

KENTUCKY RIVER COMMUNITY CARE  
PERSONNEL POLICIES

**PERSONNEL POLICY HANDBOOK**



**PERSONNEL POLICIES**

These policies and procedures are intended for, and shall apply to, all staff of Kentucky River Community Care.

This Personnel Policy and Procedure Manual **represent** the operating management philosophy of the organization. The policies, procedures, and benefits described in this manual are made available to all staff in an effort to avoid misunderstandings on these subjects. As changes, additions, or corrections occur, this Policy and Procedures Manual will be revised, and copies of the revision(s) sent to each staff.

**NOTE: THIS HANDBOOK IS INTENDED AS A GUIDELINE FOR STAFF AND IS NOT INTENDED TO CONSTITUTE A CONTRACT, EITHER IMPLIED OR IN FACT, BETWEEN KRCC AND THE STAFF.**

(6/98)

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## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **1.1 EQUAL OPPORTUNITY POLICY STATEMENT**

Opportunity for employment with Kentucky River Community Care, Inc. shall be open to any person who, on the basis of their qualifications and professional competence, is qualified for the position.

It is the policy of Kentucky River Community Care, Inc. not to discriminate against any qualified staff or applicant for employment because of race, religion, color, national origin, sexual orientation, sex, age, gender identity, marital status, tobacco-smoking status, pregnancy, or because they are a qualified individual with a disability, a disabled veteran, a newly separated veteran, a campaign veteran, or an armed forces service medal veteran (i.e., qualified protected veterans). It is also the policy of Kentucky River Community Care, Inc. to take affirmative action to employ and to advance in employment, all persons regardless of their status as qualified individuals with disabilities or qualified protected veterans, and to base all employment decisions only on valid job requirements. This policy shall apply to all employment actions, including but not limited to recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation and selection for training at all levels of employment.

Staff of and applicants to Kentucky River Community Care, Inc. will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have sought to obtain their legal rights related to any Federal, State, or local law regarding Equal Employment Opportunity.

Any staff or applicant, who feels they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability or qualified protected status, should contact the President of Personnel Management at (606) 439-0270 for assistance.

Kentucky River Community Care, Inc. is committed to the principles of Affirmative Action and Equal Employment Opportunity. In order to ensure dissemination and implementation of equal employment opportunity and affirmative action throughout all levels of the company, the President of Personnel Management is the Equal Employment Opportunity (EEO) Manager for Kentucky River Community Care, Inc.

In furtherance of Kentucky River Community Care, Inc. policy regarding Affirmative Action and Equal Employment Opportunity, Kentucky River Community Care, Inc. has developed a written Affirmative Action Plan which sets forth the policies, practices and procedures which Kentucky River Community Care, Inc. is committed to applying in order to ensure its policy of non-discrimination and affirmative action. This Affirmative Action Plan is available for inspection by any staff or applicant for employment upon request, during normal business hours, in the

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Personnel Management Office. Interested persons should contact (606) 439-0270 for assistance.

(Revised 07/27/21)

### **1.2 CULTURAL DIVERSITY POLICY**

Kentucky River Community Care, Inc. is committed to having a diverse workforce and employing qualified individuals who value the cultural diversity of our clients. Cultural diversity encompasses acceptance, respect, and understanding that each individual is unique and recognizing individual differences along the dimensions of race, ethnicity, gender, gender identity, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, and ideologies. All clients have a right to receive competent services from staff who are sensitive to and knowledgeable about cultural differences.

Agency staff are expected to create a sense of belonging and to build teams reflective of the diversity of the population we serve. Staff are expected to ensure all individuals are treated fairly, respectfully, and in a culturally sensitive manner.

Cultural diversity is incorporated into the agency's new staff orientation and annual retraining. We also encourage recruitment and retention of staff's representative of the population served. Personal and professional relationships with people of different racial, ethnic, cultural, socio-economic, and other backgrounds add richness to our interactions with others and improve our overall perspective. Staff are expected to support and promote inclusion throughout the agency when interacting with clients, co-workers, and the general public.

*Added 04/25/17*

### **1.3 Pregnant Workers Act**

Kentucky River Community Care, Inc. complies with the Kentucky Pregnant Workers Act which prohibits discrimination in relation to an staff's pregnancy, childbirth, and related medical condition.

KRCC will make reasonable accommodations for any staff with limitations related to pregnancy, childbirth, or a related medical conditions who requests an accommodation, *including but not limited to*: (1) the need for more frequent or longer breaks; (2) time off to recover from childbirth (3) acquisition or modification of equipment; (4) appropriate seating; (5) temporary transfer to a less strenuous or less hazardous position; (6) job restructuring; (7) light duty; modified work schedule; and (8) private space that is not a bathroom for expressing breast milk.

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Any staff in need of an accommodation should submit medical certification verifying the pregnancy related condition and the type of accommodation that would be beneficial to the Personnel Management Benefits Coordinator. The Benefits Coordinator will work with the staff and all necessary parties to ensure reasonable accommodations are provided.

Effective: 06/25/19

### **1.4 SELECTION OF STAFF**

The Executive Director shall be selected by the Personnel Committee of the Board, subject to approval by the Center's Board of Directors, and shall be directly responsible to the Board.

All other staff shall be appointed by the designated Personnel Management Agent/President, pursuant to the Center's written employment policy.

A thorough review of credentials and a careful reference check shall be made by the Personnel Agent into the background of any applicant under active consideration for employment.

In recruiting personnel, the following shall be made known to prospective staff:

- 1) Specific requirements of the position and written job description.
- 2) Qualifications for the position.
- 3) Personnel Policies and salary range applicable to the position.
- 4) Any anticipated changes in Center structure and function having direct bearing on the position to be filled.
- 5) No applicant will be employed if they are a close relative of a Board Member. No Board Member shall be employed by the Corporation.
- 6) To maintain a professional, impersonal, business-like atmosphere in the Center a close relative of a staff will be considered for employment by the Center if the applicant possesses the necessary qualifications of employment. For the purposes of this policy, close relatives are defined as spouse, children, stepchildren, mother, father, brothers, sisters, grandparents, in-laws of the same and any other member of the staff's household. A close relative may not be hired, however, if the employment would:
  - a. Create a direct or indirect supervisor/subordinate relationship with a family member; or

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- b. Create either an actual conflict of interest or the appearance of a conflict of interest. A potential conflict of interest could also occur if the staff are employed within the same program or service area.
- 7) Staff who marry or become members of the same household may continue employment if there is not:
  - a. A direct or indirect supervisor/subordinate relationship between the staff; or
  - b. An actual conflict of interest or the appearance of a conflict of interest. A potential conflict of interest could also occur if the staff are employed within the same program or service area.
- 8) Requirement to successfully pass regulatory screenings including but not limited to:
  - a. Sex Offender Registry Check
  - b. Criminal Background Check
  - c. Licensure Verification
  - d. For applicable programs / positions, background checks to determine suitability to interact with minors through physical contact, oral and written communication, and /or the transmission of images and sound:
    - The Dru Sjodin National Sex Offender Public Website: <https://www.nsopu.gov/>
    - Kentucky Public Sex Offender Registry: <https://kentcukystatepolice.org/sex-offender-registry/>
    - Kentucky CHFS Child Abuse & Neglect (CAN) Registry: <https://kog.chfs.ky.gov/home/>
    - Kentucky Administrative Office of the Courts <https://kcoh.kycourts.net/>
    - KARES – National Background Check Program (includes fingerprinting with State and FBI national searches and abuse registries): <https://sso.kog.ky.gov/>

Background checks to determine eligibility to interact with minors a with minors are completed during pre-employment screening and updated every 2 years. Acceptable results are a condition of both initial and continued employment.

- 9) Where prohibited by Kentucky Statute or program regulation, policy, or procedure conviction of the following of the following will result in disqualification/ ineligibility for hire, volunteer status, internship, or subcontracting:
  - a. Conviction of a sex crime



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- b. Conviction as a violent offender
- c. A prior felony conviction
- d. Conviction of abuse or sale of illegal drugs
- e. Conviction of abuse, neglect, or exploitation
- f. Finding of child and /or adult abuse or neglect pursuant to the Central Registry, AOC, or KARES
- g. Is listed on the Nurse Aide Abuse Registry
- h. A driving under the influence (DUI) conviction during the past year
- i. KARES finding indicating an ineligible employment status.

Revised 7/2014; REV. 05/2020; 03/31/23

### **1.5 INTERVIEW EXPENSES**

Interview expenses may be paid upon agreement between the Executive Director and the applicant, depending on the availability of funds. Reimbursement procedures as outlined in the Travel Policy will be followed.

### **1.6 MOVING EXPENSES**

The Executive Director may approve payment for moving/relocation's expenses not to exceed five thousand dollars (\$5,000.00), for newly recruited staff. Moving/Relocation expenses in excess of five thousand dollars (\$5,000.00) must be approved by the Board of Directors. Moving/Relocation expenses will be based on the distance from the staff's present residence to their new workstation in the Center.

If the new staff resigns or is terminated by the Center within twelve (12) months from date of hire, they will be required to reimburse the Center for moving expenses at the rate of 1/12 of the total expense for each remaining month in the balance of the one year period. Pro-rata reimbursement may be withheld from the departing staff's last salary check/s.

(07/98)

### **1.7 STAFF ASSISTANCE PROGRAM (EAP)**

External EAP Program

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Kentucky River Community Care recognizes that, in any work force, some individuals might experience problems in living. If identified in their early stages and referral is made to an appropriate treatment source, these problems can almost always be successfully resolved. Staff who are experiencing family or marital problems, emotional distress, problems with alcohol or drugs are encouraged to use Community Care's confidential Staff Assistance Program.

The Staff Assistance Program is available at no cost to all Community Care staff through a reciprocal agreement with Mt. Comprehensive Care in Prestonsburg and Cumberland River Comprehensive Care. When utilizing the EAP, staff will use approved leave or schedule services after hours. Time off with pay (other than approved leave) shall not be authorized for EAP services. Community Care will maintain full job and benefit protection as described in the leave policies.

To access the services available through the EAP, staff should notify Personnel Management that they wish to be referred to the EAP. EAP services available include up to twenty (20) individual or group psychotherapeutic sessions for each eligible staff or family member. Confidentiality will be maintained at all times.

Mandatory referrals will be made based on deteriorating job performance as noted by the supervisor in consultation with the Program Director and Personnel Management. In such cases, the staff will be referred to the External EAP.

The staff is expected to maintain job performance and attendance at an acceptable level. When job performance is detrimentally affected, and appropriate treatment is obtained, the staff is expected to continue with the program until completion. If the staff refuses to participate in the EAP and their job performance and attendance continues to deteriorate or does not improve, the staff may be subject to disciplinary action including termination. When the staff accepts referral and participates in the EAP, but after a reasonable period of time is unable to bring job performance up to an acceptable level, the staff may be subject to disciplinary action including termination.

Staff's eligible family members who are experiencing problems, emotional distress, problems with alcohol or drugs may use Community Care's confidential Staff Assistance Program.

The Internal EAP Program can only be used by staff's eligible family members. Eligible family members include spouse and unmarried minor children.

In order to maintain confidentiality and facilitate the billing process, staff must notify Personnel Management that their family member wishes to access services available through the EAP.

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Staff will be required to sign an agreement releasing KRCC from all liability arising from provision of services. Internal EAP services available include up to twenty (20) outpatient individual or group psychotherapeutic sessions for each eligible family member at no cost.

Eligible family members are defined as the following:

- Legal spouse.
- Unmarried children from birth through age 18.
- Unmarried children who enroll full time and attend an accredited institution shall be covered thru the entire semester or quarter in which they attend classes and any regularly scheduled break following the semester or quarter through age 24.

Children are defined as the following:

- Natural children.
- Stepchildren by legal marriage.
- Legally adopted children.
- If legal guardianship has been awarded.
- A child to whom the staff or staff's spouse has a legal obligation under divorce decree or other court order to provide for the health care expense of the child.

### **Procedures to Access Staff Assistance Program**

External EAP Program

1. Staff will notify Area Director / Program Director or Personnel Management to be referred to the External EAP.
2. Personnel Management will provide staff with names of external EAP providers and contact telephone numbers.

Internal EAP Program (Emergency only)

1. Staff will notify Personnel Management of the desire for eligible family members to access the Internal EAP program.
2. Personnel Management will obtain from staff Consent for Treatment Waiver of Liability Agreement.

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3. Personnel Management will consult with Area Director / Program Director for assignment / approval of the treatment site.
4. Area Director / Program Director will notify therapist that a KRCC staff's family member is being assigned to them for treatment and services.
5. Personnel Management will provide the staff's family member seeking services with the treatment provider information in order that the staff's family member may contact the indicated therapist to schedule an appointment.
6. The Consent for Participation in Staff Assistance Program treatment will be maintained in the Staff Medical File in the Personnel Management office and a copy maintained in the medical record.

**NOTE:** A treatment provider **CANNOT** be related to the staff and/or family member or **CANNOT** have any type of relationship that would create a conflict of interest.

Revised 05/2014

### **1.8 NOTICE OF EMPLOYMENT**

An applicant selected for employment shall receive a confirmation of employment in writing. Such employment confirmation shall include job title and description, compensation, and condition of employment. During new staff orientation, each new staff will sign an acknowledgment of receipt of KRCC's personnel policies, terms, and conditions of employment. After the appointment is made, any major directed or designated change in the assignment or conditions of employment shall be confirmed in writing to the staff. A copy of the letter of employment confirmation sent to the staff will be kept in the staff's personnel file, as well as copies of all memoranda regarding changes in assignment or condition of employment, which are sent to staff. Upon initial employment, each staff member shall be furnished an staff personnel handbook containing KRCC's Personnel Policies.

(Revised 7/98)

### **1.9 STAFF DEFINITIONS**

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Regular Full-Time – An staff whose normal work schedule is 40 hours or more per week.

Part-Time - An staff whose normal work schedule is less than 30 hours per week but does not exceed 99 hours per month. Part-time staff are not eligible for any KRCC / CCRC Benefit Programs

Temporary – An staff who is not hired in regular status. A temporary staff may be full or part-time. Temporary status cannot exceed 9 months.

Seasonal – An staff who is hired to work on a seasonal basis. A seasonal staff may be full or part-time.

Contract – An staff with an Employment Agreement that may contain employment conditions that are different than those outlined in agency policy.

Revised 05/2014

### **1.10 PROBATIONARY PERIOD**

#### **PURPOSE**

Kentucky River Community Care has established a probationary period as a process to provide:

- A. A trial working period that gives the supervisor an opportunity to observe and evaluate the capacity of the staff, which includes the staff's ability to satisfactorily perform the assigned duties; and to observe and evaluate the staff's work habits and conduct, including attendance and the staff's relationships with coworkers and supervisors;
- B. The staff time to demonstrate qualifications and abilities by actual on the job performance; and to demonstrate capabilities and potential for higher assignments;
- C. The supervisor time to train and guide new staff in the successful performance of their job duties; to observe work performance and work habits; to provide counseling, as needed, on ways to overcome deficiencies; to discern and commend strong points; and to help develop the staff to their fullest capacity in the job;

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- D. A means of adjusting the staff's probation period and removing or rejecting an unsatisfactory staff as appropriate.

### **INITIAL PROBATION PERIOD**

Upon initial hire, staff shall serve a six (6) month initial probationary period. The assigned Program/Division Director may extend an staff's probation period for an additional amount of time not to exceed the length of the original probation period. If an staff's probation is extended, it must be done prior to the conclusion of the original probation period, the reasons for the extension must be documented, and submitted to the Personnel Management Agent for the staff's personnel file. During the initial probation period, the staff is not eligible for service awards, incentives or agency paid continuing education opportunities.

### **PROMOTION, TRANSFER, or REASSIGNMENT PROBATION PERIOD**

Staff who are promoted, transferred, or reassigned into a different position or classification, shall serve a six (6) month probation period in the new position or classification. The Program/Division Director may extend an staff's probation period for an additional period of time not to exceed the length of the original probation period. Supporting documentation for this action, must be submitted to the Personnel Management Agent prior to the conclusion of the probation period.

Supervisors should monitor the staff's level of performance.

### **RESOLUTION OF PROBATIONARY PERIOD**

Satisfaction completion of probation period: If the staff is performing at an overall "Satisfactory" level or above at the conclusion of the probation period, then the staff has successfully completed the probation period.

