

# **ALBERTA PROFESSIONAL SERVICES**

## **Personnel Manual**

### **1:01 Employment-At-Will**

Policy: Alberta Professional Services (APS) is an at-will employer. Employees may voluntarily resign from employment at any time for any reason. APS reserves the right to discharge any employee at any time and for any reason.

Neither this manual nor any other document used prior to or in the course of employment, including but not limited to employment applications, letters of employment, and recruitment materials, is intended to create a contract of employment, and these documents shall not create an expressed or implied contract of employment. Completion of an initial employment period or probationary period shall not alter the at-will status of the employee.

No individual member of the APS staff is authorized to modify these policies by making any oral or written statement to the contrary. As the legal employer of APS staff, the Executive Director is responsible for the adoption of personnel policies and policy revisions. These policies may be changed without notice at any time at the discretion of the Executive Director.

## **POLICIES**

### **2:01 Equal Employment Opportunity**

Policy: APS shall provide equal opportunity employment to all employees and applicants for employment. No person shall be discriminated against because of creed, religion, color, sex, age, national origin, veteran=s status, pregnancy, or disability.

Equal employment opportunity will be applied in recruitment, hiring, compensation, fringe benefits, staff development and training, promotion and any other condition of employment, regardless of creed, religion, color, sex, age, national origin, veteran=s status, pregnancy, disability, or any other nonperformance factors.

Procedures: It is the intention of APS to give equal opportunity for advancement to all its employees. All necessary record-keeping and notice requirements shall be met in order to comply with applicable statutes and regulations.

### **2:02 Applicability and Dissemination of the Policies**

Policy: The personnel policies shall apply to full-time and part-time employees unless otherwise stated.

Procedures:

1. A newly hired employee will receive a copy of the Personnel Manual.
2. Each employee will be asked to sign an acknowledgment that he or she has received the Personnel Manual. Personnel Policies not included in the Personnel Manual are available for review by contacting the main office. The signed acknowledgment will be placed in the employee=s personnel file.
3. Notification of all changes to the personnel policies shall be given to each employee in writing.

## **EMPLOYMENT**

### **3:01 Selection Process**

Policy: APS seeks to have the most qualified applicants for all employment positions.

Procedure:

1. Application forms approved by the Executive Director will be used.
2. Documentation of references:  
References will be checked for all applicants and shall be documented on approved forms.
3. Testing:  
In the case of certain positions where job specific skills are required, performance tests measuring these skills may be required.
4. Interviews:  
Applicant interviews shall be held by the Recruitment Officer. The Executive Director has final approval of the selected applicant.
5. Verification of Licensure:  
All applicable licensure/certification of applicants shall be verified prior to employment. Documentation of such licensure/certification will be placed in the employee=s personnel file.
6. Pre-employment Drug Screening:  
APS may require pre-employment drug screening. If such screening is requested, any offer of employment will be conditional pending receipt of satisfactory drug screening results.
7. Criminal Record Checks:  
All offers of employment are conditional pending satisfactory results of criminal record check.
8. Notification of Applicants:  
Applicants not selected for employment shall be notified that they were not selected for the particular vacancy.

### **3:02 Type of Appointment**

Policy: All newly hired staff will be placed in one of the following appointments.

1. Benefitted Habilitation Counselor - hired without a predetermined termination point of employment, works on a fluctuating workweek method, and works at least 56 hours per week. The employee is eligible for all fringe benefits including personal leave (personal leave time will be used anytime the employee falls below 56 hours per week), life insurance, group hospitalization, and holidays. Regular benefitted habilitation counselors must have completed their period of probation as described below.
2. Benefitted Office Staff - hired without a predetermined termination point of employment, works a minimum of 40 hours per week. The employee is eligible for all fringe benefits including personal leave (personal leave time will be uses anytime the employee falls below 40 hours per week), **life insurance, group hospitalization, and holidays. Regular benefitted employees must have completed their period of probation as described below.**
3. Regular Hourly Employee - hired without a predetermined terminal point of employment and is typically scheduled to work 39 hours per week or less. The employee is not eligible for fringe benefits including personal leave, life insurance, group hospitalization, and holidays except at the discretion of the Director. This can be an office staff person or habilitation counselor.
4. Temporary Employee - hired with a predetermined terminal point of employment. The employee is not eligible for personal leave or holidays except at the discretion of the Director. Temporary employees do not have access to the grievance procedure.
5. Consultant - a person serving with or without compensation who provides expertise in a particular field.
6. Probationary Employee - any employee during the first six months of employment or promotion of a new position. Probation may be extended in certain circumstances beyond the six month period and to non-probationary employees. Probationary status has no impact upon an employee's eligibility for fringe benefits. Probationary employees do not have access to the grievance procedure.

