subject to drug and alcohol testing after being involved in vehicular accidents while driving during the course of their employment, regardless of cause or fault. The supervisor must be notified whenever an employee is involved in an accident while driving so that he/she can make sure the post-accident testing procedures are followed. Specimen collection and breath tests must be completed within two (2) hours after the accident. An employee involved in an accident while driving where one or more of the following occurs must have a drug test and alcohol test within two (2) hours of the accident:

- Fatality.
- A citation is issued to the employee who was driving.
- A motor vehicle is towed away from the scene.
- Any person is taken from the accident scene, or treated at the scene, by emergency rescue services personnel.

In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner. Following the accident, the employee who was driving will go to an approved certified lab collection center designated by The Arc to have the urine, breathalyzer, or blood test and/or other appropriate tests. If the employee who was driving requires hospital care, The Arc will make arrangements to assure that the appropriate tests are performed at the hospital. Refusal by an employee to be tested will be treated as a positive drug test result and will result in immediate termination of employment.

*Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for a cab and arrange for the employee to be transported home.*

## **Random Drug Screens**

Transportation employees of The Arc are subject to random drug and alcohol testing that will be administered by the agency's designated medical facility. Three employees per month will be chosen at random by our medical facility. The process for random screenings is as follows:

- Human Resources receives list from our medical facility with names of employees to be screened.
- Human Resources will send the list of names to the Transportation Director for notification.
- Once the Transportation Director notifies the employee, the employee has 24 hours within which to report to Human Resources, receive their screening form, and go to the medical facility for their drug and alcohol test.
- Failure to test within 24 hours of notification will be considered a positive test, and action will be taken per the policy.

## **Medical Marijuana & Marijuana Legalization Effective July 1, 2023:**

Please note that while Maryland permits the use of medical marijuana with proper documentation, and effective July 1, 2023, Maryland has legalized marijuana for recreational use, marijuana use or possession in the workplace is grounds for disciplinary action, up to and including immediate termination. Not only is marijuana illegal under federal law, but like alcohol, marijuana is an intoxicant.

### **Collection and Testing Procedures**

- General: All drug and alcohol testing will be conducted by a state approved facility chosen by The Arc.
- Pre-employment and random testing will be a urine screening.
- For cause/reasonable suspicion testing will include urine, blood and/or Breathalyzer screening.
- Consent/Release Forms: Employees to be tested will be requested to sign a consent/release form authorizing the drug and alcohol screening test and the release of the results of the test to The Arc.
- Refusal to sign such a consent/release will be considered the equivalent of refusing to submit to testing.
- Transportation: Arrangements will be made to transport any employee who is believed to be under the influence of drugs or alcohol to the testing facility for testing, and/or to his/her home.

### **Consequences**

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest in the future.

Employees who refuse to cooperate in required tests, refuse to sign a consent/release form or who use, possess, buy, sell, manufacture, or dispense drugs or alcohol in violation of this policy will be terminated. If the employee refuses to be tested, yet the company believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

#### Positive Test Result:

Employees who test positive, or otherwise violate this policy, will be subject to discipline, up to and including termination.

Depending on the circumstances, the employee's work history/record and any State law requirements, The Arc may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include a rehabilitation program (paid for by the employee) and/or follow-up drug testing at times and frequencies determined by The Arc for a period of at least one year, as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be immediately discharged from employment.

Employees will be paid for time spent in alcohol or drug testing and then suspended without pay pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

### **Inspections**

The Arc reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Crimes Involving Drugs and Alcohol**

The Arc prohibits all employees from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on company premises, in company vehicles or while conducting company business. The Arc employees are also prohibited from misusing legally prescribed or over the counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected. The Arc does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, The Arc reserves the right to take appropriate disciplinary action for drug or alcohol use, sale, or distribution while off company premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug or alcohol are required to report the conviction, plea, or sentence to Human Resources within five days. Failure to comply will result in immediate discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with The Arc.

### **Enforcement**

The Director of Human Resources is responsible for policy interpretation, administration, and enforcement.

## **GRIEVANCE PROCEDURE**

If you have a question regarding work procedures, job duties, personnel policies, or interpretations thereof, or any other matter regarding your employment with The Arc, you are encouraged to ask your immediate supervisor for assistance in better understanding the matter. Your immediate supervisor will provide you with a response within three (3) days of your contact. If you have further questions, you are encouraged to utilize an appropriate chain of command by then presenting the matter in writing to the appropriate Department Director, or the Director of Human Resources. The

Department Director or the Director of Human Resources will respond to your concern within five (5) days of receipt of that written concern.

After following these steps, if you should continue to have concerns/questions regarding personnel matters that relate to you, then you may present your concerns in writing to the Executive Director. The Executive Director will follow-up with you within five (5) days.

If you feel that the Executive Director does not satisfactorily resolve your concern, the final step in this process will be an opportunity for you to present your concerns to the Executive Committee of the Board of Directors. Your request must be submitted in writing within 5 days of the Executive Director's response to you. The Executive Committee will review your concern and all prior attempts at resolution and render a final decision that will be communicated to you in writing, within thirty (30). The decision of the Executive Committee is final.

Current employees, as necessary and appropriate, may utilize the above grievance procedure. It will not be applicable to situations involving involuntary separation from employment.

## **THREATS AND VIOLENCE**

The Arc Carroll County strives to maintain a safe work environment free from hostile, abusive, and/or criminal behavior, including intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons of any kind on company property or company time, or any other behavior deemed not to be in the interest of the Company by the Executive Director and/or Board of Directors. Such behavior will not be tolerated. Management of The Arc has the right to determine when behavior is inappropriate in the workplace and the appropriate employment discipline.

Employees who feel they have been subjected to, or have witnessed, any of the behaviors listed above shall immediately report the incident to the Executive Director. All complaints will be investigated. Based on the results, disciplinary action may be taken against the offender, if appropriate. Employees are empowered to contact the proper law enforcement authorities without first informing management if they witness the commission of a crime or if they believe there is an immediate threat to the safety of others and should then immediately notify management of the action taken.

The Arc has the right to search any property owned by The Arc, including computers, lockers, desks, any company vehicle, and residences owned by The Arc. If deemed necessary by management, the proper law enforcement authorities will be notified and permitted to join in the search. Any illicit articles discovered will be secured and may be turned over to law enforcement authorities.

Employees and guests of The Arc are prohibited from wearing or displaying while on Arc property, or while on duty for The Arc off-site, any symbols or other content designed to, or have the effect of, harassing, demeaning, intimidating, or disparaging any legally protected group, or which are

vulgar in nature. This prohibition extends to the display of such symbols or content on any personal vehicles parked on-site at The Arc, parked at any of The Arc’s residential houses, or in use for Arc business, such as for the transport of clients of The Arc. Prohibited symbols and other content include, but are not limited to, depictions of the Confederate flag.

An employee found displaying prohibited articles will be subject to disciplinary action up to and including discharge.

## **WEAPONS IN THE WORKPLACE**

Absolutely no weapons (e.g., guns, knives, batons, brass knuckles, etc.) are allowed anywhere on company property, except that employees who have the proper license or permit to carry a weapon may leave their weapon in a locked case in the trunk of their locked vehicle. Employees are also prohibited from bringing a weapon into the workplace of any individual, customer, prospective customer, or vendor. This applies to both concealed and openly carried weapons.

## **FRAUD, WASTE AND ABUSE POLICY**

### **Purpose**

The Arc Carroll County will be compliant with applicable Federal and State laws, and the program requirements of Federal and State health plans concerning fraud, waste and abuse. The Deficit Reduction Action of 2005 (DRA) requires that any entity receiving or making annual Medicaid payments exceeding \$5 million establish and disseminate to all of its employees and contractors written policies that set forth the entity’s policies and procedures for preventing and detecting fraud, waste, and abuse in Federal health care programs and that describe the Federal and State false claims laws.

This Section sets forth The Arc’s existing policies and associated procedures for detecting and preventing fraud, waste and abuse, including how to report concerns internally. It also provides an overview of applicable Federal and State laws used by the government to enforce compliance with Federal and State health care program requirements, including the Federal and Criminal False Claims Act and the Program Fraud Civil Remedies Act, and the Maryland Medicaid Fraud Prevention Law.

### **Policy**

The Arc Carroll County is committed to complying with all applicable laws and regulations. The Arc Carroll County supports the efforts of Federal and State authorities in identifying incidents of fraud, waste, and abuse and has the necessary procedures in place to prevent and detect fraud, waste, and abuse.

All employees, contractors, and agents must conduct themselves in an ethical and legal manner as defined in The Arc’s Code of Ethics, our Employee Handbook and our Policies and Procedures Manual.

All employees, contractors, and agents are responsible for reporting potential or suspected incidents of fraud and abuse and other wrongdoing.

The Executive Director of The Arc Carroll County, in consultation with legal counsel, has responsibility for receiving and acting upon all information suggesting the existence of possible fraud, waste abuse or other wrongdoing and for directing all investigations arising from this information.

### **Procedures**

The Arc Carroll County has implemented a number of procedures that are used to assist in its efforts to prevent and detect violations of federal and state health care program requirements and The Arc's own policies and procedures, including the following:

All Arc employees receive our Employee Handbook and all related policies during new employee orientation. Signatures are obtained signifying receipt of such material.

*Reporting Procedures.* The Arc Carroll County has a reporting procedure that encourages employees, contractors and agents to report problems and concerns. All employees, contractors and agents are responsible for reporting potential or suspected incidents of fraud and abuse or other wrongdoing by discussing the question or concern with their direct supervisor, contacting a member of management or utilizing the complaint form on our website. Please refer to the Whistleblower Policy and the Code of Ethics section of this Handbook for specific information concerning reporting of and response to reports of fraud, waste or abuse.

*Whistleblower Policy.* No director, officer or employee who in good faith reports a violation of this or other policies shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within The Arc prior to seeking resolution outside the organization.

*Cooperation with Investigations.* It is The Arc's policy to cooperate with Federal and State agencies that conduct healthcare fraud and abuse investigations.

*Pre-Screening of Employees and Contractors.* The Arc Carroll County employees and contractors are subjected to a screening against the Medicaid Fraud exclusion list prior to their employment or providing services to The Arc. Additionally, all existing employees and contractors are subjected to ongoing screening on a monthly basis against Medicaid List of Excluded Individuals and Entities (LEIE).

### **Federal and State Laws**

In addition to The Arc's own compliance policies and procedures to prevent and detect violations of Federal and State health care program requirements, the Federal government and the State of Maryland have also enacted criminal, civil, and administrative laws that prohibit the submission of



false or fraudulent claims and the making of false statements to the Federal and State governments. These laws contain various criminal, civil, and administrative penalties and provide governmental authorities with broad authority to investigate allegations of fraud, waste, and abuse and to enforce compliance with Federal and State health care program requirements.

### Federal Laws

The Federal False Claims Act and the Program Fraud Civil Remedies Act of 1986 are the primary Federal laws used by the Federal government to enforce compliance with Federal health care program requirements.

*The False Claims Act.* The Federal False Claims Act ("FCA") provides, in pertinent part, that: Any person who (A) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval; (B) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim; (C) conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G); (D) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property; (E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true; (F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or (G) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Government, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, as adjusted by the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Public Law 104-410, plus 3 times the amount of damages which the Government sustains because of the act of that person...).

Definitions. For purposes of this section, (1) the terms "knowing" and "knowingly" (A) mean that a person, with respect to information- (i) has actual knowledge of the information (ii) acts in deliberate ignorance of the truth or falsity of the information; or (iii) acts in reckless disregard of the truth or falsity of the information; (B) require no proof of specific intent to defraud. While the False Claims Act imposes liability only when the claimant acts "knowingly," it does not require that the person submitting the claim have actual knowledge that the claim is false. A person who acts in reckless disregard or in deliberate ignorance of the truth or falsity of the information, also can be found liable under the Act. 31 U.S.C. 3729(b).

In sum, the Federal FCA imposes liability on any person who submits a claim to the Federal government that he or she knows (or should know) is false. An example may be a physician who submits a bill to Medicare for medical services she knows she has not provided. The False Claims Act also imposes liability on an individual who may knowingly submit a false record in order to obtain payment from the government. An example of this may include a government contractor who submits records that he knows (or should know) are false and that indicate compliance with certain contractual or regulatory requirements. The third area of liability includes those instances in which

someone may obtain money from the Federal government to which he may not be entitled, and then uses false statements or records in order to retain the money. An example of this so-called “reverse false claim” may include a hospital that obtains interim payments from Medicare throughout the year, and then knowingly files a false cost report at the end of the year in order to avoid making a refund to the Medicare program.

