



**MERCER COUNTY  
BEHAVIORAL HEALTH COMMISSION, INC.**

**Human Resources Policy Manual**

December 1, 2012

## **WELCOME TO THE BEHAVIORAL HEALTH COMMISSION, INC.**

It gives us great pleasure to welcome you to service with the Mercer County Behavioral Health Commission, Inc. The MCBHC has a long standing credible history of service to Mercer County and its varied populations.

The Behavioral Health Commission, Inc. is charged with the responsibility in Mercer County to serve as the single county authority for the administration, planning, and coordination of a system to meet the behavioral health and mental retardation needs of our citizens.

To do so responsibly and effectively, the MCBHC is dedicated to maintaining a qualified and highly competent workforce by providing a comfortable work environment as well as competitive compensation and benefits to promote personal and professional development and quality services. Excellence is the standard to which we at the MCBHC perform and serve by.

This Human Resources Policy Manual has been provided to you to offer explanation to various policies and procedures governing employment with the MCBHC. Upon review of this Manual or at anytime thereafter, please feel free to discuss questions or suggestions you may have with any member of Administration or your supervisor.

We wish you great success with your new position.

# **Mercer County Behavioral Health Commission, Inc.**

## **Code of Conduct**

The Behavioral Health Commission has established rules and standards to govern employee behavior and performance while on the job. It is required of every staff member to perform all actions, during the time he/she is working for the MCBHC or is perceived to be involved with the MCBHC, with the best interests and highest values of the Commission foremost rather than the personal needs or gain of the employee. Excellence in service to our clients, community, and co-workers through behavior demonstrated, shall be observed and practiced by all employed. For the purpose of this policy, client shall be defined as any individual who receives service from the MCBHC.

If any employee at any time is found to have taken action which is contrary to this policy and therefore not in the best interests of the MCBHC, disciplinary procedures as described in this Manual shall be taken with the employee.

### **Conflict of Interest**

An employee shall not engage in any activity that presents a conflict of interest or the appearance of a conflict of interest. If at any time an employee is contemplating an action which might be, or perceived to be, in conflict with Agency interests and standards, they should seek out advice from a supervisor or administration on how to deal with the matter.

### **Non-Discrimination**

An employee shall not discriminate against clients or others based on race, color, religion, age, sex, national ancestry, sexual orientation or economic condition, or persons with disabilities.

### **Professional Standards**

The employee shall maintain the highest professional standards. In so doing the employee shall:

- Carry out directives and instructions as issued by administration
- Report to work in appropriate attire with personal hygiene evident to appear professional to others at all times.
- Report to work on time and in a proper condition to render efficient and effective services.
- Provide the highest quality care possible.
- Dedicate him/herself to the best interest of the people served and to assist clients in helping themselves.
- Have a knowledge base of their clients' cultures and its relationship to human behavior.
- Be responsible, aware, and in compliance to all applicable State and Federal guidelines, regulations, and statutes regarding confidentiality.

## **Client Relationships**

The employee shall not:

- Engage in any verbal or physical sexual conduct with a client.
- Engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client.
- Provide service(s) to any individual who your own objectivity may be limited by a direct or indirect relationship – including friend’s family members, members of your own family, business associates, social acquaintances, etc.
- Transport client(s) in personal vehicles. Any Client transport must occur in an agency vehicle; however, employee must have prior authorization from employee’s supervisor or administration.
- Contact clients for any reason other than conducting agency related business.
- Give or receive gifts or money to or from a client without supervisor’s approval.
- Engage in any activity that would be considered harassment by the policies and procedures of the Agency.

## **Relationship with Associates/Service Providers**

The employee has responsibilities to associates and service providers including:

- Treating associates with respect.
- Avoiding unwarranted negative criticism of associates or service providers in communications with clients or other professionals.
- Cooperating with associates to service the well-being of the client.

The employee will not:

- Work for any agency/institution/organization making referrals to this agency or receiving referrals from this agency while employed by the MCBHC.
- Serve on the Board of Directors or Advisory Board of any agency receiving funds from this agency.

## **Relationship with Co-Workers**

The employee has responsibilities to co-workers including:

- Treating co-workers with respect.
- Avoiding unwarranted negative criticism of co-workers or providers in communications with clients or other professionals.
- Cooperating with co-workers to serve the well –being of the client.
- Providing support in problem solving.

## CONFIDENTIALITY POLICY

I shall respect the privacy concerns of those we serve who may use/abuse drugs and alcohol and those with various mental and developmental disabilities, and I shall hold in confidence all information obtained in the course of professional service, whether that information is obtained through written records or daily interaction with the person. Therefore, I will not disclose an individual's confidences to anyone, except as mandated by law; to prevent a clear and immediate danger to a person (not applicable to substance abuse clients); where I am compelled to do so by a court pursuant to the rules of that court.

I acknowledge and will utilize the MCBHC consent forms that are formatted to capture all of the required elements which include:

1. Name of client;
2. Name of program disclosing the information;
3. Name of person, agency or organization to whom disclosure is made;
4. Specific information to be disclosed;
5. Purpose of disclosure;
6. Statement of the client's right to revoke consent. (Revocation can occur in writing or verbally. The revocation will be recorded as a case note on the consent form.)
7. Expiration date of the consent;
8. Dated signature of client;
9. Dated signature of witness; and
10. Copy offered to client

I understand that the information to be released must be limited to that which is necessary to carry out the purpose of the disclosure. Any disclosure of patient identifying information must be within and limited to the following nine instances:

1. Consent of the patient.
2. Internal Program Communication
3. Communication that does not disclose patient identifying information
4. Medical Emergencies to medical personnel for immediate threat to health
5. Good Cause Court Order
6. Patient crimes on program premises or against program personnel
7. Research, audit or evaluation – further disclosure prohibited
8. State mandated reporting of child abuse/neglect
9. Qualified Service Organization Agreement (QSOA)

I further understand that the re-disclosure of any client information is prohibited.

I acknowledge and will uphold PA State regulation Chapter 255.5 which identifies Information that is necessary to carry out the purpose of disclosures to the following entities:

1. Judges
2. Probation/Parole Officers
3. Insurance Companies
4. Health or Hospital Plans
5. Government Officials (CYS, DPW, SSA)

I understand that releases of information to the entities listed above are conditional upon the execution of an informed, voluntary written consent from the patient. Where such consents

have been obtained, the information to be released must be limited to the following parameters, regardless of the type and amount of information the client agreed to on the written consent:

1. Whether the client is/is not in treatment
2. Patient's prognosis
3. The nature of the Project
4. A brief description of the patient's progress
5. A short statement of the client's relapse and the frequency of such relapse

Furthermore, I understand that the MCBHC is a HIPAA organization which is under 45 C.F.R. I am aware that 45 C.F.R. contains confidentiality requirements that may supersede the requirements of 42 C.F.R.

I acknowledge that client records and charts shall be considered confidential. Access to client records is restricted to MCBHC personnel with duties directly related to the delivery of client specific services and related state office representatives for the purpose of monitoring reviews.

All Client charts will be maintained in a secure, locked area for storage purposes. Client charts will be maintained in separate filing systems with access limited to agency staff specifically involved in the respective programs.

I agree to adhere to the security and confidentiality of electronic client information and files which will be upheld through my signature to the MCBHC's E-mail, Internet and Intranet policy.

If assigned to a drug and alcohol direct service or supervisor position, I will complete six hours of confidentiality training and three hours practical application of confidentiality laws and regulations within 365 days of hire.

MCBHC has the responsibility to protect sensitive employee and agency information and must maintain confidentiality of said information. The right of privacy is a personal and fundamental right which is protected by State and Federal statutes. Employees must understand the responsibility they have to protect confidential information. Confidential information includes, but is not limited to, SS#, home address and phone number, salary, medical, etc. I understand that it is my responsibility to maintain confidentiality with respect to employees, providers and agency financial information that I may become aware of through my position.

Employees are responsible for the protection of the information and the destruction of all files after the intended use is satisfied. Shredding bins are located throughout the agency for disposal of all confidential information.

Furthermore, upon my termination from my employment with this Agency, I shall maintain client and co-worker confidentiality and I shall hold confidential any information about sensitive situations within this non-profit.

I understand that violation of this confidentiality statement and failure to follow these policies may result in disciplinary action and may be grounds for immediate dismissal as specified in the MCBHC Human Resource Manual.

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## SECTION 1

### EMPLOYMENT

#### **1.1 Equal Employment Opportunity**

The Mercer County Behavioral Health Commission, Inc. recruits and selects an applicant on the basis of their relative ability, knowledge, skills, and reliability. The MCBHC maintains employment policies which oppose discrimination on the basis of race, color, political affiliation, religious creed, age, sex, national origin or veteran status and with proper regard for their privacy and constitutional rights as. Furthermore, no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be subjected to discrimination or be excluded during the recruitment and selection process consideration.

Employment opportunities shall be provided for applicants with disabilities and reasonable accommodation(s) shall be made to meet the physical or mental limitations of qualified applicants or employees.

Any employee, who believes they have been discriminated against, may file a complaint of discrimination with the appropriate office. See agency bulletin board for posting.

#### **1.2 Employment**

All new employees are required to participate in an employee orientation process designed to inform new employees about wages and benefits, general policies and procedures, agency standards of job performance, safety, and interpersonal skills within the employee workforce as well as the general public. This orientation will also provide specific information relative to the department and specific duties of their position.

All job specifications and qualifications will be based upon those established pursuant to standards as issued by the Personnel Divisions of the PA Department of Health and the PA Department of Public Welfare.

All employees are required to report, in writing, to the CEO, any violation of local, state, or federal law whether it be criminal or civil. It is the employee's responsibility to report this violation no later than two business days after such occurrence. A determination will then be made if appropriate disciplinary action is warranted.

As a condition of employment and continuation of employment, employee must NOT be excluded from reimbursement of Medicaid or Medicare. Specifically, the individual must not be on the Medicaid or Medicare exclusion list. If employee knows that they are on the list, they have a responsibility to report this information immediately, in writing, to the Personnel Department.

### **1.3 Clearances/Licensure/Certification**

Some positions at the Behavioral Health Commission will be required to be filled by individuals who possess or are eligible for a specific license and/or clearances, such as Pennsylvania Child Abuse History Clearance, Pennsylvania State Criminal History Record and Federal FBI background check. Additionally, other positions will require, when the applicant becomes eligible through tenure of service and knowledge in the field to achieve certification status respective of their position's area of responsibility. Employees in these positions will be required, upon successfully securing applicable clearances, licensure or certification, to maintain evidence of its continued current validity during the term of employment with the MCBHC.

The MCBHC may assist with the cost and time allowed to secure or obtain applicable clearances, licensure or certification. All employees are responsible to notify their supervisor of any change in data relevant to required clearances and/or suspension of applicable licensure or certification. Failure to fulfill these responsibilities during your employment with the MCBHC may result in suspension and/or discharge.

### **1.4 Hiring of Employees**

Individuals interested in employment with the Mercer County Behavioral Health Commission, Inc. may apply in person at the Mercer County Behavioral Health Commission's office, obtain an application from our website, or may contact the MCBHC at 724-662-1550 and request an application be mailed to them.

All selected candidates for employment vacancies, except that of the CEO, shall be interviewed and hired by a process identified by the CEO. The CEO shall be hired by the Board of Directors who may delegate the functions to a Committee upon vacancy of this position. A candidate will be required to meet the minimum qualifications of that position being interviewed for before being considered for final hiring. For some positions, final approval may be required from the Commonwealth before the position is finally offered to a candidate.

All persons hired shall be employed for an initial introductory period of up to six (6) months. Employees are entitled to all of the benefits that are offered by the MCBHC as described in this Manual for each of the respective classes of positions. During the introductory period, employment may be terminated by the MCBHC without prior notice to the employee.

### **1.5 Employment-At-Will**

All employees are employed at will.

Employees are employed at their will. Either the employee or the MCBHC may terminate employment at any time, for any reason, with or without cause or notice. Only a signed writing, can alter this at-will employment relationship.

No statements made in pre-hire interviews or in recruiting materials alter the at-will nature of employment or imply that discharge will occur only for cause.

At the time of hire, employees are required to sign a written statement acknowledging that they are employed at-will and are subject to termination at any time, for any reason, with or without notice, and with or without cause.

Completion of an introductory period does not change an employee's status as an at-will employee or in any way restrict the MCBHC's right to terminate such an employee or change the terms or conditions of employment.

## **1.6 Orientation/Probation**

*Orientation:* The MCBHC provides a formal orientation program for new employees.

The CEO or his designee is responsible for the overall development, coordination and implementation of the orientation program. Orientation covers corporate history, philosophy, policies, benefits, and new employee file documentation. All new employees are provided the additional support of a "Pathway Leader" for the initial 30 days of employment. The "Pathway Leader" will assist the new hire with building logistics, agency introductions, agency wide paperwork, etc.

Directors, Coordinators, and Supervisors are responsible for orientation as it applies to introducing the new employee to specific job and department responsibilities. The immediate supervisor may select a co-worker to serve as a model to facilitate the new employee's orientation.

### *Probationary Period:*

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. MCBHC uses this period to evaluate employee capabilities, work habits, and overall performance.

All new and rehired employees work on a probationary basis for the first six (6) months after their date of hire. Any significant absence will automatically extend a probationary period by the length of the absence.

The MCBHC may determine that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance. Therefore, the probationary period may be extended for a specific length of time.