Extension of probation period: The supervisor may at any time prior to the completion of the probation period request an extension of the original period to the Personnel Management Agent. The supervisor must provide documentation supporting the reasons for the extension. The Personnel Management Agent will advise the supervisor/department manager of the approval or denial of the extension request. If approved, the probation period can be extended only once for a period not to exceed the length of the original probation period.

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Rejection on probation: An staff who, in the judgment of the supervisor, is not satisfactorily performing the job duties or exhibiting satisfactory work habits and conduct, and if documentation to that effect is provided, may be rejected from the position after consultation with the Division Director and the Personnel Management Agent.

An staff may be rejected on probation at any time prior to the completion of the probation period.

1. An staff rejected on initial probation is terminated from employment.
2. An staff rejected on probationary period as a result of a promotion, transfer, or reinstatement may be returned to the staff's previous position if vacant. If the previous position is not vacant, the Personnel Management Agent, at their discretion, shall place the staff in any vacancy in the previous classification or comparable classification for which the staff meets the minimum qualifications, if available. The staff's employment will be terminated if there are no vacancies in the staff's previous position, in any classification previously held by the staff, or in any comparable position.
3. An staff serving a probation for one of the above reasons also may be terminated from employment under the agency's policies on progressive discipline and termination. If an staff on promotional/transfer probation is terminated from employment, then the staff will not be returned to the staff's previous position or a comparable position.

02/26/19

### 1.11 PROMOTION

Staff of the Center meeting necessary requirements for promotion into another position will receive first consideration for any such advancement opportunity. **An staff interested in a promotion, should discuss the matter with their supervisor. If the supervisor determines the staff would be a good candidate for the promotion, the supervisor will recommend the staff to Personnel Management. If approved by the President of Personnel Management, the staff will be offered the opportunity to interview for the promotion.**

Staff promoted to a position of higher responsibility may be considered qualifying status during the first 6 months of consecutive service in the new position. Such status shall

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relate only to the holding of a new position and shall not affect any benefits or rights gained during their previous regular status.

(Revised 05/2014)

### **1.12 TRANSFER OF EMPLOYMENT**

All staff transfers within the Center will be subject to approval by the President of Personnel Management, as recommended by the appropriate supervisor and/or Program Director.

If the transfer involves a salary change (increase or decrease), the new salary will be determined by the Center's existing salary schedule and classification plan as these documents pertain to the position into which the staff is being transferred.

All interest in and request for transfers must be in writing and submitted to Personnel Management and the staff's immediate supervisor.

(Revised 05/2014)

### **1.13 PERFORMANCE REVIEW**

The purpose of the evaluation of staff performance is primarily to inform staff of how well they are performing their work and how they can improve their performance.

Regular performance evaluations will be conducted annually.

The applicable performance evaluation form will be used for all evaluations of staff performance.

Supervisors are responsible for submitting performance evaluations to their Program Director. It is the responsibility of the Program Director to submit the staff evaluation to Personnel Management.

(Revised 05/2014)

### **1.14 SECONDARY EMPLOYMENT**



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Full-time staff of the Center are discouraged from holding outside employment. Professional staff is not permitted to maintain or set up a private practice while employed by the Center, except with written authorization from the Executive Director upon approval of the Board of Directors. Other types of employment may be approved if such employment will not negatively affect job performance in KRCC's judgment. No full-time staff shall arrange for, accept, or continue outside employment, which would constitute a conflict of interest as determined by KRCC. As a general rule secondary employment is discouraged in that it tends to lessen efficiency in both spheres of work.  
(6/98)

### **1.15 TEMPORARY, PART-TIME, SEASONAL, AND CONTRACT EMPLOYMENT**

Temporary, part-time, seasonal, and contract staff shall not be subject to the same conditions and benefits of employment that apply to full-time regular staff. Persons employed in temporary, part-time, seasonal, and contract employment positions shall not be eligible for fringe benefits other than those required by statute or otherwise specifically designated by the Center. Temporary, part-time, seasonal, and contract staff shall be employed at the discretion and by the authority of the Executive Director.

Revised 06/2011

### **2.0 WORK SCHEDULE, EXPENSE REIMBURSEMENT AND HOLIDAYS**

#### **2.1 HOURS OF WORK**

Work week schedules will vary according to Client and agency needs. Full time staff work a minimum of 40 hours per week.

Revised 06/2011

#### **2.2 OVERTIME**

Staff covered under the Fair Labor Standards Act will be paid at the rate of one and one half (1 1/2) times their regular hourly rate for all hours worked in excess of forty (40) in a

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work week. Time coded as PTO and Holiday is not subject to the overtime calculation and pay rate. Covered staff must follow program guidelines and procedures pertaining to the approval of overtime work prior to working hours in excess of 40.

Staff classified as “Exempt” pursuant to provisions of the Fair Labor Standard Act are not eligible for overtime pay. The “Exempt” status is indicated on job descriptions and Personnel Action forms issued to staff upon position assignment and acceptance. These staff are expected to work as many hours as necessary without overtime remuneration to accomplish their work.

Revised 05/28/19

### **2.3 REIMBURSEMENT OF EXPENSES**

Reimbursement of official expenses will be made to staff as outlined in the existing Travel Policy and Procedure, a copy of which shall be given to each staff at the time of employment.

### **2.4 HOLIDAYS**

The following days will be observed as paid holidays:

New Years Day  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Day after Thanksgiving  
Day Before Christmas Day  
Christmas Day

All regular full-time staff are eligible to receive holidays with pay eight (8) hours per designated Holiday, unless otherwise specified in an executed Service/Employment Agreement.

When a holiday falls on a Saturday, the preceding Friday is observed. When a holiday falls on a Sunday, the following Monday is observed.

In order for an staff to be paid for a holiday, they must be in a paid status (at work, regular day off, or on leave with pay) on the day before and the day after the holiday.

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An staff may take a holiday after the actual holiday with the supervisor's permission. However, holidays cannot be accumulated and if they are not taken within thirty (30) days following, the holiday will be forfeited.

If an staff is required to work on a paid holiday, they will have the option of receiving an additional day's pay or taking another day off with pay.

Revised 05/2014

### **3.0 STAFF TRAINING AND ORIENTATION**

An orientation program developed by Personnel Management and the Staff's assigned Program Department will be provided for each newly appointed staff, whether such newly appointed staff came from within or outside the Center. Orientation shall be for the purpose of informing them of the specific job duties and their relationship to the total Center function.

It shall be the responsibility of the staff's supervisor to continue with on-going orientation/training and staff development.

All indicated staff shall participate in the on-going in-service training program but may be exempted for good cause from such participation at the discretion of the supervisor based on the content and job relatedness of the training program. Any workshops, seminars, symposiums, etc. that are developed and presented inter-agency (developed and presented by the Center) shall be participated in by all staff, with any exemptions for good cause at the supervisor's discretion.

Other such staff development and training presented by non-center personnel, but by other local, state or national organizations shall be a participatory privilege and at the discretion of the Executive Director as it relates to the staff's job position and development.

Opportunity for continued staff development may be provided through the following:

- (1) Web-based computerized training courses (Essential Learning)
- (2) Qualified supervision and consultation.
- (3) Professional literature.
- (4) Regular planned staff meetings for discussion of the Center's programs, mental health problems and treatment methods.
- (5) Leave with pay during working hours to attend conferences, institutes, workshops, or classes to advance staff skills as related to the function and goals of the Center.

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Informal on-going training and assessment shall be provided by the supervisor in accordance with the conditions of the staff's letter of employment. A written, narrative evaluation will be required annually to address any performance and training needs.

(Revised 05/14)

### **4.0 SEXUAL AND OTHER UNLAWFUL HARASSMENT**

KRCC is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons, or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

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

Any staff who believes that the actions or words of a supervisor or fellow staff constitute unwelcome sexual harassment, or any other unlawful harassment, has a responsibility to report the alleged act or conduct to their Supervisor, Program Director or Personnel Management.

All complaints of sexual harassment, or any other unlawful harassment, must be investigated promptly and in as impartial and confidential a manner as possible by the Supervisor, Program Director or Personnel Management. If a staff is not satisfied with the handling of a complaint the complaint can be further directed to the attention of the President of Personnel Management. In all cases, the staff is to be advised of the Supervisor's, Program Director's or Personnel Management's findings and conclusions.

Any staff, supervisor, or manager who is found, after appropriate investigation, to have engaged in sexual harassment, or any other unlawful harassment, towards another staff will be subject to appropriate disciplinary action, depending on the circumstances, up to and including termination.

Any retaliatory action of any kind taken by any person as a result of an individual making a report of sexual harassment, or any other unlawful harassment, is prohibited and shall be regarded as a separate and distinct cause for complaint.

Revised 05/2014

### **5.0 COMPENSATION POLICY**

It is the policy of KRCC Inc to maintain a salary administration program. The salary administration program helps us have consistent pay practices, comply with federal and state laws, support our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market.

Compensation for each job is based on several factors. The factors include the essential duties and responsibilities of the job, and salary survey data (how other employers pay their staff).

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KRCC may give annual pay adjustments to staff effective July 1<sup>st</sup>. KRCC may give pay adjustments in extraordinary circumstances as recommended by the Supervisor, Director, Personnel Management and approved by the Executive Director. Pay adjustments and the amount are contingent on a number of factors including the overall financial condition of the agency.

1. The development of a compensation classification schedule will be the responsibility of Personnel Management. Review and revision will be conducted on at least an annual basis. The Executive Director will approve the compensation class schedule and recommend to the Board of Directors for approval.
2. Staff will be hired at the minimum of their classification level. In the event a prospective staff offers qualifications beyond the minimum requirements of the position, Personnel Management may request the Executive Director to approve a salary in an amount above the minimum.
3. An staff who is promoted to a higher job classification may be considered for a promotional increase in an amount up to 10% or be raised to a salary with the minimum of the new range, whichever is the greater.
4. An staff who has reached the high of their compensation class will not receive an annual pay adjustment. Such an staff will be eligible to receive annually a bonus in an amount equal to one-half of the pay adjustment for which they would otherwise be eligible.
5. An staff who is demoted to a lower compensation level will have their salary decreased in the amount necessary to reflect a salary at the same relative position in the lower range as the position in the higher range.

If you have a question about compensation, talk with your supervisor. If you have a question about KRCC's salary administration, contact Personnel Management.

Revised 05/2014

### **6.0 PARTICIPATION IN COMMUNITY AFFAIRS**

It is the policy of Kentucky River Community Care to encourage staff to participate in the community service affairs of charitable, educational, religious, fraternal, and civic organizations.

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Staff participation in community activities must not adversely affect the staff's job performance, be detrimental to Kentucky River Community Care's interests, or place the staff in the position of serving conflicting interests.

Time spent on community affairs, when not undertaken at the request of management, should normally be outside of the staff's regular working hours and, therefore, will not be considered hours of work for pay purposes.

Staff-initiated participation in community affairs, that involves an extended period of time away from the job, should be handled according to the policies regarding leaves of absence.

Staff have a responsibility when expressing opinions in a public forum to make clear whether the opinion is a personal one or one representing Kentucky River Community Care. Any public Communication must be approved in advance by the Executive Director. Staff are not to discuss internal confidential affairs in any public forum.

Staff planning to campaign for, seek, or accept appointment to public office must give prior notice of their intentions to the Human Resources Administrator. The Center's continuing requirements to avoid conflicts of interest and to maintain satisfactory attendance, effort, and performance standards. Staff engaging in political activities must do so as individuals on their own time, not as representatives of the Company, and may make no representations otherwise.

### **7.0 STAFF INSURANCE BENEFIT SUMMARY**

Staff assigned to KRCC worksites by any third-party employer shall be subject to the provisions of that employer's benefit package and not eligible for participation in any KRCC plan or benefit option. All full-time staff of Kentucky River Community Care receive the following benefits:

(Revised 5/2014)

### **8.1 PAID TIME OFF**

All regular full-time staff are entitled to Paid Time Off. Once staff enter an eligible employment classification, they can request Paid Time Off after it is earned. All regular

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full-time staff are eligible to schedule Paid Time off for rest and relaxation after (6) months of consecutive employment. Staff on leave without pay will not accrue Paid Time Off.

Paid Time Off is available to eligible staff to provide opportunity for:

- rest
- relaxation
- personal business
- personal sickness or injury of the staff
- pregnancy or pregnancy-related complication
- lost time due to dental or doctor appointments which can only be scheduled during normal working hours
- Illness in the staff's immediate family which requires the presence of the staff
- Childbirth by spouse requiring staff's absence from work
- Death of a person outside the immediate family up to a maximum of two (2) days
- Acts of God such as fires, flood, and inclement weather
- Failure of public or private transportation

An staff must communicate with their immediate supervisor at least one hour before the time set for the beginning of the normal work period for which Paid Time Off will be requested. Failure to do so may result in disciplinary action. Paid Time Off requests will be completed upon return to work if the illness is unexpected. Written requests must be approved three (3) days in advance for routine doctor, dental or pre-scheduled examinations or treatment. The staff's supervisor must approve all Paid Time Off.

Staff who miss more than five (5) consecutive workdays because of sickness may be required to submit written verification upon return to work that they have been under the care of a physician and are able to return to work.

The amount of Paid Time Off staff receive each year increases with the length of their employment as shown in the following schedule:

### PARAPROFESSIONAL STAFF CLASSIFICATION:

Upon initial eligibility the regular full-time staff is entitled to 10 days each year, accrued monthly at the rate of 0.83 days.

After 1 year of eligible service the regular full-time staff is entitled to 12 days each year, accrued monthly at the rate of 1.00 days.



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After 2 years of eligible service the regular full-time staff is entitled to 14 days each year, accrued monthly at the rate of 1.16 days.

After 3 years of eligible service the regular full-time staff is entitled to 16 days each year, accrued monthly at the rate of 1.33 days.

After 4 years, i.e. years (5-9), of eligible service the regular full-time staff is entitled to 20 days each year, accrued monthly at the rate of 1.66 days.

After 9 years of eligible service the regular full-time staff is entitled to 25 days each year, accrued monthly at the rate of 2.08 days.

After 14 years of eligible service the regular full-time staff is entitled to 30 days each year, accrued monthly at the rate of 2.50 days.

### **PROFESSIONAL STAFF CLASSIFICATION:**

Upon initial eligibility the regular full-time staff is entitled to 20 days each year, accrued monthly at the rate of 1.66 days.

After 1 year of eligible service the regular full-time staff is entitled to 22 days each year, accrued monthly at the rate of 1.83 days.

After 2 years of eligible service the regular full-time staff is entitled to 24 days each year, accrued monthly at the rate of 2.0 days.

After 3 years of eligible service the regular full-time staff is entitled to 26 days each year, accrued monthly at the rate of 2.16 days.

After 4 years, i.e. years (5-9), of eligible service the regular full-time staff is entitled to 28 days each year, accrued monthly at the rate of 2.33 days.

After 9 years of eligible service the regular full-time staff is entitled to 30 days each year, accrued monthly at the rate of 2.50 days.

After 14 years of eligible service the regular full-time staff is entitled to 35 days each year, accrued monthly at the rate of 2.91 days.

The length of eligible service is calculated on the basis of a "benefit year." This is a 12-month period that begins when the staff starts to earn Paid Time Off. An staff's benefit

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

year may be extended for any significant leave of absence except military leave of absence.

Once staff enter an eligible employment classification, they begin to earn Paid Time Off according to the schedule. They can request use of Paid Time Off for vacation after 6 months of consecutive employment.

Paid Time Off can be used in minimum increment of one-fourth hour. To take Paid Time Off, staff should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. All requests for Paid Time Off in excess of two (2) days must be approved three (3) days in advance.

In the event that available Paid Time Off is not used by the end of the benefit year, staff may carry unused time, up to 120 days, forward to the next benefit year.

Upon termination of employment, regular full-time staff will be paid for unused Paid Time Off, up to 20 days, that has been earned through the last day of work. Payment for accumulated Paid Time Off will not be paid to staff who:

- Fail to give proper notice of termination
- Fail to work the required termination notice period
- Fail to return agency property
- Fail to complete the required medical record process for terminating and transferring of assigned case loads

(Revised 01/01/10)

### **8.2a LEAVE BANK**

Staff may voluntarily contribute excess Paid Time Off to the leave bank. Contributions may not be earmarked for specific staff.

*To be eligible to donate Paid Time Off to the bank, the following conditions must be met:*

1. The staff must have a Paid Time Off balance in excess of eighty (80) hours.
2. The staff must retain a Paid Time Off balance of not less than eighty (80) hours.

