

**CFS SELF DIRECTED SUPPORTS, INC.
(SUBSIDIARY OF THE CENTER FOR
FAMILY SUPPORT)**

**POLICY AND PROCEDURE
HANDBOOK**

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WELCOME MESSAGE

Dear Employee:

Congratulations and welcome to CFS, SELF DIRECTED SUPPORTS, INC. (CFSSDS). We hope that you will enjoy working with us and that you will find your work interesting and rewarding.

CFS, Self Directed Supports, Inc., is a private not-for-profit organization. Our services include in-home care, residential services, and various community support programs which assist individuals with a developmental or related disability.

CFSSDS is well known in the community for its dependable, high quality service. Our fine reputation and our ability to render such valuable services have been made possible by our dedicated staff. CFSSDS reputation and quality of our services depend upon your individual efforts and a team work approach.

Good luck and welcome to the CFSSDS team!

*Steven Vernikoff
Executive Director*

FOREWORD

The mission of the Center for Family Support is to provide services to families. Major support for CFSSDS's services come from the New York State Office of Mental Health, Mental Retardation and Alcoholism Services, the New York State Department of Health, the New York City Department of Mental Health, Mental Retardation and Alcoholism, and the Westchester County Department of Health.

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your supervisor or to the Human Resources Department. Neither this handbook nor any other CFSSDS document, confers any contractual right, either express or implied, to remain in our employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will by CFSSDS or you may resign for any reason at any time.

Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will always try to inform you of any changes as they occur.

Finally, some of the subjects described here, such as the Group Insurance Plans and the Pension Plan are covered in detail in official policy documents. You should refer to these documents for specific information, since this handbook only briefly summarizes those benefits. Please note that the terms of the written policies are controlling.

THE CENTER'S EMPLOYEE RELATIONS PHILOSOPHY

CFS, Self Directed Supports, Inc. (the “Center”) highly values its employees for the extremely important contribution that they make to the delivery of critical services to our service recipients. It treats them with dignity and respect and rewards them fairly for the work they do.

The Center strives to pay competitive wages and to provide premium benefits to employees and has promulgated personnel policies and procedures, including an Open Door Policy, that are both fair and reasonable. The Center recognizes that employee job satisfaction is the key to recruiting and retaining the best service providers. Management is committed to making the Center a great place to work.

In any workplace, disagreements and misunderstandings may occur, and issues will arise from time to time that need to be addressed. It is the Center's experience that when problems occur the best way to deal with them and to achieve a solution is by working directly and individually with our employees, soon after a problem arises, rather than through some third party intermediary who doesn't really know and understand our business.

The Center encourages all employees to promptly bring their concerns and problems to management's attention. Your supervisor and manager are there to help you, and they want to hear from you. If you do not believe that your questions and issues are receiving the attention that they require, please do not hesitate to contact the Human Resources Department. If you are not fully satisfied with the response that you get, the procedures outlined in our Open Door Policy are available to you.

CFS Self Directed Supports Inc., supports individuals with Intellectual and/or Developmental Disabilities who are Self Directing their services and supports. This means that there is a co-management relationship in which CFSSDS is the Employer of Record and the Individual or their designee has Budget/Employer Authority.

CFSSDS is the Fiscal Intermediary and implements the individuals approved self-directed budget/plan provided by the NYS Office for People with Developmental Disabilities. The individual works with their circle of support to develop a plan and budget which outlines the services and supports that they want and need as well as the costs associated.

As a result, all staffing hourly rates and schedules are decided by the individuals and or designee within certain parameters. Once approved, the individuals identifies staff that they would like to be hired and refers them to CFSSDS to complete the hire process. For the purpose of this employee handbook, the individual and designee are referred to as “supervisor” since they have Employer Authority.

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at The Center for Family Support, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, caregivers, pregnancy, sexual orientation, marital status, alienage or citizenship status, creed, genetic predisposition or carrier status, military status or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

POLICY AGAINST HARASSMENT AND DISCRIMINATION

All Center For Family Support employees have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive. Consistent with CFSSDS's respect for the rights and dignity of each employee, harassment based on race, color, religion, sex, age, national origin, disability, caregivers, pregnancy, sexual orientation, marital status, alienage or citizenship status, creed, genetic predisposition or carrier status, military status or any other protected characteristic as established by law, will not be sanctioned nor tolerated. All employees should, therefore, be aware of the following:

- (1) Sexual harassment is strictly prohibited. Sexual harassment has been defined by government regulation as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; [when] submission to or rejection of such conduct . . . is used as the basis for the employment decisions affecting such individual; or . . . such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment." Bullying that targets employees of a particular sex, even if it does not involve sexual activity or language, may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.
- (2) Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, creed, sexual orientation, national origin, age disability, caregivers, marital status, citizenship or any other characteristic

protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace (including through e-mail).

- (3) These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to CFSSDS (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

- (4) Supervisors' and Managers' Obligation. Supervisors and managers are responsible for assuring that no employee is subjected to conduct that constitutes sexual or any other form of harassment.
- (5) Complaint Procedure. Any employee who believes that he or she has been the subject of sexual or any of form of harassment by anyone at CFSSDS or by any person who does business with CFSSDS, should, and is encouraged to, bring the matter to the attention of their Supervisor and/or the Director of Human Resources.
- (6) The Investigation. A prompt and thorough investigation of the alleged incident will be conducted. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.
- (7) No Retaliation. CFSSDS will not in any way retaliate against an employee, potential employee, or former employee who makes a complaint or report of harassment or discrimination, or participates in the investigation of such a complaint or report. Retaliation against any individual for reporting a claim of harassment or discrimination or cooperating in the investigation of same will not be tolerated and will itself be subject to appropriate discipline.
- (8) Discipline. Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may

include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of or rescinding a promotion or pay increase, demotion, reassignment, temporary suspension without pay (including, for exempt employees, suspension for one or more full days for serious workplace misconduct), or termination, as CFSSDS believes appropriate under the circumstances.

DISABILITY ACCOMMODATION POLICY

The Center for Family Support is committed to complying with all applicable provisions of the Americans With Disabilities Act (“ADA”) and state and local disability laws, as applicable. It is CFSSDS’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, CFSSDS will provide reasonable accommodations to a qualified individual with a disability who has made CFSSDS aware of his or her disability, provided that such accommodation does not constitute an undue hardship on CFSSDS.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. CFSSDS encourages individuals with disabilities to come forward and request reasonable accommodation.

DISCLOSURES OF SERVICE RECIPIENT PROTECTED HEALTH INFORMATION

The Center is committed to protecting the privacy and confidentiality of health information about its service recipients as per current state laws and federal HIPAA statute and regulations. Unless the Center has received a specific written authorization from the service recipient, their legal guardian or personal representative, or applicable law otherwise requires or permits, a particular use or disclosure of protected health information may only be permitted for the purposes of (a) the Center’s treatment or rehabilitation activities, (b) the Center’s payment activities and reimbursement for services rendered, and (c) other routine health care and business operations related to the welfare of the service recipients. Such information may be duly disclosed to other health care providers who render such services to the service recipient, unless the service recipient, their legal guardian or personal representative otherwise objects. Any requests for information that would or could identify the service recipient should be brought to the attention of the program supervisor and the Center’s HIPAA Privacy Officer as per the Center’s HIPAA Privacy policies.

HIRING AND EMPLOYMENT

Employment with CFSSDS shall be determined on the sole basis of qualifications and competence for the specific position. The Accounting and Human Resources Departments shall approve all employment offers recommended by supervisors before any commitment is made to a prospective employee. This includes rate of pay approval.