The employee's performance is evaluated throughout the probation period in the areas of productivity, work planning & task completion, quality of work, development of job knowledge, reliability, attendance, and acceptance of supervision, adherence to policy, work relationships and judgment. If the employee completes the probationary period with an overall performance score of twenty-five (25) or above, the employee enters the "regular" employment classification. If the employee completes the probationary period with an overall score of twenty-four (24) or below, the probation period may lead to an extension of probation or termination of employment. In addition, if the employee fails to provide the employer the necessary paperwork for employment, i.e.; copy of diploma, original transcripts, Act 33, Act 34 and Federal FBI Clearances, the probationary period may end in suspension or termination.

During the probationary period, new employees are eligible for those benefits that are required by law, such as worker's compensation insurance and Social Security. They may also be eligible for other MCBHC provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

## **1.7 Employee Status**

Employee status at the MCBHC depends on the following factors: authorized hours worked, and exempt vs. non-exempt status (in accordance with the Fair Labor Standards Act). Authorized hours worked refers to your total number of authorized, required hours per pay period and determines if you are considered full-time, part-time, or occasional status employee.

### *Regular Full-Time*

In order to be considered a full-time employee, your authorized hours of work must equal seventy-five (75) per pay period.

### *Part-Time*

In order to be considered a part-time employee, your authorized hours of work are forty-five (45) or more but less than seventy-five (75) per pay period.

### *Occasional*

In order to be considered an occasional employee, your authorized hours of work are less than forty-five (45) per pay period.

### *Temporary*

A temporary employee is one who is hired for a specific period of time. This time frame will be identified in their employment offer letter.

If at any time your authorized hours of work are changed for any reason, you are encouraged to contact administration to determine if the change affects your eligibility for benefits.

The MCBHC reserves the right to adjust hours of employment accordingly. A temporary adjustment in hours does not necessitate a change in employee status.

## **1.8 Promotion and Transfer**

The Mercer County Behavioral Health Commission encourages its employees to develop personally as well as professionally within the organization. Employees may accomplish this by applying for a promotion or a transfer to a posted position.

### *Promotion:*

Eligible employees are those who have successfully completed the introductory period and whom we are not currently in a disciplinary issue involving steps 2 or above or involved in progress of a grievance due to disciplinary issues. Employees that apply for a promotion are requesting reassignment to a position in a higher pay/salary grade. Individuals that are promoted will receive the minimum starting salary for that position's pay grade or a percentage increase of 5% to 10% depending on experience, education and longevity.

### *Transfer:*

Employees that apply for a transfer are requesting reassignment to a position in the same pay/salary grade as the position currently held. In order to be considered for a lateral transfer, an employee must have eighteen (18) months minimum experience with the agency. Administration reserves the right to make a lateral transfer sooner if it is determined to be in the best interest of the agency.

### *Promotion/Transfer Procedures:*

Position vacancies with the MCBHC are posted on the employee bulletin board located in the agency lunchroom, as well as e-mailed to all MCBHC employees. These vacancies, when they occur, are posted for a minimum of two (2) working days. Job postings are updated on an as needed basis as the vacancy is identified. Regular employees are eligible to apply for a promotion or transfer as long as the above requirements are met.

When selected for a transfer or promotion, the time period before the employee changes positions will be determined by Administration to allow opportunity to provide coverage or to fill the position being vacated.

If you are interested in pursuing a promotion or transfer after discussion with your immediate supervisor, please do so by putting your request in writing to the CEO, and forward a copy of such correspondence to your supervisor.

## **1.9 Wage and Salary Compensation**

It is the policy of the Mercer County Behavioral Health Commission, Inc. to provide a competitive pay for each employee to recognize quality work, continuous good service, and sound performance. Wages will be formulated by the scale adopted by the Board of Directors of the MCBHC. Annual raises will be considered on the employee's annual performance evaluation date, and will be made in accordance and commensurate with the results of the annual evaluation to evaluate the employee's job performance throughout the past year. The performance standards to which the employee will be evaluated upon will be relative to the specific expectations related to the job description of the employee. Job factors in which performance standards will be measured will include job knowledge and skills; work results; communication skills; interpersonal relations/skills; work habits; supervision and management (where applicable).

Positions at the MCBHC are placed in job classes which contain a minimum and maximum level of compensation, whether the position is salary or hourly. A variety of factors are referenced to categorize jobs into their respective classes including minimum requirements pertaining to education and experience; certification and/or licensure; and responsibility requirements. When hired, employees will be assigned at a salary or hourly level applicable to and within their job class.

All employees will be reviewed at minimum on an annual basis, and if eligible based on the results of a Job Performance Evaluation and availability of funds, may receive an increase, the result not to exceed the maximum compensation level for their job class. New hires will be evaluated and considered for their first merit increase on their one year anniversary date and every January thereafter. *Exception:* An employee hired in the last quarter of the calendar year will receive the one-year evaluation on their anniversary date; however, thereafter, the employee

would receive their annual performance evaluation not at the next January 1 but the following January 1. If an employee is on any type of leave, LWOP or FMLA, they will not receive evaluation until they return to work.

Anniversary date is the date of hire. Should a part-time or occasional employee be changed to regular full-time status, the anniversary remains the date of original hire.

A promotion or a demotion may warrant a change in wage. Please see section 1.8 for additional detail.

### **1.10 Overtime/Commensurate Time**

Full time non-exempt employees who are regular full-time and are assigned to work a schedule of more than forty (40) hours per week shall be compensated for this additional time worked. Hours worked over forty (40) shall be computed by taking the actual time over forty hours worked and multiplying by one and one half times the employee's regular rate of pay. Paid time off such as vacation, personal days, holidays, sick time, etc. shall not be considered as time worked when computing this overtime.

Eligible employee classes will have the option of taking the compensation for this overtime worked in additional pay or commensurate time off. Each shall be computed by taking the actual excess time worked and multiplying by one and one half. The only exception to this rate of calculation will be to additional time accrued for overnight travel. Overnight travel is defined as a to and from trip that is work related that keeps the employee away from home for one night or more. Time generated for overnight travel beyond the 40 hour work week will be provided back to the employee in the form of flex time only in Pennsylvania in accordance to wage and hour laws at an hour for hour calculation. For monetary compensation, the employees base hourly rate of pay shall be used as basis for this calculation.

Overtime work must be authorized before it is performed except when extenuating circumstances are presented or exist. Where possible and when job tasks necessitate, employees will be given a minimum of three (3) hours notice when they are needed to work overtime that respective day.

Commensurate time off shall be scheduled upon consent of management or the respective supervisor. First preference will be made to schedule this time off within the same pay period for which the overtime was worked. Final discretion as to the earning of overtime and the scheduling for use of the same will remain with administration.

### **1.11 On-Call/Crisis/Emergency**

To provide for continuous operations of specific services of the MCBHC if and when required, a system has been created to ensure that personnel are available for these increased workloads or emergencies. This system will be explained as part of the Central Intake/ Emergency and Case Management Service Delivery of the MCBHC. All direct service classed positions are required to participate in the On-Call Crisis Services, while employees of the Central Intake Department are required additionally to participate in the delivery of emergency delegate services. Other direct service staff may participate in these services if desired.

## **1.12 Method of Payment**

Employees of the MCBHC will be paid every other Thursday for days worked for the previous two (2) weeks ending with the prior Saturday. A pay period shall consist of two consecutive weeks beginning on Sunday and ending on Saturday of the following week.

Employees will be paid according to the name on their social security card submitted to the MCBHC. It is a requirement from the federal government to submit accurate social security information. Therefore, as a result of a name change, for any reason, a copy of the new social security card must be submitted to HR before a name change in payroll can be processed.

Note: You may call 1-800-772-1213 to request Form SS-5, application for a social security card, which covers name changes.

## **1.13 Payroll Deductions**

The MCBHC will be responsible for payroll deductions as may be required by federal, state, and local law or for any other reason deemed necessary.

**SECTION 2**

**BENEFITS**

**2.1 Paid Holidays**

It is the policy of the MCBHC to observe the following paid holidays each calendar year. All full-time employees are eligible for paid holidays. The following days will be observed as these paid holidays:

- 1. New Year’s Day
- 2. Martin Luther King, Jr. Day
- 3. President’s Day
- 4. Good Friday
- 5. Memorial Day
- 6. Independence Day (July 4<sup>th</sup>)
- 7. Labor Day
- 8. Columbus Day
- 9. Veterans Day
- 10. Thanksgiving Day
- 11. Day After Thanksgiving
- 12. Christmas Day

Specific dates of each of these Holidays will be issued to employees in January of each year.

Part-time, Temporary and Occasional employees are not eligible for this benefit.

No Holiday pay will be extended to any full-time MCBHC employee while on disability or on leave without pay status.

**2.2 Paid Vacations**

Employees shall be entitled each calendar year to an annual vacation with pay, according to the following schedule:

<u>Years of Service</u>	<u>Weeks of Vacation</u>
6 months but less than 1 year	1
1 year but less than 5 years	2
5 years but less than 10 years	3
10 years or more	4

Employees shall be credited for vacation time commencing from their anniversary date once their introductory period has been completed and approved. This vacation time shall be earned at the rate of 6.25 hours per month up to two (2) weeks, and 9.375 hours for three (3) weeks, and 12.5 hours for (4) weeks.

Employees in the Introductory/Probationary Period do not earn vacation until successfully achieving regular status.



Occasional and temporary employees are not eligible for vacation leave.

Part-time employees shall earn three days vacation after successful completion of six (6) months of employment to a total maximum of six (6) days after one year of employment. Part-time employees may be permitted to carry over three (3) days, 22.50 hours, from year to year.

Employees shall be encouraged to take vacation time of not more than two (2) consecutive weeks at any given time; however, exceptions may be made upon prior approval from Administration. The employee must be in paid status at least ten (10) days during a month in order to earn any vacation leave for that month. Vacation time requested must be submitted through the employee's immediate supervisor for approval at least one (1) week prior to the commencement of the planned vacation period whenever possible. If necessary, Administration reserves the right to deny a vacation request. No vacation time in excess of five (5) days, 37.5 hours, will be permitted to be carried over/compensated from year to year unless approved by the CEO.

An employee that is separated from employment from the MCBHC due to resignation, or retirement, shall be compensated by wages equivalent to the accrued vacation leave. In the event of an employee's death, such payment will be made to the employee's beneficiary. The final allotment of vacation shall be determined by the CEO or the Board of Directors. Employees who quit voluntarily without giving ten (10) working days notice or are terminated for cause shall forfeit all rights to any accrued vacation.

\*Vacation time may be scheduled in no less than one hour increments.

\*ALL final "Requests for Time Off" for vacation time must be submitted to your supervisor for processing no later than November 15th of each calendar year.

### **2.3 Personal Leaves of Absence**

Personal leaves may be granted under extenuating circumstances, approved by the CEO and the Board of Directors.

### **2.4 Military Leave**

Any employee who is a member of the National Guard or Reserves, and is directed to participate in periodic field training, will receive unpaid military leave for a maximum period of 15 calendar days annually. Such leave shall not affect your normal vacation in any way.

### **2.5 Worker's Compensation**

Employees will be protected under the State worker's compensation law against loss of income due to injury or death that occurs during work activities. Employees must report all job-related accidents, injuries and illness immediately after experiencing systems. The MCBHC insurance carrier will determine the benefits, if any, the employee is entitled to. Any employee injured on the job must report the injury immediately to their supervisor, regardless of whether

the injury is minor or of no apparent significance and must complete accident/incident report within 24 hours to be sent directly to the Human Resource Department. An incident report and other related insurance forms will be completed as deemed necessary.

## **2.6 Jury Duty and Court Subpoenas**

All employees are eligible for paid leave if summoned for jury duty. Employees will receive their normal pay for regularly scheduled work days, minus any compensation received from the court system. Employees must submit a copy of their compensation check to Human Resources for proper adjustment. Reimbursement for meals or mileage need not be reported.

Employees subpoenaed to testify as a witness in a judicial proceeding will only be eligible for paid leave if it is work related.

After notifying their supervisor of their responsibility to report to the court system, employees must immediately forward a copy of the court's notice to Human Resources.

## **2.7 Sick Leave**

Only full-time employees are eligible to earn sick leave which is earned at the rate of 6.25 hours for each month of employment or at ten (10) days per year. Sick leave must be earned before it will be granted. The employee must work at least ten (10) days during the month to earn sick leave during that month. Any unused portion of sick leave shall accumulate, but may not exceed a total of 125 working days (937.5 hours) and may only be used for the purposes specified if and when needed.

No substitution of sick leave for vacation or holiday time shall be allowed for illness incurred while taking Holiday, Vacation time or Personal Day. An employee may be required to show proof of illness for any sick leave.

In using sick time, employees are required to report off verbally (or only in the case of a medical emergency or hospitalization have someone else call on their behalf) to their immediate supervisor between 7:00 a.m. and 8:45 a.m. on the day you are reporting off. Should your immediate supervisor be out of the office you should report off to Human Resources or last a clerical staff member. Voice or e-mails are unacceptable means of reporting off. Sick time must be documented on the appropriate form to be turned into the employee's respective supervisor for approval and processing to the HR Department.

Employees terminating employment shall not be entitled to any reimbursement for unused accumulated sick leave. Retiring employees please refer to Section 8.3.

Doctor appointments, dental appointments, and optical appointments, etc. do not warrant usage of a full (7.5 Hours) sick day. These appointments should be scheduled to be as least disruptive to the employee's work day. Any other usage needs written approval from CEO.

Sick time may also be utilized for children of employee that are living with employee and are under the age of eighteen (18). All new hires must have completed thirty (30) days in paid

status before any sick time may be utilized. Up to three of the ten sick days per year may be used for a serious illness of an immediate family member where the employee has a caretaker role (spouse, father, mother, or adult child).

Employee must indicate the use of their time on both a time-off slip and their timesheet. Sick time is to be coded as follows: ES – Employee Sick, CS – Child Sick or FS – Family Sick.