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

3. The staff must sign an agreement of understanding pertaining to potential reduction of retirement benefits.
4. The staff must sign a waiver of exclusive rights to any donated Paid Time Off.
5. The staff cannot be retiring or otherwise planning to terminate employment.

*To be eligible to receive Paid Time Off from the bank, the following conditions must be met:*

1. The staff must be eligible to accrue Paid Time Off under the Paid Time Off policy.
2. The staff must exhaust all Paid Time Off before making application to the leave bank.
3. The staff must have a documented catastrophic illness or injury, unrelated to workers' compensation or any other payor who would assume responsibility for the loss of wages, in excess of ten (10) consecutive working days. Or, the staff must have medical certification of a documented illness or injury, for a family member defined as a parent, spouse, or child that requires the staff's care.
4. Part-time, temporary and contract staff are not eligible to participate in the leave bank.

An eligible staff wishing to donate Paid Time Off to the bank must complete a Paid Time Off donor form. The donor form must be approved by the staff's supervisor, Director, and the Leave Bank Committee. An eligible staff may donate Paid Time Off at any time, and as many times as the staff's Paid Time Off balance allows, pending approval.

An eligible staff wishing to receive hours from the bank must complete a leave bank application form. The application form must be accompanied by certification from the attending physician indicating the illness or injury that will prohibit the staff from performing duties for a period in excess of ten (10) consecutive days. In the event that the staff is unable to make application on their own, the staff's supervisor may do so on the staff's behalf. The application, with attached certification, must be approved by the staff's supervisor, Director, and Leave Bank Committee. The application must be received during the time of the illness or injury or no later than the fifth day after return to work. No application retroactive beyond this cutoff will be approved.

The maximum amount of leave that a donee may receive from the leave bank is 240 hours. By maintaining the leave bank, there is no guarantee of availability of donated leave to any staff.

In the event that a balance in the bank is non-existent or insufficient to cover needs, all staff will be notified. If no donations are received, the pending application(s) will be denied.

The decision of an staff to donate, or not to donate, will at no time have any impact on their employment status.

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(Revised 01/01/09)

### **8.3 FAMILY AND MEDICAL LEAVE AND NATIONAL DEFENSE AUTHORIZATION POLICY**

All staff who have been employed at least one year and have worked at least one-thousand-two-hundred-fifty (1,250) hours within the previous twelve-month period are eligible for family and medical leave, service member family leave and qualifying exigency leave.

#### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible staff for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the staff's spouse, child, or parent who has a qualifying serious health condition;
- For the staff's own qualifying serious health condition that makes the staff unable to perform the staff's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the staff's spouse, child, or parent.

#### **Military Family Leave Entitlements**

Eligible staff whose spouse, child, parent, or next of kin is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible staff to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

(2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible staff takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”.**

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the staff from performing the functions of the staff’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Benefits and Protections**

During FMLA leave, the employer will maintain the staff’s health coverage under any “group health plan” on the same terms as if the staff had continued to work. Upon return from FMLA leave, most staff will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an staff’s leave.

KRCC will not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **Use of Leave**

An staff does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Staff must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt KRCC's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Substitution of Paid Leave for Unpaid Leave**

Use of accrued Paid Time Off while taking FMLA leave is required. The policies and procedures for paid time off and unpaid leave will apply.

### **Staff Responsibilities**

Staff must complete the "Request for FMLA" form. Requests must be submitted to Personnel Management. Generally, staff must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the staff must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Staff do not have to share their medical diagnosis but must provide sufficient information for Personnel Management to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the staff is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Staff must inform Personnel Management if the requested leave is for a reason for which FMLA leave was previously taken or certified. Staff also may be required to provide a certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

Personnel Management will inform staff requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the staff' rights and responsibilities. If they are not eligible, Personnel Management must provide a reason for the ineligibility. Personnel Management will inform staff if leave will be designated as FMLA-protected and the amount of leave counted against the staff's leave entitlement. If Personnel Management determines that the leave is not FMLA-protected, they will notify the staff.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **Pregnancy/Maternity**

Leaves of absence for pregnancy/maternity are treated as Paid Time Off and all Paid Time Off policies and procedures apply. Accumulated Paid Time Off may be used for absences due to pregnancy and childbirth regardless of length of service with the center. Once accumulated Paid Time Off is exhausted, leave without pay will be used.

When requesting leave and planning the date to return to work following maternity leave, staff must inform their supervisor, in writing, of their intent to return and the expected date of return. The staff, no later than the first day at work following leave, must submit a statement from the physician stating medical approval for return to work. Upon returning to work, staff will resume their position or an equivalent position.

### **Enforcement**

Staff may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against KRCC.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

A copy of the Department of Labor's Staff Rights under the Family Medical Leave Act is supplied in the staff handbook provided to each staff upon hire. In addition, current rights and any subsequent updates are posted at worksite in areas visible to all staff.

**(Revised 10/2016)**

### **8.4 MILITARY LEAVE**

This Center complies with the requirements of the Universal Military Training and Service Act of 1967, as amended. For staff members who are required to perform an annual two (2) weeks tour of active military duty, the Center will pay the difference between military pay and regular pay, if any. Such absences will not be charged against Paid Time Off but will be considered as Other Paid Leave. A copy of duty notice must be submitted to the Personnel Management as soon as such documents are available.

### **Staff Rights Under USERRA The Uniformed Services Employment and Reemployment Rights Act**

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USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. KRCC does not discriminate against past and present members of the uniformed services, and applicants to the uniformed services.

### **Reemployment Rights**

Staff have the right to be reemployed in their position after leaving that job to perform service in the uniformed service and staff must:

- Ensure that Personnel Management receives advance written or verbal notice of your service;
- Have five years or less of cumulative service in the uniformed services while employed with KRCC;
- Return to work or apply for reemployment in a timely manner after conclusion of service; and
- Have not been separated from service with a disqualifying discharge or under other than honorable conditions.

Staff who are eligible to be reemployed will be restored to the job and benefits they would have attained if they had not been absent due to military service or, in some cases, a comparable job.

### **Right to be Free from Discrimination and Retaliation**

It is the policy of KRCC not to discriminate against any individual due to:

- Being a past or present member of the uniformed service;
- Having applied for membership in the uniformed service; or
- Being obligated to serve in the uniformed service;

KRCC will not deny:

- Initial employment;
- Reemployment;
- Retention in employment;
- Promotion; or
- Any benefit of employment (including wages or salary for work performed)

because of this status.



## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

In addition, it is the policy of KRCC not to retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

### **Health Insurance Protection**

- Staff who leave their job to perform military service, have the right to elect to continue existing employer-based health plan coverage for themselves and their dependents for up to twenty-four (24) months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusion (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

(Revised 05/2014)

### **8.5 JURY/COURT DUTY**

Staff called for jury duty are encouraged to serve. When an staff serves on jury duty, they will be excused from work for that time. The staff member is required to report for work on any day, or major part of a day, when they are not on jury duty.

Staff subpoenaed for work related testimony is required by law to serve and should refer to the Medical Records Policies and Procedures. Staff that are subpoenaed are to confer with Compliance Office prior to providing testimony.

The Center will pay an staff Jury/Court Duty their full salary. However, the pay received from Jury/Court Duty must be given to the Center. Jury Duty will be considered Other Paid Leave and Other Paid Leave forms must be completed. An excuse from the Circuit Court Clerk must be submitted with each timesheet on which Jury Duty is documented.

(Revised 04/01/09)

### **8.6 DEATH IN THE IMMEDIATE FAMILY**

A regular full-time staff may receive up to three (3) days Other Paid Leave to attend to funeral arrangements and family concerns when death occurs for any of the following relatives: spouse, child, parent, grandparent, brother, sister, stepchild, grandchild, mother-in-law, father-in-law, or significant other living in immediate household.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Paid Time Off may be utilized for the death of a person other than those outlined above.

Revised 01/01/09

### **8.7 Paid Parental Leave Policy**

Kentucky River Community Care, Inc. has implemented this leave policy to enable staff who are new parents to spend time with their newborn or newly adopted children. KRCC recognizes the physical, emotional, and psychological demands of both childbirth and adoption, and considers that a period of leave is important for the well-being of both the parent and the child. This policy is intended to be separate and distinct from the agency's FMLA/Maternity Leave Policy and provides leave time, above and beyond, those legally mandated requirements. Paid Parental Leave (PPL) is assigned to supplement, rather than replace those benefits. In addition, Paid Parental Leave is leave time provided by the agency that is separate and distinct from accrued Paid Time Off (PTO).

#### **A. Eligibility**

Any staff person who gives birth or adopts a child, and who has been employed at KRCC on a full-time or part-time basis for at least one (1) month prior to the date on which a leave period is to begin, is eligible for the benefits under this leave policy. Staff, who are spouses of persons giving birth or adopting a child and have been similarly employed full-time or part-time for one (1) month, are considered eligible for parental leave benefits under this policy, regardless of family status or gender.

#### **B. Leave Provision**

Paid parental leave following the birth or adoption of a child is available to both male and female staff, including partners in common-law relationships, regardless of whether those relationships are with persons of the opposite or of the same sex. A paid parental leave period of up to four (4) continuous weeks will be available to staff following the birth or adoption of a child. Staff on paid parental leave will continue to receive full remuneration and eligible benefits.

Paid Parental Leave will be granted as follows:

- A staff person who gives birth or adopts a child shall receive four (4) weeks of paid parental leave.

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- A staff person whose spouse or partner gives birth shall receive one (1) week of paid parental leave.
- A staff person experiencing the birth/adoption of a grandchild shall receive one (1) day of paid parental leave.
- If both parents are employed at KRCC, then the parent who gives birth shall receive four (4) weeks of parental leave and the other parent shall receive one (1) week of parental leave. In the event of adoption, the parents may elect which parent receives the four (4) week parental leave; both parents cannot receive the four (4) week parental leave pursuant to this policy.
- All paid parental leave shall commence on the date of the birth or official date of adoption.

### **C. Additional Leave Time**

If a staff person wishes to extend the parental leave past the period allowed under the paid leave portions of the policy, they may apply for an additional period of unpaid leave (LWOP) or Paid Time Off (PTO) consistent with PTO policies, FMLA, and Maternity Leave Policies. Leave Without Pay may be taken immediately after all forms of paid leave is used. Combined leave time for all forms of leave (PPL, PTO, LWOP, and Maternity/FMLA) will be allowed for at a maximum of twelve (12) weeks. Further extension of the leave or other requests for leave in response to unanticipated family needs will be dealt with on a case by case basis.

### **D. Benefits**

All regular benefits provided by the agency to staff, will continue to be paid by the agency during all periods of associated leave.

### **E. Procedures**

**Notice:** Any staff who wishes to take a paid parental leave must notify their supervisor in writing at least six (6) weeks prior to the anticipated date the leave will begin. Where a medical condition makes it impossible to comply with this notice period, or the date of the adopted child's placement was not foreseeable, the staff should give written notice at the earliest possible date. In either case the notice period should be provide the expected starting and ending dates of the leave required. Supervisors should provide a copy of the written notice to the Personnel Management Agent- Benefits Coordinator.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **F. Return to Work Requirement**

When parental leave ends, an staff is entitled to return to the job they held before they took parental leave. If the position no longer exists, then they are entitled to return to a job that is available for which they are qualified and is nearest to the status and salary of their former position.

Staff giving birth must submit a medical statement releasing them to return to work prior to or upon the scheduled date of return. If transitional return to work accommodations are needed, the request must be submitted in writing and approved in advance.

(07/26/16)

### **8.8 OTHER PAID LEAVE**

Other paid leave may only be authorized at the discretion of the Executive Director or President of Personnel Management. Proper leave forms must be signed by the supervisor and submitted to the Executive Director or President of Personnel Management for their approval in advance of other paid leave being taken.

Revised (5/2014)

### **8.9 EDUCATION LEAVE**

Kentucky River Community Care, Inc. is committed to supporting staff in continuing education efforts. Education leave may be granted without pay to any full-time regular status staff for the purpose of furthering an staff's education related to their present job.

Educational leave for attending classes at a local institution will be made on the basis of decreasing the staff's pay on an hour for hour basis for time spent attending such classes, unless the staff can show that their work load and job performance will not be adversely affected during such leave periods. Direct client time and adherence to a safe and structured work schedule will be among the factors considered when making determination on job impact.

Education leave must be approved by the staff's supervisor and submitted to the Personnel Management for approval by the Executive Director. When such leave is approved for an extended period, up to two years, Kentucky River Community Care, Inc. will make every effort to reinstate the returning staff to a position comparable to that which they vacated.

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(05/2014)

### **8.10 UNPAID LEAVE**

Staff may be granted leave without pay for a period of up to six months upon the recommendation of the Program Director and Personnel Management with final approval from the Executive Director. Further extension of unpaid leave may be approved only after the recommendation from Personnel Management and Executive Director for approval by the Board Personnel Committee and the full Board.

Staff on Leave Without Pay will not continue to accrue Paid Time Off or receive any other employer paid benefit and unpaid leave time will not be considered when calculating length of employment.

Kentucky River Community Care will not guarantee that a staff returning from an unpaid leave of absence will be reinstated to the position that the staff held prior to beginning the leave. Staff returning from an unpaid leave of absence must accept the first position that becomes available for which they are qualified, or else employment will be terminated.

(Revised 05/2014)

### **8.11 VOTING AND ATTENDANCE AT RELIGIOUS HOLIDAY SERVICES**

Staff may have time off for voting up to one-half (1/2) day, as scheduled by the supervisor.

Staff may have time off to attend special religious services as scheduled by the supervisor.

Paid Time Off may be used for voting and attendance at special religious services.

(Revised 01/01/09)

### **9.0 DISCIPLINARY PROCEDURE**

It is the philosophy of Kentucky River Community Care, Inc., that the personnel are given rules to follow regarding conduct as guidelines, and that each individual will behave in a manner expected in a professional environment. However, if people do not work within the guidelines, action must be taken to correct the situation and protect all people involved. Certain situations and events occurring in the employment relationship require the administration of discipline.

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

The following forms of discipline may be used when appropriate: verbal reprimand; written reprimand; suspension; and discharge from employment. The above listed disciplinary measures are set forth as illustrations of the measures that may be used by the company. The listing, however, is not exhaustive and does not obligate KRCC to administer discipline on a progressive basis. KRCC has the right to use any disciplinary measure that, in its view, is appropriate in the light of the conduct involved and the use of any such measure does not affect the **at-will employment relationship**.

Although violation of any of the following rules may result in immediate discharge, when appropriate KRCC will employ a progressive discipline procedure as follows: First Offense - verbal warning; Second Offense - written warning; and Third Offense - may result in immediate discharge. Other inappropriate actions besides those listed below may result in disciplinary action. Likewise, this listing does not affect either party's right to terminate the employment relations at any time and for any or no reason.

1. Failing to perform job duties in a timely and accurate manner, as prescribed by supervisor.
2. Uncivil attitude, or other inappropriate work behavior, as determined by the supervisor.
3. Reporting for work late or leaving early will be a case of tardiness. Three or more tardies in the last 30 calendar days will be considered excessive.
4. Failure to meet appropriate dress standard as defined by Executive Level Supervisor.
5. Creating or contributing to unsanitary or hazardous conditions.
6. Excessive absenteeism; consistent use of Paid Time Off on a regular basis such that an staff is not dependable for work; or use of one or more Paid Time Off days per month for three or more months; or a pattern of use of Paid Time Off leave immediately adjacent off days or holidays.
7. Failure to call supervisor within one hour of shift start when absent.
8. Willful waste of materials, supplies, equipment, etc.
9. Leaving work premises during working hours without permission from Supervisor.