At the time of employment, the employee shall be informed in writing as to: **position title, starting date of employment, starting salary, and any special conditions of employment.** The employee shall be provided with a copy of these Personnel Policies and a job description for the position being filled.

To keep our records in order it is important that you inform us of any changes in your personal status such as changes in your address, telephone, number, marital status and eligible dependents. Employees are required to report any such change to their supervisor and the Human Resources Department.

All staff should carry an employee identification card. Please bring a small passport-sized photo to the main office so that a card may be issued to you.

APPLICANT SCREENING

As part of the applicant screening process, agency human resources personnel will check applicant references. Applicants will be required to provide contact information for a minimum of two personal references and references from their current employer (if employed at the time of application) and all prior employers. The agency will check the reference from applicant's current employer or his/her last employer (if the applicant is not employed at the time of application) and a minimum of two personal references. Other employment references for similar positions may also be checked as warranted.

INITIAL EMPLOYMENT PERIOD

Every new employee goes through an initial period of adjustment in order to learn about CFSSDS and about his/her job. During this time the employee will have an opportunity to find out if he/she is suited to, and likes, his/her new position.

Additionally, the initial employment period gives the employee's supervisor a reasonable period of time to evaluate his/her performance. The initial employment period is six months.

During this time employees will be required to attend specific training and to satisfactorily complete certification courses applicable to their employment position. Failure to attend scheduled training or to achieve certification may result in termination of employment. In addition, during the initial employment period employees shall be subject to discharge at any time if in the sole judgment of his/her supervisor the employee is not progressing or performing adequately.

At the end of the initial employment period, the employee and his/her supervisor will provide a work review to him/her. Provided his/her job performance is “satisfactory” at the end of the initial employment period, he/she will continue in our employment. Completion of the initial employment period affects an employee’s eligibility for certain benefits as outlined in this handbook. It does not, however, alter the individual’s employment status which remains, at all times, that of an employee at-will.

HOURS OF WORK

The regular work week is forty (40) hours per week. Hours and days of work shall be assigned to meet the needs of the program the employee works in. Employees are responsible for recording their hours worked daily on time sheets or on the computer MITC software submitted on a bi-weekly basis.

The CFSSDS mission is to provide services based on the specific needs of the service recipients and their families; therefore, services must be made available seven days a week and include early morning, late afternoon and evening hours. We will expect our staff to be flexible in accepting assignments at non-preferred hours.

Although we will try to provide each staff member with the maximum number of hours requested, it is not always possible to do so. Also, because of the way in which requests for services are made, it is possible that you may occasionally experience changes in assignments. The longer a staff member is with the agency, the greater the opportunity to increase the number of hours worked.

TIME RECORDS

The attendance of all employees is recorded daily by each department and is submitted to the Payroll Department bi-weekly. Our attendance records are company records, and care must be exercised in recording the hours worked, overtime hours, and absences.

All employees must record the time they arrived/departed, each day, on our computerized software. Each employee is responsible only for his/her own record keeping.

OVERTIME PAY

Depending on Departmental work needs, employees will be expected to work overtime when requested to do so. Prior approval of a supervisor, however, is required before any employee works overtime. Without this approval, employees will be subject to disciplinary action if they work overtime.

Time and one-half will be paid to a non-exempt employee after the employee has worked forty (40) hours per week.

Each day, the time the employee starts and finishes work must be recorded on a time sheet. The employee's supervisor must approve his/her hours worked at the end of each week. An employee's supervisor must approve each overtime entry; employees will be subject to disciplinary action for failure to obtain approval of an overtime entry.

TRAVEL FOR NONEXEMPT EMPLOYEES

CFSSDS nonexempt employees may occasionally be required to travel from various work sites during their work shift.

Employees in positions classified as nonexempt under the Fair Labor Standards Act are eligible for compensation for the time they spend traveling.

"Travel time" is defined as including the time the employee leaves the original CFSSDS work site to the time the employee reaches his or her destination (next work site).

Travel between home and work is considered normal commuting time and is not eligible for compensation.

Any portion of authorized travel time that takes place within work hours on any day of the week, including Saturday and Sunday, is treated as work hours. Travel time within normal work hours will be paid at the employee's regular hourly rate and will be factored into overtime calculations.

COMPENSATION OF EXEMPT EMPLOYEES

It is CFSSDS's policy and practice to compensate employees accurately and in accordance with applicable state and federal laws. Employees classified as exempt are paid a pre-determined salary for any work week in which they perform work, regardless of the quality of their performance, or the number of hours worked during that work week. Under certain circumstances and in accordance with federal wage-hour regulations, deductions may be made from an exempt employee's salary (in addition to tax withholdings and other

applicable payroll deductions). Employees are advised to check their pay stubs and are encouraged to report any mistakes to the Payroll Department.

Discretionary Compensation Adjustments

Based on available funds and other considerations in the sole discretion of CFSSDS, current employees in good standing may be granted a discretionary compensation adjustment or a one-time payment in lieu of a wage increase. The award of compensation adjustments are not guaranteed to be granted in any given year, or at any particular time, and are entirely within the sole discretion of CFSSDS. In addition, unless expressly stated to the contrary, any such discretionary compensation adjustment shall not be considered part of the employee's base compensation.

Only regular (non-per diem) employees who are in active employment status on the payroll date when any discretionary compensation adjustment is scheduled to be paid are eligible to receive such adjustment. Employees who have given notice of their intention to resign or who have been placed on notice of termination are ineligible for consideration, even if still on CFSSDS's payroll on the date when the discretionary compensation adjustment is scheduled to be paid to eligible employees.

Complaint Procedure

Any exempt employee who believes that his/her salary is subject to impermissible deductions, or that a deduction has been taken improperly or in error, should report that concern to his/her supervisor and/or the Director of Human Resources. CFSSDS will promptly investigate any such matter brought to its attention to determine whether there has been a violation of this policy. It is the obligation of all employees to cooperate in such an investigation. The agency prohibits retaliation, in any form, against any employee who makes a complaint under this policy or participates in CFSSDS's investigation of such a complaint.

In the event that an investigation establishes that a violation of this policy has occurred, CFSSDS will reimburse the employee for any improper deductions and will take all appropriate corrective action to ensure that such deductions or conduct does not occur again.

RULES OF EMPLOYEE CONDUCT

CFSSDS extends to you many advantages and privileges. These, in turn, impose definite responsibilities on you. The most important of these responsibilities is that your personal conduct be such that the well-being of our service recipients, the agency, and others is not violated. With this in mind we have developed the policies set forth in this handbook and a set of Rules of Employee Conduct for the benefit of us all. In the paragraph which follows, we have set forth a partial list of actions which, if taken, will be considered a violation of CFSSDS's rules. If any of these actions is taken by you, or you otherwise act or fail to act in a manner which adversely impacts upon the program of quality services being rendered by CFSSDS, it can result in disciplinary action up to and including suspension without pay (including, for both exempt and nonexempt employees, suspension for one or more full days for serious workplace misconduct), or dismissal.

1. Falsification of your employment application, other personnel records, or any Agency report or document.
2. Repeated failure to submit time sheets.
3. Improper use of work time, including extended rest periods, lengthy personal conversations, extended meal periods, sleeping, or attending to personal matters during work time.
4. Repeated or a pattern of tardiness or absence, or any absence without notification to your supervisor.
5. Lack of cooperation, including refusal to follow reasonable instructions or perform the work requested by a supervisor.
6. Violation of CFSSDS's policies, including the policy against harassment and discrimination, the policy against retaliation for reporting violations of policies, laws and practices, the conflict of interest and confidentiality policies, the telephone usage policy, and the romantic relationships policy.
7. Failure to follow established Agency procedures.
8. Noncompliance with agency regulations regarding Infection Control precautions and TB screening.
9. Unauthorized disclosure of confidential Agency or service recipient information.
10. General incompetence or misconduct.
11. Poor work attitude.