Buyback of sick time – Active employees with sick time balance of more than 30 days may elect to buy back a maximum of ten sick days in excess of said 30 days one time per calendar year. This may be done by completing the Sick Time Buy Back form and submitting it to Personnel by November 15<sup>th</sup> each year. Reimbursement will be made at one-half of the employee's regular rate of pay and will occur with the first pay date in December.

*Sick time requested for more than five consecutive days will be applied to FMLA, see Section 2.10 Family and Medical Leave of Absence. This time will count towards the allowable twelve (12) weeks per calendar year.*

## **2.8 Other Employee Benefits**

All full-time employees will be provided the following additional benefits as outlined below. The Behavioral Health Commission reserves the right to cancel or revise policies and/or policy holders providing these benefits which are in addition to those mandated by law.

1. Health Insurance - All new full-time employees will be eligible for health insurance the first of the month following fifteen (15) days of employment unless they are or will be covered under another existing policy equal to the current group plan of the MCBHC. Equal to the current plan shall apply to related health coverage. Subsequent enrollment changes can only occur during MCBHC's annual open enrollment period or due to a qualifying event which includes loss of coverage, marriage, birth or adoption of a child. It is further acknowledged that the MCBHC may review and adjust the employee premium share and level of coverage available to all applicable employees on an annual basis.
2. Life Insurance – All full-time employees will have life insurance coverage in the amount of one and one-half times their annual salary with standard reduction of benefits at age 65, 70 and 75 as detailed in contract. Employee's effective date of coverage will be the first day of the month following their date of hire. All life insurance benefits will be terminated on the employee's last day of work.
3. Disability Insurance – All full time employees will be covered under short term and long term benefits on the first day of the month following their date of hire. All disability benefits will be terminated on the employee's last day of work.
4. Retirement - Mercer County MCBHC participates in a 403(b) retirement plan for all employees who meet eligibility. An employee who works 1,000 or more hours per year is eligible to participate in the plan. Employees who are initially hired to work 1,000 hours or more are eligible to participate in the plan through salary deferrals on their date of hire. Upon completion of one year of employment, an eligible employee enrolled in the plan will be eligible for the employer contribution. The employer contributions will not occur until the first of the month coinciding with or next following the date you satisfy the Plan's eligibility requirements.

The employer contribution will be a two for one match up to 2.5% of the employee's gross wages. Employee and agency contributions will be paid into the individual's 403(b) retirement account on a regular basis once the enrollment process is complete. MCBHC may contribute an increased share depending on the availability of funds within the agency approved annual budget for employee benefits. These contributions will follow plan guidelines.

The IRS sets maximum annual amounts in which the employee can contribute. There are also catch-up rules for individuals age 50 and older. Please see HR if you need further information on contribution limits.

*Please see the agency plan documents for further information.*

## **2.9 Personal Benefit Account**

The MCBHC provides funds to each full-time employee to utilize toward other miscellaneous benefits. This personal benefit account will be used to reimburse each employee for expenses incurred by the employee or family member for the following services: dental, vision, any treatment prescribed by the physician not covered by the hospitalization plan, prescriptions (only those issued by licensed practitioner), not covered by hospitalization, and other eligible related miscellaneous benefits as identified by Administration on an annual basis. This amount is established for a fiscal year period (July 1 - June 30) and is prorated at \$20 per month not to exceed \$200.00 per fiscal year. **The amount of this miscellaneous benefit account established for each full time employee may vary from year to year dependent upon availability of funds.**

Any employee hired after April 30<sup>th</sup> during a fiscal year will not be eligible for this benefit during this same fiscal year as hired, but will become eligible with the new fiscal year (July 1).

The Personal Benefit Account form is to be used to draw down these funds and proper documentation/receipt(s) are to be attached. Expenses related to MCBHC health plan deductibles are not eligible for reimbursement. Employees should try to limit their submissions to three a year. Receipts must be for services in the current fiscal year.

At the end of each fiscal year, all employee balances remaining over \$5.00 will be reimbursed to the employee through the second paycheck in June of that fiscal year.

## FAMILY AND MEDICAL LEAVE

### Purpose:

The purpose of this policy is to implement the Family and Medical Leave Act of 1993 (FMLA).

### Authority:

The **Family and Medical Leave Act** of 1993 (**FMLA**) is a United States federal law requiring covered employers to provide employees job-protected and unpaid **leave** for qualified **medical** and **family** reasons (P.L. 103-3)

### Scope:

An eligible employee is either exempt or non-exempt, on regular status, and is one who has been employed by the MCBHC for at least 12 months and at least 1,250 hours in the past 12 months.

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## POLICY

### Policy Statement

Mercer County BHC will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. The 12-month period is calculated on a calendar year 12 months. Should an employee access FMLA leave for a total of twelve (12) weeks, either consecutively or on an intermittent basis, the MCBHC will hold this employee's original job position for said twelve week period.

### **I. ELIGIBLE EMPLOYEES**

An eligible employee is one who has been employed by the MCBHC and worked at least 12 months and at least 1,250 hours in the past 12 months.

### **II. REASONS FOR LEAVE**

Employees are entitled to take Family & Medical leave for the following reasons:

- a. the birth of the employee's child,
- b. the placement of a child with the employee for adoption or foster care,
- c. the need to take care of the employee's child within a twelve (12) month period from birth or placement,

- d. the need to take care of the employee's immediate family member (spouse, parent, son, or daughter) who has a serious health condition, and
- e. the serious health condition of the employee\* (see below)
- f. Qualified Exigency leave related to a member of the immediate family who is on active duty, or called to active duty, or
- g. Military Caregiver leave to care for a member of the immediate family or next of kin who is seriously injured or ill while on active duty. Military Caregiver leave may last up to 26 weeks.

For family leaves due to the birth, adoption, or placement of a child, the employee must satisfactorily substantiate the need for the leave.

\*Serious Health Condition - is an illness, injury, impairment, or physical or mental condition that involves either:

1. In-patient care in a hospital, hospice, or residential medical care facility, home care, or
2. Continuing treatment by a health care provider. "Serious health condition" means conditions or illnesses that affect the employee's health or the health of the employee's immediate family and require an absence of at least three days for treatment or recovery. The family member must be hospitalized or at home and unable to care for his/her own basic hygienic or nutritional needs or safety. Intermittent FMLA leave is available for serious health conditions as well, as described in Section III of this Policy.

Family & Medical leave is not intended to cover absences that last less than three days or short-term medical and/or surgical procedures with a brief recovery period of less than three days, which are normally handled through sick leave. With respect to an eligible employee, a serious health condition means that the employee must be incapacitated from performing the essential functions of his/her position.

### **III. INTERMITTENT OR REDUCED LEAVE**

In the case of documented medical necessity, an employee shall be entitled to intermittent leave and/or a reduced schedule that reduces regular hours per workday or workweek for purposes of the employee's or the immediate family member's serious health condition. The employee must make a reasonable effort to schedule intermittent leave or leave on a reduced schedule so as not to disrupt the operations of the Company's applicable unit.

Employees may be granted leave reducing regular hours per workday or workweek for reasons of child birth, placement with the employee of a child for adoption or foster care, or care for a newborn child to the extent that the intermittent or reduced leave does not represent an undue hardship to the operations and work schedules of the applicable Company. Note: Documented need is required for both Exigency Leave and Military Caregiver leave in order to take intermittent or reduced schedule leave.

The Chief Executive Officer (CEO) may temporarily reassign an employee on intermittent or reduced FMLA to an alternative position that better accommodates reduced or intermittent periods of leave.

#### **IV. INTEGRATION OF OTHER LEAVE TAKEN WITH FAMILY AND MEDICAL LEAVE ENTITLEMENT**

Employees are required to substitute accrued paid leave for FMLA leave as follows: FMLA leave runs concurrently with other types of leave. For FMLA leave, the employee must first access his/her personal time (sick, personal days, and/or vacation\*) as it is available and applicable to the FMLA Leave. FMLA and Worker's Compensation run concurrently. Therefore, an employee on a Worker's Comp claim CANNOT be required to take accrued time off.

\*An employee may reserve up to 37.5 hours of vacation for later use after return to work. Any utilization of reserved vacation hours within three months of an employee's return to full time work is subject to the approval of the immediate supervisor, managing administrator and the CEO.

Please refer to Sick Time policy for utilization of this benefit time.

#### **V. EMPLOYEE BENEFITS**

While on a FMLA leave of absence, the employee's existing health coverage, life and disability insurance will continue for up to twelve (12) weeks from the date the leave began provided the employee continued to pay their share of the cost, where applicable, during this same time period. If an employee does not return to work upon completion of leave, that employee will be responsible to reimburse the employer for all benefits paid on employee's behalf.

- If the FMLA leave is substituted with paid leave, the premium share will be paid by the method normally used during any paid leave,
- If FMLA leave is unpaid, payment is due on the same the first of the month of the coverage period.

#### **Procedure Statement**

#### **VI. NOTICE/CERTIFICATION/CONTINUING LEAVE**

1. Employees will be required to provide written notification of a known situation or condition to their immediate supervisor and the Human Resources Specialist upon confirmation by a physician of the pregnancy or intent for adoption, or other need and planned date for leave to commence. All employees requesting Family Medical Leave must complete the appropriate FMLA Request form from Human Resources and return to HR for processing and approval by the CEO. If the leave is foreseeable, a 30-day advanced written notification is required. If the need for leave is not foreseeable, employees are required to provide as much notice as soon as practicable under the facts of the particular case. An employee requiring unforeseeable leave must, absent extraordinary circumstances, call his or her direct Supervisor and provide sufficient information regarding the employee's need for leave to support a request for FMLA leave. It generally should be practicable for the employee to provide notice of leave within one business day.

2. If an employee requests a Family Medical Leave of Absence to provide care for a spouse, parent, son, or daughter, you will be required to submit, within fifteen (15) days of your request, an approved health care provider's certification specifying the date on which your family member's serious health condition requires your care, the anticipated duration of the condition, the diagnosis with any appropriate medical facts, and also attestation that you are needed to care for the family member and the amount of time you will be absent from work.
3. When an MCBHC supervisor or administrator learns an employee has been out of work for more than three consecutive days and has received medical care for a serious health condition, they are to immediately notify the HR Specialist who, in turn, will notify the CEO. The CEO may conditionally designate the leave as FMLA leave from the start of the leave of the absence, even if the employee has not returned the medical certification.
4. Medical Certification forms, as provided by the HR Specialist, are due back within 15 calendar days of receiving the form. If the Medical Certification form is not returned within 15 calendar days of the Employer's request for information, the employee's leave will not be considered FMLA qualifying.
5. If the absence is not covered under FMLA and the employee does not have paid leave time available, the employee will be considered in violation of MCBHC's attendance policy.
6. MCBHC may require an employee to submit re-certifications on a periodic basis.
7. Upon completion of an FMLA period directly related to that employees own health, MCBHC requires a certification from the primary health care provider stating the employee is able to resume working.



## **2.11 Bereavement Leave**

Up to three (3) days paid bereavement leave may be granted for a death in the immediate family of a full-time employee.

“Immediate Family” shall include father, mother, husband, wife, grandparent, brother, sister, son, daughter, or mother, father, sister, and brother in-law.

One day leave for funeral will be granted for grandparent in-law.

Part-time employees are not eligible for bereavement leave. They may adjust their work schedule, use vacation time or take time off without pay.

## **2.12 Personal Days**

A full-time employee may be eligible for two personal days per calendar year. Personal days may be used by an employee at any time throughout the year by giving prior notice to the immediate supervisor. No entitled personal days shall be carried over from year to year.

New hires shall receive prorated personal days for their first calendar year as follows:

<u>Dates</u>	<u>Days</u>
January 1 <sup>st</sup> thru March 31 <sup>st</sup>	2
April 1 <sup>st</sup> thru June 30 <sup>th</sup>	1 ½
July 1 <sup>st</sup> thru September 30 <sup>th</sup>	1
October 1 <sup>st</sup> thru November 15 <sup>th</sup>	½

All new hires must have completed thirty (30) days in paid status before any personal days may be taken.

Personal days may be used in whole day (7.5 hours) or half day (3.75 hours) increments only.

## **2.13 Expenses and Travel Compensation**

Any employee required to travel as part of their responsibilities will be reimbursed as follows:

**Expense Reports:** The applicable approved rate specified by the MCBHC for that period of time for mileage to and from locations in line with MCBHC business shall be paid. All other travel expenses shall be reimbursed on the basis of actual out-of-pocket costs required on the job. Travel expense reports shall be approved by administration before payment is made. CEO travel expense reports will be approved by the Board President. Supporting receipts that may have occurred within the specified guidelines shall be attached to the expense voucher to verify other related expenses such as meals, parking, tolls, etc. Travel expense reports should be turned in no later than the 5<sup>th</sup> of each month to the employee’s immediate supervisor. Reimbursement will be made within fifteen (15) days. At fiscal year end, all travel reimbursement must be submitted by July 5<sup>th</sup> for prior year expenses to receive reimbursements.

**In-County Travel:** It is the expectation of the MCBHC that if an agency vehicle is available an agency vehicle may and should be accessed for everyday home visits, travel to provider agencies, utilized for school service delivery, etc. Policies related to the appropriate care and use of these vehicles when accessed will be strictly adhered to by all staff and management. There is no meal allowance for in-county travel, however, the agency will reimburse employee's participation in breakfast, luncheon, and dinner meetings attended in connection with official duties of Advisory Councils, Membership Meetings, etc. Any other exceptions must have prior administrative approval.