Violation of any of the following rules are normally deemed as very serious and may result in immediate discharge upon the first offense:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

1. Threatening, intimidating, coercing, or interfering with fellow staff.
2. Negligence which could result in serious injury to another staff or patient.
3. Fighting on premises at any time. Throwing the first punch in a fight. If not clearly established, preceding rule of fighting will apply.
4. Immoral or indecent conduct on KRCC property.
5. Insubordination: Refusal to perform service as required by a supervisor or manifesting an unwarranted offensive or uncivil attitude toward a supervisor or refusal to obey any reasonable order given by a supervisor.
6. Violation of the Drug-Free Workplace Policy. Working while under the influence of liquor or drugs and/or refusing to take a sobriety test or refusal to accept treatment referral. Having intoxicating liquors in possession or bringing liquor into work area. Having drugs (other than prescription drugs for personnel use) in possession or bringing drugs into work area.
7. Abuse, neglect, and/or exploitation of clients or violation of related policies.
8. Carrying concealed weapons or keeping them on KRCC premises/property.
9. A combined total of three (3) disciplinary actions for work rule violations in (1) year period.
10. Stealing property of KRCC or of other staff.
11. Unauthorized use of agency property, materials or resources or use of property, material or resources for personal gain.
12. Failure to report knowledge of theft or other illegal acts committed on or against agency property.
13. Gross negligence resulting in the damage or destruction of equipment, or other property belonging to, or leased by, KRCC or fellow workers.
14. Absence of three working days without notifying the immediate supervisor.
15. Willful falsification of time sheets, personnel, or other records.
16. Breach of Confidentiality.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

17. Violation of Sexual Harassment Policy.
18. Violation of the Declaration of Ethical Principles Policy.

Any discharge must be approved by the appropriate Executive Level Supervisor and Personnel Coordinator and the Staff Attorney.

(Revised 05/2014)

### **9.2 WORKPLACE ETIQUETTE**

KRCC strives to maintain a positive work environment where staff treat each other with respect and courtesy. Sometimes issues arise when staff are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. KRCC encourages all staff to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another staff's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the Personnel Management if you have any comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to the default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all your pages.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked up.
- Be careful not to take or discard others' print jobs or faxes when collecting your own.
- Avoid public accusations or criticisms of other staff. Address such issues privately with those involved or your supervisor.



## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- Try to minimize unscheduled interruptions of other staff while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life / issues in public conversations that can be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- Clean up after yourself and do not leave behind waste or discarded papers.

Revised 05/2014

### **9.3 COMPUTER and EMAIL USAGE**

Computers, computer files, the email system and software furnished to staff are KRCC property intended for business use. Staff should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

KRCC strives to maintain a workplace free of harassment and sensitive to the diversity of its staff. Therefore, KRCC prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

KRCC purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, KRCC does not have the right to reproduce such software for use on more than one computer.

Staff may only use software on local area networks or on multiple machines according to the software license agreement. KRCC prohibits the illegal duplication of software and its related documentation.

Staff should notify their immediate supervisor, the Management Information Systems Manager or any member of management upon learning of violations of this policy. Staff who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Revised 05/2014

### **9.4 INTERNET USAGE**

Internet access to global electronic information resources on the World Wide Web is provided to KRCC to assist staff in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of KRCC and as such, is subject to disclosure to law enforcement or other third parties. Consequently, staff should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services and technology provided to access the Internet remain at all times the property of KRCC. As such, KRCC reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any staff or other person. Examples of unacceptable content may include, but are not limited to sexual comments or images, racial slurs, gender specific comments or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious, or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an staff did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Staff are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by KRCC in violation of law or KRCC policies will result in disciplinary action, up to and including termination of employment. Staff may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images.
- Using the organization's time and resources for personal gain.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission.
- Sending or posting confidential materials, trade secrets, or proprietary information outside the organization.
- Violating copyright law.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions.

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- Sending or posting messages or material that could damage the organization's image or reputation.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Using the Internet for political causes or activities, religious activities, or any sort of gambling.
- Jeopardizing the security of the organization's electronic communication systems.
- Sending or posting messages that disparage another organization's products or services.
- Passing off personal views as representing those of the organization.
- Sending anonymous email messages.
- Engaging in other illegal activities.

Revised 05/2014

### **9.5 USE OF PHONE and MAIL SYSTEMS**

Personal use of the telephone for long-distance and toll calls is not permitted. Staff should practice discretion when making local personal calls and may be required to reimburse KRCC for any charges resulting from their personal use of the telephone.

Personal calls are discouraged, except in the event of an emergency. Should a personal call occur, the staff should ensure the call does not exceed three minutes.

To ensure effective telephone communications, staff should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

The use of KRCC -paid postage for personal correspondence is not permitted.

Violation of this policy may result in disciplinary action, up to and including termination of employment.

05/2014

### **9.6 USE OF CELL PHONES AND OTHER COMMUNICATION DEVICES**

This policy outlines the use of agency provided communication devices and personal cell phones at work and the policy regarding the safe use of cell phones by staff.

For purposes of this policy, personal cell phones and agency provided communication devices are defined as any device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet or downloads and allows for the reading of and responding to email.

Staff are prohibited from using their cell phone and/or communication device in any illegal, illicit, or offensive manner.

Violation of the "Use of Cell Phone Policy" may result in disciplinary action up to and including termination.

**Personal Cell Phones** - a cell phone for which KRCC does not provide reimbursement or provide to staff for use.

While at work, staff are expected to exercise discretion in using personal cell phones. Personal calls during the work hours, regardless of the phone used can interfere with staff productivity, safety and may be distracting to others. Staff are encouraged to make personal calls during breaks and lunch and to ensure that friends and family members are aware of KRCC's policy. Personal calls should not exceed three (3) minutes. KRCC will not be liable for the loss of personal cell phones brought into the workplace.

**Agency Provided Communication Device** - a cell phone for which KRCC provides an allowance or a cell phone or other device provided to staff for use for KRCC business purposes.

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Where job or business needs demand immediate access to an staff, KRCC may authorize a cell phone allowance for approved eligible staff or issue a business cell phone or other device for work-related communications.

When a cell phone allowance is provided, staff will purchase their own cell phone and choose their own service plan

Equipment issued by KRCC should be used for KRCC business purposes only. Staff will reimburse the Agency for any overage charges related to personal calls. The call detail records generated from issued cell phones are considered records of the Agency and may, on occasion, be subject to internal and outside audits by the Agency and/or official agencies.

Staff in possession of Agency equipment (e.g., cell phones, etc.) are expected to protect the equipment from loss, damage, or theft. Upon resignation, termination of employment, or at any time upon request, the staff will be asked to produce the equipment for return or inspection. Staff unable to present the equipment in good working condition within a reasonable time period (i.e., 24 hours) will bear the cost of a replacement. Staff who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

Staff shall have any agency provided communication device in their possession at all times while conducting KRCC business.

### **Cell Phone Use while Operating a Vehicle**

Staff conducting agency business are prohibited from texting while driving.

Drivers shall comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cell phones. Sending or reading text messages, emails, viewing television, videos, or DVD's and inputting data into laptop computers, personal digital assistants or navigation systems are prohibited while driving.

Revised 09/2017

### **9.8 SOLICITATION AND DISTRIBUTION OF LITERATURE**

It is the policy of Kentucky River Community Care to maintain an atmosphere consistent with the physical, emotional, and psychological well-being of clients: to prevent disturbances in the

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

daily operations of the agency; and to protect staff from undue interference in their work or use of the facilities.

Staff may not orally solicit other staff or distribute literature to join or contribute to any organization, fund, activity, or cause on agency property in any working area. Working areas include, but are not limited to, client or resident treatment areas, areas adjacent thereto, hallways, stairs, elevators regularly used for transporting clients or residents, lobbies, waiting rooms, and entrances / exits to any agency premises. Staff may not solicit during their working time or the working time of the staff to whom the solicitation / distribution is directed.

In addition, the posting of written solicitations / distributions on bulletin boards is prohibited.

Persons not employed by KRCC are not permitted access to any agency property or facilities at any time to solicit or distribute literature on behalf of any organization, fund, or cause.

Staff are not permitted access to any agency property or facilities during off-duty time for any purpose, except that which is directly related to agency business.

Off-duty time is defined as any time that is not within one-half hour prior to the staff's shift, during the staff's shift, or within one-half hour after an staff's shift.

Revised 05/2014

### **9.9 VISITORS IN THE WORKPLACE**

To provide for the safety and security of staff and the facilities at KRCC, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards staff welfare, and avoids potential distractions and disturbances.

All visitors should enter KRCC at the main entrance and sign the visitor log. Authorized visitors will receive directions or be escorted to their destination. Staff are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on KRCC's premises, staff should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

Revised 05/2014

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **9.10 Social Media Policy**

This policy governs staff' use of social media, including any Internet or other online tools, to share profiles, information, photos, opinions, ideas, insights, or other content with others. "Content" includes, but is not necessarily limited to, writings, communications, photos and other images, and every other conceivable means of expressing ideas or conveying information from one person to another. "Social media" includes, but is not necessarily limited to, personal web pages, message boards, weblogs ("blogs"), networks, communities and social networking websites, such as Facebook, Myspace, Digg, Flickr, Twitter, Topix and LinkedIn. This list illustrative, not exhaustive; this policy applies to all forms of social media and electronic networking, regardless of whether specifically listed herein. Likewise, this policy applies to all social media activities of staff, regardless of where, when, or how conducted.

KRCC respects staff' right to use social media provided such use does not conflict with KRCC's legitimate interest in protecting its goodwill, competitiveness, and business reputation. KRCC, therefore, expects staff to exercise good judgment when using social media, and prohibits staff from:

- Posting or displaying content that violates any of KRCC's policies or procedures;
- Posting or displaying your own or any other staff's assigned workplace email address or worksite telephone number, unless solely for agency business and authorized by the Executive Director;
- Accessing or using any social media during working time, except when done for agency business and with written permission of the Executive Director.
- Posting or displaying any of KRCC's trade secrets, intellectual property or other proprietary or confidential business information, (e.g., client information, business processes, systems, technology, know-how, methods, costs and other information that, if disclosed, may harm business interests) whether in written, photographic or any other form;
- Posting or displaying content about KRCC, its staff, products, services, suppliers or customer that is knowingly and maliciously false, slanderous or libelous or that reasonably could be viewed as flagrantly disloyal, obscene, physically threatening or intimidating, harassing bullying or a violation of agency policies prohibiting unlawful discrimination, harassment or retaliation (e.g., recklessly accusing a supplier's delivery person of being a thief, trying to harm another staff's reputation by falsely stating he is a pedophile, threatening others with physical harm if they refuse to comply with some demand of yours and the like);



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- Posting or displaying content that constitutes a disparaging, public attack on the quality of the agency's products and/or services in a manner an objective person reasonably would perceive as calculated to harm the agency's reputation and reduce its income (e.g., knowingly and falsely stating the agency provides poor services);
- Commenting on behalf of the agency to any professional media organization (e.g., television or newspaper reporter), blogger or other "correspondent" all such matters should be referred to the Executive Director immediately; and
- Providing as an agency representative references or employment verification for current or former staff (only the Personnel Management Agent may do this).

Staff engaging in social media activities are subject to all of KRCC's policies and procedures, including, but not limited to: (1) protecting the confidentiality of agency information; (2) safeguarding agency property; (3) prohibiting unlawful discrimination and harassment; and (4) governing the use of the agency's computer, telephone and other electronic and communication equipment and systems. Please make clear in any online activity that the views and opinions you express about work-related matters are your own, have not been reviewed or approved by the agency and do not necessarily represent the view and opinions of the agency, its management, or other staff. If you comment on KRCC, please use your real name, identify your position with the agency and, if you have a vested interest in the topic, make that clear. If you disagree with another's opinion or conduct, please be respectful and polite (especially if it is a customer). Be honest and accurate and, if you make a mistake, quickly correct it.

We are always interested in any publicly accessible online content regarding KRCC, favorable or otherwise (e.g., customer reviews, news reports, competitors' comments, former staff' criticisms, and the like). Such information can help us stay competitive, measure our success, and identify areas for improvement. We would appreciate you bringing and agency related content to our attention, but you are not required to do so.

KRCC has the right to and, from time-to-time will, monitor the use of its computer, telephone and other communication and electronic equipment and systems, as well as any publicly accessible social media. Any information created, transmitted, downloaded, exchanged, or discussed in publicly accessible social media may be viewed by the agency at any time without further notice. KRCC has the right and ability to monitor or access anything posted, viewed, transmitted, downloaded or otherwise communicated to, from or on the Internet or any social media using agency equipment or systems, and that staff' passwords will not prevent such monitoring and access. Staff personally are responsible for the content they post or display in social media. **Remember:** Once you post or display something online, it is no longer under your complete control, may not remain as "private" as you would like and may exist forever even if you attempt to remove or delete it.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Violations of this policy may result in disciplinary action or termination of employment. Nothing in this policy is intended, or will be interpreted, to interfere with, restrain or coerce any staff's lawful exercise of their rights under any applicable federal, state or local law, including but not limited to lawfully discussing terms and conditions of their employment, engaging in protected concerted activity, acting together for mutual aid or protection or otherwise lawfully exercising their Section 7 rights. If you have any questions about this policy, contact the KRCC Corporate office.

(Approved by the Board 7/22/14)

### **9.11 Dress and Grooming**

KRCC staff contribute to the corporate culture and reputation in the way they present themselves. A professional appearance is essential to a favorable impression with consumers, regulators, and other business associates. Good grooming, hygiene, and appropriate dress are expected of all staff.

Certain staff may be required to meet special dress and grooming, such as wearing safety equipment / clothing, or specific business attire depending on the nature of their job and certain assigned functions.

As a general guideline the following are considered inappropriate work attire:

- Clothing that is too revealing or bears too much skin,
- Clothing with foul language, pictures, or gestures,
- Clothing or accessories that are determined to present a safety hazard.

KRCC program directors and managers may exercise reasonable discretion to determine appropriateness in staff dress and appearance. Staff who do not meet professional standards may be sent home to change, and nonexempt employees will not be paid for that time off. Repeated occurrences may result in disciplinary action.

Questions, concerns, or complaints regarding the appropriateness of attire should be directed to Personnel Management.

11/25/14; REV. 09/27/22

### **9.12 ANIMALS IN THE WORKPLACE**

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

### PURPOSE

It is the policy of KRCC to provide a safe and healthy work environment for all staff and clients. In accordance with this, animals are prohibited from all KRCC facilities and premises with the exception of service animals, certified working animals and emotional support animals that have been authorized, as defined below.

**Facility** means any KRCC owned or leased facility, including the associated parking lots, grounds, and common areas.

**Leased Commercial Property** means any property owned/leased by KRCC that is leased or sublet to other businesses.

**Residential Property** means any KRCC owned, leased, or managed properties to be occupied by individuals or families via an occupancy agreement or residential lease.

**Service Animals** refers to animals used to guide or provide assistance to persons with disabilities in the activities of independent living. The Americans with Disabilities Act (ADA) defines a service animal as any animal individually trained to do work or perform tasks for the benefit of an individual with a disability. If an animal meets this broad definition, it is considered a service animal.

**Emotional Support Animals** are not considered service animals under the ADA. Emotional support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities.

**Working Animals** refers to those animals KRCC may have approved (therapeutic animals or security animals) as part of programming.

### SCOPE

This policy shall apply to all staff, contractors, and visitors of KRCC facilities including Leased Commercial Property.

This policy does not apply to Residential Property as each has an animal/pet policy.

### POLICY

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

This policy provides for the health and safety of staff and agency facilities by restricting animals in the workplace as follows:

- In order to accommodate individuals with disabilities, service animals are expressly permitted in all areas in the workplace.
- Staff who are in need of a service animal must obtain authorization through the job accommodation process prior to bringing the animal to the worksite and their animal must be under their control at all times.
- Working animals are permitted with prior approval of the Chief Asset Officer. Prior to approval, animal shot records along with animal and handler certification should be submitted.
- Clients who present in a KRCC facility with a service animal may be asked two questions (1) Is the animal required because of a disability (2) What work or task has the animal been trained to perform. Staff may also ask for proof of compliance with local laws such as vaccination records. The animal must be under the control of the client at all times.
- Clients who present in a KRCC facility with an emotional support animal should be asked by staff for documentation that the animal is necessary to the client's mental health. The documentation should be provided by a mental health professional and include the date and type of mental health professional's licensure. This document is required as a condition of permitting the animal to accompany the client. Staff may also ask for proof of compliance with local laws such as vaccination records. The animal must remain under the control of the client all times.
- In all cases, only clean, trained, well-behaved, non-aggressive animals are allowed, and they are to be kept under control at all times. If it becomes staff opinion that the animal poses a risk for staff or clients, staff should contact their supervisor for assistance in arranging for the animal's care.
- Unauthorized animals are not permitted in any area within the workplace, including parking lots and grounds.
- Staff are reminded that bringing an animal to work and leaving them in a car is neither appropriate, nor safe and is prohibited.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- It is the animal owners' responsibility to ensure that animals relieve themselves outside and owners should not call upon co-workers or agency staff to manage. Animal fecal matters should be removed to a proper disposal container by the animal's owner to protect the health and safety of others.
- Individuals are reminded not to touch, feed, or pet a service or working animal when the animal is working as it distracts the animal from the task at hand.
- Under no circumstances should a service animal, working animal or emotional support animal be allowed to run loose. Animals must be under the control of their handler and may not be tethered to buildings, handrails, trees, bicycle racks, or other objects.
- Feral and/or stray animals (such as dogs, cats, raccoons, possums) sometimes appear at a KRCC facility. If such an animal is noticed please contact the Facilities Department. Staff should not feed nor shelter such animals.