In addition to its substantive provisions, the Federal FCA provides that private parties may bring an action on behalf of the United States. 31 U.S.C. 3730 (b). These private parties, known as “*qui tam* relators,” may share in a percentage of the proceeds from a Federal FCA action or settlement. Section 3730(d)(1) of the Federal FCA provides, with some exceptions, that a *qui tam* relator, when the Government has intervened in the lawsuit, shall receive at least 15 percent but not more than 25 percent of the proceeds of the Federal FCA action depending upon the extent to which the relator substantially contributed to the prosecution of the action. When the Government does not intervene, Section 3730(d)(2) provides that the relator shall receive an amount that the court decides is reasonable and shall be not less than 25 percent and not more than 30 percent.

The Federal FCA provides protection to *qui tam* relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the Federal FCA. 31 U.S.C. 3730(h).

Remedies include reinstatement with comparable seniority as the *qui tam* relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys’ fees.

*The Program Fraud Civil Remedies Act of 1986* - The Program Fraud Civil Remedies Act of 1986 is a statute that establishes an administrative remedy against any person who presents or causes to be presented a claim or written statement that the person knows or has reason to know is false, fictitious, or fraudulent due to an assertion or omission to certain Federal agencies (including the U.S. Department of Health and Human Services). The Program Fraud Civil Remedies Act allows for penalties of \$5,000 per claim and an assessment of up to twice the amount of the original claim.

### State Laws

The *Maryland False Claims Act* (FCA) is substantially similar to the Federal False Claims Act. The actions that trigger civil and criminal penalties un the Maryland FCA generally mirror those of the Federal FCA and including making a false statement or concealing information that affects the right to a Medicaid benefit or payment and conspiring to defraud the State by obtaining an unauthorized payment from the Medicaid program or its fiscal agent.

Like the Federal FCA, included in the Maryland FCA are provisions that permit a whistleblower to alert state investigators about fraudulent actions, and allow the whistleblower to collect a portion of any damages recovered by the state. The private individual’s share could be reduced or eliminated altogether, however, if the individual planned and initiated the activity upon which the lawsuit was based or if the individual is convicted of criminal conduct arising from his role in the

illegal activity. The Maryland FCA also includes provisions to prevent employers from retaliating against employees for their involvement in Maryland FCA actions.

## **SERVICE OF SUBPOENA / SEARCH WARRANT POLICY**

### Subpoena

A subpoena is an order directing the recipient to appear and testify at a specific time and place. A subpoena duces tecum requires the recipient to produce certain documents listed in the subpoena on the date and time designated in the subpoena. A subpoena does not grant authority to search the premises. The following is The Arc's procedure for responding to a subpoena.

If the subpoena is directed to The Arc or any of its facilities or locations, the Executive Director (or the Deputy Executive Director) is the only person authorized to accept service of a subpoena on behalf of The Arc. If the subpoena is directed to an officer, director, employee, or client, only that officer, director, employee, or client is authorized to accept service of the subpoena.

### Unannounced Appearance by Law Enforcement/Regulatory Personnel

The Arc may be subject to appearance by various Federal, State, and local regulatory agencies, law enforcement departments, and governmental agencies. If an individual from a governmental agency appears, please immediately contact the Executive Director (or Deputy Executive Director). Unless the official presents a search warrant, personnel of The Arc are not to release any information, formally or informally, orally or documentary, or to permit a search without consulting with the Executive Director.

### Search Warrant

A search warrant is a written court order entitling law enforcement personnel to search a defined area and seize property described in the warrant.

If law enforcement personnel, and/or State or Federal agents present an employee with a search warrant the Executive Director (or the Deputy Executive Director) is to be notified immediately. Law enforcement personnel and agents are to be informed that the Executive Director has been contacted and ask them to wait until the Executive Director arrives. If warrant holder will not wait, please comply with all directives from law enforcement.

### Procedure:

- A. All law enforcement personnel and/or State and Federal agents should be escorted to a conference room or private office. Immediately contact the Executive Director (or the Deputy Executive Director).
- B. Identify the agent in charge of executing the warrant. Ask for a business card or record the name, title, agency, and telephone number of the agent.
- C. Ask for a copy of the warrant and any affidavit submitted to the court to obtain the warrant.
- D. Have the agent identify the prosecutor by name and phone number, if that person is not indicated on the warrant. (The agent is acting at the direction of the prosecutor.)

- E. Inform the agent in charge that the Executive Director has been contacted and is on the way. Request the agent in charge not to proceed until the Executive Director arrives.

If warrant holder will not wait for the Executive Director to arrive, take the following steps to monitor the search:

1. Carefully read the warrant.
2. Make sure a judge or magistrate has signed the warrant. If there is any discrepancy, notify the agent in charge.
3. Determine the scope of the warrant, the area to be searched and type of evidence to be seized. A Search Warrant permits the designated agent to search and seize property. If there is any discrepancy between the scope of the search document and the search is actually conducted, notify the agent in charge. Offer to assist the agent in retrieving those documents or items that are the subject of the search, provided the documents or items are in the defined area to be searched.
4. Identify those essential employees that are knowledgeable and can assist in retrieving the documents, computer information, etc. within the defined area to be searched. Notify the agent in charge that key employees are available to ease the search with minimal disruption of business, direct all other persons not subject to the warrant to leave the defined area to be searched.
5. Advise employees not to speak with persons executing the warrant or answer their questions. They are not required to do so and should not do so outside of the presence of The Executive Director and/or counsel for The Arc.
6. Monitor the search, but do not impede or obstruct.
7. Photocopy, photograph or otherwise record in detail each item seized.
8. Agents sometimes number the rooms that they enter. Record the numbering scheme.
9. Request backup copies of all documents and computer disks, etc. before agents seize computers.
10. If agents attempt to seize privileged (e.g., attorney/client privileged communications or any client medical information) documents or other documents that you believe are outside the scope of the warrant, notify the agent in charge. Ask that the privileged material be segregated from the other materials and marked as "privileged".
11. The agent in charge will prepare an inventory of the items seized. Ask for a copy of that inventory before the agent leaves, but do not sign anything verifying the content or accuracy.
12. Instruct employees not to discuss the warrant or any related events with the press or employees other than the Executive Director or the Executive Director's designee.

## **Record Retention**

The Arc Carroll County acknowledges its responsibility to preserve information relating to litigation, audits, and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Arc and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact the Director of Human Resources to inform them of potential or actual

litigation, external audit, investigation, or similar proceeding involving the Arc that may have an impact on record retention protocols.

*Please see the **Policy on Document Retention and Destruction** in the Policy & Procedures Manual located at [arccarroll.org/resources/forstaff](http://arccarroll.org/resources/forstaff).*

## Section 2 – HIRING AND ONBOARDING POLICIES

### Employee Categories

Full-time Employees. Employees who are regularly scheduled to work 40 hours per week, on a year-round basis, and are designated as being in a budgeted full-time position, are defined as “budgeted full-time” employees or BFT. Budgeted Full-time employees are eligible for vacation, personal days, paid holidays, and sick leave benefits, life and disability insurance and may participate in group health insurance as offered by the Company.

Part-Time Employees. Employees who are regularly scheduled to work less than 40 hours per week and/or are employees who are regularly scheduled to work any number of hours per week on a less than year-round basis (e.g., on a school-year basis) are defined as “part-time” employees. Part-time employees may be eligible to receive a limited benefit package, depending on the number of hours they are regularly scheduled to work per workweek as follows:

- FFT (Federal Full-Time) status: Employees who are regularly scheduled to work between 30 and 39 hours per week are considered Federal Full-Time and are eligible for group health insurance as offered by the Company, as well as Maryland Sick and Safe Leave.
- RPT (Regular Part-Time) status: Employees who are regularly scheduled to work less than 30 hours per week are considered Regular Part-Time. This class of employee is not eligible for benefits, other than Maryland Sick and Safe Leave.
- Transportation: Transportation Department Bus Assistants and Bus Drivers are all considered Regular Part-Time (RPT) employees. Bus Assistants and Bus Drivers who regularly work 25 hours per week are eligible for group health insurance as offered by the Company, as well as Maryland Sick and Safe Leave.

PRN (Sub) Status. A category or Employee Status called PRN (a/k/a Sub or On-Call) denotes staff who do not have a set weekly work schedule. The purpose of this category is to provide supplemental staffing to fill vacant shifts when regular, full- or part-time staff are unable to provide this coverage. These employees have elected to forgo all benefits. A PRN employee agrees to work a specific number of shifts, either scheduled or as needed. The PRN Staffing Program includes all levels of support including Day, Supports or Residential. PRN Staff are not eligible for employee benefits or time off.

### Job Descriptions

Job descriptions are written by the Director of Human Resources and submitted to the Executive Director for review and approval. The Executive Director submits new job descriptions or those with significant changes to the Board of Directors for approval. New hires sign their job description during orientation. Existing staff sign new job descriptions when changes have been made and approved. All job descriptions are reviewed annually.

## Introductory Period

The first ninety (90) days of your employment is considered an introductory period. During this period, you will become familiar with the Company and your job responsibilities, and we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. Completion of this introductory period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature of the "at-will" employment relationship.

## Your Employment Records

The Company maintains separate personnel, financial, and medical files for each employee. Every effort will be made to keep all personnel records confidential. Personnel files are the property of The Arc and are available for employees to review in the Human Resources department by appointment. Employees will be given copies of documents from their personnel files upon request.

Employees should keep their personal information up to date via the Paylocity Self-Service Portal. Employees also should inform Human Resources of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

## Employee Selection

Executive Director. The Executive Director shall be selected by the Executive Committee, with the approval of the Board of Directors in accordance with The Arc By-Laws. When the Executive Director will be away from the office, or absent for an extended period, the Deputy Executive Director will serve in an acting capacity.

Other Employees. The Deputy Executive Director and Executive Director shall approve the selection of employees for all positions that have been budgeted for and approved by The Arc Board of Directors.

### Recruitment & Selection.

The following practices apply to the recruitment and selection process:

- When a position becomes available, consideration will be given as to how best to recruit for the position. Methods utilized may include one or more of the following: internal posting, newspaper advertising, circulation of flyers to community organizations and to local and state agencies; posting on The Arc website and Internet job boards, social media such as Facebook or LinkedIn, and employee referrals.

- Qualified applicants must meet the requirements and be able to perform the duties of the position as outlined in the job description.
- The best-qualified applicant shall be selected to fill any vacant position.
- Positions will be filled without regard to race, religion, gender, age, color, disability, veteran status, national origin, marital status, citizenship status, sexual orientation, or other legally protected category.
- Selection will be based on the requirements of the job as stated in the job description, and on the applicants' ability to perform the essential functions of the job with or without reasonable accommodation. The hiring manager shall consider qualified applicants presently employed by The Arc, as well as applicants from outside The Arc.
- The Arc may, from time-to-time, prescribe tests or examinations for determining qualifications for any position to be filled.

#### Application/Interview Process.

An application for employment must be completed (either on-line or paper application) for the desired position. Interviews will not be granted prior to receiving an application. Details about the position and employment with The Arc will be discussed during an initial phone screening. Applicants who do well in the phone screening will be scheduled for an on-site interview with Human Resources and the hiring manager. A second interview may be scheduled with other key employees (Director, Coordinator, etc.) from the department in which the vacancy exists.

#### Transfer Policy/Job Posting.

The Arc Carroll County is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the on-line job posting program which is in place for all employees. To be eligible to apply for an open position, employees must meet the following requirements:

- be a current, regular, full-time, or part-time employee.
- have been in current position for at least three (3) months.
- not be on conduct/performance-related probation or warning.
- meet the job qualifications listed on the job posting; and
- provide their current manager with notice prior to applying for the position.

If employees find a position of interest on the internal job posting list on the Paylocity Self-Service portal, and they meet the eligibility requirements, an on-line or paper application must be completed to be considered for the position. Not all positions are guaranteed to be posted. The Arc reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

#### Screening Process.

##### **Exclusion, Background Checks and Pre-Employment Physical & Drug Screening**

Candidates recommended for further consideration after completion of the interview process must complete a release for a criminal background and driving record check. Every candidate will be checked against Federal and State Medicaid Exclusions and Sanctions Lists.



All offers of employment at The Arc Carroll County (The Arc) are contingent upon clear results of a thorough background check. Background checks will be conducted on all selected candidates.

Background checks will include:

- **National Criminal and Sex Offender and Social Security Verification**
- **Criminal History:** includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
  - The nature of the crime and its relationship to the position.
  - The time since the conviction.
  - The number (if more than one) of convictions.
  - Whether hiring, transferring, or promoting the applicant would pose an unreasonable risk to the business, its employees or its individuals and vendors.