12. Use of obscene language.
13. Improper attire. All employees are expected to dress neatly, cleanly, and in appropriate attire.
14. Borrowing or taking money or possessions from service recipients or their families.
15. Being discourteous or abusive to service recipients or members of their family or to other agency employees.
16. Creating or contributing to unhealthy, unsanitary or unsafe conditions in the service recipient's home.
17. Reporting to work under the influence or giving the appearance of being under the influence of alcohol or drugs, or consumption of alcohol or drugs on Agency premises, at the home of a service recipient, or while rendering a service for a service recipient outside of the service recipient's home.
18. Sale of drugs, alcohol or any controlled substance (including prescription medications) on Agency premises, at the home of a service recipient, or while rendering a service for a service recipient outside of the service recipient's home.
19. Destructive or dishonest acts, including abuse, waste, theft or willful damage of property of the Agency or a service recipient.
20. Commission of a crime on Agency premises, at the home of a service recipient, or while rendering a service for a service recipient outside of the service recipient's home.
21. Possession of firearms or dangerous instruments or substances on Agency premises, at the home of a service recipient, or while rendering a service for a service recipient outside of the service recipient's home.

CONFLICT OF INTEREST

The Center for Family Support expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of CFSSDS'. Business dealings that appear to create or appear to create a conflict between the interests of CFSSDS and an employee are unacceptable. We recognize the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any potential conflicts so that CFSSDS may assess and prevent conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate

family member (i.e., spouse or significant other, children, parents, siblings) as a result of the Center for Family Support's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones that most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Human Resources Department to obtain advice on the issue. The purpose of this policy is to protect employees and the Agency from any conflict of interest that might arise. Refer to the Code of Conduct/Conflict of Interest Policy. This can be found on the CFSSDS website and is part of the required annual refresher training also found on a link on our website.

OUTSIDE EMPLOYMENT

Employees are required to obtain written approval from their supervisor before participating in outside work activities. Approval will be granted unless the activity conflicts with the Center for Family Support's interest. In general, outside work activities are not allowed when they:

- prevent the employee from fully performing work for which he or she is employed at CFSSDS, including overtime assignments;
- involve organizations that are doing or seek to do business with CFSSDS, including actual or potential vendors or customers; or
- violate provisions of law or CFSSDS's policies or rules.

From time to time, CFSSDS employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside employment, the employee's obligations to the Center for Family Support must be given priority.

FINANCIAL INTEREST IN OTHER BUSINESS

An employee and his or her immediate family may not own or hold any significant interest in a supplier, customer or competitor of the Center for Family Support, except where such ownership or interest consists of securities in a publicly owned company and those securities are regularly traded on the open market.

ACCEPTANCE OF GIFTS

No employee may solicit or accept gifts or other benefits from actual customers, service recipients or their families, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest.

WORK PRODUCT OWNERSHIP

All CFSSDS employees must be aware that CFSSDS retains legal ownership of the product of their work. No work product created while a person is employed by CFSSDS can be claimed, construed, or presented as property of the individual, even after employment by CFSSDS has been terminated or the relevant project completed. This includes written and electronic documents, audio and video recordings, and also any concepts, ideas, or other intellectual property developed for CFSSDS, regardless of whether the intellectual property is actually used by CFSSDS. Although it is acceptable for an employee to display or discuss a portion or the whole of certain work product as an example in certain situations (e.g., on a resume, in a freelancer's meeting with a prospective service recipient), one must bear in mind that information classified as confidential must remain so even after the end of employment, and that supplying certain other entities with certain types of information may constitute a breach of confidentiality. In any event, it must always be made clear that work product is the sole and exclusive property of CFSSDS. Freelancers and temporary employees must be particularly mindful of their confidentiality obligation in the course of any work they discuss doing, or actually do, for a competitor of CFSSDS.

REPORTING POTENTIAL CONFLICTS

An employee must promptly disclose actual or potential conflicts of interest, in writing, to his or her supervisor. Approval will not be given unless the relationship will not interfere with the employee's duties or will not damage the Center for Family Support's relationship.

CONFIDENTIAL NATURE OF WORK

All our records and information relating to CFSSDS or its service recipients are confidential, and employees must therefore treat all matters accordingly. No related information, including without limitation, documents, files, records, computer files or similar materials may be removed from our premises without permission from the Executive Director. Additionally, the contents of CFSSDS's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. All HIPAA policies regarding the privacy and security of service recipient's records that contain private/protected health information (PHI) must be followed. No information should be shared unless given permission by a supervisor or the HIPAA privacy officer. See HIPAA policies located on the CFSSDS website and the annual refresher training also found via a link on our website.

OPEN DOOR POLICY

It is recognized that a prompt and efficient method of settling disagreements is an indispensable feature of sound personnel relations. For any disagreement which may arise, the following procedures may be utilized.

1. There will be a conference between the employee and immediate supervisor regarding the matter in question.
2. If the matter is not satisfactorily resolved at Step 1, there shall be a conference between the staff member and the Program Director as soon as practicable, but not later than five (5) working days after the employee brings the matter to the Program Director's attention.
3. If the employee is not satisfied with the decision of the Program Director, he/she may, within five (5) working days after receipt of the decision, request a hearing with the Chief Operating Officer. The Chief Operating Officer will make a decision on the issue within five (5) working days after the meeting with the employee.
4. Within five (5) working days after receiving the decision of the Chief Operating Officer, the employee may submit a written appeal to the Executive Director who will respond within five (5) working days of receiving the written appeal. If the employee wishes to appeal the Executive Director's decision, a request for review may be filed with the Board of Directors. The Board will respond to the employee within five (5) working days. The decision of the Board will be final.

CORPORATE COMPLIANCE

The Center For Family Support is committed to the prevention and detection of fraud, fiscal mismanagement and/or the misappropriation of funds as per the CFSSDS Corporate Compliance Program and Plan. This Plan incorporates ongoing oversight and monitoring to ensure compliance with current local, State and Federal laws and guidelines.

One of these laws includes the False Claims Act (FCA). This is a Federal law that was enacted during the Civil War to combat fraud in government contractors, prohibits persons or businesses from improperly receiving governmental funding for goods or services, and from abusing or wasting governmental funds. The FCA was first updated in 1986 and was designed to prevent and detect fraud, waste, misuse and abuse in federal healthcare programs, including Medicaid and Medicare.

The revision of this law in 1986 holds an agency's management staff more accountable. By the nature of their responsibilities as management, the law says they either "knew" or "should have known" about fraudulent claims or false statements. There are very severe fines and penalties for submitting false claims.

A part of the FCA is the Deficit Reduction Act (DRA) of 2006. This Federal regulation places emphasis on fraud detection and protection. This law encourages individual states to enact "qui tam" or Whistleblower provisions for persons to report fraud or abuse.

In order to encourage individuals to come forward and report misconduct involving false claims, the State and Federal False Claims Act contains this “Qui Tam” (pronounced “*keep tom*”) or whistleblower provision. There is a protection under this law for the relator or whistleblower that prohibits retaliation against the person who reported. This is referred to as “whistleblower protection”. The False Claims Act prohibits discrimination against any employee for taking lawful actions under the False Claims Act. CFSSDS has a procedure for reporting compliance concerns and strictly prohibits retaliation against an employee for raising a compliance concern in good faith.