Violation of this policy may result in disciplinary action up to and including termination.

*Added 03/28/18*

### **10.0 TERMINATION OF EMPLOYMENT**

Nature of Termination:

#### **10.1 REDUCTION IN FORCE**

- A. Reduction in force shall be constructed as lay-off from a position due to the abolishment of the position because of reorganization or retrenchment, or because a position is no longer necessary for the operation of the Center.
- B. Reduction in force shall be determined and approved by the Executive Director.
- C. When more than one staff is involved, both longevity and quality of performance will be taken into consideration. The needs of the program will be given the prime consideration when reduction in force is necessary. This formula shall be applied inversely if, at a later date, such staff can be re-hired because of reorganization or expansion.
- D. Staff discharged through reduction in force (laid off) through no fault of their own are eligible to apply for Unemployment Compensation.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **10.2 DEMOTION**

- A. Demotion is a function of Personnel Management and shall be construed as removal from a particular position, with an offer of a position of lesser responsibility, because of the staff's inability to perform in the present position.
- B. When demotion is tendered to any staff as an alternative to being laid off, the needs of the program will be the prime consideration as well as the staff's longevity and quality of performance.

Revised (05/2014)

### **10.3 DISMISSAL**

Dismissal shall be defined as the discharge of an staff from the Center because of unsatisfactory job performance, violation of contract, commission of major violation(s) of personnel policies or of certain acts contrary to the code of ethics of an staff's professional organization. The President of Personnel Management shall have authority for dismissal of staff and shall exercise such authority whenever warranted, but usually upon the written recommendation of the supervisor in consultation with the Program Director. The Executive Director will be notified prior to initiating dismissal procedures.

Revised 05/2014

### **10.4 RETIREMENT**

Retirement is defined as the voluntary employment termination initiated by the staff meeting age, length of service, and any other criteria for retirement as set forth by the designated retirement plan.

Revised 6/2011

### **10.5 RESIGNATION**

Resignation is defined as the voluntary termination of employment by staff. This policy sets forth notice / exit requirements and procedures.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Professional staff are required to give four (4) working weeks written notice with the beginning effective date being the date of receipt in the Personnel Management Office.

Paraprofessional staff are required to give two (2) working weeks written notice with the beginning effective date being the effective date of receipt in the Personnel Management Office.

Staff serving in executive office and leadership roles are required to give ninety (90) working days' notice. This includes Executive Officers, Chief Officers, Medical Directors, Division Directors and any other top-level administrative, leadership, or service position that reports directly to the agency's CEO or CFO.

Written notice is to be given by using the designated Official Resignation Notice form provided by the Personnel Management Office.

In the rare circumstance that a written notice cannot be provided, verbal resignations may be accepted but must be documented by the administrative supervisor and /or the Personnel Management office using the Verbal Resignation Notice form.

Staff will not be allowed to rescind a resignation, whether given verbally or in writing once the resignation has been confirmed by the Personnel Management Office. Employees who wish to discuss concerns about their continued employment are encouraged to do so before making a final decision.

Management reserves the right to provide staff with pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the staff given that it may be for a variety of reasons not known to the individual or other staff.

Staff who give proper notice but fail to work part or all of the notice, will forfeit Paid Time Off on a day for day basis. Staff who do not give proper notice will forfeit the Paid Time Off and be considered as having left in poor standing and ineligible for re-hire.

Payment for accumulated Paid Time Off will be forfeited when staff do not complete the required medical records process for terminating and transferring of assigned caseloads or complete a transfer of work or final work tasks as assigned by supervisor.

Extenuating circumstances in this matter will be given due consideration by the Executive Director. Employees who resign with appropriate notice will be entitled to pay for any accrued Paid Time Off up to the maximum of (20) days.

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Staff will be scheduled to meet with their assigned supervisor prior to their last day of employment to ensure that all work-related tasks have been completed and all agency property is returned. This is also a time to discuss any questions or concerns related to employment assignment at KRCC. Staff who fail to return any company property, including but not limited to, keys, credit cards, tools, cellular phones, laptops, passwords, access codes and other equipment, will be deemed ineligible for rehire and may be subject to legal proceeding on behalf of KRCC. In addition, the current value of any unreturned property may be withheld from any final pay.

Staff will be sent a final Exit Survey by the Personnel Management Office.

Staff who resign in good standing under this policy and whose documented performance was at a minimum satisfactory will be eligible for rehire only after a period of nine (9) months separation from KRCC unless this eligibility requirement is waived by the Executive Director. Former employees will be considered for open positions along with all other candidates. Former employees who apply for reemployment will be treated as new staff for the purposes of any seniority-related benefits and /or awards.

(Revised 01/23/18; 09/27/22)

### **11.0 GRIEVANCE POLICY**

It is the policy of Kentucky River Community Care that staff should have an opportunity, when appropriate and practical, to present their work-related complaints and to appeal management decisions through a formal grievance procedure. Kentucky River Community Care will attempt to resolve promptly all grievances that are appropriate for handling under this policy.

Staff are assured of freedom from restraint, interference, discrimination, and reprisal in voicing reasonable grievances and pursuing appeals.

The Grievance Procedure will allow staff to voice grievances over personnel actions and conflicts within individual departments or units. A grievance is a formal written complaint by an staff about an alleged violation, misinterpretation, or inequitable application of personnel policies or rules. Grievable personnel actions may include suspensions and demotions. A grievance procedure is not for the purpose of settling a particular personal problem between an employer and supervisor and an staff. The Grievance procedure will not be accessible to staff wishing to dispute performance evaluations, staff who have resigned, or staff who have been terminated. The grievance procedure will be distributed



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to staff in the Personnel Policy Handbook and will be explained to staff by the Human Resources Department at orientation and at any time upon request.

No grievance shall be heard unless it has been filed in writing on the appropriate form within fifteen (15) calendar days after the act or condition giving rise to the grievance and states with particularity the basis for the grievance and the remedy sought. In order to be considered, the formal written grievance must be filed on the Staff Grievance Request Form at Step 1 as described below. The grievant shall specify on the form the facts supporting the grievance, the specific policy or rule alleged to have violated and the relief requested.

1. Within fifteen (15) days of the aggrieved event, the staff must submit a written request on the Staff Grievance Request Form for a conference with their immediate supervisor. The supervisor must then meet with the staff within fifteen (15) days of the request during the staff's regularly scheduled work period. Every effort should be made to resolve the problem at this level. A written summary of the results of this meeting will be provided to the staff by the supervisor within ten (10) working days of the meeting.
2. If the grievance is not satisfactorily resolved at that level, the staff may, within fifteen (15) days of the supervisor's written summary, request, in writing, a conference with the appropriate Regional Program Director. This conference will be held during the staff's regularly scheduled work period and within ten (10) working days of the request. A written summary of the results of this meeting will be provided to the staff by the Regional Program Director within ten (10) working days of the meeting.
3. If, after this conference, the grievance is still not resolved, within fifteen (15) days of the Regional Program Director's written summary, the staff may forward the written grievance to the Personnel Management President. The Personnel Management President, along with the Executive Director, will conduct a thorough and complete review of the situation, which may include a conference with the staff. A decision will be reached and conveyed to the staff, in writing, within ten (10) working days of receipt of the staff's request.
4. If the staff is not satisfied with the decision of the Personnel Management / Executive Director, they may, within fifteen (15) days, appeal the decision to the Chairperson of the Kentucky River Community Care Board of Directors. If the Chairperson of the Board of Directors, or their designated representative, declines to review the situation, the decision of the Personnel Director / Executive Director is final.
5. If the Chairperson of the Board of Directors, or their designated representative, decides to review the situation, a Grievance Hearing Committee will be appointed by the Board

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Chairperson. The Grievance Hearing Committee shall conduct such investigations as it deems appropriate and may consult the full Board at its discretion.

6. Within ten (10) working days, the Chairperson of the Board Grievance Committee shall submit a written summary of its decision to the Chairperson of the Board. The Chairperson of the Board will within ten working (10) days of the receipt of the Grievance Hearing Committee's decision, will issue a written, final and binding summary decision to the aggrieved staff, a copy of which shall be retained in the personnel file of the aggrieved staff.

**NOTE:** The Personnel Management President is available to help clarify an staff's position and advise the staff at any step along the way. It is the staff's responsibility to initiate each step within the time frame designated and to follow each step-in order.

It is each supervisor's responsibility to forward a copy of the grievance and response to Personnel Management President.

If the staff files, or expresses intent to file, legal action against Kentucky River Community Care at any time during the grievance procedure, further access to the grievance procedure will be denied.

(Revised 05/2014)

### **12.0 SMOKE-FREE/ TOBACCO FREE WORKPLACE**

In keeping with the intent of Kentucky River Community Care to provide a safe and healthful work environment, smoking, use of tobacco products, or any electronic smoking device in the work place is prohibited except in those locations that have been specifically designated as smoking areas, or are outside KRCC's premises.

This policy applies equally to all staff, consumers/patients, and visitors.

(05/14)

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **13.0 DRUG-FREE WORKPLACE STAFF POLICY STATEMENT**

Effective January 1, 1996, it is the policy of the Kentucky River Community Care, Inc. Board that the workplace shall be and remain free of alcohol and other drugs. Specifically, as a condition of employment, staff are prohibited from manufacturing, distributing, dispensing, possessing, using or having in their bodily system alcohol or other drugs during working hours or while on Kentucky River Community Care, Inc. property, in Kentucky River Community Care, Inc. vehicles during or after work hours, at Kentucky River Community Care, Inc. sponsored activities or officially representing Kentucky River Community Care, Inc. in the community.

Violations involving the manufacturing or distribution of illegal drugs shall result in termination of employment and may be reported to appropriate police agencies. First violations involving possession or use of illegal drugs will result in disciplinary action, a referral to Kentucky River Community Care, Inc. Staff Assistance Program, and periodic urine testing. First violations may also result in dismissal, based upon the circumstances and at the discretion of the Executive Director. Second violations shall result in the termination of employment.

In addition, as a condition of employment, staff are required to: (1) receive education programs which inform them about: (a) the effect and consequences of alcohol and other drug use on personal health, safety, and the work environment. (b) the manifestations and behavioral clues that may indicate alcohol and other drug use and abuse, (c) the rules and penalties of Kentucky River Community Care, Inc. relating to alcohol and other drug abuse, and (d) the availability of drug counseling, assistance and rehabilitation through the Staff Assistance Program; (2) to receive additional training, if they are a Supervisor, on the physical, behavioral and performance indicators of probable alcohol and other drug abuse; and (3) staff are required to report to the Personnel Management if they have been convicted of a state or federal drug-related criminal statute (including convictions for trafficking, manufacturing or possessing illegal drugs or paraphernalia). The report must be made within five (5) days of the conviction. Failure to attend the educational programs or to report criminal violations may result in termination of employment.

Drug tests will be required in the following circumstances: (1) all newly appointed staff. (2) all staff assigned to and transferred to "safety sensitive" positions; (3) if an staff is reasonably suspected of alcohol or other drug use because of specific performance, physical or behavioral-indicators; (4) if an staff is involved in an accident during working hours or involving vehicles, equipment or personnel, in which drug use is suspected, and (5) if an staff is a "safety sensitive" staff and their name is selected at random according to the Federal Drug Free Workplace Guidelines.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Random testing will be unannounced and any “safety sensitive” staff may be selected, even if that staff was selected at the last random selection process. “Safety sensitive” positions are defined as those having duties related to the operation of Kentucky River Community Care, Inc. vehicles or heavy equipment or those requiring responsibility for the health and safety of the KRCC clients.

All newly appointed Kentucky River Community Care, Inc. staff will be subject to pre-employment testing. During the interview process, prospective staff will be informed that new staff are required to submit to a urine drug screen. A negative drug screen is a mandatory condition of employment. A positive drug screen indicates that a prospective staff cannot meet the conditions of employment and, therefore, the offer of employment shall be rescinded, and our relationship terminated.

All drug testing will be performed at a local testing laboratory subject to stringent government regulations to assure accurate results (NIA approved). All positive drug tests will be subject to re-analysis to confirm the presence of drugs. An staff who tests positive may request that an additional test be conducted at the same or different laboratory provided the laboratory is certified by NIA within 32 hours of notification by Kentucky River Community Care, Inc. The testing must be conducted on the same specimen originally submitted and at the cost of the staff. Any re-testing shall be at a site approved by the Executive Director. Any staff subject to drug testing who refuses a drug test will be dismissed. No staff who has refused a drug test shall be reinstated without first passing a drug test. Any staff who has refused a drug test or who has tested positive will be subject to periodic drug testing in addition to the random testing for a period of sixty months.

Drug testing will be conducted for the following:

- Alcohol
- Amphetamines
- Antidepressants
- Barbiturates
- Benzodiazepines
- Cannabinoids (THC)
- Cocaine and/or metabolite
- Glutethimide (Doreden)
- Meperidine (Demerol)
- Methadone
- Methaqualone
- Narcotics
- Phencyclidine (PCP)
- Phenothiazines

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- Phenytoin (Dilantin)
- Propoxyphene (Darvon)

All staff will be officially notified of KRCC's new Drug-Free Workplace, Staff Policy Statement following adoption of this policy by the Board of Directors of Kentucky River Community Care, Inc. Staff notification and referral for drug testing will be through Personnel Management. Refusal to take a urine test for use of illegal drugs will result in termination.

All drug test results will be handled through Kentucky River Community Care, Inc. Personnel Management. Positive results will be shared with the staff, their Program Director, and the Executive Director. For staff with a positive drug screen, a conference will be held with the staff, the Program Director and Personnel Management President regarding the results of the test. A conference evaluation will determine if the staff will accept treatment or if termination will be recommended.

Staff who test positive and wish to continue employment will be required to undergo appropriate treatment, either through the Kentucky River Community Care, Inc. Staff Assistance Program or another agency providing the appropriate alcohol/drug treatment services. Staff who elect to undergo treatment will be classified as on "sick" leave for a one-time basis, provided that they have accrued a Paid Time Off leave balance adequate to cover the amount of time required for treatment, the staff will be re-tested within thirty days at the staff's expense and will be subject to unannounced periodic testing for a period of sixty months. Second offenders will be summarily dismissed.

Staff may voluntarily seek assistance for alcohol and other drug problems, through the Kentucky River Community Care, Inc. EAP provider. Staff are encouraged to seek assistance and will not be subject to disciplinary action for seeking help on their own.

(Revised 05/2014)

### **13.2 WEAPONS IN THE WORKPLACE**

Possession of weapons is prohibited at any KRCC work site. This policy addresses the duties of all staff to adhere to these prohibitions along with potential consequences for not abiding by them.

The purpose of this policy is to safeguard the wellbeing of staff, clients, and visitors at KRCC worksites.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Possession of weapons or engaging in workplace violence as prohibited by this policy is subject to disciplinary action, up to and including termination of employment. In addition, a report may be made to law enforcement authorities.

Staff are prohibited from the possession, sale, transfer or use of any dangerous weapon while engaged in agency business, using agency vehicles, or on agency property. Dangerous weapons include but is not limited to firearms, explosives, chemicals or biological substances, hatchets, knives, and other objects capable of causing death or serious injury.

Staff who carry mace/pepper spray for personal protection, while coming to and going from work, may bring them into an agency worksite. However, it is a violation of this policy to use mace/pepper spray in any interaction with a client, a client's family members, staff, or other individuals with whom KRCC does business.

Staff are to immediately report any prohibited action to their supervisor, Program Director or Personnel Management President and follow with a written incident report.

Retaliation against any individual making a report is prohibited.

Staff who have listed an agency worksite in restraining, stalking, or other protective order are required to immediately notify Personnel Management.

Staff are to immediately notify the Compliance Officer and Area Director when a client or visitor brings a weapon into a KRCC worksite. The staff is to follow up with a written incident report.

Management shall respond to the possession of weapons on agency worksites. Actions may include notification of law enforcement, suspension, or termination of the relationship / services. Staff who violate this policy are subject to termination of employment. Notification of threats against other entities will be through law enforcement.