**Out-of-County Travel Not Overnight:** Staff out-of-county travel must have prior administrative approval. A vehicle of the MCBHC will be made available whenever possible. As out-of-county travel is required, an attempt to schedule the use of an agency vehicle must be made prior to the employee using their personal vehicle. Only when an agency vehicle is unavailable for out-of-county travel will mileage for personal vehicle be reimbursed. The scheduling of an agency vehicle should be made as early as possible. There is no meal allowance for out-of-county not overnight travel, however, the agency will reimburse employee's participation in breakfast, luncheon, and dinner meetings attended in connection with official duties of Advisory Councils, Membership Meetings, etc. Any other exceptions must have prior administrative approval.

**Overnight Travel:** Staff overnight travel must have prior written administrative approval. A vehicle of the MCBHC will be made available whenever possible. An attempt to schedule the use of an agency vehicle must be made prior to the employee using their personal vehicle. Overnight travel mileage for personal vehicle reimbursement will be made only when an agency vehicle was not available. In the event of travel involving airfare, extended lodging, etc. as in the case of a statewide conference, the matter will be brought before the CEO for prior approval of attendance and reimbursement.

Hotel/lodging costs are limited to \$28.00 (plus tax) per night in cities of less than 100,000 population. If these rates are not available, the lowest price available through (3) telephone bids will be acceptable. Staff is required to document the three bids and submit this record with the lodging requisition. The only exception to the three bids will be lodging at the conference location. This exception must be documented by staff making the request.

Meal allowance for overnight travel, including tips and other subsistence expenses shall not exceed the state maximum of \$28 per day. Overnight travel that is not part of a full 24-hour period will be divided into six-hour periods as follows:

0 to less than 3 hours	\$ 0
3 to less than 9 hours	\$ 7
9 to less than 15 hours	\$14
15 to less than 21 hours	\$21
21 to 24 hours	\$28

## **SECTION 3**

### **EMPLOYEE RESIDENCY**

It is the belief of the Administration and Board of the MCBHC that residency within the borders of Mercer County affords numerous advantages to the quality of life of our employees and their families. Upon initial hiring, or if and when the employee relocates their place of residency, employees are asked to show a good faith effort to gain or continue residency within Mercer County.

## **SECTION 4**

### **EMPLOYMENT OF STAFF OUTSIDE OF AGENCY**

Employees shall not engage in or accept outside employment for services with a person, firm, or corporation when such service or employment:

- a) Incompatible or inappropriate with the proper discharge of the responsibilities of employment with the MCBHC or would impair independence of judgement or actions in such employment; or
- b) Involves such hours of work or physical effort that it would or could be reasonably expected to reduce the staff member's quality or quantity of service to the MCBHC.

Employees who are engaged in or planning to engage in outside employment must receive approval from Administration prior to confirmation of this outside employment by submitting a written request to CEO through Supervisor.

## **SECTION 5**

### **DISCIPLINE**

The Board of Directors of the Mercer County Behavioral Health Commission, Inc., shall consider that the CEO serves as the administrator of services of the MCBHC. The Board of Directors has sole discretion in the hiring, discipline, and if it should become necessary, termination of the CEO.

At the same time, it is the policy of the Board of Directors that all other members of the staff of the MCBHC shall serve under the sole discretion of the CEO who shall exercise appropriate actions as to the hiring, discipline, and if necessary termination of other members of the MCBHC staff as so defined.

In the event that the Board of Directors; the CEO, or designated Administrative staff of the CEO, determine that disciplinary action is necessary, the following steps will be taken to minimize or eliminate future infractions. Administration will reserve the right to initiate steps 2 or 3 without consideration to #1 should the severity of the infraction be deemed warranted.

1. Verbal Warning

Verbal notification will be given to the employee during a meeting to discuss the nature of the violation and to develop terms for correction. This verbal warning shall be documented and placed in the employee's personnel file. A verbal warning shall be removed from the employee's personnel file one (1) year from the date of occurrence provided there are no subsequent warnings given within that time frame.

2. Written Warning

A staff member may be given a written warning which will include reasons for the warning, interpretation of the severity of the offense, and the performance expectations to correct or resolve the problem. This record will then be placed in the employee's personnel file.

3. Suspension

From time to time there may be situations, actions, or the continuation of actions which will constitute grounds for suspension. An employee may be suspended without pay for a period of up to ten (10) working days by the Administration. After a full investigation, the employee's employment status will be one of the following:

- a) Return to regular status
- b) Return to introductory status
- c) Dismissed

If probation is required, the employee may be placed on probation for thirty (30) to sixty (60) days, exclusive of time off. Written notification to the employee shall include reasons for such action and specific criteria to be met to return to regular status. When a dismissal becomes necessary, a final evaluation shall accompany the dismissal notice which will describe job performance, specific reason for termination with an effective date. The MCBHC shall be responsible for accrued salary and unused vacation time up to the date of suspension. Finally, in the event that such charges are not substantiated, the employee shall be reinstated without loss of pay or benefits.

## **SECTION 6**

### **MAINTENANCE OF DISCIPLINARY ACTION**

All disciplinary actions imposed are documented and recorded and become a part of the employee's personnel file.

The employee will be given the opportunity to complete a statement of facts as he/she sees them and note any commitment to make corrections. An employee will be requested to sign and date the disciplinary action notification to certify that he/she has been informed of the violation and the consequences of continued violation(s). The signature of employee will not indicate total agreement or concurrence. An employee who disagrees with the discipline may utilize the complaint resolution procedure as outlined in Section 7, Grievance Resolution Process.

*A verbal warning shall be removed from the employee's personnel file one (1) year from the date of occurrence provided there are no subsequent warnings given within that time frame.*

## **SECTION 7**

### **GRIEVANCE RESOLUTION PROCESS**

It is the policy of the Mercer County Behavioral Health Commission, Inc., to resolve employee problems/grievances in a fair and equitable manner, and to encourage a cooperative relationship among and with all staff.

When an employee feels that he/she has been unfairly treated, harassed in any way or discriminated against or that any other intent of these policies has been violated, the following steps may be taken in an attempt to reach a satisfactory settlement. The Grievance Resolution Process shall be applicable to all employees beginning with their first day of employment.

An eligible employee can present a written summary of an alleged violation, misinterpretation or misapplication of a MCBHC policy regarding benefits, compensation, conditions of employment, or disciplinary action, without fear of retaliation, embarrassment, or recrimination. The complaint resolution process is an internal process only.

#### Step One:

The employee with a grievance must first discuss it with his/her immediate supervisor within five (5) working days of the alleged violation. The supervisor shall attempt to resolve the grievance to the mutual satisfaction of the employee and the administration within three (3) working days of its presentation. The supervisor will then report the decision to the employee verbally. If the employee does not proceed with the grievance to step two, as described below and within the time limits prescribed, the grievance shall be considered satisfactorily resolved.

### Step Two:

If the employee is still not satisfied with the response after Step One has been completed in the Grievance Resolution Process, he/she can elevate the complaint to Step Two. The employee must contact in writing their respective department Director within three (3) working days following the receipt of response at Step One. The department Director within three (3) working days will examine the details of the written complaint elevation, conduct a thorough investigation which will include but not be limited to a review of the findings and decision at Step One, and issue a written decision to the employee. This decision will be presented to the employee during a face to face meeting to be held upon conclusion of these actions at Step Two.

### Step Three:

If the employee is not satisfied with the response at Step Two of the Grievance Resolution Process, he/she can elevate the complaint to the third and final step. The employee must contact in writing the CEO within three (3) working days following the receipt of response at Step Two. Within five (5) working days of receipt of the complaint elevation, the CEO will examine the details of the complaint, conduct a thorough investigation, review the findings and decision of the previous Steps, and issue a written decision to the employee. The CEO shall also maintain the discretion to consult the Personnel Committee of the Board of Directors when/wherever necessary through this process prior to and following issuance of the decision. The response issued at Step Three is final and will constitute closure of the complaint.

During the Grievance Resolution Process, the employee must comply with the time limits specified to provide for prompt consideration and action as well as resolution to a problem. If the employee fails to comply within the established time limits, the complaint shall be considered resolved.

## **SECTION 8**

### **SEPARATION FROM EMPLOYMENT**

Separation from employment may be initiated by the employee or the MCBHC for various reasons. The following should be referred to as the proper methods of separation:

#### **8.1 Resignation**

Resignation is separation from employment at the request of the employee. Notification of resignation must be made in writing by the employee noting the reason for leaving and the last day to be worked. A minimum of ten (10) working days must be provided with the notice of resignation. Administrative positions will require fifteen (15) days notice. Paid days off or holidays are not to be considered as part of the minimum required notice. Only employees who adhere to this guideline will be eligible to receive earned vacation and personal compensation due at resignation and are eligible to apply for re-employment with the MCBHC.

**No sick time will be approved without a doctor's excuse within the appropriate required notice.**

## **8.2 Disciplinary Discharge**

The effective date of separation for employees who are discharged is the date termination is imposed. Disciplinary discharge may be made for serious reasons, including but not limited to the following:

- 1) Insubordination
- 2) Inability to perform functions of an employee's position, including but not limited to ineffective or inappropriate actions with a client, the public, or other Commission staff members.
- 3) Excessive tardiness and/or unannounced absences.
- 4) Use or involvement with illegal drugs or other criminal conduct during non-working hours.
- 5) Use of illegal drugs and/or alcohol during working hours.
- 6) Failure to meet the terms of introductory status.
- 7) Abandonment of position.
- 8) Misuse of Agency Assets
- 9) Non-Compliance to Code of Conduct

## **8.3 Retirement**

Employees wishing to retire are encouraged to provide a minimum of sixty (60) working days written notification of said retirement. The effective date of separation shall be the last day worked.

Retiring employees who have five (5) years of service and will be at least age 59 ½ will be paid \$40.00 per day for unused sick days. No partial days will be reimbursed.

## **8.4 Separation Clearance**

Prior to or on the effective date of separation, an exit interview will be held between the employee, Administration and their respective Supervisor to perform the following:

- 1) Return all property to the MCBHC,
- 2) Complete all outstanding business/duties of their position,
- 3) Offer opportunity for final dialogue, if desired.

A final payroll will be processed for the employee and mailed when all procedures above have been completed. With the exception of those on new employee introductory status, employees who resign or are terminated will be paid for accrued vacation time and personal days in accordance with applicable policies previously noted in this manual and provided proper timelines have been given. No compensation will be given for accrued sick time in the event of resignation or discharge.

## **SECTION 9**

### **DRUG-FREE WORKPLACE REQUIREMENTS**

The MCBHC maintains a safe and drug free work place by providing education and awareness to all employees on the dangers of drug abuse in the workplace. This education may consist of formal guest speaker presentations to staff, informative posters, mailers and/or paycheck stuffers. This education is ongoing and may be conducted within the forums of all-staff meetings, department meetings or brown-bag lunches.

Furthermore, the MCBHC prohibits the use, sale, manufacturing, dispensing, or possession of illegal drugs, narcotics, or alcoholic beverages in facilities or on grounds owned by the MCBHC. The MCBHC also prohibits all legal or prescription drugs which may impair an employee's ability to perform his/her job in the most effective manner.

An employee proved to be under the influence of drugs, narcotics, or alcohol is not permitted on MCBHC property. Any employee discovered to be under the influence while on the job will be required to leave the premises. Any employee bringing illegal drugs or narcotics or alcoholic beverages to work, using them on MCBHC property, or dispensing or selling them on MCBHC property will be subject to disciplinary action up to an including termination.

The MCBHC will take appropriate disciplinary action as outlined in Section 5, Discipline, against employees proved to be in possession of or under the influence of alcohol or illegal drugs while on MCBHC property.

Any employee bringing illegal drugs or narcotics or alcoholic beverages to work, using them on MCBHC property, or dispensing or selling them on MCBHC property will be subject to disciplinary action, including termination.

Employees must report their use of prescribed medications to their immediate supervisor if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.

Each employee as a condition of their employment must abide by the terms of this section and must notify the CEO of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction. The CEO is obligated to notify the Department of Health within (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction. With thirty (30) days of receiving notice from an employee or with respect to any employee who is so convicted the CEO will take appropriate personnel action against such employee, up to an including termination or may require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.



An employee may authorize the disclosure of his/her medical condition to co-workers in case he/she requires assistance.

Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek counseling help. Participation in counseling, including the Employee Assistance Program (Section 9) or required counseling is confidential and should not have any influence on performance appraisals. Job performance, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.

Any supervisor who notices an employee demonstrating unusual behavior patterns which negatively affect the employee's work performance or safety of employees, or suspects substance abuse, should contact the CEO immediately.

## **SECTION 10**

### **AFFIRMATIVE ACTION STATEMENT**

Consideration for employment will be based on educational qualifications, training, experience, and personal character. Other specific information pertaining to Non-Discrimination can be found inclusive in the Commission's Affirmative Action Policy.

## **SECTION 11**

### **EMPLOYEE RELATIONS**

The MCBHC has established policies and procedures to promote positive relations with its employees and the people we serve.

While the MCBHC recognizes the legally protected right of employees to organize or refrain from organizing, the MCBHC prefers to deal with employees individually and directly on all matters related to their work. Because of our desire and commitment to continue to provide a positive personal employment atmosphere, the MCBHC believes that it remains not necessary, productive, or profitable to have the outside interests of a labor union or any other third party involved in our relationship with our employees. Our employees have found that this direct relationship has worked effectively in the past, and MCBHC is committed to maintaining this working relationship in the future. We are committed to maintaining high standards meeting the individual needs of our employees through a system of honesty, trust, and fairness.

## **SECTION 12**

### **EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program of the MCBHC is offered as an extended benefit to provide confidential assistance to employees who may experience personal or behavioral problems that are affecting the quality of their job performance and life in general.