### **3:03 Outside Employment**

Policy: Except as outlined below, APS neither encourages nor objects to employees holding outside employment. Outside employment shall include but is not limited to: other employment; the ownership or operation of a business; employment as a consultant or advisor; and employment in another social services related agency. However, such employment must not conflict with the performance of assigned APS duties nor be in competition with APS.

Procedures:

1. Whether outside employment is acceptable depends upon the specific duties of the employee and the actual or potential relationship between the outside employer and APS.
2. Staff members must report all outside employment to the Executive Director or his designee.
3. If a conflict of interest is found to exist, the situation will be discussed and corrective action to eliminate the conflict of interest will be taken by either the employee or APS, including but not limited to the staff member's resignation from outside employment or his or her termination from employment with APS.

### **3:04 Probationary Period**

Policy: All newly hired employees and employees who are transferred or promoted to a new job shall be placed in a probationary status. As a disciplinary tool, employees may be returned to a probationary status. Upon successful completion of this period, the employee shall continue to be subject to employment at-will.

Procedures:

1. The probationary employment period will be six (6) months. The period may be extended or reinstated in disciplinary matters on a case-by-case basis.
2. During the period, the employee's job performance will be monitored on a regular basis by the supervisor.
3. Prior to the conclusion of this period, a written performance appraisal will be conducted. The written appraisal shall be placed in the employee's personnel file.

### **3:05 Pre-Employment Drug Testing**

Policy: APS reserves the right to require applicants to submit to APS a laboratory or physician's statement showing that the applicant has been tested following accepted methods for drug testing within two (2) weeks of the conditional offer of employment and that such testing indicated that the applicant is drug free.

No applicant shall be hired without signing a consent form authorizing APS to obtain records relating to drug and alcohol testing occurring during the period of employment with APS and a consent to submit to drug and alcohol testing on the terms and conditions outlined by APS.

Procedure: After a conditional job offer has been made, APS staff will have the potential employee sign the consent to drug and alcohol testing and release of information form. Pre-employment drug testing may only be performed at the testing center designated by The Executive Director. APS may require the employee to pay for the cost of pre-employment and for-cause drug testing.

### **3:06 For Cause Drug & Alcohol Testing**

Policy: Any employee whose appearance, behavior or performance leads their supervisor or member of management to have reasonable cause to suspect that they are under the influence of an illegal drug or alcohol while on duty shall be subject to drug and/or alcohol testing.

Definitions:

1. Under the influence means, for the purposes of this policy, that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in any detectable manner.
2. Illegal drug means any drug which is not legally obtainable, or which is legally obtainable but has not been legally used. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes.

Procedure: Any supervisor or member of management who has reasonable cause to believe that an employee is under the influence of an illegal drug or alcohol shall require that the employee be tested by a qualified laboratory for the presence of such drugs or alcohol. Testing will be conducted in accordance with all applicable laws. Any employee who refuses such testing shall be subject to dismissal.

Reasonable cause means that APS believes the actions, appearance or conduct of the employee are indicative of the use of an illegal drug or alcohol. APS will only conduct reasonable cause testing when there are objective facts and reasonable inferences which can be drawn from those facts. The objective facts and inferences may be based upon, but not limited to, the following items:

1. observable phenomenon such as direct observation of drug or alcohol use and/or the physical symptoms or manifestations of being under the influence of a drug or alcohol;
2. abnormal conduct or erratic behavior while at work;
3. a report of drug or alcohol use provided by a reliable and credible source;
4. evidence that an employee is involved in the use, possession, sale, solicitation, or transfer of drugs or alcohol.