The following additional background searches will be required if applicable to the position:

- **Motor Vehicle Records:** provides a report on an individual's driving history in the State requested. This search will be run when driving is an essential requirement of the position.

Consistent with State law, any person who has a criminal history which would indicate behavior potentially harmful to individuals served, employees or other stakeholders will not be employed. Hiring of an applicant convicted of a sexual offense or common law assault and battery is prohibited. Other offenses will be considered based on the job to be performed and the potential effect on persons served and/or The Arc as a whole. In instances where negative or incomplete information is obtained, the Director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired.

If the screening process is successfully completed, the candidate's application packet will be forwarded to the Deputy Executive Director, then the Executive Director for approval to hire.

#### **Pre-Employment Physical and Drug Screening**

Once the candidate is approved for hire, he/she will be offered the position and scheduled for a pre-employment physical and drug screening. If the physical indicates that the applicant is able to perform the essential functions of the job and drug screening is clean, a time will be scheduled for New Hire Orientation. If the physical indicates that the applicant is not able to perform the essential functions of the job or if drug screening results are positive, the offer of employment will be rescinded. Immunizations are not required for hire.

#### **New Hire Orientation.**

All new employees meet with the Director of Human Resources, or designee, for initial orientation. This includes completion of various employment related documentation (I-9, Emergency Contact info, etc.). In addition, the employee is provided Company policies as well as how to access the Employee Handbook, along with training on The Arc's Policies and Procedures and a written job description. Each of these documents requires the employee's signature signifying receipt. At this time, information about benefits and eligibility, as well as training requirements, are given to the new employee.

New employees are also provided with departmental-specific orientations. These orientations include information specific to the employee's department and his/her actual position and job duties. Each department has its own checklist for information covered during the orientation, and the employee signs off on the checklist at the conclusion of the orientation.

#### New Staff.

Within the first five days:

- Review and sign off on job description
- Orientation to The Arc
- Department Orientation

Within 10 days:

- On-the-Job Training and Observation

Within 30 days:

- Review of Policies and Procedures on-line or they can request a copy from their department director. Review of Individuals-Served files and programs.

Within 90 days:

- In-person classes:
  - MANDT (annual update required)
  - CPR / First Aid / AED (renewable before expiration date on issued document)
  - Choking Prevention & Dysphagia Diets
  - On-the-Road Driver Training
- Computer-based courses:
  - *Please see the **Policy on Staff Training** in the Appendix of this Handbook the complete list of required online trainings located at [arccarroll.org/resources/forstaff](http://arccarroll.org/resources/forstaff). This information is also shared with new hires at new hire orientation.*

Others as needed based on program area:

- Any individual specific trainings as noted in the Person-Centered Plans of supported Individuals.
- Medication Technician Training Program (MTTP) and MTTP Skills for Residential Staff and those Day or Supports Direct Support Professionals (DSPs) required to give medications.
- Specific medical trainings, which include but are not limited to diets, blood pressure, Hoyer lift, tube feeding, nebulizer, nursing assistants, etc.

NOTE: If an employee does not complete all their required trainings in accordance with the above timeline, they are subject to disciplinary action, up to and including termination.

#### Staff Moving to New Positions.

Within the first five days:

- Review and sign off on new job description.
- Review of additional policies and procedures relevant to new position.

Within 10 days:

- On-the-Job Training and Observation.

### **Employment Verification Authorization**

New hires will be required to complete Section 1 of Federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with The Arc Carroll County. If you are currently employed and have not complied with this requirement or if your status has changed, inform your supervisor.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by The Arc Carroll County.

### **Rehire Eligibility and Employee Service Credit**

It is the policy of The Arc to consider rehiring former employees who voluntarily left employment or were laid off due to business needs. Employees who were part of an involuntary reduction in force, as well as those employees who voluntarily resigned, will be eligible for rehire if they had a satisfactory work record while employed by The Arc. Former employees who had a less-than-satisfactory work record will not be considered for rehire. This includes employees with a less-than-satisfactory rating on their most recent performance evaluation and/or employees who terminated employment with an unresolved performance improvement plan. Employees who were involuntarily terminated by The Arc will not be considered for rehire.

If an employee leaves The Arc's employ and is rehired within 90 days, his/her original date of hire will be restored. If the employee is rehired greater than 90 days from separation, the most recent date of hire will be the starting point upon which years of continuous service is calculated.

### **Hiring Relatives and Friends/Employee Relationships**

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at The Arc. It is your obligation to inform the Company of any such potential conflict so the Company can determine how best to respond to the particular situation.

## Section 3 – WAGE AND HOUR POLICIES

### Working Hours and Schedule

The Arc Carroll County headquarters normally is open for business from 8:00 a.m. to 4:00 p.m., Monday through Friday. Employees will be assigned to work a schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of the business, at some point The Arc may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. Your supervisor will explain your hours of work to you prior to, and on your date of hire. If you are unable to work your scheduled hours on any day, you are expected to notify your supervisor as soon as you are aware of the matter.

### Time Keeping

Federal and State laws require us to keep accurate records of hours worked by non-exempt (hourly) employees. Every non-exempt employee of the Company is required to enter his or her hours worked accurately. Employees are required to notify the Company of any pay discrepancies, unrecorded or mis-recorded work hours. Do not complete the time sheet of any other employee or request that they do so for you. Falsification of time records or recording time for another employee may result in disciplinary action, up to and including termination of employment.

Non-exempt employees must record the start and end times of each workday in the automated time and attendance system, Paylocity. Exempt employees are not required to complete time records daily. Exempt employees are required to record full days of absence, together with the appropriate reason for leave, in Paylocity.

Time Entry Deadline for Payroll. All employee time records must be completed in Paylocity by 10:00 a.m. on the Monday of each pay week. If Arc offices are closed on that day, time records must still be submitted by 10 a.m. on that day. Time records may be requested earlier than the Monday of each pay week as deemed necessary. Written communication via Paylocity will be provided in advance as such changes arise. Time records that are turned in late will not be processed until the following pay period.

Leave Without Pay/Not Reporting for Shift. Excessive use of leave without pay or not reporting for scheduled hours will result in review and possible disciplinary action (includes all employees, including part-time and PRN).

Back-to-Back Scheduling. Scheduling “back-to-back” shifts will not be allowed without prior approval by the Associate Director, Residential Services.

## Overtime

Non-exempt employees will be compensated at the rate of 1.5 times their normal hourly rate for all hours worked over 40 in a particular workweek. For employees who are paid a base rate of pay plus differential, overtime pay will be at (base rate + differential) x 1.5. For employees who work in two different positions/locations at two different rates of pay during the same pay period, and who earn overtime pay in that pay period, overtime will be calculated using a weighted average formula in accordance with the U.S. Department of Labor standards.

Prior approval of overtime is required before working any overtime. Employees who work overtime without prior approval may be subject to disciplinary action.

Please note that hours paid as vacation, personal, sick, holiday, weather, in-service and/or bereavement are not considered "hours worked" for the purpose of calculating overtime pay.

## Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period. Payroll statements, available via Paylocity, itemize deductions made from gross earnings. By law, The Arc Carroll County is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. All deductions from an employee's wages shall be in accordance with applicable law and, when required, the employee's consent. Payroll statements also will differentiate between regular pay received and overtime pay received. The Arc will not allow payroll deductions for any group or organization not approved by The Arc.

If there is an error in any employee's pay, the employee should bring the matter to the attention of the Payroll Specialist immediately so the Arc can resolve the matter quickly and amicably. If an employee was inadvertently paid for hours not worked, either through their own error or that of the company, the overpayment will be taken on the next regularly scheduled payroll in accordance with State Payroll laws.

Employees shall be required to complete all applicable forms necessary for deductions as may be required by law; such forms include the federal W-4 and state tax forms. If an employee does not complete the appropriate form, *e.g.*, the federal W-4, then deductions will be made in accordance with applicable law.

## Differential Rates of Pay

Differential rates of pay are provided in certain circumstances, based upon the nature of the work being performed. Certain Transportation Department staff may receive a differential in addition to their hourly (base) rate of pay, while certain Community Living and Supports Department staff may receive a per hour differential for weekend shifts as identified by the Company. Please note that if

you work in a position that receives an hourly differential, the differential will not be paid for any time spent in training classes, nor for vacation, personal, sick, holiday, weather, in-service and/or bereavement; only the base rate will apply in those circumstances.

### **Pay Frequency & Paycheck Distribution**

Employees are paid every other week on Friday, resulting in 26 pays per year. Paychecks issued on Friday will include all hours worked in the prior pay period up to and including the previous Friday, as well as any overtime earned in the same pay period. If the normal payday falls on an Arc-recognized holiday, electronic pay stubs for those with direct deposit will be available one workday prior to the aforementioned schedule via the Paylocity Self-Service Portal. Under no circumstances will The Arc release any paychecks prior to the actual pay date.

### **Lost Paycheck**

In the event of a lost paycheck, you must notify the Finance Department in writing as soon as possible before a replacement check can be issued. In the event the lost paycheck is recovered and the endorsement on the check is identified as yours, you must remit the amount of the paycheck to the Finance Department within 24 hours of the time the remittance is demanded. A single occurrence of a lost paycheck will not incur any replacement fee. For subsequent occurrences of a lost paycheck within a rolling 6-month period of any first occurrence, you will be charged The Arc's then current fee to stop payment of the original check.

### **Statement of Earnings**

A statement of earnings (Pay Stub) is available to employees each pay period in Paylocity indicating Gross Pay, Statutory Deductions, and Voluntary Deductions. The amount of Statutory (Federal and State) Deductions is affected by the number of exemptions claimed on the relevant Withholding Allowance forms. If your marital status changes, or if the number of exemptions previously claimed increases or decreases, a new Withholding Allowance form may be completed by logging into the Paylocity Self-Service Portal or requesting the form(s) from Finance or Human Resources. Whether you are entitled to claim a certain number of allowances or exemptions from withholding is subject to review by the IRS. Therefore, you may be asked to quantify and verify exemptions that appear to be more than average.

### **Direct Deposit**

The Arc Carroll County strongly encourages employees to use Direct Deposit. You may enroll for Direct Deposit via Paylocity.

### **Salary Advances**

Salary advances are not permitted at any time.

## Repayment of Monies Due to The Arc

In the event of a payroll overpayment due to employee error or a Company error, employees hereby authorize the Company to deduct the overpayment on the next regularly scheduled paycheck date. If an employee is not due a next paycheck, employee agrees to repay the Company via personal check immediately upon receipt of notice of the error.

Signing the Employee Handbook Acknowledgement constitutes the employee's agreement to have any outstanding monies due to the Company repaid by payroll deduction upon discovery or upon termination.

## Employee Compensation

The Director of Human Resources, subject to approval by the Executive Director and the Board of Directors, shall establish the salary level or rate of pay for each position.

New employees will be paid at a rate of pay within the established salary range and consistent with any established hiring rates for their position. Upon approval of the Director of Human Resources, a new employee may be paid at a higher rate.

Promotions: When an employee is promoted to a vacant position of a higher level, he/she may receive a promotional increase consistent with the position and other similarly situated employees in that position.

When an employee moves to a position of a lower level, his/her base rate of pay may be reduced to be consistent with prevailing pay rates for the lower-level position.

### Garnishment or Levy of Wages:

The Arc is legally obligated to administer garnishments and other court ordered attachments to employee wages. The Arc will follow State and Federal guidelines as to the withholding process of these obligations. The Arc will notify the employee when a garnishment or levy notice is received.

## Punctuality and Attendance

Employees are hired to perform important functions at The Arc Carroll County. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than 2 hours

before the start of their shift. Employees should call, stating the nature of the absence and its expected duration, for every day of absenteeism.

**Job Abandonment:** If you fail to show up for work or fail to call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from The Arc Carroll County.

***Please see the complete Attendance Policy in the Appendix of this Handbook.***

### **Business Expense Reimbursement**

Employees will be reimbursed for reasonable approved expenses incurred doing business on behalf of the Company. These expenses must be approved by the employee's Supervisor, and may include meals, or gas and car mileage for personal vehicles. All expenses incurred along with receipts must be submitted through Paylocity in the pay period within which the expense was incurred. There will be no reimbursement made for expenses submitted more than 30 days past the date of the expense.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their supervisor in advance if they have any questions about whether an expense will be reimbursed.