This statute prohibits:

Submission of a false claim or making a false statement in order to secure payment for a false claim from the Government.

- Conspiring to defraud the United States by getting a false or fraudulent claim to be allowed or paid; and
- Submitting a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the government.

Therefore, it is illegal to:

- Present a claim that the person knows or should know is false;
- Present a claim for services not provided as documented or claimed; (not provided or provided by an unqualified person);
- Upcode a bill (so that it is paid at a higher rate than that of service actually provided);
- Violate anti-kickback laws; should not solicit or offer payment for referrals of consumers;
- Contract or conduct business with someone excluded from a federal health care program (such as Medicaid); and
- Offer inducements (\$, Gifts) for referrals.

The Corporate Compliance Program emphasizes the prevention of wrongdoing, whether intentional or unintentional, the reporting and investigation of questionable activities and practices without retaliatory action against the reporting party and timely correction of any situation that could place the agency, its employees, funding sources or service recipients at risk.

As part of this effort, the CFSSDS Corporate Compliance Officer, acting in concert with agency Quality Assurance / Compliance personnel, will conduct periodic reviews of service delivery documentation in comparison to billing documentation. Reviews will also include examination of personnel files, with an emphasis on employees possessing and having proper documentation of work experience and credentials to evidence that staff have the qualifications required for their position(s) at CFSSDS.

In addition, a “whistleblower hotline” has been established to enable CFSSDS personnel to confidentially and anonymously report, via telephone or computer, any concerns regarding the treatment of service recipients, internal accounting controls, practices or other auditing matters, compliance and ethical matters, or other employee concerns. This would include any suspected fraud, theft, embezzlement, bribery, kickbacks, conflicts of interest, misuse of assets or suspected regulatory, compliance, or ethics related issues, concerns or violations.

REFERENCE CHECKS

All employment inquiries, written or oral, regarding a current or former CFSSDS employee must be referred to the Human Resources Department.

Should an employee receive a request for a reference, written or oral, he/she should refer the request to the Human Resources Department for handling. No CFSSDS employee may issue a reference letter to any current or former employee without the approval of the Human Resources Department.

Under no circumstances should any CFSSDS employee release any employment information, in any form, about any current or former CFSSDS employee.

In response to an outside request for information regarding a current or former CFSSDS employee, the Human Resources Department will furnish or verify only an employee's name, dates of employment, job title and department. NO other information regarding any current or former CFSSDS employee, or his/her employment with CFSSDS, will be furnished unless required by law or the employee authorizes CFSSDS to furnish such other information.

SMOKING POLICY

In order to comply with New York City's Smoke-Free Air Act, The Center For Family Support has prohibited smoking throughout its workplace.

Any violation of or disputes arising under this policy should be reported immediately to your supervisor. Violation of this policy may result in appropriate corrective action, up to and including discharge. CFSSDS will promptly investigate any disputes arising under this policy and in resolving disputes shall give priority to the health concerns of the employee desiring a smoke-free area.

Each employee is protected from retaliatory action or from being subjected to any adverse personnel action for exercising or attempting to exercise his/her rights under the smoking policy. Any employee who feels that he/she has been subject to retaliatory adverse personnel action for exercising or attempting to exercise any rights under this policy or under any applicable law or regulation concerning the subject matter of this policy shall inform the Program Director who will promptly investigate the complaint and provide for adequate redress where necessary.

ROMANTIC OR SEXUAL RELATIONSHIPS

Consenting "romantic" or sexual relationships between a supervisor/manager and an employee may at some point lead to unhappy complications and significant difficulties for

all concerned — the employee, the supervisor/manager and the Center. Any such relationship may, therefore, be contrary to the best interests of the Center.

All employees are discouraged from entering into and should endeavor to refrain from dating or engaging in relationships of a “romantic” nature with a co-worker or supervisor. If a romantic or sexual relationship between a supervisor/manager and an employee should develop, the supervisor/manager must promptly disclose the existence of the relationship to the Head of Human Resources who will inform other managers with a need to know the existence of the relationship.

Because such relationships can cause various problems, including interference with the work operations or job performance, damage to employee morale and productivity and accusations of favoritism or disparity, CFSSDS reserves the right to take action that it, in its discretion, deems appropriate. At a minimum, the employee and supervisor/manager will not thereafter be permitted to work together on the same matters (including matters pending at the time disclosure of the relationship is made), and the supervisor/manager must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship.

COMPLIANCE WITH NYC PREGNANCY ACCOMODATION

Under the amendment to the NYCHRL, a woman who is pregnant or has given birth is entitled to reasonable accommodation due to the pregnancy, childbirth, or a related medical condition so that she can perform "the essential requisites of the job." It is unlawful for an employer to refuse to provide such reasonable accommodation when the employee's pregnancy, childbirth, or related medical condition is known, or should have been known, by the employer, unless the employer can prove that the accommodation would cause an “undue hardship in the conduct of the [employer's] business.”

FITNESS FOR DUTY POLICY AND PROCEDURE

CFSSDS is committed to providing a safe environment for all employees and service recipients. In order to provide a safe work environment, employees must arrive for duty with the ability to perform their job duties in a safe, secure, productive and effective manner, and remain able to do so throughout their shift. Employees who are not fit for duty may present a safety hazard to themselves, to other employees, and to the service recipients.

Employees are responsible for:

1. reporting for work fit for duty so they can safely perform their essential job functions;

2. complying with all CFSSDS policies while on duty, including but not limited to Rules of Employee Conduct;
3. notifying their supervisors if they are unable to report fit for duty, or if they become unfit for duty during their shift; and,
4. notifying the supervisor when they observe a coworker who appears to be unfit for duty. If the supervisor's behavior is the concern, an employee must inform either the supervisor's direct supervisor or call the Human Resources Department.

Supervisors, are responsible for:

1. monitoring the attendance, performance, and behavior of the employees they supervise to ensure they are fit for duty; and
2. for following this policy's procedures when presented with circumstances or knowledge that indicates that an employee may be unfit for duty.

The supervisor who receives information that an employee may be unfit for duty, or through personal observation believes an employee to be unfit for duty, will observe and document the situation as soon as is practicable. By way of example, but not limitation, an employee may be deemed to be unfit for duty if a supervisor determines that the employee unable to perform his or her duties or responsibilities and/or to provide care safely and effectively, is engaged in inappropriate behavior that may diminish co-workers' or service recipients' confidence in the employee's ability to perform his or her job satisfactorily, or is engaged in behavior generally associated with intoxication, such as odor, dilated pupils, staggering, boisterous speech, drowsiness, etc.

An employee who appears to be ill may be removed from their shift for their safety and the safety of others. Subject to applicable law, the employee may not be allowed to return to work until they provide a fitness for duty certification from an appropriate licensed health care provider.

If the supervisor determines that the employee is acting in a manner in violation of CFSSDS's Rules of Employee Conduct policy, the employee may be removed from their shift.

If an employee appears to be intoxicated or under the influence of alcohol or drugs in violation of CFSSDS policies, or the supervisor has a reasonable suspicion of such, in addition being removed from their shift for their safety and the safety of others CFSSDS reserves the right to require the employee to immediately undergo drug and/or alcohol testing.

The supervisor should contact their supervisor and the Human Resources Department immediately after removing an employee from duty for any reason.

Failure to comply with this policy, or to cooperate with a supervisor's direction under this policy and to ensure a safe working environment may result in disciplinary action, up to and possibly including termination of employment.

Nothing in this policy is intended to diminish CFSSDS's commitment to employ and reasonably accommodate qualified disabled individuals. Employees who are removed from their shift when a supervisor determines that the employee is unfit for duty may use eligible sick leave, vacation or personal time. The employee may also qualify for unpaid leave of absence, such as FMLA leave.