Confidentiality: All information regarding test results will be confidential. Only designated management personnel will have access to this information. Test results will not be provided without written consent from the employee except in legal matters.

As an adjunct to this policy, any employee who is taking any mood altering prescription drug or who has taken any alcohol based medication shall report this to their supervisor immediately upon reporting for work so as to avoid the unnecessary testing of that employee.

### **3:07 Voluntary Non-Compensated Work**

Policy: Employees are permitted but not required to volunteer in APS programs.

### **3:08 Disclosure of Employee Information**

Policy: All inquiries concerning current or former employees shall be directed to the Office Manager or the Executive Director. Information released will be limited to factual information contained in the employee's personnel file.

### **4:01 Work Week and Hours of Work**

Policy: APS shall establish the time and duration of working hours as required by the work load, program service needs and the efficient management of human resources.

Procedures:

1. Overtime is work beyond 40 hours in the stated work week. All overtime work requires the prior approval of the supervisor.
2. Overtime compensation is determined by the provisions of the FLSA.

#### **4:02 Pay Periods**

Policy:

Pay periods will be as established by the Executive Director.

Procedures:

1. If the regular payday occurs on a Saturday, Sunday, or holiday, employees will be paid on the next working business day immediately following the regular payday.
2. Paychecks will only be released to program directors for distribution to individual employees unless paperwork is needed directly from the employee.

#### **4:03 Inclement Weather**

Policy: The Executive Director or his designee will determine and announce when APS will be closed or have a delayed opening due to severe weather.

Procedures: Employees are not paid for work missed due to inclement weather, even if APS is closed. Employees may use vacation leave if work is missed due to inclement weather. Employees who are late because of weather conditions may have the chance to make up the missed time if work schedules permit.

#### **4:04 Accidents/Injuries - Reporting Procedures**

Policy: There shall be a formal process for reporting patient, visitor, and staff (job-related) injuries; steps to take in the event of an injury and procedures to address any risk management issues which may be involved.

Procedure:

##### *Employee Accidents*

1. All job related accidents, injuries, and occupational illnesses must be reported immediately by the employee to his/her immediate supervisor or the department head. At that time, an Incident Report must be completed by the employee, or the supervisor if the employee is unable to complete the form. Be certain all requested information on the form is provided. If the employee requires no medical attention, the Incident Report form should be sent directly to the Executive Director. If the employee requires medical attention, the employee will be referred to an authorized health care provider. If a serious injury is involved, the employee should be referred to the nearest emergency room.
2. Appropriate reporting procedures to OSHA and the Industrial Commission will be handled by the Executive Director or his designee.
3. All Incident Reports will be reviewed by the Executive Director and appropriate recommendations, actions, and monitoring carried out by the proper administrative personnel, as deemed appropriate.
4. A Workman's Compensation injury report must be completed for on-the-job injuries that require medical attention. The employee's supervisor must approve/co-sign this report.

##### *Visitor Accidents*

Immediate assistance should be provided to any visitor injured on APS premises. The Executive Director should be notified and an investigation performed if appropriate. Visitors who have been injured will be encouraged to be evaluated or treated by a health care provider. Incident Reports should be completed by any employee(s) who witness the accident/injury.

#### **4:05 Immediate Threat to Life, Health and/or Property**

Policy: Any condition that poses an immediate threat to life, health and/or property shall not be allowed.

Procedure: Any staff member who becomes aware of an immediate threat to life, health and/or property must immediately report this to the Executive Director or if he/she is not available, to the staff member's supervisor. The Executive Director or supervisor is authorized to take any appropriate action necessary to eliminate the threat.

### **COMPENSATION AND BENEFITS**

#### **5:01 Salary Ranges**

Policy: APS offers a fair and equitable program of compensation based on salary ranges which maintain internal equity for similarly qualified employees and which promote external competitiveness.

Procedures:

1. Salary ranges are approved by the Executive Director and are subject to periodic revision.
2. Starting salaries for new employees customarily falls between the minimum and mid-point of the range for the respective positions. This allows for progressive growth.
3. When ranges are revised, salaries falling below the new minimums of the given ranges are automatically adjusted upward.