*Please see the **Policy on Expense Reimbursement** in the Policies & Procedures Manual located at [arccarroll.com/resources/forstaff](http://arccarroll.com/resources/forstaff).*

### **Inclement Weather**

The Arc Carroll County provides valuable services to individuals with intellectual and developmental disabilities. While The Arc Carroll County will always keep the safety of its employees in mind, we are responsible for providing these services as scheduled. This includes maintaining suitable staffing levels in all departments, especially at our Residential homes and Support Services Locations, regardless of weather conditions.

#### **Essential Personnel:**

Full-time and part-time staff members at our Residential homes and Support Services locations requiring around-the-clock coverage are considered *Essential Personnel* and must make every effort to report to work. When inclement weather occurs, you are expected to report to work as scheduled, or as soon as you are safely able to do so. A call-off for impending inclement weather is not acceptable. Staff members already at work should prepare to stay longer than their regularly scheduled shift in the event replacement staff members are not able to make it to work safely. Communication with your supervisor is imperative. Call-off timeframe requirements are department-specific, so please ensure you confirm the expectations with your supervisor.



### **Kriders Church Road Facility:**

The Executive Director or designee will determine the operating status of The Arc facility at 180 Kriders Church Road in coordination with Carroll Transit. This may mean a different schedule than the one communicated by Carroll County Public Schools. We may choose to close or announce a late opening or early dismissal where severe weather warrants such action. Any closure or change in business hours will be communicated to employees via a posting on the Company website and a Paylocity announcement. Please ensure your current email address is in Paylocity so you receive information timely.

### **Community Activities During Inclement Weather:**

*As most of our Day services are now provided in the community, virtually or at individual's homes rather than at the Kriders Church Road facility, during inclement weather, we still need to provide services to our individuals so as not to disrupt their daily routines, as well as to receive funding.*

*In cases of extreme severe weather where it is not safe to travel, our Executive Director or his designee will post messages to The Arc website and Paylocity Community, announcing that travel is unsafe or should be delayed until a set time. During these times, DSPs should:*

- *Contact family/individual to advise them of a modified schedule for that day.*
- *Engage remotely via Zoom.*
- *Utilize an inclement weather event kit – something that can be left with individuals to do during inclement weather. The employee could call the individual and walk them through the activity if a computer is not available.*

**In the event of inclement weather severe enough to close the building or prohibit travel, or if the building has a delayed opening or early closing, or travel needs to be restricted at the beginning or end of the workday due to severe inclement weather:**

- **Exempt and Administrative Non-Exempt Personnel** are expected to work from home if the office is closed. If circumstances are such that you cannot work remotely (including having insufficient tasks to sustain productivity), you may request to use accrued vacation or personal time or take the time off without pay for the missed work hours, with your supervisor's approval. You must submit your request to use vacation or personal time via Paylocity prior to the end of the pay period. Failure to do so will result in your not being paid for the day.
- **Full-Time Day and Employment Services DSPs (non-exempt)** are expected to work from home if they have the ability to do so and have the approval of their supervisor. Virtual classes via Zoom should continue as scheduled. DSPs are expected to engage with their individuals/groups remotely via iPad or phone for a minimum of one hour. If you are not able to engage remotely, you may request to use accrued vacation or personal time or take the time off without pay for the missed work hours, with your supervisor's approval. You must submit your request to use vacation or personal time via Paylocity prior to the end of the pay period. Failure to do so will result in your not being paid for the day.

**Note:** If you were already scheduled off on a day when the Kriders Church Road facility closes, or travel is restricted for any amount of time due to inclement weather, you will not be able to substitute unpaid time off in lieu of vacation or personal time. Your original leave request approval will be honored.

- **Part-Time Day, Employment Services and Administrative Personnel (non-exempt) and Sub (PRN)** employees are expected to engage remotely. If circumstances are such that you cannot remotely engage your individuals, you are not eligible for pay for any missed work hours.

**Transportation Department Personnel:**

Bus Drivers and Bus Assistants will follow the directives of Carroll County Public Schools (CCPS) for delays, early dismissals, and closures due to inclement weather, as announced on radio and television and as communicated via our internal phone tree. If Bus Drivers/Assistants are unable to make it to work as scheduled, they are to communicate this information in accordance with pre-established department requirements. You are not eligible for pay for any missed hours due to CCPS delayed openings, early dismissals, or closings.

## Section 4 - BENEFITS

*Please refer to the Benefit Enrollment Guide or Summary Plan Descriptions found on the Paylocity Self-Service site, or you may visit Human Resources to obtain these documents.*

### JOB CLASSIFICATIONS, EMPLOYEE CATEGORIES AND PAY CONSIDERATIONS

#### Exempt and Non-Exempt Classifications.

Jobs are classified as “Exempt” or “Non-exempt” according to Federal and State Wage and Hour laws. Non-exempt employees are paid on an hourly basis and will receive overtime pay for all hours worked in a workweek beyond 40 hours, as defined in the section “Overtime Pay.” Exempt employees are not eligible to receive overtime pay.

All exempt staff is employed with the understanding that some travel, evening, and weekend work are necessary requirements of the position.

#### **Paid Holidays**

Budgeted full-time (BFT) employees (regardless of length of service) will be entitled to time off with pay for the 10 holidays listed below. If any of the holidays fall on a Saturday or Sunday, refer to the holiday schedule posted on The Arc website ([www.arccarroll.org](http://www.arccarroll.org)) for the date observed.

New Year’s Day	Labor Day
Martin Luther King’s Birthday	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day

The following conditions apply to The Arc Carroll County’s holiday pay policy:

- Holiday pay will not be considered as time worked for the purpose of overtime calculations.
- Holiday pay is computed at an individual employee’s base rate of pay.
- If a BFT employee is scheduled to work on a holiday, the employee will be paid his or her regular rate of pay plus eight hours of holiday pay.
- Holidays will not be paid to employees on any type of leave of absence (FMLA, Workers’ Compensation, Short-Term Disability, etc.).
- Holidays falling within an approved scheduled vacation will be recorded as holiday pay.

Time off without pay may be granted to employees who desire to observe a religious holiday that is not recognized by The Arc, provided undue hardship is not introduced to the company.

## Paid Vacations

### Vacation Accruals

Budgeted full-time (BFT) employees are eligible for paid vacation time based on the Years of Continuous Service table below. Vacation accrues monthly in the last paycheck of the month, and BFT employees begin accruing immediately when they begin full-time employment. However, vacation leave cannot be utilized until 90 days of satisfactory continuous service has been met, unless noted to the contrary below. If leave is required before such time or before accrual of the necessary amount, time off may be taken without pay if approved by the employee's supervisor. The following schedule is calculated from the employee's hire date:

<b>Years of Continuous Service</b>		
<u>Years of Service</u>	<u>Days Per Year</u>	<u>Monthly Accrual in Hours</u>
Under 1 year:	6 days per year	4 hours
1 to 2 years:	12 days per year	8 hours
3 to 5 years:	15 days per year	10 hours
6 to 10 years:	18 days per year	12 hours
11 to 15 years:	22 days per year	14.66 hours
16 to 20 years:	26 days per year	17.33 hours
21+ years:	30 days per year	20 hours

### Vacation Carry-Over Caps

For BFT employees, maximum accrued vacation is limited to 240 hours. If the total amount of carried-over accrued vacation reaches 240 at any time during the year, vacation accrual will temporarily stop. When vacation is taken and the total accrued amount falls below the maximum, vacation accrual will begin again. Any vacation hours over 240 at the end of each fiscal year will be lost.

For BFT employees hired 7/1/2021 or after, maximum accrued vacation is limited to the annual accrual based on years of service. For example, if an employee has 3 years of service, he/she would accrue 15 days (120 hours) per year; 120 hours would be the cap. Once that maximum is reached, further accruals will cease until the vacation hours are taken and fall below the maximum allowed. Any vacation hours over employee's cap at the end of each fiscal year will be lost.

Requesting Time Off. All requests for time off shall be made via Paylocity. Employees are requested to give as much notice as possible, but at least 2 weeks' notice for vacation leave in excess of five (5) consecutive days. The Executive Director will retain the right to make exceptions in emergency situations.

Use of leave is authorized only through approval in Paylocity in advance. Requests for leave may be denied based on the needs of the company and/or the department. Priority will be given to the earliest request received. In the event of two requests made at the same time, priority will be given to the employee with greater seniority. Approval of leave may be withdrawn based on the changing needs of the company.

Payment of Vacation Hours Upon Status Change from BFT to PRN (Sub): If an employee changes their employment status from BFT to PRN, their earned but unused vacation hours, up to their annual accrual cap, will be paid out in the next payroll following the effective date of the status change. Any accrued hours over the cap will be lost.

Payment of Vacation Hours Upon Termination. If an employee leaves the employment of The Arc, their earned but unused vacation hours, up to their annual accrual cap, will be paid out upon termination. Any accrued hours over the cap will be forfeited. If an employee has any outstanding monies owed to The Arc (insurance premiums, etc.), these monies will be deducted from the employee's accrued vacation hours payout. The employee's signature on the **Employee Handbook Acknowledgement** authorizes this action.

### **Birthday Bonus**

All employees, regardless of length of service, will receive a \$25.00 birthday bonus in the month in which their birthday falls.

### **Paid Personal Days**

After one year of satisfactory service, budgeted full-time (BFT) employees shall be eligible for three additional pre-planned leave days per year for the conduct of personal business. To obtain the use of these days, an employee must first secure the approval of the supervisor via Paylocity. Personal leave days cannot be accumulated or carried over and are not paid out upon termination of employment.

### **Sick Days – Full Time Employees (BFT)**

Budgeted full-time (BFT) employees are entitled to sick leave for use in the following circumstances:

- When an employee is incapacitated for the performance of assigned duties because of illness or injury.
- For medical, dental, or optical examination or treatment.
- To care for an immediate family member living in the same household who is ill.

Sick leave for budgeted full-time employees will accrue at the rate of 6.6 hours per month (10 days per year) and can be accumulated up to a maximum of 30 days to cover long-term illnesses. Unused sick leave will not be paid out when employment is terminated.

The employee's immediate supervisor must approve the use of sick leave in Paylocity. The employee may be requested to provide a fit-for-duty note from his/her treating physician upon return to work for absences of 3 or more consecutive days. The supervisor may require the same for absences of less than 3 consecutive days at his/her discretion, or the discretion of the Director of Human Resources.

A physician's return to work authorization will be required for any absence, regardless of length, due to surgery for any reason, broken bones, or other conditions that may affect an employee's ability to perform his/her assigned duties.

If an employee who is absent due to sickness exhausts accumulated sick leave, he/she can request the use of accrued vacation and/or personal leave to cover the absence.

### **Earned Sick and Safe Leave – FFT, RPT, PRN**

Eligibility. The Arc provides paid Earned Sick and Safe Leave (ESSL) to eligible employees who regularly work at least 12 hours per week in Maryland pursuant to the Maryland Healthy Working Families Act. For budgeted full-time employees who are eligible for sick time under the general paid Sick Days policy above, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general paid Sick Days policy.

Accrual. Employees begin to accrue ESSL pursuant to this policy ~~on February 11, 2018, or~~ at the start of employment, ~~whichever is later.~~ Employees accrue ESSL at a rate of one (1) hour for every 30 hours worked, up to a maximum accrual of 40 hours of paid ESSL per calendar year. An employee may carry over these hours from year to year; provided, however that the employee shall not have more than 64 hours of total accrued ESSL at any time.

Employees will not accrue ESSL during any: 1) two- (2-) week pay period in which the employee worked fewer than 24 hours total; 2) one- (1-) week pay period if the employee worked fewer than a combined total of 24 hours in the current and the immediately preceding pay period; or 3) pay period in which the employee is paid twice a month regardless of the number of weeks in a pay period and the employee worked fewer than 26 hours in the pay period.

For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage. Employees may begin using ESSL under this policy after the 106th calendar day of employment. Employees may use ESSL in ~~the smallest increments of 15 minutes, that the Arc's payroll system uses to account for absences or work time, and no employee will be required to take ESSL in an increment of more than four (4) hours.~~ The employee may not use more than 64 hours of accrued ESSL per calendar year.

The Employee may use ESSL under this policy for the following reasons:

- to care for or treat the employee's mental or physical illness, injury, or condition or to obtain preventive medical care.
- to care for a family member with a mental or physical illness, injury, or condition, or to obtain preventive medical care for a family member.
- for maternity or paternity leave; or
- if the absence from work is due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is used either during the time that the employee has temporarily relocated due to domestic violence, sexual

assault, or stalking, or to obtain (for the employee or the employee's family) any of the following:

- medical or mental health attention that is related to the domestic violence, sexual assault, or stalking.
- services from a victim services organization related to the domestic violence, sexual assault, or stalking; or
- legal services or proceedings related to the domestic violence, sexual assault, or stalking.