Description of Paid Time off For Self Directed Staff

Full Time Status – (Regular schedule of 30 hours or more per week) – 15 days of their daily scheduled hours.

Part Time Status – (Regular schedule below 30 hours per week) – 5 days of their daily scheduled hours.

The above staff will have a paid time off allotment as soon as they start based on their status. This allotment will be held by anniversary year (anniversary date is the employees hire date). There is no carry-over of paid time off. However, on each anniversary date the allotment will be refilled. If there is a change of status, the amount of PTO will be either added or decreased.

Per Diem – (No regularly scheduled hours) – No Paid Time Off Benefit. Will accrue 1 hour after 80 hours worked, up to the maximum of 5 days per year. This is based on NYC Paid Sick Leave act and is not given up front but rather accrued.

Ex: Employee has a hire date of 2/12/15 and they are full time because their schedule is 30 hours per week on a regular basis. We will allocate 15 days (6 hour days) in their paid time off "bank". If they only use 13 days by 2/11/16, they will lose the 2 days, but on 2/12/15, their bank will reflect 15 days again.

Paid time off (PTO) lumps together any time off being requested payment for (sick, holiday, vacation, personal). This benefit is for paid time off during the employees employment with CFSSDS and as a result, the employee will not receive any unused time upon separation from employment (no cashing out). CFSSDS will be comparing employee hours worked vs. employee status on a routine basis to ensure that the status is accurate and will make adjustments as needed in concert with the individual/family.

Since this is a self-directed program and the individual/family is the managing employer, you must obtain prior approval from the individual/family to take paid time off (for any purpose other than sick).

If you are calling in sick, due to the NYC paid sick leave act, you are entitled to use paid time off to care for yourself or another (see details on paid sick leave act at the bottom of this email.)

If you are requesting to use paid time off, you will need to indicate this on your timesheet.

Ex: Employee has contacted individual/family in advance to inform them that they are taking off on 2/12/15. On the timesheet for date 2/12/15, put the total hours off in the hours box and write across the row Paid time off. Do not put a start/stop time. The total hours should mirror their scheduled daily hours. So, if they typically work 8 hours, they should indicate 8 hours.

To be eligible for sick leave the employee must have worked at least 80 hours in the calendar year. All staff members must be employed for at least three months prior to use of any sick leave.

Employees are entitled to use sick leave for absences from work due to: (i) the employee's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment, or need for preventive medical care; (ii) care of a family member needing such medical diagnosis, care, treatment or preventive medical treatment; (iii) closure of the place of business due to a public health emergency (as declared by the commissioner of health and mental hygiene or the mayor) or to care for a child whose school or child care provider is closed due to a public health emergency. Family members include an employee's child (biological, adopted, foster or to whom the employee stands in loco parentis), spouse, domestic partner or parent (or who stands in loco parentis to the employee), or the child or parent of an employee's spouse or domestic partner.

Sick leave is intended as protection in the event of illness or other qualifying reasons for leave, and not as an entitlement to time off with pay. Agency management reserves the right to request proof of any claimed qualifying absences of greater than 3 consecutive days.

An absence because of illness should be reported to the supervisor by telephone two hours before the start of work on the first day of illness. The staff member is required to call in each day of absence and advise the Supervisor of the progress of recovery and the anticipated date of return to work. Failure to give notification of absence may result in disciplinary action (i.e., staff not being paid for the day).

Each year, employees may bank unused sick days, up to a maximum bank of **40 days**. This sick leave bank may then be used in the event of a serious illness that requires an extended absence from work.

No employee will be entitled to payment for unused sick days, including upon separation from employment for any reason.

PAID FAMILY LEAVE

New York State has proposed a Paid Family Leave (PFL) policy which will take effect for all employees working in New York State on January 1, 2018.

The plan will allow employees to take off for family medical issues and be paid for this time through a payroll deduction. The plan is funded by the employees throughout the State. Beginning on January 1st, 2018, employees that work more than 20 hours per week for the past 26 weeks or have worked 175 days in the past 12 months, will be eligible for the Paid Family Leave program.

Employees may be eligible to take up to 8 weeks of paid time off (at 50% of their weekly salary, with a state maximum).

In January 1st, 2019, the allowable time will increase to 10 weeks and in January 1st, 2020, the allowable time will increase to a maximum of 12 weeks. The plan is still being changed through the State and specific portions on how it is implemented are still under consideration.

However, as of July 1st, 2017, the State has authorized employers to start deducting from employees pay checks, reimbursement for this plan. Employee contribution levels will be based on a percentage of the employee's wage, with a maximum contribution of 0.1265% of the employee's weekly wage (but not to exceed the NYSAWW or \$1305.92). This contribution starting with your paycheck you will receive on July 21, 2017.

If you have any questions, please contact the HR department.

FAMILY AND MEDICAL LEAVE ACT POLICY

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 work weeks of unpaid leave for certain family and medical reasons during a 12 month period. During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

ELIGIBILITY

To be eligible for FMLA leave, an employee must have been employed by The Center for Family Support:

1. For at least 12 months (which need not be consecutive);
2. For at least 1250 hours during the 12 month period immediately preceding the commencement of the leave; and
3. At a worksite (a) with 50 or more employees; or (b) where 50 or more employees are located within 75 miles of the worksite.

REASONS FOR FMLA LEAVE

FMLA leave may be taken for any one, or for a combination of, the following reasons:

- ☐ the birth of the employee's child or to care for the newborn child;
- ☐ the placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- ☐ to care for the employee's spouse, child or parent (but not in-law) with a serious health condition; and/or
- ☐ the employee's own serious health condition that makes the employee unable to perform one more of the essential functions of his or her job.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

HOW MUCH AND WHEN FMLA LEAVE MAY BE TAKEN

The 12 Month Period

An eligible employee is entitled to up to 12 work weeks of unpaid leave during a 12 month period for any FMLA qualifying reason(s). The 12 month period is a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

Limitations on FMLA Leave

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by CFSSDS', they are together entitled to a combined total of 12 work weeks of FMLA leave within the designated 12 month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 workweeks, but not more than a total of 12 workweeks per person).

For example, if each spouse took 6 weeks of leave to care for a newborn child, each could later use an additional 6 weeks due to his/her own serious health condition or to care for a child with a serious health condition.

Intermittent or Reduced Work Schedule Leave

Where medically necessary, an employee may take leave intermittently (in separate blocks of time) or through a reduced work schedule (that reduces an employee's usual number of hours per work week or hours per workday). FMLA leave is not available on an intermittent or reduced work schedule for care of a newborn or newly placed child. Rather, this type of leave is only available because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt CFSSDS's operations. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, CFSSDS may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

REQUESTS FOR FMLA LEAVE

An employee should contact the Human Resources Department to request FMLA paperwork. The Human Resources Department will forward to the employee all necessary paperwork. Upon receipt of documentation, the Human Resources Department will contact the employee, their manager and director about the leave details.

When leave is foreseeable, the employee must provide the Center for Family Support with at least 30 days advance notice. If 30 days advance notice is not practicable or the timing of the leave is not foreseeable, the employee must provide CFSSDS with notice of need for leave as soon as practicable (i.e. within 1 or 2 business days of learning of the need for the leave).

REQUIRED DOCUMENTATION

A medical certification from a health care provider will be required to support a request for FMLA leave for the employee's or a family member's serious health condition. In addition, where leave is taken to care for a family member, CFSSDS may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document). Medical certification forms are available from the Human Resources Department.