#### **5:02 Salary Increases**

Policy: APS may grant annual salary increases based on the results of yearly performance appraisals and the availability of funds.

Procedures: APS uses a pay-for-performance system where the amount of increase varies depending upon the employee's overall performance. Customarily, increases are made according to the results of the performance appraisal process. However, the Executive Director may make salary adjustments or award lump-sum bonuses to employees at his discretion.

#### **5:03 Holidays**

Policy: Ten holidays are observed annually: New Year's Day; Dr. Martin Luther King, Jr.'s Birthday; Easter (Good Friday); Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving - 2 Days (Thursday and Friday); Christmas Day

Procedures: A holiday that occurs on a Saturday is observed on the preceding Friday. A holiday that falls on a Sunday is observed either on the following Monday or on a day designated by the Executive Director. Benefitted employees will be paid \$75.00 for each of the 10 holidays listed above as each holiday occurs. For example, you will receive an additional \$75.00 for the pay period that includes July 4. Benefitted employees are expected to work their normal schedule when holidays occur. Most of our clients do not have any where to go and we must continue to provide care for them.

#### **5:04 Personal Leave**

Policy: APS shall grant annual personal leave to all benefitted employees based upon years of service.

Procedures: Benefitted employees accrue personal leave time on a bi-weekly basis in accordance with the following schedule based on years of service:

Up to 1 year	80 hours per year (3.33 hours/pay period)
1 up to 5 years	120 hours per year (5.00 hours/pay period)
5 up to 10 years	160 hours per year (6.67 hours/pay period)
10 years and up	200 hours per year (8.33 hours/pay period)

Approval of Personal Leave - Personal leave may be taken as earned by an employee provided the Executive Director or supervisor approves the leave and can arrange for the leave to be taken without interfering with the operation of APS. Due to schedule problems or in extreme circumstances, the Executive Director may allow an employee to borrow unearned personal leave from his/her anticipated earned personal leave within the current year. If the employee does borrow and use unearned personal leave within the current year and should end their employment prior to earning sufficient leave to cover that which was borrowed an amount equal to personal leave taken and not earned shall be deducted from the employee's final salary check.

APS does not pay for accrued but unused personal leave upon separation from employment or an employee who no longer meets the requirements for benefitted status.

### **5:05 Leave With Pay**

Policy: APS grants leave with pay to benefitted employees for specified purposes:

Procedures:

1. Bereavement Policy - Up to five days of personal leave time may be utilized in the event of a death in the immediate family. The Executive Director will review other requests on a case by case basis.
2. Civil Leave - A benefitted employee called for jury duty or as witness for the Federal or State governments or a subdivision thereof shall be entitled to leave with pay for such duty up to a maximum of (5) five days per year. An employee who is a principal or witness in private litigation shall be required to use personal leave, or leave without pay if called to appear in court. Any monetary compensation for jury duty shall be deducted from the employee's paycheck.
3. Military Leave - Employees required to attend mandatory annual training in the National Guard or Reserve are granted a two-week unpaid leave to accommodate this training time. Employees may use personal leave.
4. Maternity Leave - A benefitted employee absent from work due to pregnancy, childbirth or related conditions may utilize personal leave or leave without pay. For further information please refer to section 5:06 Medical and Personal Leave.
5. Paternity Leave - Paternity leave shall be granted to a male employee who is needed to help with the care of his infant after birth. The employee may elect to (1) take leave of absence without pay, or (2) use any accumulated personal leave, or any combination thereof. For further information please refer to section 5:06 Medical and Personal Leave.