For purposes of this policy, family member means: 1) a biological, adopted, foster or stepchild of the employee; a child for whom the employee has legal or physical custody or guardianship; or a child for whom the employee stands in loco parentis, regardless of child's age; 2) a biological, adoptive, foster or stepparent of the employee or the employee's spouse; legal guardian of the employee; or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor; 3) spouse of the employee; 4) a biological, adoptive, foster or step-grandparent of the employee; 5) a biological, adoptive, foster or step-grandchild of the employee; or 6) a biological, adopted, foster or stepsibling of the employee.

Unless the employee advises otherwise, the Arc will assume, subject to applicable law, that employees want to use available earned sick and safe leave for absences for reasons set forth above, and employees will be paid for such absences to the extent they have ESSL available. Employees will be notified of available ESSL each time wages are paid.

Notice and Documentation. To use ESSL, the employee must request leave from The Arc as soon as practicable after determining the need for leave and provide notification of the anticipated duration of the leave. When requesting ESSL that is foreseeable, employees must provide advance notice of seven (7) days before the date the ESSL will begin. When requesting ESSL that is not foreseeable, employees must provide notice as soon as practicable. Failure to provide such notice may result in denial of the employee's request for ESSL if the absence will cause a disruption to the Arc.

The Arc may require the employee to provide verification that the leave was used in accordance with applicable law when they use ESSL:

- for more than two (2) consecutive scheduled shifts; or
- between the first 107th and 120th calendar days of employment and the employee agreed to provide verification at the time of hire. By accepting employment, employee agrees to provide such verification.

If the employee fails to provide such verification, the Arc may deny any subsequent request from them to take ESSL for the same reason. The employee's use of ESSL will not be conditioned upon searching for or finding a replacement worker.

Payment. ESSL under this policy will be calculated based on the employee's wage rate without differential pay included at the time of absence.

Carryover and Payout. The employee may carry over up to 40 hours of accrued, unused ESSL under this policy. Accrued but unused ESSL under this policy will not be paid at separation.

Enforcement and Retaliation. The Arc prohibits retaliatory or adverse action against employees who exercise their rights in good faith concerning this policy. Employees have the right to file a complaint with the Commissioner of Labor and Industry or bring a civil action to enforce an order against the Arc if their rights are restrained. Employees with questions regarding this policy can contact the Director of Human Resources.

## **Lactation Breaks**

The Arc Carroll County will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The Arc has a designated Mother's Room for all mothers to express milk in private. An employee may also use their private office. The Arc may not be able to provide additional break time if doing so would seriously disrupt the Arc's operations, subject to applicable law.

Please consult the Director of Human Resources with questions regarding this policy. Employees should advise management if they need break time. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

## **Workers' Compensation**

On-the-job injuries are covered by The Arc Carroll County's Workers' Compensation Insurance Policy. If employees are injured on the job, no matter how slightly, they should notify their supervisor and Human Resources immediately to report the incident so that the Company may advise its Workers' Compensation carrier and enable the employees to get immediate access to medical assistance. Failure to follow Arc procedures may affect the ability of employees to receive Workers' Compensation benefits.

An employee who is being paid via workers' compensation is not eligible to receive ~~pay~~ a paycheck from the Company or pay for vacation, sick, personal, holiday, jury, voting or bereavement leave. Employees on workers' compensation leave will not accrue vacation, personal or sick leave since they are not working.

Whenever possible, transitional positions will be made available to injured workers to minimize or eliminate time lost from work. The Arc cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.



## **Transitional Duty Policy**

The Arc Carroll County ("The Arc") strives to assist employees to return to work at the earliest possible date following an injury or illness. A return-to-work program has several benefits for both the employer and employees by minimizing time lost from work.

This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the Human Resources Department.

### **Eligibility**

The policy applies to regular full- and part-time and PRN employees who are on leave as a result of injury or illness and who are receiving workers' compensation benefits.

### **Transitional Work**

The Arc Carroll County defines "transitional work" as temporary, modified work assignments within the worker's physical abilities, knowledge, and skills.

When possible, transitional positions will be made available to injured workers to minimize or eliminate time lost from work. The Arc cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

In the event an employee refuses transitional work (outside the employee's FMLA benefits period), and the employee satisfies the restrictions and ability to perform the transitional position, The Arc is not obligated to provide an alternative position. In such cases, The Arc will notify the insurance carrier of the employee's refusal of the transitional work.

### **Procedures**

If the health care provider releases the employee to return to work on modified duty and provides a return-to-work form, the employee should deliver the form to Human Resources within 24 hours or as soon as practicable. The employee cannot return to work without the release from his or her health care provider.

Human Resources will review the return-to-work form and determine whether an appropriate transitional position for the employee can be developed and whether the transitional work falls within business needs.

Transitional positions are developed based on the physical capability of the worker, the business needs of the company and the availability of transitional work. The Arc will determine appropriate work hours, shifts, duration, and locations of all work assignments. The Arc reserves the right to determine the availability, appropriateness, and continuation of all transitional work assignments.

It is the responsibility of the employee to provide Human Resources with a current telephone number and address, so the employee may be contacted. The employee must notify HR immediately of any and all changes in medical conditions.

It is the responsibility of the employee and the employee's supervisor to notify HR immediately of any work-related injuries, if the employee misses time from transitional work, or of any changes to transitional work assignments. HR will communicate with the insurance carrier or health care provider as necessary.

### **Job Offer**

Upon completion of the physician's return-to-work form, written notice will be prepared by the employer and emailed and mailed to the employee's last known address noting the start date, hours, wage, duration, and location of the transitional work assignment. The employee will be asked to sign/respond the notice indicating his or her acceptance or refusal of the transitional work job offer and to return the notice to Human Resources. Copies of the job description, work releases and the offer of a transitional position will be forwarded to the insurance carrier.

Any employee returning to a transitional position must not exceed the duties of the position or go beyond the restrictions indicated by the health care provider. If any medical restrictions change, the employee must immediately notify his or her supervisor and provide the supervisor a copy of the new medical release.

Supervisors will monitor work performance to ensure the employee does not exceed the requirements set by the health care provider.

### **Jury Duty**

The Arc Carroll County encourages employees to fulfill their civic duties related to jury duty. If an employee is summoned for jury duty, they should notify their supervisor as soon as possible to make scheduling arrangements.

If classified as exempt, the employee will not incur any deduction in pay for a partial week's absence due to jury duty. If classified as nonexempt, the employee will not be compensated for time spent on jury duty. They may, however, use time off balances if any are available.

The Arc reserves the right to require employees to provide proof of jury duty service to the extent authorized by law. The Arc will not retaliate against employees who request or take leave in accordance with this policy.

### **Witness Leave**

The Arc Carroll County realizes that, on occasion, employees may be subpoenaed to testify as a witness in court. In such cases, you will be provided unpaid leave to attend. Notify your supervisor

as soon as possible to make scheduling arrangements. Budgeted full-time (BFT) employees may opt to use vacation or personal leave in place of unpaid leave.

Employees who are subpoenaed to testify in litigation involving The Arc Carroll County will be paid their regular hourly rate (not differential) for the hours spent in said litigation.

The Arc reserves the right to require employees to provide proof of the need for leave to the extent authorized by law. The Arc will not retaliate against employees who request or take leave in accordance with this policy.

## Bereavement Pay

The death of a family member is a time when employees wish to be with their families. If the employee is budgeted full-time (BFT) and loses an immediate family member identified below, they will be allowed up to 3 days of bereavement pay to assist in attending to obligations and commitments. If a BFT employee requires additional time, off, they may use their available paid leave balances.

Employees in employment types other than budgeted full-time (BFT), in accordance with the Maryland Flexible Leave Act, may use earned and available paid leave for the illness or death of an immediate family member.

For purposes of this policy:

- **Immediate family** means a child, spouse, or parent.
  - A **child** is an adopted, biological, or foster child, a stepchild, or a legal ward who is either: 1) under the age of 18; or 2) at least 18 and incapable of self-care due to a mental or physical disability.
  - A **parent** is an adoptive, biological, or foster parent, a stepparent, a legal guardian, or a person standing in loco parentis.
- **Paid leave** means paid time away from work that is earned and available to an employee: 1) based on hours worked; or 2) as an annual grant of a fixed number of hours or days of leave for performance of service. Paid leave includes sick leave, vacation time, and paid time off.

The age requirement for children does not apply in regard to leave taken for the death of an immediate family member.

The Arc will not retaliate against employees who request or take leave in accordance with this policy. In administering this policy, The Arc Carroll County may require verification of death.

## Voting Leave

Employees who are eligible and registered to vote in an election and who do not have two (2) consecutive hours before or after work to vote may request up to two (2) hours with pay to vote.

Upon their return-to-work employees must provide proof of voting on a form prescribed by the State Board.

### **Medical and Other Health and Welfare Benefit Plans**

Budgeted Full-time (BFT) employees, part-time employees working 30 hours per week or more (FFT), part-time employees in the Transportation Department working 25 hours per week or more, and variable hours employees who meet eligibility requirements in accordance with the employer-shared responsibility provisions of the Affordable Care Act are eligible to participate in The Arc Carroll County insurance programs. The Arc will pay a portion of the premium for employee coverage and dependents coverage for full-time employees, and a portion of the premium for Employee-Only coverage for all other part-time and variable hours employees.

Upon becoming eligible to participate in these plans, employees will receive access to summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to contact Director of Human Resources with any further questions.

### **COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible Arc employees and their beneficiaries to continue health insurance coverage under The Arc Carroll County health plan when a “qualifying event” could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

Contact the Director of Human Resources to learn more about your COBRA rights.

### **Life Insurance**

Coverage is provided for budgeted full-time employees (BFT). The Arc will pay the full cost of the premium.

### **Short-Term Disability Benefits**

Coverage is provided for budgeted full-time employees (BFT). The Arc will pay the full cost of the premium. The Arc Carroll County provides enhanced monetary short-term disability benefits to BFT employees. These enhanced monetary benefits are inclusive of any monetary workers' compensation or statutory short-term disability benefits. This is not a leave of absence provision. Employees who will be out of work must request a leave of absence. *See the Leave of Absence sections of this handbook for more information.* Employees will be required to submit medical certification as requested by The Arc Carroll County. Required medical certification under this policy may differ from the medical certification required for any leave of absence requested. Please see the Director of Human Resources for information.

## **Voluntary Benefits**

The Arc, from time to time, may add voluntary benefits to our benefit package, paid for by the employee. For a complete list of our benefit offerings, please go to the Paylocity Self-Service Portal under Benefits.

## **Tuition Reimbursement**

To further staff development and professional growth, employees of The Arc are encouraged to pursue education that enhances their ability to perform the duties of their current position and qualify them for advancement within the organization. When certain criteria are met, The Arc will reimburse a portion of the employee's tuition expenses.

- Budgeted Full-time (BFT) employees who have been employed for at least three months will be eligible for tuition reimbursement consideration, provided funds are available in the department budget.
- An employee applying for tuition reimbursement must show, to The Arc's satisfaction, that the course of study will enhance his/her ability to perform his/her current duties or qualify for advancement within the organization.
- An employee seeking tuition reimbursement must submit a request prior to the commencement of the course. The Director of Human Resources, upon recommendation of the Department Director, must approve all requests for tuition reimbursement.
- Employees must achieve a grade of "C" or better to be eligible for tuition reimbursement.
- Upon completion of the course, the employee will submit the final grade report, along with proof of payment, to his/her supervisor or Human Resources. Tuition will be reimbursed based on the grade achieved.

Acceptance of tuition reimbursement includes an agreement that the recipient will work at The Arc at least one year beyond the end of the course. In the event the person leaves The Arc prior to that time, the tuition reimbursement will be repaid to The Arc from the employee's final paycheck.

## **Employee Assistance Program (EAP)**

The Arc Carroll County provides the Employee Assistance Program (EAP), which offers qualified counselors to help employees cope with personal problems they may be facing. Further details can be obtained via the Paylocity Self Service site or from Human Resources.

## **Employee Referral Award Bonus**

The Arc Carroll County encourages all employees to refer qualified job applicants for available job openings. Other than managers in the line of authority and all Human Resources personnel, all employees are eligible to receive employee referral awards. When making referrals, instruct the

applicant to list the employee's name on their employment application as the referral source. If the referral is hired, completes 3 months of service, has completed all required trainings, and the referring employee is still the employee of the Arc, the employee is eligible to receive a monetary award. The current bonus amounts are found on the Paylocity Self-Service Portal in the **Careers** Section.