The primary purpose of the EAP is to enable the workforce to secure professional help to prevent a problem from having a detrimental impact on their job performance that could lead to disability or unemployment if not sufficiently addressed. Problems affecting the employee can be addressed including stress, marital/family strife, substance abuse, physical, mental or emotional illness, financial difficulties, or relationship problems.

All employees are eligible to participate in this benefit program.

The employee will be referred to appropriate professional services to assist in the problems being experienced. These services may include counseling as well as follow-up support. All services and access to the EAP is made with complete regard to confidentiality and without negative impact on the individual's employment status due to participation. Information regarding an employee's participation in the EAP, will only be released when the individual authorizes disclosure, or when such disclosure is required by statute or regulation.

There will be no cost associated with assessment, service planning, referral, or follow-up services extended to the employee. Fees charged by resources providing services related to counseling that are not covered under the employees r benefit plan(s) will be the responsibility of the employee.

Any employee needing service through the EAP program of the MCBHC, should contact their respective department Director to initiate service.

## **SECTION 13**

### **EMPLOYEE DEVELOPMENT**

The MCBHC believes in providing opportunities for continued knowledge and skill enhancement to empower employees to perform the duties of their position at a standard of excellence. The greater skilled and knowledgeable the employee is to the specialty areas of their field, the more effective our services will be delivered to the populations we serve.

Employees will be provided ongoing opportunities throughout their employment with the MCBHC to attend and participate in enrichment opportunities. Costs associated with the registration and attendance, material needed, and lodging, meals and other eligible travel related expenses involved in the participation of the employee in these opportunities, will remain the responsibility of the MCBHC. All exempt and non-exempt full-time employees of the MCBHC will be eligible to participate.

On an annual basis, the employee will be required to meet with their respective supervisor to develop an individualized Employee Development Plan. This Plan will identify the applicable goals and objectives identified for that employee designed to offer a critical path to then secure the resources and consequently offer enrichment to the areas of skill/knowledge development identified. It will be this Plan, once approved by and between the supervisor and the respective department Director that will serve as the guide in determining development opportunities in the form of seminars, conferences, and/or other course work that are pursued and secured for the employee. Additionally, on an annual basis, Administration will conduct a thorough review of the overall staff development effort of the agency in terms of staff trained, topics, costs and whether objectives of the individuals and agency were accomplished.

## **SECTION 14**

### **AMERICANS WITH DISABILITIES ACT (ADA)**

The MCBHC will comply with the provisions of the Americans with Disabilities Act.

1. Under the provisions of the Americans with Disabilities Act, employees requesting assistance to perform the essential functions of their position are encouraged to advise their supervisor by requesting a Self Identification Form and Accommodation Request and Response Form.
2. The forms will be reviewed with the employee by their supervisor for accuracy, completeness and clarity.
3. Completed forms will be forwarded to the Equal Employment Opportunity/Affirmative Action Officer for appropriate action. The Affirmative Action Officer will verify the claimed disability, the essential functions of the job, and determine whether a reasonable accommodation can be made without undue hardship to the MCBHC.

## **SECTION 15**

### **COMPANY PROPERTY**

The MCBHC's property is to be used only for the benefit of the MCBHC. MCBHC property, such as automobiles, office equipment, and supplies are provided for business purposes, unless specifically authorized by a supervisor. Personal use of all MCBHC property must be pre-approved by your immediate supervisor. The supervisor is responsible to inform the accounts payable position in the fiscal department in writing or via e-mail of the date, time, the employee and the item for which permission is granted. The accounts payable department will monitor and process the reimbursement/charge for personal use of MCBHC property.

If the cost is less than fifty cents, a minimum \$.50 will be charged, if more than fifty cents the actual cost will be charged.

Employees are responsible for the proper care and return of all MCBHC property and equipment assigned to their possession. Employees are prohibited from installing personal software and/or records on MCBHC personal computers. If and where abuse of equipment by the employee is determined to be the cause of permanent or other damage resulting in costly repair or replacement, the employee may be assessed monetarily for these costs.

## SECTION 16

### HARASSMENT

It is the policy of the MCBHC to promote a productive work environment. The Agency will not tolerate (verbal or physical) conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

Employers are expected to maintain a productive work environment that is free from workplace violence or threatening or belligerent behavior by employees. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status, or sex.

Each supervisor has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, non-supervisory employees, or non-employees, is also prohibited. This conduct includes:

1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
2. Verbal abuse, demeaning, insulting, intimidating, or sexually suggestive comments;
3. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures.
4. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age or military status is also possible.

Any employee who believes another employee's, or non-employee's actions or words constitute unwelcome harassment has a responsibility to report the situation as soon as possible.

The report should be made to the employee's supervisor. **The MCBHC's CEO must immediately be apprised of the situation.**

All complaints of harassment are to be investigated promptly, impartially, and confidentially. Employees must cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved.

Any employee or supervisor who is found to have violated the harassment policy will be subject to appropriate disciplinary action, including termination. The MCBHC prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false and provided in bad faith, the individual who provided the false information will be subject to disciplinary action, including termination.

## **SECTION 17**

### **WORK SCHEDULE & LOCATION**

**Work Schedule** The normal work schedule for all MCBHC employees is 7.5 hours a day, five (5) days a week working from 8:30 a.m. to 4:30 p.m. with the exception of the Prevention Department that works 8:00 a.m. to 4:00 p.m. Supervisors are responsible for managing employee schedules including begin and end times. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled on a given day or week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request utilization of all flextime.

It is the policy of the MCBHC that all employees notify their supervisor of any proposed schedule adjustments outside of their standard Monday through Friday work schedule and obtain prior supervisor approval before implementation of any adjusted schedule. All adjustments to the work schedule resulting in flexing of work hours or potential overtime work hours must be approved by the employee's immediate supervisor prior to implementation of any work schedule changes.

**Work Location** The MCBHC provides a variety of case management and prevention programs that involve and require work activity outside of the MCBHC office. As a result of this field-based work it is often necessary for staff to either begin or end their work day in the field.

It is the policy of MCBHC that supervisors are responsible for assignment of work activities and may designate a beginning or ending work site appropriate for the nature and scope of the assigned work. As a result, all staff must also obtain prior supervisory approval before starting or ending a work shift at a location outside of the MCBHC office location. It is MCBHC policy that should an employee begin their work day in the field that their work shift begins at the time they arrive at the designated location outside of the office. It is further policy that should an employee end their work day in the field, that their work shift ends at the time they depart from the designated location outside of the office.

**Work Schedule/Location Procedures** CM/CIU Case Managers and Prevention Specialists are expected to notify their supervisor of any proposed schedule adjustments outside of their standard Monday through Friday shift and obtain prior supervisory approval before implementation of any adjusted schedule. Should an employee be finishing their work shift in the field and encounter a crisis or emergency situation with a consumer which requires the employee to extend their work shift in order ensure or protect the health and safety of the consumer, the employee should make reasonable attempts to contact their supervisor prior to 4:30 p.m. to advise them of the situation and obtain permission to work beyond their scheduled end time. If such contact is not feasible or attempts were unsuccessful, the employee should establish contact with either another supervisor within their department or the department head to receive approval to work beyond their scheduled work shift. If after 4:30 p.m. the employee may contact the crisis on-call supervisor by calling 724-866-1700.

Any work schedule that requires an employee to either start or end a work shift in the field must be approved by the supervisor in advance of the scheduled work shift. In the event than employee's schedule involves them starting and ending the same work shift in the field, the employee should attempt to report to the office at least once during the work shift. If such reporting is not feasible or possible due to the nature of the work schedule, the employee must report to their immediate supervisor from the field via telephone at least once during the course of the work shift.

Should an employee be starting their work shift in the field, the employee's work shift shall begin at the time they arrive at the designated work location. Any travel time associated with arriving to the designated work location should be considered non-billable and should not be captured in Susquehanna. Should an employee be starting in the field and report to the office in route to the location, the time which the employee reports to the office will be considered the employee's start time for their work shift and any travel time from the office to the work location would be considered billable, if program regulations permit, and should be captured in Susquehanna as a work activity.

Should an employee be ending their work shift in the field, the employee's work shift shall end at the time they depart the location of their last staff activity. Any travel time associated with returning home from the work location should be considered non-billable and should not be captured in Susquehanna. Should an employee report to the office during their return trip, the time which the employee reports to the office will be considered the employee's end time for their work shift and any travel time from the field location to the office would be considered billable and should be recorded in Susquehanna.

Mileage reimbursement is considered a separate matter from assignment of work location and start/end times of work shifts. Employees are permitted to claim mileage reimbursement for any mileage encountered for trips related to work activity at the beginning or ending of their work shifts but it is expected that case managers subtract the typical mileage between the employee's home and the office as this mileage is considered the employee's responsibility. As an example, if an employee departs the office at 3:30 p.m. for two home visits in the Greenville area, ends the second visit at 4:30 p.m. and drives to their home in Sharon, the employee shall record travel time from the office to the second visit in Susquehanna but no any travel time after 4:30 p.m. The employee may claim mileage reimbursement for the round trip from the office, to Greenville, to their home in Sharon minus their typical mileage from their home to the office.

## SECTION 18

### SERIOUS DISEASES

The MCBHC complies with the provisions of the Americans with Disabilities Act (ADA). Employees with infectious, long-term, life-threatening or other serious diseases may work as long as they are physically and mentally able to perform the duties of their job without undue risk to their own health or that of others.

Serious diseases for the purpose of this policy include, but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immuno-deficiency virus (HIV), and acquired immune deficiency syndrome (AIDS).

The MCBHC will support, where feasible and practical, educational programs to enhance employee awareness and understanding of serious diseases.

Employees afflicted with a serious disease are to be treated no differently than any other employee. Therefore, if the serious disease affects their ability to perform assigned duties, those employees will be treated like other employees who have disabilities which limit their job performance.

Employees who are diagnosed as having a serious disease and who want an accommodation should inform their supervisor of their condition as soon as possible. Supervisors should review with the employee the MCBHC policy on issues such as employee assistance, leaves and disability, requesting and granting accommodations, the MCBHC's continuing expectation regarding the employee's performance and attendance and available benefits.

Employees who have a serious disease and who would like to request an accommodation should provide their supervisor with any pertinent medical information needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The MCBHC may also require a doctor's certification of an employee's ability to perform job duties. Additionally, the MCBHC may request that an employee undergo a medical examination.

The MCBHC will attempt to maintain the confidentiality of the diagnosis and medical records of employees with serious diseases, unless otherwise required by law. Information relating to an employee's serious disease will be treated as confidential and ordinarily will not be disclosed to other employees.

The MCBHC will comply with applicable occupational safety regulations concerning employees exposed to blood or other potentially infectious materials. Personal protective equipment will be used where appropriate to limit the spread of diseases in the workplace.

Employees concerned about being infected with a serious disease by a co-worker, client, or other person should convey this concern to their supervisor. Employees who refuse to work with or perform services for a person known or suspected to have a serious disease, without first discussing their concern with a supervisor, will be subject to disciplinary action. In addition, where there is little or no evidence of risk of infection to the concerned employee, the employee's continued refusal, after consultation with supervisory personnel, may result in disciplinary action, including termination.

MISCELLANEOUS

**19.1 Employee Dress Code**

The MCBHC upholds and promotes a professional work environment that is conducive and comfortable to encourage employee productivity. As an employee of the MCBHC, all individuals are expected to exhibit a neat, well-groomed appearance at all times during their respective work day. Employees will be trusted to use sound discretion in selecting attire that is appropriate for their work tasks on any given day. As a guide to this, the following should be referenced as to what is or is not proper attire.

*For female employees:* Appropriate work attire would be defined as skirts or dresses no shorter than four inches above the knee; dress slacks; pant suits or split skirts no shorter than three inches above the knee; clean, conventional, and professional looking footwear. Departure from business attire would be low-cut blouses; shorts; tank tops; stretch pants; tight fitted clothing; T-shirts; bib-overalls; jogging suits; sweatshirts and excessive make-up. These will not be permitted.

*For male employees:* Appropriate work attire would be defined as dress type slacks with a belt; collared shirts either full buttoned or “golf style”; clean, conventional, and professional looking footwear with socks; necktie; turtlenecks; sweaters; sport jacket or business suit. Hair must be kept no longer than the bottom of the shirt collar and facial hair kept well trimmed and groomed. Departure from business attire would be T-shirts; bib-overalls; sandals or thong-type footwear; tank tops; shorts; sweatshirts; and jogging suits. These will not be permitted.

Exceptions to what are considered proper, appropriate attire will only be made upon prior administrative approval and strictly based upon the needs of the program or service being delivered and the practical comfort of staff involved.

Clean and neat jeans, either blue or other colored designs will only be permitted on Fridays with other appropriate attire as identified.

All long tailed shirts are to be worn tucked into slacks.

Administration will maintain final discretion as to the appropriateness of an employee’s attire. If a staff person has not used appropriate, sound discretion in selecting their attire, that employee will be asked to go home and change. The time incurred to do this will be unpaid. Further violations of this policy may result in disciplinary action.

**19.2 Communication Systems**

The MCBHC’s communications systems, i.e., phone, faxes, PC’s, Email, internet, etc., are for business purposes only.

Use of all of the MCBHC’s telephone lines, including the 800 numbers, should be confined to business calls. Personal calls should be limited to those which are absolutely necessary. When it is necessary for an employee to make a personal long distance call, the cost



of the call should be charged to the receiving party, the employee's home number or a charge card. Employees will be responsible for reimbursing the MCBHC for any personal long distance call that must be charged to the MCBHC. Employee needs to inform the fiscal department immediately of the date, time and number of the call.

Employees should not use the MCBHC's address in sending or receiving personal mail.