### **5:06 Medical and Personal Leave Policy**

1. Medical Leave of Absence
  - A. Scope - Unpaid medical leave of absence will be granted for up to 12 weeks and may be extended for up to one year if verified by a doctor and approved by the Executive Director. In instances where an employee has a disability which requires a leave beyond 12 weeks, the Agency may offer additional leave as an accommodation of such disability, if it does not create an undue hardship for the Agency. Any extensions past this 12 weeks must be approved by the Executive Director.
  - B. Terms and Conditions of Leave

- a. A medical leave of absence will be granted to an employee for a serious health condition upon request and with a physician's written certification of the medical condition requiring such leave. A separate certification is required for any extension of the leave of absence.
  - b. Medical leaves are only for periods of actual medically necessitated absences. While on medical leave, the employee must regularly report in concerning his/her medical status in accordance with the terms of this policy. APS may require the employee to furnish a physician's statement or to be examined by an Agency approved physician to verify continuing inability to work. Employees must return to work on the next working day after release by a physician. An employee who fails to report after release by a physician will be considered to have voluntarily resigned.
  - c. Leave taken under the Medical Leave of Absence provisions of this policy will be calculated on a calendar year basis.
- C. Reinstatement
- a. For leaves of 12 weeks or less, an employee who has been employed for 12 months and has worked 1250 hours preceding the commencement of the leave will be reinstated to his or her former position, if available, and if not available, to a similar position if such is available.
  - b. For leaves which extend beyond 12 weeks or in those cases where the employee does not meet the standards for reinstatement described in paragraph C(a) above, an effort will be made to provide the employee with the same job or a similar job dependent upon the availability of such a position and the needs of the Agency.
  - c. Upon returning to work, a physician's verification of the employee's ability to perform the essential functions of the position will be required. Refusal of an offer of reinstatement will be treated as a voluntary resignation.
- D. Termination
- a. An employee who does not return to work when the leave expires or who does not provide a physician's note extending the leave will be considered to have voluntarily resigned, absent extenuating medical circumstances.
  - b. If an employee is released for return to work by a physician, but fails to report, he or she will be considered to have voluntarily resigned.
2. PERSONAL AND FAMILY LEAVE
- A. Scope - Unpaid personal leave of absence for up to 12 weeks will be granted for the following reasons. If both spouses work for APS a combined total of 12 weeks will be granted if the leave is taken for one of the below listed reasons.
- a. For the birth of the employee's child (leave must be concluded within 12 months of birth).
  - b. For the placement with the employee of a child through adoption or foster care (leave must be concluded within 12 months of placement).
  - c. For the care of a spouse, child, or parent of the employee who has a serious health condition.
- B. Terms and Conditions of Leave
- a. While on leave the employee must regularly report in concerning his/her status or the status of their family member in accordance with the terms of this policy.
  - b. Leave taken under the Personal and Family Leave provisions of this policy will be calculated on a calendar year basis.
  - c. The leave may be extended up to one year if requested by the employee and agreed to by the Executive Director.
- C. Reinstatement
- a. For leaves of 12 weeks or less, an employee who has been employed for 12 months and has worked 1250 hours preceding the commencement of the leave will be reinstated to his or her former position, if available, and if not available, to a similar position if such is available.
  - b. For leaves which extend beyond 12 weeks or in those cases where the employee does not



meet the requirements for reinstatement described in paragraph C(a) above, an effort will be made to provide the employee with the same job or a similar job dependent upon the availability of such a position and the needs of the Agency.

D. Termination

An employee who does not return to work when the leave expires will be considered to have voluntarily resigned.

3. TERMS AND DEFINITIONS

A. Serious Health Condition Illness, injury, impairment or physical or mental condition that involves:

a. Inpatient Care; or

b. Continuing treatment which includes:

1. A period of incapacity of more than three consecutive calendar days and any subsequent treatment that involves:

a) treatment two or more times by a health care provider; or

b) treatment by a health care provider on at least one occasion which results in a regime of continuing treatment.

2. A period of incapacity due to pregnancy or prenatal care.

3. Any period of incapacity due to a chronic health condition which is defined as:

a) one which requires periodic visits for treatment;

b) one which continues over an extended period of time; or

c) one which may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy).

4. A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective.

5. Any period of absence to receive multiple treatments after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive days (e.g. chemotherapy, radiation).

B. Continuing Treatment includes a course of prescription medicine or therapy requiring special equipment to resolve the health condition. It does not include the taking of over-the-counter medicines, bed-rest, drinking fluids, exercise and similar activities that can be initiated without a visit to the physician.