If the Center for Family Support has reason to doubt the employee's initial certification, CFSSDS may: (i) with the employee's permission have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or (ii) require the employee to obtain a second opinion by an independent

CFSSDS'-designated provider at CFSSDS's expense. If the initial and second certifications differ, CFSSDS may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, CFSSDS may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide CFSSDS with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide CFSSDS with reasonable notice (*i.e.*, within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives the Center for Family Support notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

USE OF PAID AND UNPAID LEAVE

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. If an employee has accrued paid leave (*e.g.*, vacation, sick leave, personal leave), however, the employee must use any qualifying paid leave first. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 workweek leave period.

DESIGNATION OF LEAVE

The Center for Family Support will notify the employee that leave has been designated as FMLA leave. CFSSDS may provisionally designate the employee's leave as FMLA leave if CFSSDS has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified CFSSDS of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify the Human Resources Department within 2 business days of the employee's return to work that the leave was for an FMLA reason.

MAINTENANCE OF HEALTH BENEFITS

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work.

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums may be paid at the same time as if made by payroll deduction.

If the employee's payment of health insurance premiums is more than 30 days late, CFSSDS may discontinue health insurance coverage upon notice to the employee.

RETURN FROM FMLA LEAVE

Upon return from FMLA leave, the Center for Family Support will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

LIMITATIONS ON REINSTATEMENT

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The Center for Family Support reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid 10 percent of CFSSDS's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to our operations.

FAILURE TO RETURN TO WORK FOLLOWING FMLA LEAVE

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The Center for Family Support may recover health insurance premiums that CFSSDS paid on behalf of the employee during any unpaid FMLA leave except that our share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, we may require the employee to provide medical certification of the employee's or the family member's serious health condition.

ADDITIONAL INFORMATION

For further information or clarification about FMLA leave, please contact the Human Resources Department.

LEAVE OF ABSENCE WITHOUT PAY

Should a situation arise that is not covered by FMLA but temporarily prevents an employee from working, he/she may be eligible for a personal Leave of Absence without pay. However, employees must be employed for at least six months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing and it is reviewed on a case-by-case basis by your supervisor/manager and the Program Director. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the effect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires.

Leaves of absence will be considered only after all vacation and personal time have been exhausted.

While on a personal unpaid leave of absence employee's medical coverage will end on the 1st day of the month following the start of such leave. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation (see COBRA policy).

Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.

During the calendar year that an employee takes a leave of absence without pay, vacation credit is not accrued while on leave. Accrued vacation and personal days must be used before a leave of absence without pay will be granted.

Due to the nature of our business The Center for Family Support cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from leave is sought. When an employee is ready to return from a leave of absence without pay, every effort will be made to reinstate the employee to his/her former position or to one with similar responsibilities.

If the position or a similar position is not available, the Company will search for a suitable position for 30 days from the date the leave was to officially end. The employee will not be paid for this time. If the employee has not been placed by the end of this period, he/she will be terminated.

An employee who returns to work following a leave will be considered as having continuous service. If an employee does not return from a leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies his/her supervisor/manager he/she is not returning, whichever is sooner. Such employees may be considered for reemployment.

CFSSDS reserves the right to deny requests for leave without pay subject to agency needs. An employee who takes a leave of absence for any purpose for a period in excess of 30 days can not be guaranteed that their position will be held open. During leave without pay, the employee does not accrue vacation or sick time.

REIMBURSEMENTS RELATED TO EMPLOYMENT

Membership in Professional Organizations: Employees are responsible for all fees related to their own professional licensure or individual membership in professional organizations or societies. Employees may be requested to serve as official representatives of CFSSDS at organizations of which the agency is a member. In all cases, decisions regarding agency membership in professional organizations will be made by the Executive Director.

Travel Per Diem: Employees authorized to use their cars for agency business will be reimbursed for their business related mileage at the rate established by the Internal Revenue Service (IRS). The IRS mileage reimbursement rate is updated annually to reflect the cost of gas, repairs, depreciation and insurance. Toll charges and parking fees will be reimbursed upon submission of an expense voucher and receipts from the parking lot, garage, or toll booth. *No reimbursement will be made without a receipt.* Note that parking your vehicle at your regular CFSSDS office, and the mileage from your home to the CFSSDS work location, are commuting expenses, and per IRS regulations, are not reimbursable business expenses. Employees will be reimbursed by the agency for travel between the CFSSDS office and service recipient's homes, authorized conference or other program sites. Employees submit an Expense Report or Travel Expenses and reimbursements will be included in the employee's paycheck

TUITION REIMBURSEMENT PROGRAM

To encourage the professional and personal development of every CFSSDS employee, the following policy establishes reimbursement for qualified educational expenses and successful completion of undergraduate, graduate and post-graduate courses in accredited colleges or universities.

All employees of CFSSDS are eligible for educational assistance in accordance with this policy upon completion of one year of continuous employment prior to the time of course enrollment and provided that the employee is enrolled in courses which

are part of a degree program. Employees must work a minimum of 16 hours per week.

Reimbursement is contingent upon the student earning a passing grade (C or better) that is accepted by the school for the credit or confirmation of satisfactory completion of the course from the school when a course is not graded.

Employees interested in participating in this education assistance program must complete the Request for Employee Tuition Reimbursement Form prior to the commencement of any coursework for which the employee desires to be reimbursed.

CFSSDS will reimburse employees for tuition, for all passing grades with a maximum amount to be determined by budgetary constraints per semester for undergraduate studies or for graduate and post-graduate studies. An employee will not receive tuition reimbursement if they terminate employment prior to completion of an approved course. There is a limited budget allocation for this cost item and tuition reimbursements will be made on a first come basis. Depending on amount of employees enrolling and budget restraints, not everyone will be reimbursed for tuition for classes.

The employee should complete the Request for Tuition Reimbursement Form 14 days prior to each course the employee wants to take in conjunction with this program. When completed, the Request for Tuition Reimbursement Form is submitted to the Human Resource Department for review and approval.

Upon completion of the course, applicant must submit, within 45 days, legible copies of the following: (1) College/university invoice or statement indicating fees charged and the amount paid (the invoice must contain the school's name and address. and (2) College/university grade card/report indicating the applicant's name, quarter/semester, course name(s) and grade(s) for the term.

EMPLOYEE BENEFIT PROGRAMS

The Center for Family Support has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness, disability and death, and to help you plan for retirement. This portion of the Employee Handbook contains a general description of the benefits to which you may be entitled as an employee. Please understand that this general explanation is not intended to and does not provide you with all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are

available for your examination in the Human Resources Department. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of future benefits or a binding contract between CFSSDS and its employees, or their dependents, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

As in the past, CFSSDS reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further CFSSDS reserves the exclusive right, power, and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, please contact the Human Resources Department.

EMPLOYEE INSURANCE COVERAGE

Medical/Hospitalization/Life/Dental: Full-time regular employees who work thirty-five (35) hours or more per week are eligible for health, life and dental insurance. This coverage is available after three months of employment. Benefits and conditions of these policies are contained in descriptive booklets which may be obtained in the CFSSDS office. Whether or not there is a charge to the employee for coverage depends upon the plan chosen by the employee. The Human Resources Department can provide you with exact information on each plan. The existence and scope of charges is changed annually.

Worker's Compensation: All employees are covered by Worker's Compensation which provides benefits in case of on-the-job injury.

Short-Term Disability Insurance: All employees are covered for off-the-job short-term disability benefits. Short-term disability benefits provide temporary income to replace, in part, wages lost because of injury, illness, or pregnancy, which do not arise on the job.