MCBHC stationary and postage should not be used for personal correspondence.

Abuse of communication systems will result in disciplinary action, including termination.

### **19.3 Media Access**

Employees may be on occasion, contacted by members of the media (radio, television, or newspaper) and be requested to provide information or comment on various matters of the MCBHC. All such inquiries should be directed to Administration. Employees are not authorized to respond to these inquiries unless they have been requested and/or authorized by Administration.

### **19.4 Solicitation/Distribution**

It shall be the policy of the MCBHC that no solicitation of product support or services, or the distribution of any literature related the same shall be permitted to be conducted on or near the premises of our places of business. This includes inside the buildings or any area adjoining or near the outside of the building. The only exception of this policy will be related to the annual United Way Campaign, American Cancer Society, MCBHC fundraisers specifically, or any other that has been submitted to and approved by the CEO prior to the event.

### **19.5 Personal Record Maintenance**

The MCBHC has established a system for the use, access, dissemination, and maintenance of personnel records. The personnel file maintained on each employee contains information relating to the employment of the individual and shall remain in the utmost confidence between the employee and the CEO or his designate.

The MCBHC complies with all applicable requirements of equal opportunity laws and other federal/state regulations regarding the collection of information from an applicant or employee.

Requests for information regarding a current or former employee are handled only by the CEO or his designate. Information limited to an employee's dates of employment and the latest entry into the records concerning job title and employee status may be disclosed without consent. Additional information may be disclosed only if the employee has provided written authorization to do so.

A procedure exists for the employee to examine his/her personal file. Employees desiring to review their respective personnel file, should complete a necessary form detailing the purpose of the inspection and the particular part of the file to be inspected. Administration will upon three (3) days after receiving such request, schedule a period of time for the employee to review his/her file. A member of Administration or their designate will be present upon this inspection. Except for reasonable cause, an employee will be limited to one (1) inspection per calendar year. Records may not be photocopied without prior consent from the CEO to do so. Should photocopying be desired, the employee will be charged ten cents (\$.10) per copy for any information needed that is not associated with their work with the MCBHC. An employee who may disagree with the records in the personnel file is permitted to include a counter statement into the personnel file.

## **19.6 Parking**

The MCBHC provides parking, when practical, for the benefit and convenience of its employees. The MCBHC will provide parking for as many employees as practical. Spaces will be designated for employees.

Where applicable, the MCBHC may provide assistance for parking expenses.

MCBHC owned or leased parking spaces are considered part of the MCBHC premises; therefore, all Company policies and rules apply to employees and their vehicles while parked in these spaces. Employees who use MCBHC parking spaces do so at their own risk. The MCBHC assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while parked.

## **19.7 Tobacco-Free Environment**

To provide a professional work environment that is free from hazards of tobacco products, the MCBHC complies with all applicable federal, state, and local regulations regarding tobacco products in the workplace. Tobacco products are defined as a lighted cigarette, cigar, pipe or other lighted smoking device and/or the use of tobacco in any form (snuff, chew, snus and other smokeless tobacco products).

The MCBHC recognizes the use of tobacco in the workplace can adversely affect employees, visitors and clients. Accordingly, smoking and the use of any other tobacco product is restricted in the MCBHC facility, in company vehicles and on designated company property.

Per the recommendation of the Clean Indoor Air Act (Act 27 of 2008), the use of tobacco is permitted only in the designated area towards the southern end of the parking lot. Receptacles at the entranceways are only to be used to extinguish cigarettes and remove smokeless tobacco products such as snuff, chew and snus. This policy applies to everyone - employees, clients, contractors and visitors.

To assist in the educational process, a MCBHC representative should inform guests at trainings, seminars, conferences, meetings, etc. of the policy by issuing the following provided statement:

*To provide a professional work environment that is free from hazards of tobacco products, the MCBHC complies with all applicable federal, state, and local regulations regarding tobacco products in the workplace. Per the recommendation of the Clean Indoor Air Act (Act 27 of 2008) the use of tobacco is only permitted in the designated area on MCBHC grounds towards the southern end of the parking lot. Receptacles at the entranceways are to be used to extinguish cigarettes or remove all smokeless tobacco products such as snuff chew and snus.*

Management is responsible for implementing and monitoring smoking regulations and supervisors are expected to enforce the regulations. Employees who violate the policy will be subject to disciplinary action, up to and including termination. The success of this policy will depend on the thoughtfulness, consideration, and cooperation of both tobacco users and nonusers. All employees share in the responsibility for adhering to and enforcing this policy.

The MCBHC encourages and offers assistance to those employees who wish to quit smoking or using tobacco products. Employees may contact their supervisor to obtain information regarding the availability to cessation programs.

### **19.8 Weapons**

The MCBHC prohibits the possession or use of weapons on property or facilities unless the employee holds a position, such as security or law enforcement, for which weapons are required as a condition of employment.

### **19.9 Work Area Appearance**

Employees are expected to keep their work areas organized, clean and orderly. As professionals, we are expected to maintain offices and work areas that meet the standards associated with an organized, systematic, safe and well-managed business operation. High standards of professionalism convey our values as the MCBHC and directly affect clients' perceptions of quality service. Discretion should be used when displaying personal property.

### **19.10 Acceptance of Gifts**

It is the policy of the Mercer County Behavioral Health Commission, Inc., that no employee shall personally accept any gift of monetary value for services performed as part of their duties as a staff member.

Any money or gifts of value presented to the employee for services rendered shall immediately be submitted to Administration or Board of Directors to use for the benefit of the MCBHC and the people it serves. The appropriate use of such gifts shall be the final discretion of the CEO, who may discuss the disposition with the Board of Directors.

### **19.11 Cancellation Procedures**

In the event of extreme weather conditions it will be the policy of the Mercer County Behavioral Health Commission to relay all messages with regard to closings and/or office hour delays to employees in the following manner.

*Please call into our main number, (724) 662-1550, and if we are running a delay or closure our voice mail will indicate such by 7:15 a.m.*

All employees are encouraged to use caution in taking the time necessary in getting safely to work. If you are experiencing a delay please notify your supervisor.

### **19.12 Political Activity**

Employees who have desire to run for office in a partisan election need to be aware of a potential Hatch Act violation given the various sources of federal funding that MCBHC receives. Employees wanting to engage in political activities such as running in a partisan election should first obtain a clearance from the federal government, specifically the U.S. Office of Special Counsel in Washington, DC.

Employees of MCBHC are prohibited from directly or indirectly attempting to influence our clients on political matters. Employees during working hours are further prohibited in displaying or selling of political badges, buttons, shirts, stickers and the like on their person or any MCBHC property.

## **SECTION 20**

### **EMERGENCY/DISASTER POLICY**

DOH: §713.27(a)(6): A detailed plan should outline the duties and responsibilities of staff and clients in the case of internal and external disasters (examples – fire, storm, transit strike, nuclear accident). The plan should include but not be limited to: census-taking (of building occupants); securing doors and windows; reporting the incident to proper authorities; and means of egress from the building via predetermined route(s) or instructions for remaining in the building and proceeding to a safe place.

***Background:*** The Mercer County Behavioral Health Commission is committed to the security and well being of both our staff and consumers. In the event of a situation requiring evacuation or non-evacuation of the facility staff shall be informed and trained of the procedure to follow to insure the safety and welfare of all occupants of the building.

#### **Fire Alarm Procedures:**

- Stop working and leave the building IMMEDIATELY when the fire alarm sounds or when you are instructed to do so!
- Follow instructions, avoid panic, and cooperate with those responding to the emergency.
- Proceed to the designated or nearest exit.
- If possible, and safe, turn off computers, equipment, fans, etc. and close desk drawers.
- Do NOT delay your exit from the building by looking for belongings or other people.

- When leaving the building, go to a clear area well away from the building. Do not obstruct fire hydrants or the responding fire/rescue workers and their equipment.
- Do not re-enter the building until instructed to do so by your supervisor or fire/rescue worker.
- The above rules will be enforced. Periodic fire emergency drills may be conducted. Your life and the lives of others will depend on your cooperation.

**Procedure for Non-Evacuation of the Facility:**

In the event of a disaster or emergency occurrence the Chief Executive Officer will make an announcement via the public address system informing the staff that a non-evacuation emergency has taken place. A non-evacuation emergency may be described as but is not limited to the following:

- Notification from emergency personnel (fire, police, emergency management agency) of a situation in our vicinity that requires preparation.
- A weather related emergency (severe thunderstorm, tornado watch/warning)
- An outside threat of violence to an occupant of the facility (e.g. domestic violence, etc.)

In the event that the CEO is unavailable, the following chain of command will be followed:

- Director of Clinical and Support Services
- Director of Substance Abuse Services & Quality Assurance

The CEO will inform staff of the nature of the occurrence and direct staff to report immediately to the main conference room located in the center of the Administration Building for further instruction and information. Staff will be responsible to do the following prior to reporting:

- Shut down their computer.
- Secure their workspace including doors and windows.
- Gather their personal belongings in the event a full evacuation of the premises takes place.
- If a staff person is hosting a guest or is working with a consumer, they are responsible for insuring that these individuals proceed quickly and safely to the conference room.
- The receptionist is responsible for insuring that anyone located in the waiting room area is moved quickly and safely to the conference room area.

Administration will be responsible for insuring a full back up by IT takes place and that a roster of personnel present for that day is immediately available and that cellular phones are available in the event of a full evacuation. Administration will also notify all satellite facility Directors of the non-evacuation status of the facility.

The personnel officer will do a full accounting of staff present.

During a non-evacuation emergency all Department Directors and Supervisors will be prepared to proceed with their units disaster preparation plan to insure continuity of services.

### **Procedure for Evacuation of the Facility:**

In the event of a disaster or emergency occurrence the Chief Executive Officer will make an announcement via the public address system informing the staff that an evacuation emergency has taken place. An evacuation emergency may be described as but is not limited to the following:

- Notification from emergency personnel (fire, police, emergency management agency) of an emergency situation that threatens our immediate area.
- Fire, Bomb Threat, Chemical Spill, etc.
- A weather related emergency (lightening strike, weather damage to facility, etc.)

In the event that the CEO is unavailable, the following chain of command will be followed:

- Director of Clinical and Support Services
- Director of Substance Abuse Services & Quality Assurance

The CEO/Director will inform staff of the nature of the occurrence and direct staff to report immediately to the designated meeting location by the flagpole at the front of the Administrative Office Building. Staff will be responsible to do the following prior to reporting:

- Shut down their computer.
- Secure their workspace including doors and windows.
- Gather their personal belongings.
- If a staff person is hosting a guest or is working with a consumer, they are responsible for insuring that these individuals proceed quickly and safely out of the building.
- The receptionist is responsible for insuring that anyone located in the waiting room area is moved quickly and safely out of the building.

Administration will be responsible for insuring a full back up by IT takes place and that a roster of personnel present for that day is immediately available and that cellular phones are available. Once outside of the building Administration will notify all satellite facility Directors of the evacuation status of the facility and the Personnel Officer will do a full accounting of staff present. Staff will then receive further instruction.

During a full evacuation, all Department Directors and Supervisors will proceed with their units emergency preparation plan to insure continuity of services.

### **Procedure when workplace is deemed unsafe:**

In the event a situation would occur during non-working hours that prohibits the agency from conducting normal business out of their main offices the following steps will occur:

- The CEO (or appointed designee in their absence) will declare the workplace unsafe to work from. This information will be communicated to the Management Team and Community Counseling Center will be used as our new temporary headquarters.

- The Management Team will be responsible to communicate this information out to staff via phone tree.
- Supervisors will be responsible for communicating this information out to staff via phone tree.
- Initially the Management Team/Supervisors will report to Community Counseling Center to setup operations and also receive further information/instructions. All other staff are to stay home and not report to work until further instructed.
- Once the phone system/lines are re-established at the new temporary location, staff will be informed so they can retrieve messages and also call in for additional information/instructions.

Revised 4/15/2013

## **SECTION 21**

### **TUITION REIMBURSEMENT BENEFIT**

It is the desire of the Mercer County Behavioral Health Commission to provide eligible employees with assistance in furthering their educational development.

**EMPLOYEE ELIGIBILITY:** A person must be a full-time, currently scheduled employee of the MCBHC to participate in the tuition reimbursement program. The employee must have achieved a “meets expectations” or higher rating during their most recent annual appraisal and this status must be maintained to remain eligible for participation. The employee must be employed with the MCBHC for one year unless administration identifies and warrants the qualification. An eligible employee must complete the Tuition Reimbursement Application.

**CLASS/PROGRAM ELIGIBILITY:** Educational assistance will be provided for courses of study, which the Commission determines to be directly related to the employee’s present position or which may provide potential for the employee’s advancement within the MCMCBHC. The employee must complete the Undergraduate or Postgraduate eligible class with either an “A” or “B” grade level. “Complete” or “Pass” is acceptable in the applicable situations.

**REIMBURSEMENT:** The employer will attempt to equalize the opportunity to participate in the Reimbursement Program among all MCBHC employees. Reimbursement for tuition shall be made on a prorated basis among all qualified applicants up to 100% of tuition costs. Eligible reimbursement will be made upon completion of class and must fall within fiscal year.

**SEVERED EMPLOYMENT:** Employees who receive \$1,000 or less in payment as described above will be required to reimburse the MCBHC dollar for dollar if they elect to sever their employment or are terminated less than six months after the completion of the class paid for with program funds. If reimbursement exceeds \$1,000, the employee will be required to reimburse the MCBHC dollar for dollar if they elect to sever or are terminated less than one year following the completion of their classes.

## **PROCEDURE:**

1. The funding periods for reimbursement are:

A) July 1 through December 30

The deadline for submission for submission for course(s) completed during this period is August 1<sup>st</sup>.