4. CERTIFICATION AND NOTICE

A. An employee who requests leave to

a. care for the employee's spouse, child, or parent, or

b. because of the employee's own serious health condition or disability must furnish certification issued by the health care provider no later than fifteen days after such request. However, in the event of an unforeseen circumstance, require that the employee take leave, certification must be provided within fifteen days after leave commences. The appropriate form will be provided by the Agency.

B. For family leave to care for a seriously ill family member, a statement that the patient-family member requires assistance for hygiene, safety, transportation, or basic medical or nutritional needs, or that the employee's presence would be beneficial or desirable for the care of the family member. The employee is required to indicate the type of care to be provided by the employee and an estimate of the time period for which the employee's assistance will be required.

C. Recertification of the employee's or family member's medical condition is required every 30 days or at the time the employee makes a request for an extension of leave. Also, if at any time the Agency receives information that casts doubt upon the continuing validity of the original certification, the Agency may require recertification of the employee's or family member's medical condition.

5. INTERMITTENT AND REDUCED-SCHEDULE LEAVE

An employee may take personal and medical leave intermittently or on a reduced schedule only under the following circumstances, unless otherwise agreed to by the Agency:

A. The employee has a disability which substantially limits him or her in a major life activity and intermittent medical leave is necessary to accommodate such employee in the performance of the essential functions of his or her position.

- B. The employee has a serious health condition which requires intermittent medical leave.
  - C. The employee has a spouse, child, or parent with a serious health condition which requires intermittent personal leave.
6. BENEFITS WHILE ON LEAVE
- A. Continuation of Benefits - The Agency will continue the employee's health insurance under the same conditions as if the employee were working. If the employee fails to return to work after the leave is over and if the failure is due to reasons other than the serious health condition of the employee or family member or other circumstances beyond the employee's control, the Agency may recover from the employee the premiums that it paid for the employee's health insurance during the leave. The employee will not accrue additional personal leave while on leave.
  - B. Required Paid Leave Substitution - If leave is requested for the birth, or placement for adoption or foster care of a child, the employee is required to substitute any accrued personal leave for any part of the 12 week period. If leave is requested due to a serious health condition of the employee or member of the employee's family, the employee is required to substitute any accrued personal leave for any part of the 12 week period.
7. OTHER LEAVES OF ABSENCE
- Requests for leaves other than those listed in the Medical and Personal and Family Leave sections above may be granted at the discretion of the Executive Director for up to six months and extended for a total of one year. Upon return from such a leave, the Agency will make every effort to provide the employee with a position, however, the Agency cannot guarantee that a job will be available.

#### **5:07 Leave Without Pay**

Policy: Where circumstances surrounding a leave request do not fall within the provisions of the Agency's paid leave or Family and Medical leave policies, the employee may be granted leave without pay at the Agency's sole discretion. Examples of such leave might be due to illness, extended bereavement leave, educational leave, or military service.

Procedures: APS Leave of Absence Request must normally be completed and approved at least two (2) weeks prior to the leave. During a leave without pay, an employee does not accrue personal leave. The Agency will continue to provide health insurance benefits to the extent that it has provided them previously, however, the employee absorbs the total cost. Requests should be reviewed on a case-by-case basis by the Executive Director taking into account the effect the leave would have on the Agency. APS cannot ensure that employment will be available to an employee who goes on leave without pay. However, the supervisor shall attempt to secure a temporary replacement for an employee who takes a leave of absence without pay and, if feasible, to return the employee to his/her former position.

#### **5:08 Compensatory Leave**

Compensatory leave is a privilege given by APS to exempt employees. Exempt employees may accrue compensatory leave for hours worked over 40 hours in a work week or as approved by the Executive Director. Compensatory leave may not be advanced before it is earned. Time taken off for compensatory leave must be approved by the employee's supervisor prior to its being taken. Under no circumstances will employees be paid for compensatory time earned but not taken.

#### **5:09 Job Expenses**

Policy: Employees shall be fully reimbursed for authorized expenses incurred in the course of conducting Agency business. Expenses need to be pre approved by the Operations Manager.