Long Term Disability: All employees working 35 hours or more per week, after three months of employment, will be eligible to participate in our group long-term disability program. The Long Term Disability Program begins after the short-term disability ends. It provides the benefit for long-term disability covering up to 60% of earnings up to the maximum of \$5,000.00 per month.

Pension Plan: This plan is paid for fully by the agency. For additional information, contact the Human Resource Department.

A Tax Deferred Annuity (TDA) (403b) plan is available to all employees who elect to participate. The employee makes a voluntary deduction from each paycheck. For additional information contact the Human Resources Department.

GROUP HEALTH CONTINUATION COVERAGE “COBRA”

The Consolidated Omnibus Budget Reconciliation Act (“COBRA”) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end.

CFSSDS employees who are currently covered by the Company’s plan have the right to continue their current coverage at their expense in accordance with COBRA regulations if they terminate employment with us for any reason other than gross misconduct.

During the exit interview, covered employees are presented with a letter complete with the various rates and plans available to terminating employees. Employees and their covered dependents have 60 days in which to elect continuation coverage.

DIRECT DEPOSIT

As a convenience for you, CFSSDS can arrange to have your paycheck directly deposited into your bank checking account. Direct deposit can save you the time of having to go to the bank to deposit your check. If you wish to have your paycheck directly deposited into your account send a blank check to the office with the word “**VOID**” written across it. The check should have your name, the name and address of the branch of your bank and your account number on it. Direct deposit will commence approximately six weeks after we receive your check.

Montauk Credit Union: All employees are welcome to join Montauk Credit Union where a variety of services are available. Some of their services include checking, savings, loans, (personal, car, mortgage). You may contact our Human Resources Department for further details.

PERFORMANCE REVIEWS

Employees are reviewed at the end of the six-month initial employment period and annually thereafter by their immediate supervisors. The performance review is to assist the employee to enhance and improve his/her professional skills and on-the-job performance. The supervisor will discuss the details of the review with the employee. The employee may prepare a written statement for the record in response to the performance review.

Employees who are promoted will have a performance review after six months in that position.

TRANSFERS AND PROMOTIONS

The Center for Family Support encourages employees to assume higher-level positions or lateral transfers for which they qualify. Toward this end, CFSSDS has a job posting program that offers employees the opportunity to apply for positions within the agency.

Generally, employees must be in their job for at least one year before applying for a change in position. In addition, employees must have a good performance, attendance and punctuality record.

Each employee requesting a transfer will be considered for the new position along with all other applicants. Each transfer is judged on an individual basis, depending on the needs of both departments involved. All final decisions regarding transfers will be made by Management.

Employees who wish to apply for a transfer should discuss it first with their supervisor/manager to determine if their skills fit the requirements of the desired job. Employees should also feel free to discuss their career aspirations with their supervisor/manager or the Human Resources Department at anytime.

Any employee fitting the basic criteria for the position should contact the Human Resources Department directly.

TERMINATION OF EMPLOYMENT

Every CFSSDS employee has the status of “employee-at-will,” meaning that no one has a contractual right, express or implied, to remain in the Center’s employ. CFSSDS may terminate an employee’s employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason. No Center for Family Support employee or representative (except the Board of Directors) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

Resignation

Employees are expected to give the Center advance notice of resignation, in writing, so that the Center can ensure a smooth transition of work and responsibilities. Employees are expected to give notice in conjunction with the amount of vacation time earned according to their job title. Accordingly, employees may need to give 1 week, 2 weeks, 3 weeks or 4 weeks, depending on their job title and vacation accrual.

CFSSDS reserves the right, however, to accept an employee’s resignation effective immediately or at some point prior to the conclusion of the notice period.

Please note that vacation time may not be used during the notice period. Employees who resign without giving the required notice shall not be entitled to payment for any unused, accrued vacation time remaining at the time of resignation.

Involuntary Termination

Involuntary termination may result from a variety of situations, including deficiencies in work performance, misconduct and/or a violation of CFSSDS’s policies. If an employee does not meet CFSSDS’s standards, the Center may, under appropriate circumstances, take corrective action other than immediate dismissal. The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Center’s policies and procedures and/or other disciplinary problems. Corrective action may include a written warning that identifies areas requiring remediation, placement on probation for a specified time period, or suspension. Employment will be terminated if performance does not improve after a process of progressive corrective action, or if the employee is uncooperative or otherwise engages in conduct detrimental to the interests of the Center during a course of progressive corrective action.

An employee will be subject to immediate termination, without advance notice, for misconduct or policy violations, including (but not limited to): refusal to do work reasonably expected; wrongful use of or taking agency or service recipients’ property; service recipient neglect or abuse; possession of firearms or dangerous instruments or substances;

commission of a crime on agency or service recipient premises; conviction of a felony; reporting to work under the influence of alcohol or drugs or consumption of alcohol or drugs on agency or service recipient premises.

Employees will not be entitled to notice or pay for any unused, accrued vacation in the event of an involuntary termination of their employment.

EMPLOYEE REFERRAL BONUS

We encourage employees to refer their friends to the Human Resources Department to apply for posted positions. All referred applicants must, of course, compete in an open recruitment and hiring process and must meet the qualifications required by the job for which they are applying.

If both the employee and the referred applicant continue to be employed by CFSSDS for the following period (6 months), the employee who made the referral will receive a referral bonus of \$250.00.

TELEPHONE USAGE

Office Phones

CFSSDS's offices have a large volume of incoming and outgoing telephone calls. Telephone service is a significant program cost. For this reason, personal calls must be kept to an absolute minimum – only in the event of an emergency or critical need. When personal calls are necessary, please limit the length of these calls. Telephone books are readily available at the offices. Please use them to look up phone numbers as directory assistance is costly.

Personal Cellular Phones

Employees are prohibited from using personal cell phones, beepers or other personal digital assistant devices ("PDAs") during working hours and must keep their PDAs off or on vibrate mode. Employees may use their PDAs during their break period.

Employees may not use the recording or photographic features on their PDAs on the work premises. PDAs with recording or photographic features are not permitted under any circumstances in locker rooms, rest rooms, dressing rooms or other locations where individuals would have a reasonable expectation of personal privacy.

CFSSDS-Issued Cellular Phones

CFSSDS issues cell phones to many of its employees to be used for business purposes. Staff are subject to the following guidelines with regard to use of CFSSDS-issued phones:

- a) Non-CFSSDS-related calls are not permitted, except in the event of an emergency.
- b) Personal calls are to be limited to emergencies. Employees will be required to reimburse CFSSDS for time charges resulting from personal use of CFSSDS-issued cell phones.
- c) Cell phones are to be used solely by the individual to whom they are assigned, not friends or family members.
- d) Each user is responsible for safekeeping, care and custody of his/her CFSSDS-issued cell phone.
- e) Camera phones are for photographing CFSSDS incidents only.
- f) Cell phones are to be activated with appropriate ring tones
While in the office, the ring volume should be lowered or put on vibrate mode.
- g) Employees are prohibited from charging personnel cell phones at the group home residences or service recipient's homes.

USE OF CELL PHONES WHILE DRIVING

CFSSDS is aware that many employees use cellular telephones and other wireless communication devices ("cell phones") in carrying out their daily duties and responsibilities. CFSSDS is also aware of the potential distractions that may arise when cell phones are used by employees while operating a moving vehicle, such as a van, automobile or truck ("moving vehicle"). This policy applies to employee use of CFSSDS-issued cell phones, as well as use of personal cell phones while traveling on CFSSDS business or in a CFSSDS-owned vehicle.