(05/2014)

### **13.3 VIOLENCE-FREE WORKPLACE**

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

KRCC is strongly committed to providing a violence-free workplace and has adopted a zero-tolerance policy. Violence, threats of violence, or intimidation of staff, vendors or clients will not be tolerated. Examples include, but are not limited to:

- Harassment
- Hitting or shoving an individual
- Threatening, intimidating, coercing, or interfering with fellow staff
- The intentional damage or destruction of, or threat of damage or destruction to property
- Harassing or threatening phone calls
- Harassing surveillance or stalking
- The suggestion or intimation that violence is appropriate
- Possession or use of firearms or weapons.

Reports of violence or perceived threat of physical violence including intimidation, harassment, or coercion, are to be made immediately to the supervisor, Program Director or Personnel Management President.

KRCC will promptly investigate all reports of threats of (or actual) violence.

Retaliation against any individual making a report is prohibited.

Violation of this policy may result in disciplinary action up to and including termination of employment.

(Revised 05/2014)

### **14.0 DECLARATION OF ETHICAL PRINCIPLES**

WHEREAS, Kentucky River Community Care (KRCC) holds to the higher moral, legal and professional standards for their conduct and services.

WHEREAS, KRCC maintains respect both for the privacy and well-being the persons served and for the welfare and protection of the general public and

WHEREAS, KRCC strives to enhance the principles of competence accountability, responsibility, nondiscrimination, and service excellence.

NOW, THEREFORE, BE IT RESOLVED that KRCC has a minimum standard ethical practice for all of its staff, subscribes to and upholds the following principles while so affiliated:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

1. The interest of the person served is always respected. Activities on behalf of the persons served, whether individuals, families or organizations shall always be determined by their best interest. Their rights, including appropriate care, confidentiality, informed consent, self-determination, and access to records, are guaranteed.
2. Activities shall reflect the best interest of the general public, Authority of, and accountability to the community are recognized by Board of Directors in determining priorities, policies and programs. Prevailing legal and moral standards shall be upheld. Questionable practices and programs are not condoned. The public's right to have information about program finances, policies and procedures is acknowledged.
3. High professional standards will be maintained and promoted. KRCC and its staff or representatives at all times require conduct based on accept principles and professional standards of practice. All staff shall avoid conflicts of interest and misrepresentation of their services, credentials skills. They recognize accountability to the organization and persons served with whom they are involved and accept responsibility to maintain high standards professional competence and to provide the highest quality of care possible. Staff are expected to refrain from personal and professional activities which might reflect on the integrity of the agency.
4. Any activity that could be construed as a dual relationship with a patient, be it sexual, financial, or other which is adverse or an exploiting to the client is considered to be a violation of this Declaration of Ethical Principles. A dual relationship exists if the relationship develops less than one year from the date of termination of services from the agency or more than one year as may be specified by a Professional Declaration of Ethical Principles for Psychologists, social workers, psychiatrists, etc.
5. Respect shall be maintained for the rights, policies and procedures other professional organizations and governmental agencies.
6. Staff shall safeguard the personal property of the persons served, visitors and personnel and property owned by the agency.
7. Accepting or exchanging gifts, money or gratuities from/with any client or business agent prohibited.
8. Staff shall refrain from the witnessing of documents within their scope of work except when designated by program procedures otherwise approved by the Executive Director.
9. KRCC staff and Board members shall avoid conflicts of interest pursuant to H.B. 306, KRS 210.110, Sections (1) and (2) as follows:



## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

210.110 Officers, staff and agents of Cabinet for Human Resources and regional community mental health-mental retardation programs not to sell to or make contracts with institutions, facilities, or organizations under cabinet's control if conflict of interest involved

- (1) No officer, staff or agent of the Cabinet for Human Resources a regional community health-mental retardation board or a nonprofit corporation administering a regional community mental health-mental retardation program shall sell anything to any institution, facility organization under the control of the cabinet nor participate in selecting or in the award or administration of a contract supported by state or federal funds if a conflict of interest, real or apparent, would be involved.
- (2) Such a conflict of interest would arise when:
  - (a) The staff, officer or agent;
  - (b) Any member of their immediate family;
  - (c) Their partner; or
  - (d) An organization that employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award.

Because a violation of the Declaration of Ethical Principles can damage the reputation of the Agency and place programs in jeopardy, it is essential to report any suspected conflict to the Program Director immediately or the Personnel Management Agent.

All reports of violations will be promptly submitted by Personnel Management to the Executive Director within 24 hours of the report. The Executive Director will be responsible for assigning investigation personnel and coordinating corrective action within 10 days of receipt of the report. Should any activity involve the Executive Director will notify the Board of Directors. If the activity should involve Personnel Management, then the Executive Director will be the person to inform. All reports of violations are handled with whistleblower protections in that confidentiality to the extent possible and protection against any form of retaliation are provided.

Staff should always seek advice from senior management prior to taking action on any issue involving ethics violations.

BE IT FURTHER RESOLVED that this Declaration of Ethical Principles reviewed annually by the Board of Directors; that all new Board members advised, in writing, of this code upon entering on their duties; and that this code shall be reviewed with all center personnel with advice, writing, to all new personnel entering on their duties.

**Revised 3/24/15**

### **14.1 NEGLECT, MISTREATMENT, ABUSE, AND EXPLOITATION OF CONSUMERS**

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

It is the policy of KRCC that all clients of assigned worksites shall be treated with dignity and courtesy by all staff. KRCC will not condone or accept abuse, exploitation, mistreatment, or neglect of any client under any circumstances by any staff. Abuse, exploitation, mistreatment, or neglect may include, but not be limited to, the following:

- A. Inappropriate physical force applied to a consumer which could cause physical or emotional damage;**
- B. Failure to provide for basic care of physical or emotional needs of a client;**
- C. Lack of provision of clean and adequate living accommodations for a residential services client;**
- D. Failure to take reasonable precautions to avoid conditions which could lead to physical or emotional injury of a client;**
- E. Lack of provision of nutritional and/or specific diet needs of a client;**
- F. Sexual involvement of any type with a client;**
- G. Entering into business or social relationships with client for personal gain;**
- H. Shouting at, name calling, etc. at a client;**
- I. Requiring inappropriate work which could lead to physical or emotional harm to a client;**
- J. Inadequate attendance to client's needs by staff (e.g., refusing to see client in an emergency situation, or not attending to the needs, such as health problems, of a client);**
- K. Punitive or inappropriate restrictive measures against a client;**
- L. Infringement upon social, emotional, spiritual, and legal rights of a client;**
- M. Use of client funds or other resources for personal/gain or benefit**

Every staff is responsible for **IMMEDIATELY** reporting to their supervisor any incidence or suspected incidence of client abuse, mistreatment, neglect, or exploitation. Each staff must also report, within twenty-four (24) hours, to the Department of Protection and Permanency any incident or suspected incident of abuse, mistreatment, neglect, or exploitation.

Alleged violations of the Neglect, Mistreatment, Abuse and Exploitation policy must be reported, within twenty-four (24) hours, to the assigned worksite Administrator who will, in turn, report to the assigned worksite Compliance Officer and Executive Director. If appropriate, the assigned worksite Administrator shall report the incident to appropriate legal authorities. The staff is responsible for completing and submitting an incident occurrence report form in accordance with assigned worksite guidelines and procedures. Additionally, the staff is responsible for notifying their supervisor of any relationship or action with a current or past client on their part that could be interpreted as being neglect, abuse, mistreatment, or exploitation.

Immediate action will be taken to ensure the clients are safe and cared for properly.

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If, upon investigation, it is ascertained an staff has been or is involved in abuse, neglect, mistreatment, or exploitation, of a current or past client, such staff shall be subject to disciplinary action which may include discharge.

**(Revised 04/17/13)**

### **14.2 DUAL RELATIONSHIP POLICY**

All staff members have a duty to report and to request approval for entering into a dual relationship with a client. The policy of Kentucky River Community Care, Inc. is that dual relationships with clients pose a risk to the clients, and a potential liability to the Center and to the staff member, and are, therefore, discouraged. Special circumstances, however, may arise in which the clients' interests are not harmed but are advanced through such a relationship. In these cases where potential harm to staff, the Center, and the client is deemed not to exist, approval may be granted to staff members requesting dual relationships with clients.

For purposes of this policy, the following definitions are provided:

**Staff members:** All Kentucky River Community Care staff and contractors.

**Dual relationship:** A situation in which the staff member has a professional or agency role relationship with the client and another relationship with the client wherein there is personal gain or value to the staff member. In most instances, this term refers to relationships with clients that are formed after a professional relationship has been established. The policy is not intended to address casual or existing relationships in which there is no direct personal gain or value to the staff member. Such relationships are prohibited during treatment and for a period of 18 months following termination of treatment.

The following are examples of staff conduct that are considered unacceptable and unethical.

- Entering into a romantic or sexual relationship with a client.
- Borrowing or accepting money from a client.
- Entering into an employment relationship with a client such as housekeeping, baby-sitting, yard work, etc.
- Utilizing a client's resources for personal gain.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

The following are examples of conduct that would require approval and may or may not be acceptable staff behavior.

- Lending money to a client for an emergency need.
- Engaging a client to perform casual labor as part of a Center approved project (i.e. raising money for participation in a special event).
- Bringing a client into a staff member's home as a resident on an emergency basis.
- Accepting gifts from a client.

The following are examples of conduct that would not be considered dual relationship matters and would not need to be reported.

- Providing Center services to a fellow member of the staff member's organization or club.
- Serving on board of directors of another agency or community organization and providing services to a staff member of that board or agency.
- Receiving a referral from a personal friend.
- A staff member has a duty to report in writing to their Program Director/Supervisor any dual relationship with a client. The Program Director may, upon the staff member's request, recommend approval in writing of the relationship to the Executive Director if the following conditions are satisfied:
  - A determination that the relationship does not exploit the client in any way and will not pose an obstacle to the client's treatment interest.
  - A determination that the client could benefit from the relationship.
  - A determination that the liability risk to the Center is minimal and is not beyond the risk associated with other Center interventions.
  - A determination that professional ethics are not being violated.
  - A determination that the client's confidentiality interest is not being harmed.

(Revised 05/14)

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### 14.3 FALSE CLAIMS, FRAUD AND ABUSE POLICY

It is the policy of Kentucky River Community Care, Inc. to ensure that all staff, including management and any contractors or agents are educated regarding the federal and state false claims statutes and the role of such laws in preventing and detecting fraud, waste and abuse in federal health care programs.

The False Claims Act provides that any person who:

- (1) knowingly presents, or causes to be presented, to an officer or staff of the United States Government or a member of the Armed forces of the United States a false or fraudulent claim for payment or approval;
- (2) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government;
- (3) conspires to defraud the Government by getting a false or fraudulent claim allowed or paid;
- (4) has possession, custody, or control of property or money used, or to be used by the Government and, intending to defraud the Government or willfully to conceal the property, delivers, or causes to be delivered, less property than the amount for which the person receives a certificate or receipt;
- (5) authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;
- (6) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or staff of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge the property; or
- (7) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money or property to the Government,

is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages which the Government sustains because of the act of that person.

In accordance with the purpose of the False Claims Act, the terms “knowing” and “knowingly” mean that a person, with respect to information:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- (1) has actual knowledge of the information;
- (2) acts in deliberate ignorance of the truth or falsity of the information; or
- (3) acts in reckless disregard of the truth or falsity of the information, and no proof of specific intent to defraud is required.

Kentucky River Community Care, Inc. treats issues regarding false claims and fraud and abuse very seriously. Quarterly, medical records audits are conducted to monitor compliance with billing policies and procedures. KRCC encourages all staff, managers, contractors, and agents to identify related issues and resolve them immediately. Any concerns regarding issues of false claims and fraud and abuse should be promptly reported to the immediate supervisor, Director, Compliance Officer or Personnel Management.

In accordance with the federal False Claims Act, “qui tam or whistleblower” provisions, any retaliatory action of any kind taken by any person as a result of an individual making a report of false claims and fraud and abuse is prohibited and shall be regarded as a separate and distinct cause for complaint.

Revised 05/2014

### **14.4 GIFTS TO STAFF**

Gifts and favors to staff of KRCC are subject to regulations by the Board of Directors. The following guidelines shall be observed:

1. Gifts or favors by clients are not acceptable, or consistent with ethical standards of the mental health profession.
  - a. Clients are charged fees which must be paid directly to the agency in accordance with Agency Billing Policies. Gifts or Favors may not be accepted in lieu of the client payment of fees.
  - b. Clients should never be led to believe that treatment or other agency services are in any way dependent on gifts or favors to the professional who renders the services.
  - c. Questions regarding the advisability of accepting gifts should be addressed to the Executive Director or their designee in writing.

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2. Staff who handle the agency purchasing or who influence the purchasing of supplies, equipment, or business services shall not accept personal gifts and favors from vendors.
  - a. Gifts from vendors may be accepted on behalf of the Agency.
  - b. Small favors (e.g. appointment books, small desk items, etc) may be accepted so long as no business obligation is implied.
  - c. Any discounts, purchase options, or bonuses offered by vendors shall be applied to the purchase price.

Revised 5/2014

### 14.5 TUBERCULOSIS CONTROL POLICY

Kentucky River Community Care, Inc. recognizes that infection control must be a priority. The Center for Disease Control and the Occupational Safety and Health Administration has established guidelines for prevention and treatment of Tuberculosis.

The main purpose of this plan is to prevent the transmission of infection and provide treatment and counseling should infection occur.

In compliance with these guidelines our Center has developed a Tuberculosis Control Policy which consists of the following:

- A. Cause and Transmission of Tuberculosis:

Tuberculosis (TB) is a disease that is spread from person to person through the air. TB usually affects the lungs, but it can also affect other parts of the body, such as the brain, the kidneys, or the spine. TB germs are put into the air when a person with TB disease of the lungs or throat coughs or sneezes. When a person inhales air that contains TB germs, they may become infected. **People with TB infection do not feel sick and do not have any symptoms. However, they may develop TB disease at some time in the future.** It is important to understand that TB Infection and TB Disease is not the same thing. The general symptoms of TB disease include- feeling sick or weak, weight loss, fever, and night sweats. The symptoms of TB of the lungs include coughing, chest pain, and coughing up blood.

In general, persons who have or are suspected of having pulmonary or laryngeal TB should be considered infectious

- if they are coughing

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- if they are undergoing cough-inducing procedures,
- if they are not receiving therapy,
- if they have just started therapy, or
- if they have a poor clinical or bacteriological response to therapy.

Patients are not considered infectious

- if they are being given effective therapy,
- if they have three consecutive negative sputum smear results,
- if they have a favorable clinical response to therapy.

B. Purpose and Interpretation of Staff TB Skin Testing:

1. **What is a Tuberculin or PPD Skin Test?** The tuberculin skin test is used for finding out whether a person is infected with the TB germ. It does not tell whether a person has TB disease. For the skin test, a small amount of fluid called tuberculin is injected under the skin in the lower part of the arm. Two or three days later, a health care worker looks for a reaction on the arm.
2. **What does a positive reaction mean?** A positive reaction to the tuberculin test usually means that the person has been infected with the TB germ. It does not necessarily mean that the person has TB disease. Other tests, such as a chest x-ray and a phlegm sample, are needed to see whether the person has TB disease. People who have a positive reaction to the skin test but who do not have TB disease cannot spread the germs to others. They may be given a drug to prevent them from developing TB disease.

C. Procedures for Staff Mantoux Skin Testing:

1. Medical Screening
  - a. Effective February 1, 1995, all new staff are required to participate in our Pre-employment screening process. Staff are required to show proof of a negative PPD Skin test at the time of Orientation. This record will be put in the staff's confidential medical record.
  - b. All direct service staff will be tested annually at no expense to the staff and with as little inconvenience as possible. Direct service staff shall include any staff who may have contact with client population. All other non-direct service staff will be excluded from yearly tests. Non-direct service staff shall include all personnel who do not have contact with client population, i.e. Administrative Staff, Facilities and Maintenance, Billing, MIS/IT, Human Resources, Accounting, Medical Records and Accounts Payable.



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- c. Staff will be tested after a TB exposure; that is, if exposed to a potentially infectious TB patient for whom these infection control procedures have not been taken. This will not be required when an staff's last skin test was within three (3) months. If negative, the skin test shall be repeated twelve (12) weeks after exposure.
- d. Staff with documented positive skin test and documented adequate treatment for disease or preventive therapy for infection are **exempt from skin testing unless symptoms develop**.