## Retirement Plan

A 403(b) Retirement Plan is available and all employees, with limited exceptions, are eligible to participate and make salary reduction contributions on the entry date immediately following date of hire. Eligibility for employer contributions is defined in our most current Summary Plan Description (SPD). Eligible employees can participate in The Arc Carroll County's retirement plan. Plan participants may make pre-tax or post-tax contributions to a retirement account. On their first day of employment, employees receive access to the Summary Plan Description (SPD) describing the plan in greater detail. **Please refer to the SPD on the Paylocity Self-Service Site under Benefits for detailed plan information.** Of course, feel free to speak to Director of Human Resources if there are any further questions.

## Section 5 – LEAVES OF ABSENCE

### Family & Medical Leave Act (FMLA)

The Arc Carroll County, Inc. will comply with the Family and Medical Leave Act implementing Regulations as revised. The company posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Director of Human Resources in writing.

General Provisions. Under this policy, The Arc will grant up to twelve (12) weeks (or up to twenty-six (26) weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a twelve (12)-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Eligibility. To qualify to take family or medical leave under this policy, the employee must meet all the following conditions:

The employee must have worked for the company for twelve (12) months or fifty-two (52) weeks. The twelve (12) months or fifty-two (52) weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

The employee must have worked at least 1,250 hours during the twelve (12)-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

The employee must work in a worksite where 50 or more employees are employed by the company within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

Type of Leave Covered. To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- 1) *The birth of a child and to care for that child.*
- 2) *The placement of a child for adoption or foster care and to care for the newly placed child.*
- 3) *To care for a spouse, child, or parent with a serious health condition (described below).*
- 4) *The serious health condition (described below) of the employee.*

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three (3) consecutive days of incapacity with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within thirty (30) days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Director of Human Resources.

If an employee uses paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- 5) *Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.*

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) childcare and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty,



provided that the employer and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's twelve (12)-week maximum of FMLA leave in a twelve (12)-month period.

6) *Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member.*

This leave may extend to up to twenty-six (26) weeks in a single twelve (12)-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

### **Leave – Deployment of Family Members in the Armed Forces**

As of October 1<sup>st</sup>, 2013, Maryland law requires employers to give a one day leave of absence to an employee on the day his/her immediate family member (spouse, parent, stepparent, child, stepchild or sibling) is deployed, or returning from active duty in the armed forces. The immediate family member must be leaving for or returning from active duty outside of the US as a member of the US armed forces.

To qualify, the employee must:

- Have been employed for the last 12 months, and
- Have worked at least 1250 hours during the last 12 months
- May be required to submit proof of deployment or return from duty.

The employee is not required to use paid leave for this purpose. However, such leave can be designated as qualifying exigency leave under the Family and Medical Leave Act (FMLA).

Employees are required to provide documentation supporting the need for leave and to provide as much notice as is practical, based on when notice of the deployment or return from deployment is received.

Amount of Leave. An eligible employee can take up to twelve (12) weeks for the FMLA circumstances (1) through (5) above under this policy during any twelve (12)-month period. The company will measure the twelve (12)-month period as a rolling twelve (12)-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last twelve (12) months and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to twenty-six 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single twelve (12)-month period. For this military caregiver leave,

the company will measure the twelve (12)-month period as a rolling twelve (12)-month period measured forward. FMLA leave taken for other FMLA circumstances will be deducted from the total of twenty-six (26) weeks available.

If a husband and wife both work for the company and each wish to take leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of twelve (12) weeks of leave. If a husband and wife both work for the company and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of twenty-six (26) weeks of leave.

Employee Status and Benefits During Leave. While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the company will require the employee to reimburse the company within thirty (30) days the amount it paid for the employee's health insurance premium during the leave period.

Under current company policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Accounting Department by the 10th day of each month. If the payment is more than thirty (30) days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide fifteen (15) days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After Leave. An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Use of Paid and Unpaid Leave. An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member may use paid vacation, personal or sick leave or take unpaid leave. Any leave will run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established leave policy.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's twelve (12)-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the twelve (12)-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave, or sick leave (as long as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or twenty-six (26) workweeks to care for an injured or ill service member over a twelve (12)-month period).

The company may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the company and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the company before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

### **Certification for the Employee's Serious Health Condition**

The company will require certification for the employee's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor (DOL) Certification of Health Care Provider for Employee's Serious Health Condition. Human Resources will provide this form to the employee to take to their health care provider.

The company may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, a Human Resources professional, leave administrator or management official. The company will not use the employee's direct supervisor for this contact. Before the company makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the company will obtain the employee's permission for clarification of individually identifiable health information.

The company has the right to ask for a second opinion if it has reason to doubt the certification. The company will pay for the employee to get a certification from a second doctor, which the company will select. The company may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the company will require the opinion of a third doctor. The company and the employee will mutually select the third doctor, and the company will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

### **Certification for the Family Member's Serious Health Condition**

The company will require certification of the family member's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor (DOL) Certification of Health Care Provider for Family Member's Serious Health Condition. Human Resources will provide this form to the employee to take to their health care provider.

The company may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The company will not use the employee's direct supervisor for this contact. Before the company makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the company will obtain the employee's family member's permission for clarification of individually identifiable health information.

The company has the right to ask for a second opinion if it has reason to doubt the certification. The company will pay for the employee's family member to get a certification from a second doctor, which the company will select. The company may deny FMLA leave to an employee whose family

member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the company will require the opinion of a third doctor. The company and the employee will mutually select the third doctor, and the company will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

### **Certification of Qualifying Exigency for Military Family Leave**

The company will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

### **Certification for Serious Injury or Illness of Covered Service member for Military Family Leave**

The company will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

### **Recertification**

The company may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every thirty (30) days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six (6) months in connection with an FMLA absence. The company may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

### **Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Director of Human Resources. Within five (5) business days after the employee has provided this notice, the Director of Human Resources will complete and provide the employee with the Department of Labor (DOL) Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least thirty (30) days' notice. When an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

### **Designation of FMLA Leave**

Within five (5) business days after the employee has submitted the appropriate certification form, the Director of Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the Department of Labor (DOL) Designation Notice.

### **Intent to Return to Work from FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave; the company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

**Consistent with Company policy for all types of leave, you will not accrue vacation or other benefits while you are on unpaid FMLA leave. Additionally, you will not be paid for holidays that occur during the leave.** However, the leave period will be treated as continuous service (i.e., no break-in-service) for purposes of vesting and eligibility to participate in the Company's retirement plan.

### **Personal Leave of Absence**

If employees are ineligible for any other Arc leave of absence, The Arc Carroll County, under certain circumstances, may grant a personal leave of absence without pay. A written request for personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the Federal Family and Medical Leave Act (FMLA) or any State leave law, medical certification also must be submitted. The request will be considered based on staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to thirty (30) days. However, personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management, and the request is granted.

During the leave, employees will not earn vacation, personal days, or sick days. Additionally, the employee will not be paid for holidays that occur during the leave. However, the leave period will be treated as continuous service (*i.e.*, no break-in-service) for purposes of vesting and eligibility to participate in the Company's retirement plan. The Arc Carroll County will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to The Arc timely, subject to the terms of the plan documents.

When the employee anticipates returning to work, the employee should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave. Upon completion of the personal leave of absence, The Arc will attempt to return the employee to the employee's original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed. Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by The Arc will be considered a voluntary resignation of employment. Personal leave runs concurrently with any Arc-provided Short-Term Disability Leave of Absence.

## **Military Leave**

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave. If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that The Arc Carroll County can maintain proper coverage while employees are away.

## **Insurance Premiums Payments While on Any Leave of Absence**

Employees enrolled in Arc benefits are advised at the time of their requested leave of absence (FMLA, Short-Term Disability (STD), Personal, etc.) that they are responsible for continuing to pay the employee portion of the insurance premiums while on leave. Employees are given a thirty (30)-day grace period to make premium payments. Should an employee fail to make these payments timely, their benefits are subject to termination, and they may be eligible for continuation of coverage under COBRA.

During the leave, employees will not earn vacation, personal days, or sick days. Additionally, budgeted full-time (BFT) employees will not be paid for holidays that occur during the leave.

If an employee does not return from a leave of absence and owes The Arc outstanding insurance premiums, the employee agrees by signing the Employee Handbook Acknowledgement that the Arc may withhold any payout of earned but unused vacation hours to offset the cost of the premiums owed. If no final pay is due, the employee is expected to repay the outstanding balance via check payable to The Arc Carroll County.

## **Bone Marrow and Organ Donor Leave**

The Arc Carroll County will provide eligible employees with:

- Up to 30 days of unpaid leave in a 12-month period to serve as a bone marrow donor.
- Up to 60 days of unpaid leave in a 12-month period to serve as an organ donor.

### **Eligibility**

To be eligible for donation leave, as of the date the requested leave begins, you must have:

- Been employed by the Company for at least 12 months; and

- Worked at least 1,250 hours for the Company during the previous 12 months.

**Leave Request**

To request donation leave, you must provide the Company with written verification from a physician that you are an eligible bone marrow or organ donor, and there is a medical necessity for the donation.

**Pay**

Donation leave is unpaid. You may choose to use available accrued but unused sick time, vacation, or personal days in lieu of unpaid leave.

**Interaction with Other Laws**

Leave cannot be taken concurrently with leave under the federal Family and Medical Leave Act (FMLA).

**Return to Work**

Upon returning to work at the end of donation leave, you will be restored to your previous position or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

**Maintenance of Health Benefits**

If the Company provides you with health benefits under a group health plan, the Company will maintain and pay for your health coverage at the same level and under the same conditions as coverage would have been provided if you had not taken donation leave. You will be responsible for paying the employee portion of the premiums while out on leave.

**Retaliation**

The Company will not retaliate against employees who request or take leave in accordance with this policy.



## **Section 6 – GENERAL STANDARDS OF CONDUCT**

All staff members and volunteers are considered representatives of The Arc in their contacts with the public. Staff is expected to practice courtesy and exercise good judgment in all such contacts and to render every possible consideration to persons seeking information or services from The Arc.

### **Persons Served**

All staff members shall demonstrate concern for individuals in need of services; all questions, suggestions, and criticisms about services shall be received and acknowledged graciously. When a staff member feels incapable of answering such questions, suggestions, and criticisms, it is their responsibility to refer them to their supervisor so that accurate and complete answers may be given. If it is impossible to provide an immediate answer, the inquiring person or organization should be informed of when an answer may be expected. The Executive Director must be notified immediately of all complaints received.

Each staff member shall demonstrate concern for the welfare, safety and development of each individual placed in the care of The Arc. Factors concerning the development and training of any individual or the social history of his parent or guardian shall be considered confidential.

All personnel shall treat individuals enrolled in The Arc service programs with highest regard, personal dignity, and consideration. Under no circumstances are individuals to be harassed, belittled, ridiculed, joked with inappropriately, or dealt with in a manner that could prove detrimental to their rehabilitation or development. All cases of such mistreatment shall be reported to the Executive Director.

In order to promote the safety and well-being of individuals served, The Arc may conduct video, photo, or audio surveillance on staff and/or volunteers at any point during a scheduled shift. Information gathered may be turned over to law enforcement officials if appropriate. By accepting or continuing employment with the Company, the employee agrees to be subject to audio surveillance and audio recording.

### **Use of Communications and Computer Systems**

The Arc Carroll County's communications and computer systems are intended primarily for business purposes; however limited personal usage is permitted if it does not hinder performance of job duties or violate any other Arc policy. This includes voicemail, e-mail, and Internet systems. Users have no legitimate expectation of privacy regarding their use of The Arc Carroll County systems.

The Arc Carroll County may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when The Arc deems it appropriate to do so. The reasons for which The Arc may obtain such access include, but are not limited to, maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance

with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Arc operations continue appropriately during the employee's absence.

Further, The Arc Carroll County may review Internet usage to ensure that such use with The Arc property, or communications sent via the Internet with Arc property, are appropriate. The reasons for which The Arc may review employees' use of the Internet with Arc property include, but are not limited to, maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Arc operations continue appropriately during the employee's absence.

The Arc may store electronic communications for a period after the communication is created. From time to time, copies of communications may be deleted.

The Arc's policies prohibiting harassment, in their entirety, apply to the use of The Arc's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, or any other characteristic protected by federal, state, or local law.