Procedures: Reimbursable expenses related to the employee receiving training include workshop fees,

transportation, mileage, tolls, parking, meals and lodging. Expenses for meals and lodging must be reasonable and approved by the employee's supervisor. Employees must receive prior approval from their supervisor for reimbursement of job-related expenses that will result from the employee being away from home. A cash advance for approved expenses may be issued upon request. An expense voucher and supporting receipts must then be submitted upon completion of travel or the employee can accept the established "per diem" rate for meals, in which case receipts are not required.

### **5:10 Medical Waiver**

**MEDICAL WAIVER:** A benefitted employee may waive hospital and medical insurance by signing a waiver statement. The statement includes the following:

Medical insurance is carried on the employee through another contract. APS is not responsible for any medical cost incurred by the employee except as may be required under applicable workers compensation laws. The employee may, within 60 days of the date of full time hire, elect to enroll in the APS medical insurance plan. Any elections made after 60 days may be subject to waiting periods as set forth by the insurance carrier.

## **PERSONAL CONDUCT OF EMPLOYEES**

### **6:01 Personal Appearance of Employees**

**Policy:** A standard of dress and grooming which is appropriate to the work environment and to the performance of the job is required.

**Procedures:** Each employee is expected to exercise good judgement and common sense in determining what is considered to be in good taste by the community and appropriate to the work environment. The employee is expected to correct problems brought to his or her attention by his or her immediate supervisor.

### **6:02 Harassment**

**Policy:** APS is committed to protecting the rights and dignity of each individual it serves and of every employee who provides those services. A fair and productive working environment shall be maintained, free of unlawful and improper harassment. Offenders are subject to disciplinary action.

**Procedures:** Harassment may be defined as unwelcome or unsolicited verbal, physical or sexual conduct which: is made a term or condition of employment; is used as the basis for employment decisions; or creates an intimidating, hostile or offensive working environment.

Examples of what may be considered harassment are the following: Verbal harassment - derogatory or vulgar comments including jokes, insults or slurs regarding a person's race, sex, religion, ethnic heritage or physical appearance. Distribution of written or graphic material having the same effects; Physical harassment - hitting, pushing or other aggressive action or threats to take such action; Sexual harassment - unwelcome sexual advances or comments, gestures or physical conduct of a sexual nature. Also, the use of one's authority and power to coerce another individual into sexual relations or to punish the other for his/her refusal.

Harassment is misconduct which will not be tolerated. Any employee who believes that he or she has been subjected to or witnesses discriminatory harassment should report the conduct immediately to any supervisor to whom the employee feels comfortable speaking, the Executive Director or the Human Resources Director. All complaints and related information will be investigated promptly and appropriate corrective and disciplinary measures will be taken, up to and including immediate termination of employment of an individual who exhibits harassing behavior.

### **6:03 Substance Abuse**

Policy: APS will not tolerate the unlawful manufacture, use, sale, dispensing, or possession of illegal drugs, narcotics or alcohol on its premises or while conducting APS business off premises and employees involved in these activities may be subject to immediate dismissal. Violation of this policy will result in disciplinary action, up to and including termination of employment, and may have legal consequences. APS encourages employees to seek assistance for their problems which may affect their performance.

Procedure: It is the policy, therefore, of APS that all employees should understand that the manufacture, distribution, dispensing, possession, or use of an illegal drug, controlled substance or alcohol is prohibited in the work place and that the following actions will be taken if the policy is violated: The individual in question will be considered for dismissal from his/her position of employment. If dismissal is not appropriate then the employee will be referred for drug or alcohol abuse assistance or participation in a rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. In Guilford County there are several such approved agencies including Alcohol Drug Services. Additionally, all full-time employees may purchase care privately either through out-of-pocket or through coverage provided by the agency sponsored health insurance company.

#### **6:04 Discipline and Dismissal**

Policy: APS reserves the right to take disciplinary action up to and including termination of employment for situations including, **but not limited to**, the following:

1. Poor performance;
2. Excessive absenteeism or tardiness;
3. Failure to follow policies of APS;
4. Negligent or careless action resulting in property damage or physical injury of others;
5. Theft or other illegal acts;
6. Dishonesty;
7. Insubordination;
8. Threats or acts of physical violence;
9. Falsification or material omission of information on the application for employment;
10. Violation of substance abuse policy; or
11. Abuse or neglect of an APS client.