### 2. Positive Mantoux Skin Tests

Staff with a positive skin test or staff with a history of positive skin tests who are now exhibiting symptoms of TB will be provided with further clinical evaluation. Staff will be required to undergo further testing, such as a chest x-ray and a sampling of phlegm by the Health Department. If it is believed that TB exposure occurred while performing Center duties, the case will be referred to Workers Compensation. During the pre-employment process staff will be required to undergo further testing and treatment at their own expense.

When an staff is found to have current pulmonary or laryngeal TB, they shall be excluded from work until adequate treatment is instituted, their cough is resolved, and a physician certifies that the person is no longer infectious.

This removal requirement does not included staff infected with TB at sites other than lung or larynx who are otherwise healthy and undergoing preventive therapy.

An staff who must be removed from the workplace because of TB will receive pay and benefits in accordance with workman's compensation, disability, and other applicable laws.

### D. Client Positive Skin Testing

#### 1. Medical Screening

- a. Clients of programs that are required by regulation to undergo TB testing will receive the Mantoux tuberculin skin tests upon admission to the center. Proof of a negative PPD test must be obtained within 5 days in order to admit client. Record of the Mantoux tuberculin skin test will be kept in the client's medical record/chart.
- b. Long term clients will receive testing annually thereafter.
- c. All clients will be tested after a TB exposure; that is, if exposed to a potentially infectious TB patient for whom these infection control

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procedures have not been taken. This will not be required when a client's last skin test was within three (3) months. If negative, the skin test shall be repeated twelve (12) weeks after exposure.

### **2. Procedures for Positive Skin Tests**

Clients with a positive skin test or clients with a history of positive skin tests who are now exhibiting symptoms of TB will be provided with further clinical evaluation. No client will be admitted to any residential program or enter in a Day Habitation program without either a negative Mantoux skin test or a clear chest x-ray.

When a client is found to have current pulmonary or laryngeal TB, they shall be excluded from participation in the Center until adequate treatment is instituted, their cough is resolved, and a physician certifies that the person is no longer infectious.

This removal requirement does not include clients infected with TB at sites other than lung or larynx who are otherwise healthy and undergoing preventive therapy.

Confirmed tuberculosis requires respiratory isolation. Therefore, clients will be referred to the Health Department and/or local hospital for appropriate disposition.

### **E. Training and Education Requirements**

1. Staff will receive training on tuberculosis when initially employed and annually thereafter to include the following:

- cause and transmission of TB
- definition of infectious
- purpose and interpretation of TB skin testing
- significance of a skin test conversion
- signs and symptoms of Tb
- reporting mechanism of those with sings and symptoms
- purpose of preventive therapy
- risk factors for TB disease development
- treatment of TB
- purpose of TB surveillance and follow-up of positive TB skin tests

2. Substance Abusers, contacts of known cases, and clients participating in residential program are identified as having a high risk of becoming infected with TB. Clients who are identified as at a higher risk of becoming infected with TB will be given the following information:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- cause and transmission of TB
- definition of infectious
- purpose and interpretation of TB skin testing
- significance of a skin test conversion
- signs and symptoms of TB
- purpose of preventive therapy
- risk factors for TB disease development
- treatment of TB
- purpose of TB surveillance and follow-up of positive TB skin tests

(Revised 01/01/09)

### **15.0 NON-COMPETITION POLICY**

Professional staff may not provide competing services in this service region while employed or for a period of 18 months following termination of employment with this agency. Competing services include providing the same or similar service either in private practice or for another employer. As provided for in the personnel policies and procedures, professional staff may seek permission to provide non-competing services during or following employment.

Revised 06/2011

### **16.0 LICENSURE AND CERTIFICATION**

Certain positions require a license or certificate as a condition of employment. If your position requires licensure or certification, it is the staff's responsibility to acquire and provide documentation of the existence and status of such information as a condition of being hired and maintaining employment.

Staff are responsible for renewing license or certification prior to the expiration. Staff with an expired license or certification must immediately stop providing services. Staff will be placed on Leave Without Pay until their active status is verified. The utilization of Paid Time Off is not permissible.

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Any individual who becomes aware of an action by a licensing board that affects their license or certification shall notify their immediate supervisor, the agency's credentialing department, and the personnel management agent.

The agency reserves the right to change or terminate position assignments due to failure to maintain license or certification.

(4/98) REV: 09/26/23

### **17.0 LIMITED ENGLISH PROFICIENCY POLICY**

KRCC is committed to: Providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act, which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for person with Limited English Proficiency (LEP). Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504.

It is the policy of this agency to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served by our program. Such services will be focused on providing meaningful access to our program, services and / or benefits.

Staff should never require a client with Limited English Proficiency to use family members or friends as interpreters. However, in an emergency or at the request of the client, family and friends will be considered as volunteer interpreters.

Assistance with LEP services is provided by Language Services Association (Phone: 1-800-305-9673).

(Revised 05/2014)

### **18.0 PARASITE/ INFESTATION POLICY**

#### **Reason for Policy**

Kentucky River Community Care, Inc. (KRCC) is committed to providing a safe and healthy workplace for all staff.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

KRCC is committed to preventing the spread of bed bugs, head lice, fleas, and other bodily parasites at work, as well as identifying and eradicating any cases of bed bugs identified in our offices.

### **Precautionary Measures**

KRCC is committed to educating staff on identifying bed bugs, head lice, fleas and other bodily parasites and preventing them from entering the workplace. To this end, at the bottom of this policy, we have included links to some informational materials. We request that you familiarize yourself with these materials.

In addition, as part of our policy to keep bed bugs, head lice, fleas, and other bodily parasites out of the workplace, we encourage all staff to be vigilant when traveling, and particularly when staying in hotels. Further, if you know or have reason to believe that your home has been infested with bed bugs, head lice, fleas and other bodily parasites or that for any other reason you are likely to bring bed bugs, head lice, fleas and other bodily parasites into the office we expect that you will take appropriate actions to prevent the spread of bed bugs, head lice, fleas and other bodily parasites. If you have any questions or concerns in this regard, please do not hesitate to contact the Human Resources Department.

In order to continue to provide a safe and healthy workplace, KRCC may, from time to time, engage external contractors to perform walk-through inspections.

In order to minimize both exposure to and the spread of bed bugs, head lice, fleas and other bodily parasites, if an inspection was positive at a particular staff's work station/office, KRCC will request that the staff have their or her home inspect for bed bugs, head lice, fleas and other bodily parasites. Although KRCC is not responsible for inspections of staff' homes, as a courtesy to the affected staff, and at its sole discretion, KRCC may absorb the expense of this initial inspection.

### **Treatment**

If bed bugs, head lice, fleas and other bodily parasites are found in KRCC facilities, KRCC will engage contractors to conduct appropriate remediation measures.

### **Attendance, Telecommuting and Use of Leave**

Staff are expected to use their discretion to prevent bed bugs, head lice, fleas, and other bodily parasites from infesting their homes and the workplace. If conditions prevent you from coming to work, you are responsible for notifying your supervisor and/or the Human Resources Department.

If KRCC decides to implement telecommuting/working from home in specific cases in order to prevent an infestation, or for any other reason related to bed bugs, head lice, fleas and other bodily parasites, the following pay and/or leave practices will apply:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

With respect to staff who are required to telecommute/work from home:

- 1) exempt staff will be compensated at their regular pay rate.
- 2) non-exempt staff will be compensated at their regular rate of pay for hours worked, including any overtime to which they are entitled. Timekeeping requirements will remain the same; however, submission of timesheet may be made via e-mail.

Staff who are not required by KRCC to work from home, as well as those who are not sufficiently equipped to work from home, are permitted to use PTO if they elect to stay out of the office. Such staff will be compensated at their regular rate of pay if they utilize available paid time off days. If an staff does not have any paid time available, then an authorized personal leave of absence without pay may be granted for a period of time to be determined. All paid leave must be fully utilized prior to taking any unpaid leave. If an staff does not return to work after an authorized personal leave of absence, the staff will be deemed to have voluntarily resigned from their employment, effective as of the day the staff was scheduled to return to work.

### **Additional Information**

The following links are designed to help you:

- 1) Learn more about bed bugs, head lice, fleas, and other bodily parasites and how they thrive.
- 2) Prevent bed bugs, head lice, fleas, and other bodily parasites from infesting your home.
- 3) Locate bed bugs, head lice, fleas, and other bodily parasites in your home.
- 4) Safely rid your home of bed bugs, head lice, fleas, and other bodily parasites if your home becomes infested.
- 5) Select and work with a pest control professional.

<https://entomology.ca.uky.edu/ef636>

<https://entomology.ca.uky.edu/ef607>

<https://entomology.ca.uky.edu/ef602>

<https://entomology.ca.uky.edu/ef637>

## **19.0 ASSET MANAGEMENT POLICY**

### **INTRODUCTION**

#### **Purpose**

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

The purpose of this policy is to provide information concerning the governance of assets including but not limited to; acquisition, recording, tagging, inventory/audit, maintenance, and disposition of all assets.

### **Scope**

This policy applies to all KRCC assets and all KRCC staff.

### **Background**

To comply with state and federal regulations and industry accounting, KRCC must maintain accurate assets records.

### **Stewardship Responsibility**

Each staff is responsible for any and all KRCC assets under their control and/or assigned for their use, i.e., desk, chairs, tools, computer, etc. This responsibility includes, but is not limited to:

- Basic safeguarding and physical security;
- Maintaining assets in good working condition;
- Using assets safely and properly;
- Notifying Asset Management if assets are in poor repair, unusable or unsafe; and,
- Acquiring authorization from Asset Management Department prior to an asset being moved from one office to another and/or one building to another.
- Notifying Asset Management within 24 hours in the event of any loss or theft of assets.

## **ASSET DEFINITIONS**

### **1. Capital Moveable Assets:**

A capital moveable asset is defined as personal property consisting of tangible personal property, such as furniture, fixtures, equipment and machinery, vehicles, and intangible personal property (like software), with a unit cost or market value of \$500 or more and having a probable useful life of at least two years. These assets must be tracked in the KRCC inventory system.

### **2. Capital Non-moveable Assets:**

A capital non-moveable asset is defined as real property consisting of land, land improvements, buildings, assets under construction, infrastructure, and building equipment

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

with a unit cost or market value of \$500 or more. These assets must be tracked in the KRCC inventory system.

### **3. Restricted Assets:**

A restricted asset is defined as an asset whose use and disposition is restricted by a granting agency and/or donor. These assets acquired, fabricated or government furnished under a grant or contract must comply with all contractual obligations set forth by the sponsor/grantor.

These assets must be tracked in the KRCC inventory system.

### **4. Non-capital Assets:**

A non-capital asset is defined as an asset with a unit of cost of less than \$500. KRCC may choose to track these assets in their inventory system.

### **5. Surplus Assets:**

A surplus asset is defined as an asset that is not in use and is housed in Centralized Storage.

These assets must be tracked in the KRCC inventory system.

### **6. Retired Assets:**

A retired asset is defined as an asset that can no longer serve its intended purpose through use of time, or accident and deemed as retired by the Asset Management Department. Upon disposition by the Asset Management Department, these assets are removed from the KRCC inventory system.

Items purchased on behalf of clients using program funds and/or wrap around funds are not considered assets. Examples are dentures, tires, bed, and mattresses, etc. If there is a question, Asset Management can provide staff with clarification where an item is an asset or not.

## **ASSET ACQUISITION**

### **1. Purchased Assets:**

A purchased asset is defined as any asset, purchased by KRCC in accordance with their purchasing policies and procedures. These assets may include capital moveable assets,



## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

capital non-moveable assets, restricted assets, and non-capital assets.

### **2. Gifted/Donated Assets:**

These are assets that are gifted to KRCC that supports the mission and enhances the quality of services offered to its clients. Gifts may include tangible personal property (e.g. equipment, automobiles, etc.), intangible personal property (e.g. software, patents, copyrights, etc.) and real estate. In general, contributions are transactions in which one entity makes a voluntary transfer to KRCC without directly receiving equal value in exchange. These assets may include capital moveable assets, capital non-moveable assets, restricted assets, and non-capital assets.

Acceptance of any gift or gift-in kind requires that it be documented with a description of the property donated and property value by the program receiving the item and forwarded to the Accounting Department who will provide a statement to the donor acknowledging their donation.

### **3. Constructed Assets:**

These are fabricated assets constructed over a defined development period. Because these assets are not depreciated until capitalized, such assets are generally assumed unusable until fabrication period is complete. If any phase of a multi-phase project will result in an independent, functional unit once that phase is completed, the entire project must be treated as individual fabrications and each phase will be capitalized as completed.

## **ASSET INVENTORY TAGS**

All assets classified as capital moveable, restricted and non-capital are inventoried and maintained in the KRCC inventory system. Each asset shall be affixed with an Asset Inventory Tag by an authorized staff except for the following:

- Software licenses/software
- Insufficient surface area or unusual contour of surface does not allow for permanent adhesion
- Subject to environmental conditions (i.e., tag cannot remain affixed to the items throughout asset lifecycle)

Asset tags are placed in an inconspicuous area on the asset. Asset tags are not to be removed except by an authorized Asset Management Staff.

## **PHYSICAL INVENTORY AUDIT**

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

A physical audit of capital assets will be performed at least annually.

The scope of the audit will focus on performing a physical inventory to verify the following for each asset:

- inventory tags are properly affixed;
- the location (building/room) is properly identified on the capital asset listing;
- the asset record includes a manufacturer serial number and/or model number if applicable; and
- identify any weaknesses in Asset Management policies and procedures.

Following the audit, the Office of Asset Management will submit an Audit Report summarizing the audit results and findings will be submitted to the CEO/CFO.

### CENTRALIZED STORAGE

KRCC offers secure, climate controlled in house storage for surplus assets such as; furniture, fixtures and equipment not yet distributed for use by staff.

### ASSET TRANSFER

An asset transfer is when an asset is moved from one building to another building or one office to another office, i.e. moved from its assigned location to any other location.

In order to maintain accurate asset records, asset transfers shall be recorded promptly. Asset transfers must be authorized by the Asset Management Department prior to the asset being transferred.

### ASSET DISPOSITION

The Asset Management Department is responsible for the disposition of all retired assets.

#### **Methods of Asset Dispositions**

- **Recycle:** Send to a recycling vendor with intention of receiving payment from vendor for recycled material.
- **Sell:** The KRCC Board of Directors must approve sale of buildings, vehicles, or land. Sale will be made available by placing an Invitation to Bid in local newspapers.
- **Trashed:** Retired assets placed in the garbage.

## KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES

- **Charitable Donations:** Requires approval of Executive level management prior to disposition unless asset was a restricted gift to KRCC with the intent for KRCC to sale.
- **Loss/theft:** Notify Asset Management in order that insurance claim may be filed, police notified and if needed, facilities secured. (I.e. Reclaimed)
- **Extraordinary Circumstances:** Requires Board of Director's approval prior to disposition.

### APPRAISAL OF ASSETS

Asset Management will obtain asset appraisals, as necessary.

6/27/17

### 20.0 FLEET MANAGMENT POLICY

It is the policy of Kentucky River Community Care, Inc. to safely operate company vehicles in adherence with all applicable laws and regulations. This fleet policy reflects the requirements and standards to effectively manage KRCC's fleet of company vehicles. For the purpose of this policy, company vehicles include Agency Owned Vehicles and Hired Autos.

#### **Vehicle Categories & Classification**

There are two (2) categories of company vehicles. The categories are Agency Owned Vehicles and Hired Autos.

**Agency Owned Vehicles** are assigned by the following classifications:

- Program Assigned - vehicles that are assigned to a specific program for their program's full-time use for agency business
- Pool Assigned – vehicles that are reserved for temporary use in order to facilitate agency business
- Permanently Assigned - vehicles that are allocated for the use of the agency Executive Director as authorized by the Board of Directors

**Hired Auto** is defined as a staff vehicle which may be used for KRCC business purposes for which KRCC provides mileage reimbursement.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

### **Fleet Driver**

Only authorized individuals may drive a company vehicle. All drivers must meet minimum standards as established by applicable regulatory agency, and KRCC. Authorization to drive a vehicle may be denied or revoked. Use of company vehicles is limited to official business of Kentucky River Community Care, Inc., except where otherwise authorized by Board of Directors or their designee. Drivers and passengers must comply with all applicable laws and company policies. Drivers are personally responsible for the cost of all traffic citations, parking tickets, locksmith calls for retrieving keys, etc. Agency is not responsible for staff' personal belongings left in vehicle. Staff are responsible for securing and removing personal items. Additionally, drivers are responsible for reporting accidents prior to leaving the scene of an accident, unless incapacitated, and reporting any damage or operational malfunction to company vehicles.