Further, since The Arc's communication and computer systems are intended for business use, all employees, upon request, must provide management with any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited. No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

*Please see the **Technology Policy** in the Policy & Procedures Manual located at [arccarroll.org/resources/forstaff](http://arccarroll.org/resources/forstaff).*

## **Use of Social Media**

The Arc Carroll County respects the right of any employee to maintain a blog or web page, or to participate in a social networking, Twitter, or similar site, including but not limited to Facebook and LinkedIn. However, to protect The Arc interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with The Arc equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn, or similar sites. Any

information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether the employee is posting something on their own blog, web page, social networking, Twitter, or similar site or on someone else's, if the employee mentions The Arc and expresses either a political opinion or an opinion regarding The Arc's actions that could pose an actual or potential conflict of interest with The Arc, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not The Arc's position. This is necessary to preserve The Arc's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. The Arc policies apply equally to employee social media usage.

The Arc Carroll County encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

*Please see the **Policy on Social Networking, Personal Websites, and Blogging** in the Policy & Procedures Manual located at [arccarroll.org/resources/forstaff](http://arccarroll.org/resources/forstaff).*

### **Personal and Company-Provided Portable Communication Devices**

The Arc Carroll County-provided portable communication devices (PCDs), including cell phones and iPads, should be used primarily for business purposes. Employees have no reasonable expectation of privacy regarding the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications.

Some employees may be authorized to use their own PCD for business purposes. Communications sent via a personal PCD also may be subject to monitoring if sent through the Arc's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message, or using a PCD for business purposes, whether it is an Arc-provided or personal device, employees must comply with applicable Arc guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using an Arc-issued PCD to send or receive personal text messages is always prohibited and personal use during working hours should be limited to emergency situations.

Please note that whether employees use their personal PCD or an Arc-issued device, the Arc's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

### **Portable Communication Device Use While Driving**

Employees who drive on Arc business are prohibited from phone use while driving, including hands-free or Bluetooth phone use. "Use" includes, but is not limited to, talking, or listening to another person or sending an electronic or text message via the device.

Employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call or text.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

### **Camera Phones/Recording Devices**

Due to the potential for issues such as invasion of privacy, sexual harassment, and loss of productivity, as well as inappropriate disclosure of confidential information, no employee, other than executive team members, may use a camera phone function on any phone on The Arc Carroll County property or while performing work for The Arc.

The use of tape recorders or other types of voice recording devices anywhere on Arc property, including to record conversations or activities of other employees or management, or while performing work for the Arc, is also strictly prohibited and illegal, unless the device was provided to you by The Arc and is used solely for legitimate business purposes.

*Please see the **Policy on Cell Phone Usage** in the Policy & Procedures Manual on [arccarroll.org/resources/forstaff](http://arccarroll.org/resources/forstaff).*

## **Inspections**

The Arc Carroll County reserves the right to require employees while on Arc property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Arc or client property, and work areas. This includes lockers, vehicles, desks, cabinets, workstations, packages, handbags, briefcases, and other personal possessions or places of concealment, as well as personal mail sent to the Arc or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## **Smoking**

The Arc prohibits smoking in all workplace areas. This includes smoking in any form through the use of tobacco products (pipes, cigars, and cigarettes) or "vaping" with e-cigarettes or other electronic devices, or the use of tobacco products (chewing tobacco, etc.). Smoking is only allowed in designated outside smoking areas. The Arc workplace includes, but is not limited to, The Arc headquarters, all motor vehicles owned and/or operated by The Arc, all personal vehicles while in

use on company business, all residences owned and/or operated by The Arc, and the Recycling Center office.

### **Personal Visits and Telephone Calls/ Texts**

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls/texts must be kept to a minimum, and only be made or received after working time, or during lunch or break time. Excessive personal calls/texts may lead to disciplinary action, up to and including termination of employment. Employees may not have personal visitors at our residential homes.

### **Solicitation and Distribution**

To avoid distractions, solicitation by the employee of another employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged, in performing his/her work tasks for The Arc Carroll County. Solicitation of any kind by non-employees on Arc premises is always prohibited.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of The Arc is always prohibited. Distribution of literature by non-employees on Arc premises is always prohibited. For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in The Arc Carroll County facilities other than the reception area.

### **Confidential Company Information**

All personal matters regarding staff and individuals served and all business matters of The Arc shall be considered confidential. Employees are prohibited from disclosing any information about any former or current employee, former or current individual served, or any information about The Arc to anyone, except to a present employee, officer, or board member with a clear business need to know, without the express written consent of the Executive Director. Any employee who breaches confidentiality will be subject to disciplinary action up to and including termination.

### **Conflict of Interest and Business Ethics**

It is The Arc Carroll County's policy that all employees avoid any conflict between their personal interests and those of The Arc. The purpose of this policy is to ensure that the Arc's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of The Arc.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Arc, by any employee who is able to directly or indirectly influence either The Arc's decision to do business, or the terms upon which business would be done with such organization.
2. holding any interest in an organization that competes with The Arc.
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with The Arc or which competes with The Arc; and/or
4. profiting personally, *e.g.*, through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with The Arc.

A conflict of interest would also exist when a member of the employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is the employee's responsibility to report any actual or potential conflict that may exist between the employee (and the employee's immediate family) and the Arc.

### **Use of Facilities, Equipment and Property, Including Intellectual Property**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using Company equipment, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees should notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of The Arc's intellectual property, such as audio and videos, print materials, and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, The Arc is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance written approval for the employee to bring the personal property to work.

## Health and Safety

The health and safety of employees and others on The Arc property are of critical concern to The Arc Carroll County. The Arc intends to comply with all health and safety laws applicable to its business. To this end, the Company relies upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Arc's premises, or in a product, facility, piece of equipment, process, or business practice for which the Arc is responsible should be brought to the attention of management immediately.

Periodically, The Arc may issue rules and guidelines governing workplace safety and health. The Arc may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor and Human Resources as soon as possible, regardless of the severity of the injury or accident.

## Communicable Disease Protocol for Employees

### **Response to an employee having close contact with a person with a positive COVID-19 or other communicable disease test result**

Employees must contact the Director, Human Resources or the Human Resources Generalist immediately upon learning they have been in close contact with a person who has tested positive for COVID-19 or other communicable disease.

If an employee has been in close contact with a person who has a confirmed positive test result for COVID-19 or other communicable disease, regardless of their vaccination status, they will be instructed to monitor for symptoms for 5 days. Human Resources will encourage the employee to obtain a test for the communicable disease 3-5 days after exposure. However, a test will not be required.

### **Response to an employee receiving a positive COVID-19 or other communicable disease test result**

Employees are to contact the Director, Human Resources or the Human Resources Generalist immediately upon receiving a positive test result for COVID-19 or other communicable disease or experiencing symptoms after having close contact with a person who has a positive communicable disease test result.

Employees who test positive and are symptomatic (regardless of vaccination status or prior positive results) will be required to quarantine for a number of days from the date of their positive test and not report to work. Employees may return to work if they are fever-free for 24 hours with no use of

medication and symptoms are improving or non-existent. Employees returning to work after quarantine are required to wear a well-fitting mask for the next 5 days.

If an employee tests positive and is asymptomatic (regardless of vaccination status or prior positive results), their ability to work will be determined in consultation with Human Resources and CDC guidelines. Some non-Direct Support Professional positions with telework ability may be allowed to work remotely with the Deputy Executive Director's approval.

## **Dress Code and Personal Appearance Policy**

A professional appearance is essential to a favorable impression with the individuals we serve, their families, vendors, visitors, our Board of Directors, and the community. The Arc Carroll County strives to provide an environment free from unnecessary distractions. Good grooming and appropriate attire reflect employee pride and inspire confidence on the part of such persons. This policy is not intended to be prohibitive, but to ensure that the attire we wear to work each day reflects who we are as an organization.

### **Procedures**

All staff members are expected to present a professional, businesslike image as a representative of The Arc Carroll County. Acceptable personal appearance is an ongoing requirement of employment with our organization.

The Arc Carroll County department managers may exercise reasonable discretion to determine appropriateness in employee attire and appearance. Employees who do not meet a professional standard may be sent home to change, and nonexempt employees will not be paid for that time off.

### **GUIDELINES FOR APPROPRIATE ATTIRE**

Basic elements for appropriate and professional attire include clothing that is in neat and clean condition. Clothing should be wrinkle-free with no tears/rips. Appropriate workplace attire should be conservative and not revealing (*i.e.*, tight, low-cut, see-through, etc.). Keep in mind the type of work you do (bending, lifting, etc.) when making your clothing selection for the day. If you are working with an individual we serve at their place of employment and that employer's dress code is more stringent than The Arc's, then you must adhere to that employer's dress code requirements.

The dress code outlined in this policy is applicable 24-hours a day, 7 days a week, including weekends, evenings, and night shifts.

Cleanliness & Good Hygiene - Good personal hygiene is essential. We must set a positive example for those we serve. Every employee is expected to be neat and clean in appearance and to practice good hygiene. Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

Hair - Hair must be clean, well-groomed, and neat.



Nails - Nails must be clean, kept short and well-manicured. One-eighth of an inch beyond the fingertip is the acceptable length. Artificial nails are allowed but must not be longer than 1/8<sup>th</sup> of an inch beyond the fingertip.

Shoes - Bedroom slippers are not considered professional business attire and are not permitted. Sandals/flip-flops, open-toed shoes are not appropriate attire for staff members who work directly with individuals; they are permitted for the Kriders Church Road administrative staff.

Tattoos - Tattoos and body piercings are permitted but should be appropriate and professional. Tattoos that promote illegal activities, hate speech, violence, suggest harassment or discrimination, or are potentially offensive are prohibited and must be covered during work performance.

All clothing should be of appropriate size so as not to be too tight or restrictive of movements. Undergarments should be worn under clothing.

The following attire is not appropriate:

- Stretch, spandex and form fitting clothing, bicycle shorts, leather pants, stirrup pants, hip huggers, leggings, unless you wear a shirt long enough to reach the end of your fingertips.
- Clothing with rips/tears that show skin, including jeans.
- Tank tops, spaghetti strap tops/dresses, tube tops, halter tops, racer-back tops, strapless and backless tops/dresses, see-through blouses, off the shoulder blouses, tops/dresses with low neck lines, crop tops, and tops that do not cover your abdomen/back/midsection when reaching overhead.
- Short dresses, skirts, or shorts (*i.e.*, higher than fingertip length).
- Visible undergarments.
- Low-rider or low-rise pants or shorts unless you wear a shirt long enough to always cover your midsection.
- Shirts, t-shirts, hats or other attire with potentially offensive words, symbols, or pictures.

Sweatpants may be worn but they must be without holes/tears and must not be form-fitting.

Although it is impossible and undesirable to establish an absolute dress and appearance code, The Arc Carroll County will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee unsure of what is appropriate should check with his or her manager or supervisor prior to wearing the attire.

Employees and guests of The Arc are prohibited from wearing or displaying while on Arc property, or while on duty for The Arc off-site, any symbols or other content designed to, or have the effect of, harassing, demeaning, intimidating, or disparaging any legally protected group, or which are vulgar in nature. This prohibition extends to the display of such symbols or content on any clothing item or personal vehicles parked on-site at The Arc, parked at any of The Arc's residential houses, or in use for Arc business, such as for the transport of clients of The Arc. Prohibited symbols and other content include, but are not limited to, depictions of the Confederate flag.

## Corrective Action

Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work inappropriately dressed, the staff member will be required to go home, change into conforming attire, or properly groom, and return to work. Hourly-paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards. Disciplinary actions may be taken for violations including verbal warning, written warning, or termination.

## Publicity/Statements to the Media

Periodically, The Arc informs interested persons and the general public of its work by news releases, local radio coverage, distribution of brochures, speaking engagements, and communication with other county and state agencies. Membership in the Carroll County Chamber of Commerce also informs people of the work and facility accommodations.

All media inquiries about the Arc must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of the Arc. No employees, unless specifically designated by the Executive Director, are authorized to make those statements on behalf of Arc. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Arc must first obtain written approval from the Executive Director.

## Operation of Vehicles

All employees authorized to drive Arc-owned or leased vehicles or personal vehicles in conducting Arc business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately. Those employees operating MTA-funded vehicles are required to carry their US DOT physical certification while driving.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Arc property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must always demonstrate safe driving habits. Arc-owned or leased vehicles may be used only as authorized by management.