B) January 1 through June 30

The deadline for submission for consideration for courses completed during this period is February 1<sup>st</sup>.

2. Employee presents course description and course syllabus to immediate supervisor for consideration of tuition reimbursement enrollment. If the supervisor determines the class to be supportive and advantageous for the employee's future within the MCBHC, and the request is within the identified deadline, the supervisor will direct the employee to complete the Application for Tuition Reimbursement (continuation application if applicable.) If the supervisor determines the class to be ineligible for reimbursement, the supervisor identifies the reason/s for course ineligibility with the requesting employee.
3. The supervisor forwards the completed Application for Tuition Reimbursement to the MCBHC Personnel Department. Applications for Tuition Reimbursement continue to be forwarded to the Personnel Department until the close of the Reimbursement Enrollment Deadline.
4. The Personnel Department forwards all ATRs to the Chief Executive Officer for review and potential approval. Upon review, the CEO returns the approved ATRs to the Personnel Department to determine the reimbursement rate for the approved applications. Upon receipt, the Personnel Department notifies each applying employee in writing of approval or disapproval of application and the anticipated rate of reimbursement if the course is completed.
5. The MCBHC employee submits a receipt or other form of payment verification for the agreed upon course, and a copy or original transcript verifying an attained "A", "B" or "Pass" to the MCBHC Personnel Department upon the completion of the course. All paperwork needs to be submitted upon receipt of grades and no later than July 7<sup>th</sup> for June 30<sup>th</sup> fiscal year end.
6. The Fiscal Department will forward a check to the employee in the identified amount no later than three weeks of receipt of both the course transcript and payment verification.

*Please request applications from the Personnel Department.*



## SECTION 22

### CELLULAR TELEPHONE POLICY

The Mercer County Behavioral Health Commission, Inc. provides cellular telephones as a business tool to specific positions within the agency. This agency also recognizes that employees may use personal cellular telephones for business purposes and/or personal use. MCBHC cellular telephones are provided to assist employees in communicating with management and other employees, clients, associates and others with whom employees may conduct business. Agency cellular telephone use is primarily intended for business related calls; however, occasional, brief personal use is permitted within a reasonable limit. Cellular telephone invoices will be regularly monitored.

*[Employees may have access to cellular telephones while in their cars or in agency vehicles and should remember that their greatest responsibility is the safety of other drivers, pedestrians, and passengers. Employees should take safety precautions before using cellular telephones while driving. These safety cautions include, but are not limited to the following:*

- 1. Use the "hands free" features on cellular telephones while driving;*
- 2. Do not write while driving;*
- 3. Program frequently dialed numbers or use voice recognition dialing if available;*
- 4. If a hands free feature is not available, pull off the road to dial and/or talk;*
- 5. Pull off the road if the call is distracting or reading/writing is required during the call;*
- 6. End the telephone call as conditions become hazardous(i.e., traffic congestion, ice, heavy rain, snow, etc);*
- 7. Place calls when the car is not moving and time the placement of calls to coincide with red lights.*

*At all times, employees must drive safely and obey the rules of the road.]*

Many Pennsylvania municipalities and other states now prohibit the use of hand-held cellular telephones while operating a motor vehicle. Employees must abide by any state or local laws that prohibit the use of hand-held cellular telephones while driving. If an employee is cited for violation of any public law in this regard, the employee is solely responsible for any fines or consequences associated with such a violation of law.

Any violation of this policy or a violation of a public law prohibiting use of hand-held cellular telephones while operating a motor vehicle will result in disciplinary action up to and including termination of employment.

**REDUCTION IN WORKFORCE  
LAYOFF AND RECALL**

Layoff is a management-initiated action to implement a needed reduction in staff due to the abolishment of position(s), reorganization, or a lack of work or funds.

In the event that the Mercer County Behavioral Health Commission requires the need for a layoff, all temporary, probationary and the least senior employees respectively within an affected job classification and department will be considered first for lay-off. However, the MCBHC administration reserves the right to make the final decision depending on the financial circumstances.

A senior employee in the designated department and/or job classification where a layoff is to occur, may volunteer to be laid off prior to a temporary, probationary, or less senior employee. The Mercer County Behavioral Health Commission's administration has the right to deny such a request.

In the event of a layoff, and where possible, an employee shall be given a minimum of two (2) weeks advance written notice to such indicating the circumstances which make the layoff necessary. When a two week notice is not given, employee will be compensated for the full two week period. Depending upon availability of funds, the agency will consider compensation of up to four weeks.

Employees shall be recalled in the reverse order in which they were laid off, or to a lower classification, provided they have the ability to perform the duties of that classification. Laid off employees will be put on a recall list for a maximum of six (6) months. An employee who is on layoff status and has refused a recall to a position which is in their classification, he/she shall be considered to have terminated their employment.

Employees recalled shall receive credit for seniority, pay rate held, and all other eligible benefits prior to the layoff. However, no benefits such as sick time, vacation time, etc. shall be accrued or earned during the time of layoff.

The MCBHC will pay employer's share of premiums for Health Insurance for an additional one (1) month from the last day of the month in which the layoff occurred, provided that the employee pay all applicable co-pays.

*Elective benefits, such as plans through AFLAC, will be the responsibility of the employee to maintain beginning with the effective day of layoff.*

**WHISTLEBLOWER POLICY**

**POLICY**

The Mission, Vision and Values statement along with the Code of Conduct adopted by the Mercer County Behavioral Health Commission, Inc. (hereinafter “MCBHC”) is designed to establish rules and standards to govern employee behavior and performance. It requires all employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. This Whistleblower Policy is intended to provide a mechanism for the reporting of illegal activity, inappropriate behavior, or willful incorrect financial reporting.

To ensure that MCBHC complies with the highest standards of financial reporting and lawful and ethical conduct, the Board of Directors establishes the following procedure for the reporting of illegal or unethical conduct in relation to MCBHC’s operations or finances and the retention and treatment of such complaints, including confidential, anonymous allegations received from employees.

**REPORTING PROCEDURES & GUIDELINES**

In the event that any employee knows or has a reasonable belief that individuals associated with MCBHC plan to engage or have engaged in illegal or unethical conduct in relation to the finances or other aspects of MCBHC’s operations, that individual should immediately file a complaint with the Chief Executive Officer (CEO). Employees may submit complaints on a confidential, anonymous basis. If the complaint concerns the CEO, the complaint should be made to the President of the Board of Directors.

Whether or not you identify yourself for a proper investigation to be conducted please provide to the designated authority of the MCBHC with as much information as you can, sufficient to do a proper investigation, including where and when the incident occurred, names and titles of the individuals involved, and as much additional detail as you can provide.

All reports will be promptly investigated by the MCBHC designated authority.

MCBHC will take appropriate action in response to any complaints, including, but not limited to, disciplinary action, up to and including termination, against any person who, in MCBHC’s assessment, has engaged in misconduct, and reporting such misconduct to the relevant civil or criminal authorities as may be required by law.

MCBHC will not knowingly, with the intent to retaliate, take any action harmful to any person for providing information regarding a complaint in good faith to, or otherwise assisting in any investigation conducted by MCBHC, law enforcement officers, governmental agencies, or MCBHC supervisors.

Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense and may be subject to disciplinary action, up to and including termination.

**BREACH NOTIFICATION POLICY**

**PURPOSE**

To establish a breach notification process applicable to unsecured PHI.

**POLICY**

In the event Mercer County Behavioral Health Commission (“Covered Entity”) discovers a breach of Unsecured Protected Health Information (PHI), Covered Entity will notify each individual whose Unsecured PHI has been, or is reasonably believed by Covered Entity to have been, accessed, acquired, or disclosed as a result of such breach. The notification requirement applies to any Unsecured PHI accessed, maintained, retained, modified, recorded, stored, destroyed, or otherwise held, used or disclosed by Covered Entity. The notification requirements also apply to breaches committed by Covered Entity or one of its Business Associates.

For purposes of this Policy, a breach will be treated as discovered by Covered Entity or a Business Associate as of the first day on which the breach is known to Covered Entity or one of its Business Associates, respectively, (including any person, other than the individual committing the breach, that is an employee, officer, or other agent of Covered Entity or a Business Associate, respectively) or should reasonably have been known to Covered Entity or a Business Associate to have occurred.

**DEFINITION OF BREACH**

The term 'breach' means the unauthorized acquisition, access, use, or disclosure of PHI which compromises the security or privacy of such information, except where an unauthorized person to whom information is disclosed would not reasonably have been able to retain such information.

The term 'breach' does not include:

- (a) any unintentional acquisition, access, or use of PHI by an employee or individual acting under the authority of Covered Entity or Business Associate if-
  - (i) such acquisition, access, or use was made in good faith and within the course and scope of the employment or other professional relationship of such employee or individual, respectively, with Covered Entity or a Business Associate; and
  - (ii) such information is not further acquired, accessed, used, or disclosed by any person; or
- (b) any inadvertent disclosure from an individual who is otherwise authorized to access PHI at a facility operated by Covered Entity or Business Associate to another similarly situated individual at the same facility; and
- (c) any such information received as a result of such disclosure is not further acquired, accessed, used, or disclosed by any person without client authorization.

**PROCEDURES**

**Deadline Notice**

Unless otherwise specified below, Covered Entity must provide all notifications of a breach of Unsecured PHI as soon as practicable and in no case later than sixty (60) calendar days after the discovery of a breach.

## **METHODS OF NOTICE**

### **Individual Notice**

Notice of a breach provided to an individual must meet the following requirements:

- (a) The notice must be written and delivered to the individual by first-class mail addressed to the individual (or the next of kin of the individual if the individual is deceased) at the individual's (or next of kin's) last known address. In the alternative, if the individual (or next of kin) has so specified, the notification may be delivered by electronic mail. The notification may be provided in one or more mailings as information becomes available.
- (b) In the case in which there is insufficient, or out-of-date contact information (including a phone number, email address, or any other form of appropriate communication) that precludes direct written (or, if specified by the individual, electronic) notification, a substitute form of notice must be provided, including, in the case that there are ten (10) or more individuals for which there is insufficient or out-of-date contact information, a conspicuous posting for a period (determined by the Secretary) on the home page of the Web site of Covered Entity or notice in major print or broadcast media, including major media in geographic areas where the individuals affected by the breach likely reside. Such a notice in media or web posting will include a toll-free number where an individual can learn whether or not the individual's Unsecured PHI is possibly included in the breach.
- (c) If Covered Entity determines that immediate notification is required because of possible imminent misuse of Unsecured PHI, Covered Entity may provide information by telephone or other means, as appropriate, in addition to the written notification required.

### **Media Notice**

Notice shall be provided to prominent media outlets in Pennsylvania, following the discovery of a breach of Unsecured PHI, if the Unsecured PHI of more than 500 residents is, or is reasonably believed to have been, accessed, acquired, or disclosed during such breach.

### **Notice to Secretary of U.S. Department of Health & Human Services**

Notice shall be provided to the Secretary of the U.S. Department of Health and Human Services of Unsecured PHI that has been acquired or disclosed in a breach. If a distinct breach was with respect to 500 or more individuals, such notice must be provided immediately. If a distinct breach was with respect to less than 500 individuals, Covered Entity may maintain a log of any such breach occurring and annually submit the log to the Secretary documenting the breaches occurring during the year involved.

### **Content of Notification**

Regardless of the method by which notice is provided to individuals as set forth above, notice of a breach shall include, to the extent possible, the following:

- (a) a brief description of what happened, including the date of the breach and the date of the

discovery of the breach, if known;

(b) a description of the types of Unsecured PHI that were involved in the breach (such as full name, Social Security number, date of birth, home address, account number, or disability code);

(c) the steps individuals should take to protect themselves from potential harm resulting from the breach;

(d) a brief description of what Covered Entity is doing to investigate the breach, to mitigate losses, and to protect against any further breaches; and

(e) contact procedures for individuals to ask questions or learn additional information, which shall include a toll-free telephone number, an e-mail address, Web site, or postal address.

### **Delay of Notification**

Notification may be delayed if a law enforcement official determines that a notification, notice or posting would impede a criminal investigation or cause damage to national security.

## **SECTION 26**

### **PERSONAL CELLULAR PHONE USAGE & REIMBURSEMENT POLICY**

#### **Background**

As modern technology develops further it is recognized that more and more consumers and families are relying on cellular phone technology as their primary means of communication. In many circumstances consumers and families have discontinued use of a home "land line" phone number and are solely utilizing cellular phones for communication. Often times these consumers purchase phones with prepaid calling plans that include specific talking minutes and a specific number of "text" messages. Often times the consumer utilizes the available talking minutes and is limited to available "text" messages as their primary and only means of communication. There are occasions where a MCBHC employee may determine it necessary to utilize their personal cellular phone to initiate or receive work related communications in the form of telephone calls or "texts".

It is further recognized that MCBHC staff when in the field often depend on their personal cellular phones to contact their supervisor in the office for supervisory direction and consultation when confronted with challenging clinical scenarios or situations. It is also recognized that MCBHC Supervisors on occasion, utilize employee's personal cellular phones to initiate contact with a staff person in the field to advise of cancelled appointments, changes to work schedules, and other vital information related to service delivery.

Usage of modern technology doesn't always protect or ensure compliance to various confidentiality regulations. MCBHC employees are not expected or required to utilize their personal cell phones for work related communication. If an employee doesn't wish to utilize their personal cell phone and MCBHC supervisory and administrative personnel determines that a consistent need for such technology as the only means to maintain necessary

communication with assigned consumers exists, the agency will provide access to a cellular phone purchased by the agency.