### **Special Certifications & Licenses**

Depending upon the type of vehicle driven, special training and/or licensing may be required prior to vehicle use. Drivers may be subject to Department of Transportation (DOT) / Federal Motor Carrier Safety Administration (FMCSA) regulations. Additionally, select vehicles may require Commercial Drivers Licenses (CDL) for operation.

Fleet Management is responsible for ensuring that all company vehicles requiring CDL licensed drivers are identified both inside the vehicle and in the transportation manual placed inside the vehicle by Fleet Management. Fleet Management is available to answer questions regarding vehicles that require DOT certification and CDL License.

### **Commercial Driver License (CDL) Requirements**

Only CDL drivers are permitted to drive the following types of vehicles or combination of vehicles. There are no exceptions to this policy and violations may result in immediate termination.

Any vehicle with a semi-trailer or trailer with two or more axles is a Class B - CDL vehicle. This group also includes any combination of vehicle with a gross vehicle weight rating greater than 26,000 pounds, provided that the gross vehicle weight rating of the towed vehicle is in excess of 10,000 pounds.

Any Heavy Straight Vehicle with a gross vehicle weight rating greater than 26,000 pounds is a Class A - CDL vehicle, as well as any vehicle towing another vehicle not in excess of 10,000 pounds.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Any vehicle that is designed to transport 16 or more passengers (including the driver) or is used in the transportation of materials classified as hazardous in the Hazardous Materials Transportation Act is a Class C - CDL vehicle.

A driver with a CDL hired by the company must be drug tested prior to receiving authorization to drive a company vehicle and may be subject to random testing. A driver receiving a CDL after employment is required to be drug tested prior to receiving authorization to drive a company vehicle. The driver is responsible to ensure that the vehicle meets State and Federal regulations regarding permits, safety devices, equipment (e.g., pre-trip inspections) and loads prior to operating vehicle. The driver must also comply with all applicable State and Federal regulations.

### **Driver Minimum Qualification Standards**

The following minimum standards are required for driver authorization:

- Must have a valid operator's license
- Must have minimum of three years licensed driving experience
- Must be 21 years of age (DOT & CDL requirements)
- Must have an appropriate Medical Examiner's Certificate if required by DOT and/or CDL licensure
- Must successfully complete agency fleet training

Exceptions to the minimum standards must be requested from Executive Management for approval. Approval of such requests will be documented and kept on file. All requests for exceptions to the minimum standards must be justified and validated.

### **Required Training**

Required trainings are to be conducted by an authorized individual designated by management. That training includes, but is not limited to:

- Fleet Management Policy and Procedures
- Pre-Trip Inspections
- Emergency Equipment and First Aid Supplies
- Accident Reporting
- National Safety Council: Coaching the Van Driver
- Defensive Driving: The Basics including Dangers of Distracted Driving

### **Special Accommodations**

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

It is the policy of KRCC to provide reasonable accommodations when requested to meet the unique needs of staff and clients with disabilities. Requests for special accommodations are to be submitted to Fleet Management.

### **Driver Disqualification**

Authorized drivers are subject to disqualification from operating a company vehicle and may be subject to termination of employment if their driving record reflects any of the following conditions:

- Felony convictions within the past 7 years; for purposes of this policy, felony convictions are defined as: violent criminal activity or sex offender registration
- Suspension or revocation of driver's license
- Criminal use of a vehicle
- One or more of the following types of serious traffic convictions within the past 3 years:
  - ◆ DUI/DWI convictions. If convicted of DUI/DWI a driver may not operate a company vehicle until all court requirements have been satisfied. A second offense may result in termination of driving privilege and termination of employment.
  - ◆ 3 or more moving violations until/unless all court requirements have been satisfied
  - ◆ Refusal to submit to a Blood Alcohol Content (BAC) test
  - ◆ Failure to stop/report an accident and leaving the scene of an accident as defined by state laws
  - ◆ Possession of a controlled substance
  - ◆ Making a false accident report
  - ◆ Two or more "company vehicle" physical damage claims in any twelve month period. For the purpose of this policy physical damage is defined as damage to company vehicle, persons, or property.

It is the responsibility of staff to inform Fleet Management no later than next business day, when they have received a citation involving a vehicle (personal vehicle or agency owned vehicle) or have been involved with at-fault accidents. In addition, staff are responsible for reporting any felonious and/or criminal activity. The violation occurs when the citation is issued, not when the final court decision is made.

Any change in the status of a driver's record resulting in disqualification or the failure to report such change may result in revocation of the privilege of driving a company vehicle/travel reimbursement and/or discipline up to and including discharge.

Additionally, DOT & CDL drivers will be disqualified if there is a change in their health status that disqualifies them according to federal guidelines. It is the responsibility of the driver to

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

notify Fleet Department of any changes to their medical conditions that may disqualify them from operating a DOT or CDL vehicle. DOT & CDL drivers must pass a medical examination conducted by a licensed healthcare professional at least every 2 years.

Staff assigned to positions required to transport clients or other driving duties must maintain driver eligibility as an authorized driver. Failure to do so may result in termination of employment.

### **Use of Company Vehicles**

No person may use a company vehicle or permit the use of a company vehicle in the following prohibited manners and any such vehicle use will be considered a violation of the Fleet Management Policy and may be grounds for disciplinary action up to and including termination:

- Reckless driving or speeding
- Tobacco Use - Tobacco Use is prohibited in all agency owned vehicles and prohibited in hired autos when used in client transport
- Transportation of non-authorized individuals, including family members, friends, hitchhikers, etc.
- Personal gain such as delivering goods and/or services
- Modifications of vehicles or tampering with stickers, decals, etc.
- Transportation of animals or pets (unless a service animal)
- Transportation of alcohol or drugs, except for Authorized/ Legal, agency and business purposes
- Hauling loads that could structurally damage the vehicle or trailers, or create hazardous situation
- Improper use of trailer hitches and/or towing equipment
- Use of radar detection devices
- Passing a stopped school bus
- Drivers should not operate company vehicles (Agency Owned, Agency Leased and Hired Autos) if they are impaired by fatigue, alcohol, drugs, prescription medications or any other condition that may impair ability to safely operate a vehicle. Drivers of company vehicles who feel that their driving abilities may be impaired must cease operating the vehicle immediately.
- Any activity that puts clients / passengers at risk or determined to create potential liability for the agency

The use of a cell phone while driving may present a hazard to the driver, other staff, clients, and the general public. Staff are discouraged from use of a cell phone except in emergency situations. Texting while driving is strictly prohibited.

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Seatbelts, age appropriate car seats, if applicable, must be used by the driver and passengers at all times the vehicle is engaged. There is absolutely no exception to this mandate and violations are subject to immediate termination.

Additionally, it is the responsibility of Program Directors to assess roadway and climatic conditions and select routes. Conditions to be considered include, but are not limited to:

- Inclement Weather (excessive rain, snow, ice, hail, sleet, strong wind, etc.)
- Narrow Bridges and Roadways
- Construction Zones & Damaged Roadways
- Roadways Subject to Natural Debris (fallen tree limbs, rockslides, etc.)
- Roadways Subject to Excessive Fog
- Winding and Hazardous Roadways
- Bridges Subject to Ice

### **Personal Use of Agency Owned Vehicles**

Drivers are not permitted to use an agency owned vehicle for a personal purpose. The only exceptions to this rule are incidental stops. Examples include stops at a restaurant for a meal, an Automatic Teller Machine (ATM) or financial institution, urgent care or emergency room, gas station, convenience store, etc. Public perception of the company is influenced by how vehicles are operated and where they are seen in public. Vehicles should never be at locations perceived as inappropriate.

### **Agency Owned Vehicle Fuel Purchases**

Agency fuel cards may be used only for fuel purchases for agency owned vehicles.

### **Use of Personal Vehicles for Company Business**

Privately owned vehicles may be used for official company business when authorized, but drivers are encouraged to use agency owned motor pool vehicles whenever feasible. The reimbursement rates and rules for reimbursement for use of an staff's personal vehicle are defined separately by KRCC Travel Policy. The staff is responsible for ensuring their vehicle is in safe operating condition. Staff who use their personal vehicles for company business are responsible for accidents and incidents that may occur. The staff's personal automobile liability and property damage insurance coverages are primary. Staff who use their personal vehicles for company business are required to provide the company with proof of insurance coverage with the minimum limits of liability:



## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- \$25,000 Per Injury
- \$50,000 Per Occurrence
- \$10,000 Property Damage

### **Accident Notifications**

Drivers are responsible for reporting to Fleet Management, all accidents or any damage to agency owned vehicles and hired autos. Reports must also be made to local law enforcement and emergency medical services as necessitated by the outcome of the incident. The following should occur in the event of an accident:

1. Call 911, if indicated
2. Contact the nearest law enforcement agency
  - a. Obtain the resulting case number and/or police report
3. Unless incapacitated, staff must immediately contact Fleet Management or a member of Management prior to leaving the scene of the accident.
4. Photograph the accident scene and resulting damages
5. Obtain relevant information required from involved parties:
  - a. Full Name & Address
  - b. Driver's License Number & Issuing State
  - c. Name of Insurance Company and Policy Number
  - d. Contact Information (Phone Numbers, Email Address, Etc.)
6. A written Incident Report submitted to Fleet Management within 24 hours of the accident

Failure to report accidents is subject to immediate termination unless the driver is incapacitated. Additionally, drivers involved in accidents are subject to post-accident substance abuse tests. Positive confirmatory results are subject to termination.

### **Vehicle Maintenance**

Kentucky River Community Care, Inc. owned and hired autos are not to be operated unless in a safe operating condition.

Management will develop and maintain a preventive maintenance program and procedures for agency owned vehicles. It is the responsibility of Fleet Management to monitor vehicles and coordinate routine maintenance and repairs in a timely manner. Purchases related to the operation of agency owned vehicles should be authorized by the Fleet Department.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

Each authorized driver is responsible for the cleanliness of an agency owned vehicle while in their possession. All trash and other debris should be removed from the interior of the vehicle upon exiting the vehicle.

Staff concerns regarding an agency owned vehicle should be reported immediately to Fleet Management.

Staff who use their personal vehicle for company business are responsible for ensuring their vehicle is in clean, safe operating condition.

### **Vehicle Garaging**

KRCC owned/leased vehicles shall be garaged at a location assigned by Fleet Management. Vehicle is to be locked when unattended.

### **Fleet Department Responsibilities**

Fleet Management is responsible for:

- Investigation of citizen driver complaints
- Investigation of accidents and incidents
- Ensuring drivers maintain proper qualifications
- Submitting requests for policy exceptions
- Maintaining accurate inventory of all company vehicles
- Ensuring vehicles are properly licensed and adhere to federal and state regulations
- Coordinating vehicle maintenance and repair
- Monitoring vehicle usage
- Maintaining vehicle and driver records
- Approval of any vehicle identification markings

### **Load Securement**

It is the responsibility of the driver to safely transport secured loads. The driver and at least one additional individual should inspect loads to ensure they are secure prior to departing the vehicle lot.

### **Records Management**

Fleet Management shall maintain:

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

1. The following records for agency owned vehicles in the respective vehicle file:
  - Purchase Information
  - Warranty Information
  - Recall Information
  - Accident Reports & Photos of Damage
  - Travel Logs or Mileage Reports
  - Receipts and Reports for all Maintenance & Repairs
  - Inspection/Re-inspection Reports
  - Proof of Insurance
  - Registration Receipts
  - Vehicle Title
  - Contracts
  - Lease Information
  
2. The following records for all authorized drivers in the respective driver credentialing file:
  - Essential Employment Information
  - Copy of Driver's License(s)
  - Copy of DOT Medical Certificate (If Applicable)
  - Annual Review for DOT & CDL Drivers Qualifications:
  - Complaint Reports
  - Training/Retraining Records
  - Copy of Personal Automobile Insurance
  - Accident & Law Enforcement Reports & Photos of Damage
  - Driver Qualification Exceptions
  - Warnings of Fleet Policy Infractions
  - Reasonable Cause Checklist

REV. 05/26/2020

### **21.0 Notary Services**

#### **PURPOSE**

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

The purpose of this policy is to provide Standards for Notary Practice to establish and operate KRCC's Notary program.

### **DEFINITIONS**

**Notary Public** means a state-appointed official who serves as an impartial witness to certify certain facts about the signing of documents.

**Notary Process**-The official process Notaries perform that renders documents worthy of the public's trust. This process offers assurance that a document is authentic, its signature is genuine, and its signer acted willingly and intended the terms of the document to be in full force and effect.

### **SCOPE**

This policy applies to staff that KRCC may from time to time select to serve as a Notary Public to authenticate signatures on documents necessary to conduct KRCC business.

### **POLICY**

KRCC Notary staff may only provide Notary services to KRCC documents related to KRCC business. At their discretion, KRCC Notary staff may provide Notary services for non-related KRCC business, however these services may not be performed on KRCC premises.

At all times, KRCC Notary staff is obligated to keep current on and follow all State of Kentucky Notary laws, rules, and professional standards of practice.

Notary staff must notify the Executive Office if a Notary commission application has been rejected or if a Notary commission has expired or has been suspended or revoked.

It is the responsibility of the Notary to obtain necessary prior approvals within KRCC for acquiring or renewing their commission and to renew their commission in a timely manner to prevent any lapse in status.

Upon termination of employment, Notary-staff are not required to resign their Notary commissions. While Notary supplies including the journal, seal and bond are paid for by KRCC, they belong exclusively to the Notary. When leaving employment, Notaries are required to take their journals and seal with them and to ensure they are kept safe and secure.

**KRCC Notary Staff shall abide by the following guidelines and principles:**

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- Signers must appear in person to have their signatures notarized. Notaries shall require the presence of each signer and oath-taker in order to carefully screen each for identity and willingness, and to observe that each appears aware of the significance of the transaction requiring a notarial act.
- The Notary must be able to communicate directly with the signer and not through an interpreter or a representative.
- The entire, complete document with all pages and no blank spaces must be presented for notarization.
- Document signers must demonstrate that they are signing documents willingly without undue influence from others.
- Notaries must administer oaths or affirmations when required.
- Signers must be identified in accordance with relevant laws, rules, and professional practices.
- Notaries must complete, sign, and affix a seal to a Notary certificate.
- The notary seal imprint must be legible, near the Notary's signature and not overlap any text.
- Notaries shall, as a government officer and public servant, serve in an honest, fair, and unbiased manner.
- Notaries shall act as an impartial witness.
- Notaries shall record every notarial act in a bound journal and safeguard it as an important public record.
- Notaries shall respect the privacy of each signer and not divulge or use personal or proprietary information disclosed during the execution of a notarial act for any reason other than an official purpose.
- Notaries shall give precedence to the rules of law over the direction or expectations of any person or entity.

Notaries shall not:

- Pre- or post-date their official certificates.
- Allow others to use their official seal.
- Allow others to access their official seal and journal.
- Give advice or help signers understand or complete documents.
- Execute a false or incomplete certificate, nor be involved with any document or transaction that is false, deceptive, or fraudulent.

## **KENTUCKY RIVER COMMUNITY CARE PERSONNEL POLICIES**

- Notarize if the Notary has a personal interest in the document or transaction. Notaries must never notarize their own signature or the signatures of family members and must refuse to act if they are named in the document or will receive any financial gain or other benefit from the transaction.
- Make certifications not allowed by law.
- Certify a photograph, verify that a person is living, validate an exam or perform any act not specifically authorized by state law under the Notary's title and seal.
- Notarize Form I-9 Employment Eligibility Verification.
- Certify a vital record or a copy of a vital record. Only local bureaus of vital statistics may certify a vital record or provide certified copies of vital records such as birth, death, and marriage certificates.
- Sign and seal a Notary certificate in a language the Notary cannot read.

### **Negligence and Misconduct**

Negligence or misconduct by a Notary may result in civil, criminal, and/or administrative penalties including fines, imprisonment and commission revocation as imposed by state laws. Notaries can be held personally responsible for their actions.

An staff who fails to follow KRCC policy, Notary laws, rules and professional practices and commits any act of willful negligence or misconduct of a Notary function may be subject to disciplinary action up to and including termination.

Added 08.27.19