## References

All inquiries regarding persons now employed, or formerly employed by the Company, must be referred to the Human Resources Department. In response to such inquiries, The Arc may verify dates of employment, job title, and status (full-time, part-time, etc.). Salary information will be released only with the specific written authorization of the employee. If an inquiry is received from law enforcement or other government agency, such as unemployment insurance, The Arc will provide access to any information that may have a bearing on the outcome of the inquiry/investigation. ***Only the Human Resources Department may provide references.***

## **Section 7 – PERFORMANCE, DISCIPLINE, AND TERMINATION**

### **Performance Evaluations**

Each employee's performance is monitored continuously by their supervisor, with feedback given both verbally and in written form when necessary. In addition, each employee receives an annual performance review which addresses successes, challenges, competency, training, and development needs (Annual Check-In). All supervisory staff will meet with each staff member yearly to discuss performance over the previous year. Employees may discuss the evaluation with their supervisor at that time, as well as provide written comments if they choose. At times, other Arc managers who work closely with the employee may be asked for their feedback on the employee's performance. The Annual Check-In form will be maintained in Paylocity.

A positive performance evaluation does not guarantee an increase in salary, a promotion, or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management. In addition to these performance meetings, The Arc encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

### **Disciplinary Process**

Violation of Company policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The Company encourages a system of progressive discipline depending on the type of prohibited conduct. However, the Company is not required to engage in progressive discipline and may discipline or terminate an employee where he or she violates the rules of conduct, or where the quality or value of the employee's work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at will" basis.

In appropriate circumstances, management will provide the employee first with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your supervisor will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the Company is not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, employees may be disciplined or terminated without any prior warning or procedure.

Certain critical offenses may lead to immediate termination of employment. Examples of such offenses include, but are not limited to:

- Failure or refusal to carry out directions or instructions (insubordination).
- Failure to perform essential job functions.

- Failure to fulfill the responsibilities of the job to an extent that such failure might or does cause injury to a person, or damage to or loss of equipment, facilities, or other property of The Arc.
- Violation of a safety, fire prevention, health, or security rule.
- Violation of confidentiality; false, fraudulent, or malicious statements or actions involving relations with The Arc, another employee, an individual served, or any action deemed damaging to The Arc; falsification of any company document (including time records).
- Harassment, sexual harassment, discrimination.
- Threatened or actual physical abuse.
- Carrying a weapon while on the job, or at any Company function or at any facility owned or operated by The Arc.
- Arrest for certain crimes.
- Criminal conviction of any nature.
- Bringing, consuming, transferring, selling, or attempting to sell alcohol or any illicit controlled substance onto The Arc's premises or property, or at any function sponsored by The Arc. Alcohol provided by The Arc may be consumed in limited quantities at an Arc-sponsored event.
- Refusing or failing to cooperate with or submit to questioning, medical, or physical tests, examinations, or security-related inspections.
- Abuse of leave policy
- Absence from work for three (3) consecutive days without proper advance notification.

## Termination of Employment

Voluntary Resignation: Should an employee decide to leave The Arc, we ask that they provide their supervisor with at least 2-weeks written notice of departure. Directors are asked to give 30 days' written notice of departure. The company may request that an employee leave prior to their requested last day. The company is not obligated to pay employees through their notice period. Employees will be paid through their last day worked.

All Arc property including, but not limited to, keys, security cards, laptop computers, iPads, etc., must be returned at separation. Employees also must return all the Arc's Confidential Information upon separation. Employees will be required to repay The Arc (through payroll deduction) for any lost or damaged Arc property and for any sums owed the Company. By signing the Employee Handbook Acknowledgement, employees agree to this repayment via payroll deduction from their final pay. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

During the notice period, employees are expected to work their full schedule. Vacation, personal or sick time not requested prior to submission of the notice of resignation will not be approved.

Budgeted full-time (BFT) employees will be paid for accrued but unused vacation, up to their annual accrual limit. Unused personal leave and sick leave is forfeited upon separation for all employee groups.

Involuntary Termination: Should a budgeted full-time (BFT) employee's service be terminated, they are entitled to be paid for accrued vacation leave up to their annual accrual maximum. Unused personal leave and sick leave is forfeited upon termination for all employee groups.

*Employees terminating employment who had medical, dental or vision insurance coverage through The Arc have the right to purchase insurance at their own expense at the group rate in compliance with the Consolidation Omnibus Budget Reconciliation Act (COBRA). Information will be sent to employee's home address from our COBRA vendor.*

## **Exit Interviews**

Employees who resign are requested to participate in an exit interview with Human Resources.

## **A Few Closing Words**

This handbook is intended to give employees a broad summary of things they should know about The Arc Carroll County. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While the Company intends to continue the policies, rules and benefits described in this handbook, The Arc Carroll County, in its sole discretion, may amend, add, delete, or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook at any time. Employees should not hesitate to speak to management if they have any questions about the Arc or its personnel policies and practices.

## Appendix

### Policy on Staff Training

#### Objective

An appropriately trained staff is critical to ensuring suitable care and support for the individuals we serve. Each employee is responsible for scheduling and completing initial and renewal trainings by the applicable due dates.

#### Procedures

- The Arc will communicate available days and times for instructor-led class offerings. The names of employees whose training will soon expire will also be communicated. The mode of communication is the Paylocity Self Service site where a monthly Training Memo is posted.
- Some classes are offered as self-paced computer modules. Employees should contact their supervisor to schedule a time to complete such training at The Arc's facility on Kriders Church Road or they may complete the courses at home.
- Time spent participating in required training classes or completing computer modules will be paid at the employee's base rate.
- Initial training must be completed within the first 90 days of employment. If an employee works for another agency and has completed some of these trainings, he/she must provide documentation confirming successful completion and the associated date(s).
- The following is a list of required trainings for our direct care staff:
  - The Aging Process and Special Needs of the Elderly
  - Bloodborne Pathogens (**renew annually**)
  - Communicable Diseases (**renew annually**)
  - General Characteristics and Needs of Individuals Served
  - Code of Ethics (**renew annually**)
  - Confidentiality (**renew annually**)
  - Wheelchair Securement (**renew annually**)
  - Community Integration and Inclusion
  - Individual Directed and Outcome Oriented Planning for Individuals
  - Supporting Individuals and Families in Making Choices
  - Fundamental Rights of Individuals with Developmental Disabilities (**renew annually**)
  - Seizure Disorders
  - MANDT (**renew annually**)
  - Choking and Dysphasia
  - Incident Reporting (**renew annually**)
  - Fire Safety
  - Hazard Communication (**renew annually**)
  - Workplace Harassment/Sexual Abuse Awareness and Prevention (**renew annually**)
  - Workplace Violence (**renew annually**)
  - Cybersecurity (**renew annually**)
  - Defensive Driving
  - Slips, Trips and Falls (**renew annually**)

- First Aid (**renew every 2 years**)
- CPR (**renew every 2 years**)
- Medication Technician Training Program (for designated positions ONLY)
- Skills Training (for Certified Medication Technicians ONLY)
- Practical Training (for Certified Medication Technicians ONLY)
- Two Year Clinical Update (for Certified Medication Technicians ONLY)

**Note: There may be additional training courses that arise due to regulations or agency-mandate.**

- Training that requires renewal must be monitored by each individual employee and updated by the due date.
- If you are unable to attend a training course for which you were previously scheduled, you must cancel within the acceptable timeframe communicated when the class was scheduled. Otherwise, you will be responsible for associated fees via payroll deduction (*see Training Fee Acknowledgement form, following*).
- Completion and maintenance of training requirements is an expectation of continued employment and will be reflected as appropriate in your annual Performance Evaluation.

### **Corrective Action**

The Arc’s licensure depends on ensuring quality care and service to the people we serve, to include maintaining properly trained staff. Failure to complete initial training or remain current with all required trainings will result in disciplinary action, up to and including termination, as outlined below:

<b>Infraction</b>	<b>Consequence</b>
Failure to complete by due date	Verbal Warning and 30 days to complete
Failure to complete within 30 days	Written Warning, suspension without pay and 15 days to complete
Failure to complete within additional 15 days	Termination

Management reserves the right to adjust these timeframes as appropriate based on training availability. Certain training courses must be current, or an employee may not be eligible to work. For example, an employee who has an expired First Aid and/or CPR certification must work with another employee who has current certification (*i.e.* may not work alone with an individual we serve) and this must be approved in advance by a member of management.

### Training Fee Acknowledgment

Attendance at scheduled trainings is crucial to your success and that of The Arc's. The timeframe for acceptable cancellation of a scheduled training is communicated with each confirmed training session. If you no call/no show for a scheduled training, or fail to cancel within the acceptable timeframe, you will be subject to the following consequences for trainings other than those conducted by Dimensional Health Care Associates, Inc.:

1 <sup>st</sup> Offense	Verbal Warning from Supervisor
2 <sup>nd</sup> Offense	\$5 Fee
3 <sup>rd</sup> Offense	\$10 Fee
4 <sup>th</sup> Offense	\$15 Fee

For missed trainings conducted by Dimensional Health Care Associates, Inc., you will be responsible for the fee associated with the missed training per the most recent fee schedule.

Additional offenses may lead to further disciplinary action up to and including termination.

I understand and agree that I am responsible for the fees listed above under the circumstances described.

I hereby authorize my employer, The Arc Carroll County, Inc., to make the associated fee deduction from my pay when applicable.

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

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

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



## **Attendance Policy**

### **Objective**

The purpose of this policy is to set forth The Arc Carroll County's (The Arc) policy and procedures for handling employee absences and tardiness to promote efficient company operations and to minimize unscheduled absences.

### **Policy**

Punctual and regular attendance is an essential responsibility of each employee at The Arc. The individuals that we serve rely on daily services and routines, and any deviation from their regular routine causes personal discomfort to them and inconvenience to families.

Employees are expected to report to work as scheduled, on time and prepared to start working. 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.

This policy does not apply to absences covered by the Family and Medical Leave Act (FMLA) or leave provided as a reasonable accommodation under the Americans with Disabilities Act (ADA). These exceptions are described in separate policies.

We do realize, however, that there are times when absences and tardiness cannot be avoided. Regardless of the reason for your absence, you are expected to properly notify your supervisor least two (2) hours in advance of your scheduled work time. You must personally contact your supervisor using the contact method they share with you. Lack of a telephone or absence from town is not an excuse for failing to notify your supervisor of absence or tardiness. You should call every day that you are absent unless you are on an approved leave of absence.

Employees absent because of illness or injury for 3 days or more may be asked to give The Arc proof of physician's care and a fitness for duty release prior to returning to work. However, The Arc reserves the right to request a physician's note for any absence due to illness or injury.

Employees must use sick leave for every absence unless otherwise allowed by company policy (e.g., leave of absence, bereavement, jury duty, etc.).

### **Tardiness and Early Departures**

Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than their regular starting time. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary. Employees who must leave work before the end of their scheduled shift must notify their supervisor immediately.

### **Disciplinary Action**

Each employee's absenteeism and tardiness records are tracked in our Time and Attendance system. An employee with three (3) or more unexcused absences in a rolling six-month period or one who is tardy five (5) or more times in a rolling six-month basis will be subject to disciplinary action, up to and including termination of employment depending upon the circumstances. Eight occurrences of unexcused absence in a 12-month period are considered grounds for immediate termination.

### **Job Abandonment**

Any employee who fails to report to work for a period of three days or more without notifying his or her supervisor will be considered to have abandoned the job and voluntarily terminated the employment relationship.

### **Department Call-Off Procedures**

#### Community Living:

- If you are calling off for shifts from Monday AM – Friday up to 3pm, or running late, communicate with your Residential Advisor.
- If you are calling off on the weekend (after 3pm Friday – overnight Sunday) or an agency holiday, refer to the On-Call Schedule for instructions on whom to call for weekend emergencies. If neither Resident Advisor or on-call person is available, contact the Program Assistant/Scheduler or Associate Director. You must speak to someone.

Employment Services: Communicate directly with your supervisor or another Employment Services supervisor or manager by 7am. You must speak to a supervisor.

Support Services: If you are calling off or running late, you must speak with a support services supervisor.

Transportation: See the Transportation Director or Assistant for the department's call-off procedures.

## Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of The Arc Carroll County Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the Company has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the Director of Human Resources of the Company. I also understand that any delay or failure by the Company to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the Company or affect the right of the Company to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized Company representative, I am employed "at-will" and this Employee Handbook does not modify my "at-will" employment status.

This Employee Handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA). This Employee Handbook is not intended to violate any local, State, or Federal law. No provision or policy applies or will be enforced if it conflicts with or is superseded by any requirement or prohibition contained in Federal, State, or local law, or regulation. Furthermore, nothing in this Employee Handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), or any other Federal, State, or local agency charged with the enforcement of any laws.

This Employee Handbook supersedes any previous Employee Handbook or policy statements, whether written or oral, issued by The Arc Carroll County.

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Employee Signature

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Date

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Printed Name