### **Purpose**

The purpose of the policy and procedure is to provide financial reimbursement to those MCBHC staff who utilize their personal cell phones for work related business while ensuring that such usage is limited to the last resort of available communication, is used only for emergencies or circumstances where other forms of communication are not available, and consumer confidentiality is protected.

### **Scope**

This policy and procedure is applicable to MCBHC employees whose job functions require them to work in the field outside of the office location, and applies solely to communication that is specifically related to service activity or job functions. This policy is not applicable to employees with office based jobs unless outside the office for work related activity, employees who work off-site at other provider locations with access to other forms of communication such as "land line" phones, email, fax, etc. and employees whose job functions result in utilization of a cellular phone purchased by the agency unless such technology is not working adequately and the employee's personal cellular must be utilized for service delivery.

This policy and procedure is not applicable to MCBHC Supervisors when using personal cellular phones onsite at the MCBHC office but would be applicable to Supervisors if in the field.

Usage of personal cellular phones to contact agency management or supervisory staff outside of regular work hours for the purpose of calling off, schedule changes, etc. is not considered applicable to this policy and procedure.

### **Policy**

It is the policy of the MCBHC to ensure that consumer confidentiality is protected at all times in compliance with HIPPA and other confidentiality regulations. As a result, personal cellular phones should only be utilized by staff in the field to communicate case issues to supervisors if the situation is an emergency. An emergency is defined as someone's health or safety is potentially in immediate jeopardy. Review with supervisors on other case matters that are not considered emergent in nature should occur after the staff person to the office. Whenever possible in the field, MCBHC staff should utilize "land lines" to communicate to their supervisor.

This could include available phone lines from a provider, school, law enforcement agency, etc. MCBHC supervisors should only utilize employee's personal cell phones for business purposes if other forms of communication are not available or deemed inefficient given the circumstance. If it is known that a case manager in the field is at a specific location such as a provider or home, attempts should be made to contact the case manager at that location using traditional "land

lines" before the employee's personal cellular phone is called.

MCBHC staff should primarily rely on available office-based "land lines" when communicating with consumers and families to coordinate and monitor services, functioning, progress, and status, or schedule home visits or other meetings. MCBHC staff are not expected or required to provide consumers or families with their personal cellular phone numbers. Should a staff person decide to utilize their personal cellular phone for contact with a consumer or family they are encouraged to use judgment and only do so in situations where other means of communication have been determined unavailable or unfeasible. Under no circumstances should a staff person store a consumer or family's contact information in the address book of their personal cellular phone.

MCBHC staff should only rely on "texting" using their personal phones as a means of communication with consumers or families if other means of communication has been determined unavailable. Again, MCBHC staff must ensure that no consumer or family contact information is included in the address book of their personal phone. MCBHC staff should limit usage of "texting" to solely the scheduling, cancelling, or confirming home visits or meetings. MCBHC staff should not utilize "texting" to monitor the consumer's progress, status, treatment compliance, functioning, etc. MCBHC staff should not identify themselves as a MCBHC employee or reference their title or program in the "text". MCBHC staff should refrain from using the consumer's full name in the text and should only use initials. Any "texts" received from a consumer or family member should be immediately deleted after being read or responded to.

MCBHC staff may utilize email to communicate with consumers or families provided they are using their MCBHC issued email address. The same limitations that apply to "texting" would also apply to usage of email. Matters related to service monitoring, referral, coordination, etc. should not be communicated via email but rather written correspondence via the mail, telephone communication, or personal face-to-face meetings. Exceptions may be made with supervisory approval should the consumer or family have communication impairments that limit or restrict effective communication other than email. Communication with consumers or family members of service related matters through personal email accounts or other social networking sites is prohibited. Communication with active consumers or family members using personal email accounts or other social networking sites for other non-service related matters is discouraged as professional boundaries may be comprised.

### **Reimbursement Procedure**

MCBHC employees seeking reimbursement for usage of personal cellular phones for talking minutes relative to received and initiated calls or received and initiated "texts" that are in compliance with the above policy may include them on their expense reports for the time period identified on the expense report as two separate line items.

Phone calls should be reflected as total minutes for both received and initiated calls. "Texts"



should be recorded as a separate line item and should reflect total number of both received and initiated "texts".

MCBHC will reimburse the employee at the rate of 10 cents per call minute and 10 cents per text with a monthly maximum reimbursement of \$10.00.

While it is not necessary for employees to submit itemized phone bills with each expense report submitted, employees who have submitted personal cellular phone costs, per IRS regulations, must be able and prepared to support the claimed costs if audited.

Each month MCBHC Fiscal staff will randomly select one or two staff that submitted personal cellular phone costs for audit. If chosen for audit, the employee must be able to submit their phone bill including an itemized list of the work related calls with associated minutes and/or the work related "texts", in order for the employee to receive reimbursement.

## **SECTION 27**

### **E-MAIL/INTERNET/INTRANET POLICY**

This policy applies to employees who as a function of their job have access to agency computers. The policy objective is to assist those employees in carrying out the duties of their job through the use of internal intranet and external internet systems including E-Mail accounts while maintaining and protecting the integrity of the agency.

Although this access is intended to assist employees in carrying out assigned duties, management recognizes that employees may (on a sporadic basis) utilize both the e-mail and internet for personal purposes. Personal use of e-mail and internet must be completed on employee time and not on agency time. In the event that employees abuse this right, access will be limited and/or denied. It is expected that employees act in a professional manner when utilizing these systems. In the event that employees receive e-mails of an offensive, harassing, or inappropriate nature from other employees, outsiders, etc., employees must immediately notify either the IT Department or their respective Supervisor/Director.

Except in instances of work-relatedness and with approval from the appropriate Supervisor/Director/Administration, employees will not be permitted to publish any material (whether for profit or not) or promote/market information.

Supervisors, Directors and Administration maintain the right to monitor, access, retrieve, review, copy, delete and disclose incoming and outgoing information employee e-mail accounts and agency computers. Employees should be aware that personal information maintained on agency systems will be treated no differently than other information and is subject to monitoring, retrieval, and review by the agency.

Employees will be responsible for any security related items for their individual e-mail accounts. Employees are not permitted to provide other employees, outside

individuals/organizations, etc., access to their accounts (i.e.; informing others of your system password). To further protect the integrity of the systems, employees are advised not to access their e-mail messages in the presence of others. Never leave your e-mail window open on your computer. Employees are required to provide all passwords to the IT Department and/or his/her immediate Supervisor/Director.

Confidential information about agency consumers may not be sent over these systems except in password protected attachments. No other documents should be password protected.

No confidential/HIPAA related information (such as full names, addresses, DOB, social security numbers, personnel issues, etc.) is permitted to be sent in regular emails. Specifically general email messages are never permitted to contain any confidential/HIPAA information in the title or body of the email or in any attachments. General emails are not encrypted and have the potential for a security breach and/or HIPAA violation if intercepted. Any confidential/HIPAA related information that needs to be sent via an email must use encryption software to generate the email and transmit it. Encryption software is the only acceptable method of transmitting confidential/HIPAA related information.

Any unauthorized copying of copyrighted material is forbidden. Agency software installed on agency computers cannot be copied without specific approval of the IT Department.

In addition, employees cannot install personal software on agency computers without specific approval. Any software, manuals, etc., provided to employees must remain at the worksite except with specific approval.

Other Prohibited Activities include but are not limited to:

1. Publish, post, distribute, disseminate defamatory, infringing, offensive, obscene, sexually explicit, or unlawful material, jokes, or information.
2. Use agency systems to threaten, harass, stalk, abuse or otherwise violate the legal rights (including rights of privacy and publicity) of others.
3. Intercept or attempt to intercept e-mail from e-mail accounts other than your own except with the permission of management.
4. Mail or send files containing software or other material protected by copyright/trademark laws unless you own or control the rights or have received permission.
5. Mail or send files that contain known viruses or corrupted data.
6. Delete any author attributions, legal notices or proprietary designations or labels in a file that you mail or send.
7. Falsify the source or origin of software or other material contained in a file that has been uploaded.
8. Use agency systems in a manner that adversely affects that availability of its resources to others.
9. Receive or download a file that you know (or reasonably should know) cannot be legally distributed.
10. Open any documents sent by unknown sources without contacting the IT Department first.
11. Conduct non-work-related private business.
12. Participate in football, baby pools and/or any other pools and/or gamble.

13. Visit pornographic sites.
14. Conduct political activity.
15. Create or distribute chain letters.
16. Use the agency system for union-related solicitations and messages.
17. Search for other employment.

Upon termination, resignation, furlough, etc., employees will no longer have access to these systems.

Failure to follow these policies may result in disciplinary action and/or termination.

## SECTION 28

### MCBHC CHILD ABUSE REPORTING POLICY AND PROCEDURE

#### **Background:**

Pennsylvania state laws governing child abuse and the mandated reporting of child abuse have been outlined and defined under 55 Pa. Code 3490.4 and 23 Pa. C.S. 6311. During 2013 these laws were significantly amended by HB #430, HB #432, HB#435, HB#726, and SB#21. These amendments further defined and clarified child abuse definitions and revised obligations of reporting by mandated reporters.

#### **Purpose:**

The purpose of this policy and procedure is to ensure that all MCBHC case management and central intake unit programs report suspected child abuse as required and mandated by state law. The further purpose of this policy and procedure is to inform MCBHC staff of actions and steps that must be taken if they have cause to suspect child abuse and are in a mandated reporting situation.

#### **Policy:**

It is the policy of the MCBHC that all staff employed by MCBHC who have direct and non-direct contact with children and adolescents, report suspected child abuse as mandated reporters. Such reporting will be done in full compliance of state law requirements and obligations.

In compliance with state law, any staff members who observe symptoms/signs of child abuse, have a child disclose to them that they have been abused, have received information from or made aware of alleged child abuse by a third party, or have other reasonable cause to suspect child abuse, must **immediately** report the alleged abuse per their role as a mandated reporter.

It is the policy of MCBHC that, should a staff member need to report suspected child abuse as a result of work activities, the staff member should notify their immediate supervisor of the situation and the need to report as soon as it is feasible to do so, but in no circumstance should the supervisor be without notification for more than one business day. Should their immediate supervisor not be available within one business day, the staff member should consult with another MCBHC supervisor or administrative staff. The MCBHC recognizes state law requires the staff member to directly report the suspected abuse **immediately; however**, whenever

feasible, expects supervisory support during the reporting process. The MCBHC further recognizes that state law requires mandated reporters to report suspected child abuse that they become aware of outside of their work duties or work hours. Such occasions, do not require consultation with a member of the MCBHC supervisory team.

It is further the policy of MCBHC, and is requisite by law, that any required mandated reporting be done **immediately**.

It is further the policy of MCBHC that any mandated reporting occur directly to the PA Childline and Abuse Registry utilizing the two methods approved by state law: direct telephone reporting with subsequent submission of CY 47 form or online reporting. It is the policy of MCBHC that online reporting is the preferred method and should occur whenever feasible and whenever access to internet is available. This policy further applies to all reporting of suspected child abuse including cases known to be active with the local CYs.

It is further the policy of MCBHC that all direct care staff who meet the legal definitions of mandated reporter receive regular and ongoing training as required by state law to improve their knowledge of child abuse definitions and mandated reporting obligations.

It is further the policy of MCBHC that any mandated reporting by staff must include provision of his/her name, agency address, and phone number. Mandated reports should not be made on an anonymous basis.

Privileged communication between a professional person and a client does not apply to situations involving child abuse and may constitute failure to report suspected child abuse if used as a reason a report is not made when it would otherwise be required by law. It is the policy of MCBHC that failure to report suspected abuse will result in disciplinary action and potential criminal prosecution. It is further the policy of MCBHC that whenever appropriate, MCBHC staff will inform clients and families of their mandated reporter status and subsequent legal obligations for reporting. Typically this will occur at the time of case opening or any time explanation of the confidential nature of services occurs.

### **Procedure:**

Should a MCBHC employee find him/herself in a mandated reporting situation, the staff member shall **immediately** report the suspected abuse via the following steps:

- If possible, immediately notify a member of the supervisory staff of the suspected abuse—however, as the law requires a report to be made immediately, the unavailability of a supervisory staff shall in no way negate the individual's obligation to proceed with the report using one of the two following steps immediately. If this occurs, a supervisory or administrative staff should be notified within the next business day, sooner rather than later.
- Staff will utilize the reporting website by searching “**Child Welfare Self Service Portal**” and complete the required reporting fields. Once completed, staff shall print out the received email receipt of the report and place it in the consumer's file. Should a consumer's file not be available; staff shall provide the receipt to his/her supervisor.

- If accessing the website is not available, contact the Pennsylvania Child Line and Abuse Registry at 1-800-932-0313. Provide all necessary requested information and complete the follow up form “CY 47” within 48 hours of initial report. This form must be submitted to Mercer County Children & Youth Services, Attn: Intake Department, Acker Building, 8425 Sharon-Mercer Road, Mercer, PA 16137. A copy of the completed CY47 form shall be included in the client’s chart and the action of submitting this form to MCCYS should be documented in the client case notes. Staff shall ensure that the following information is available at the time of reporting:
  - The names and addresses of the child, parents, or other persons responsible for the child’s care.
  - Where the suspected abuse occurred.
  - The age and sex of the subjects of the report.
  - The extent of the suspected child abuse, including any known evidence of prior abuse.
  - The name and relationships of the person(s) responsible for the suspected abuse including any known evidence of prior abuse by the person(s).
  - Any actions taken to document the suspected abuse or to secure the child’s safety.
- After consultation with a supervisor, if it is determined that additional reporting is required, such as HCSIS Unusual Incident Reporting, VBH Critical Incident Reporting, etc. the staff member and supervisor should assure that such reporting occur.