Employees are required to comply with state and local laws that limit use of a cell phone while operating a moving vehicle. Except in a bona fide emergency, no employee is to use a cell phone while operating a moving vehicle, unless the cell phone is equipped and used with a hands-free device. Consistent with current CFSSDS driving policy, any DMV moving violation accrued as a result of an employee's failure to comply with this policy will be the employee's responsibility.

Even with a hands-free device, while operating a moving vehicle cell phone use should be kept to a minimum, conversations should be as brief as possible, and employees should refrain from making unnecessary calls.

Employees using cell phones should always remember not to discuss confidential issues with others present who do not have a "need-to-know" such information, and that cell phone "courtesy" should be practiced at all times, i.e., when others are present, don't talk loud or in a manner which could be offensive to others.

SOLICITATIONS, DISTRIBUTIONS, AND USE OF BULLETIN BOARDS AND ELECTRONIC MAIL

Employees may not solicit any other employee during work time, nor may employees distribute literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their work time.

Persons not employed by The Center for Family Support may not solicit CFSSDS employees for any purposes on Company premises.

Bulletin Boards and Electronic Mail: Bulletin boards and the electronic mail system maintained by CFSSDS are to be used only for posting or distributing material of the following nature:

- ☐ notices regarding matters directly concerning Company business
- ☐ announcements of a business nature which are equally applicable and of interest to employees.

All material posted or distributed must have authorization from the Executive Director.

COMPUTER SYSTEMS POLICY

The computer hardware, software, electronic mail, voice mail and other computer or electronic communication or data storage systems ("Computer Systems") provided by the Center are the property of CFSSDS'. Every CFSSDS employee is responsible for using the Computer Systems properly and in accordance with this policy. **Employee use of the Center's Computer Systems constitutes consent to all the terms and conditions of this policy.** Any questions about this policy should be addressed to the Human Resources Department.

Use Limited to Business Purposes

The Computer Systems have been provided by CFSSDS for use in conducting Center business. All communications and information transmitted by, received from, or stored in these systems are Center records and property of CFSSDS. The Computer Systems are to be used for Center purposes only. Use of the Computer Systems for personal purposes is prohibited.

No Expectation of Privacy

Employees have no reasonable expectation of personal privacy with respect to any matter stored in, created, received, or sent over the Computer Systems. The Center may monitor or review any and all aspects of its Computer Systems and all files, documents or other

information contained or accessible through the Computer Systems for *any* reason and without the permission of any employee. This includes possible monitoring of web sites visited by employees, chat and news groups, e-mail, and blogs, as well as review of deleted files, metadata, and other electronic information stored on the Center's central back-up system or otherwise available as part of its data management. An employee does not have any greater right of privacy or otherwise diminish CFSSDS's right of access by using passwords or other security measures on the Center's Computer Systems.

Professional Use of Computer Systems Required

All the Center's policies with respect to workplace conduct apply equally to conduct with respect to its Computer Systems. This includes, but is by no means limited to, CFSSDS's policies against discrimination and harassment, sexual or otherwise, its non-solicitation policy, and its policies against disclosure of trade secrets or other confidential or proprietary information of CFSSDS or its customers. Employees may not use the Center's Computer Systems to download or copy copyrighted materials or another Company's trade secrets or confidential, proprietary information.

Creation, solicitation, posting or distribution of offensive e-mail messages, computer "wallpaper" and the like violate the Center's policies against harassment and discrimination. Although the Center may employ filters or other screening devices to block offensive, sexually explicit or inappropriate material, it generally is not possible to block out all such offensive content. Employees encountering or receiving this kind of material should immediately report the incident to their supervisor.

Be Courteous and Considerate of Others

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. E-mails, in particular, are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write e-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on CFSSDS letterhead. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them, absent prior approval from CFSSDS management. Finally, employees may not send unsolicited SPAM e-mail to persons with whom they do not have a prior relationship absent the express permission of their supervisor.

Preserve and Respect Confidentiality of Internal Electronic Data

All information stored in the computer system or data files or word processing documents is to be treated as confidential information, of a proprietary nature to the Center. Only certain information printed out as a word processing document for purposes of public correspondence may be considered non-proprietary or non-confidential.

Libraries for filing word processing documents have been identified for individual use and for department use. Access to libraries not related to the performance of one's job assignment is viewed as inappropriate behavior. Such action is similar to going through another employee's desk drawers and files. Accordingly, such inappropriate behavior will be subject to appropriate discipline, up to and including dismissal.

Limitations on Internet Use

Although CFSSDS recognizes that the Internet may have useful applications to CFSSDS's business, employees may not engage in random Internet use ("surfing the net", playing games, shopping, blogging or accessing or downloading entertainment software) during work time. CFSSDS's Computer Systems may not be used to disseminate, view or store commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, Trojan horse programs, etc.) or any other unauthorized materials. Management approval is required before anyone can use the Center's Computer Systems to post any information on commercial on-line systems or the Internet. Any approved material that is posted should contain all proper copyright and trademark notices.

On-line Representations with Respect to the Center and Its Information

Absent prior approval from CFSSDS to act as an official representative of CFSSDS, employees who make reference, on the Internet (including on a blog) to CFSSDS, CFSSDS employees, or service recipients or customers *must* include a disclaimer indicating that the thoughts and opinions expressed belong to the author and do not necessarily reflect those of The Center for Family Support.

Employees may not disclose trade secrets or other confidential or proprietary information of CFSSDS or its customers through blogs and other Internet postings. Violation of any provision of these subparagraphs with regard to on-line representations (even if posted by the employee outside of work hours and through non-Center computer systems) is grounds for disciplinary action, up to and including termination.

Maintaining and Securing the Systems

Users should routinely delete outdated or otherwise unnecessary e-mails, voice mails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to the Center's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer you are using is not connected to the Center's network.

In addition, files obtained from sources outside the Center, including disks brought from home; files downloaded from the Internet, news groups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain

dangerous computer viruses that may damage the Center's computer network. Employees may not download or use these disks or files on the Computer Systems without first scanning the material with Center-approved virus checking software. If you suspect that a virus has been introduced into the Center's network, notify the IT Department immediately.

Violations of Policy

Any employee who discovers misuse of any of the Computer Systems should immediately contact the IT Department. Violations of CFSSDS's Computer Systems policy may result in disciplinary action up to and including discharge.

COMPUTER SYSTEMS POLICY ACKNOWLEDGMENT FORM

I acknowledge that I have received a copy of CFSSDS Center's Computer Systems Policy. I agree to read it thoroughly, and agree that if there is any provision I do not understand, I will seek clarification from the Human Resources Department.

I understand that my use of CFSSDS's Computer Systems constitutes my consent to all the terms and conditions of that policy.

In particular, I understand that (1) the Computer Systems and all information transmitted by, received from, or stored in that system are the property of CFSSDS', (2) the Computer Systems are to be used only for business purposes and not for personal purposes, and (3) I have no expectation of privacy in connection with the use of the Computer Systems or with the transmission, receipt, or storage of information in those Systems.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to CFSSDS's monitoring my use of the E-mail system and the Internet at any time at its discretion, including printing and reading all E-mails entering, leaving, or stored in the system.

Date: _____

Signature: _____

Print Name: _____

ACKNOWLEDGMENTS

I hereby acknowledge that I received and read The Center for Family Support's **Personnel Policies & Procedures Manual** describing CFSSDS policies and procedures and my benefits as an employee of the Agency. I agree to follow the policies, procedures, and work and safety rules of The Center for Family Support.

I further acknowledge that I have been given an orientation to and understand the Agency's payroll system.

Date: _____

Signature: _____

Print Name: _____