Procedure: Disciplinary action, a return to probationary status, or dismissal of an employee by a supervisor must be approved by the Executive Director.

#### **6:05 Confidential Information**

No employee shall disclose confidential, privileged or proprietary information concerning clients, personnel matters, property, or affairs of APS, nor shall an employee under any circumstances use such information to advance the financial, political, or other private interests of themselves or others.

#### **6:06 Gifts and Favors**

Any gift received by an APS employee whose value exceeds twenty five dollars (\$25), whether in the form of service, loan, thing, or promise, by any person, firm, or corporation interested directly or indirectly in any manner whatsoever in business dealings with APS, shall be reported to the Executive Director. If any employee has an influence over any decision pending with the person, firm, or corporation making the offer of the gift, the employee must refuse to accept it. Monetary gifts for services performed by APS shall be refused by all employees.

### **6:07 Driving APS Vehicles**

Policy: Only authorized employees with valid drivers' licenses may operate APS vehicles. Non-employed family members are not authorized to drive APS vehicles. No employee shall operate APS vehicles for personal use.

Procedure: The Executive Director or his designee shall authorize employees to operate APS vehicles for agency purposes. Any employee with knowledge of unauthorized or improper use of an agency vehicle shall notify the Executive Director.

### **6:08 Long Distance Calls**

Policy: Employees should make no personal long distance phone calls on APS phones at APS expense. All personal phone calls should be brief so as to not tie up the phone lines or prevent the employee from properly performing his/her duties.

## **PERFORMANCE MANAGEMENT**

### **7:01 Performance Appraisal**

Policy: Performance appraisals are conducted at the end of the initial probationary period and annually thereafter.

Procedures: The performance appraisal is conducted by the immediate supervisor and approved by the Executive Director. The employee should have the opportunity to add comments to the appraisal form. Both the supervisor and employee are required to sign the form. If the employee refuses to sign, the supervisor should note on the form that the employee refused to sign it. The Executive Director examines each appraisal and signs the form indicating his concurrence with the results. A copy of the appraisal may be given to the employee and the original is maintained in the employee's personnel file. Performance appraisals are personal and highly confidential. A relationship exists between the Agency and its performance appraisal process. A formal system of evaluation ensures that all persons are given equal consideration for promotional opportunities.

### **7:02 Promotion**

Policy: APS, while reserving its right to fill vacancies above entry level from the outside, encourages employees to seek internal promotional opportunities.

Procedures: Vacancy notices, oral or written, will be distributed throughout the Agency.

## **TERMINATION OF EMPLOYMENT**

### **8:01 Separation Payments**

No employee shall be paid for accrued personal leave or compensatory time upon termination of employment.

### **8:02 Exit Interview**

Policy: The Executive Director or his designee may conduct and record an exit interview with all employees leaving the Agency.

Procedures: Information should be recorded regarding reasons for leaving, departure date, and the employee's forwarding address. During the exit interview, benefitted employees should be advised of eligibility for continued group medical benefits (COBRA). In addition, employees should be informed of the Agency's post-employment reference policy. As part of the exit interview, employees must submit all APS property in their possession which may include: Keys, Personnel Manual, Residential Services Manual, and/or Others

## **GRIEVANCES AND APPEALS**

### **9:01 Grievance Process**

Policy: The Agency provides a systematic process for the objective hearing and orderly handling of staff grievances. A grievance is a complaint concerning the application of policies and procedures governing personnel practices or working conditions.

Procedures: All information concerning an employee grievance will be held in confidence and shared only with those individuals with a need to know. Most employee complaints can be resolved informally through established supervisory channels and informal resolution of grievance is encouraged. If this fails and resolution seems improbable, employees may use the grievance procedures and are not to be penalized for doing so. The employee should submit their grievance in writing to the Executive Director. An investigation of the grievance will be conducted and (if applicable) a meeting will be held with all relevant parties to work out a mutually satisfactory resolution.