

**Monadnock Developmental Services  
Handbook**

**All policies have been approved by  
Board of Directors as of March 28, 2022**

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## **WELCOME TO MONADNOCK DEVELOPMENTAL SERVICES**

We are pleased to have you join our team and trust that you will find your employment pleasant and rewarding. To answer some of the questions you may have concerning Monadnock Developmental Services (MDS) and its policies, we have written this Handbook. The Handbook is designed to set forth guidelines and acquaint you with our mission, goals, policies and benefits and to ensure uniformity in the implementation of personnel procedures throughout the organization and to inform all staff as to mutual requirements and expectations.

The primary interest and obligation of all personnel of Monadnock Developmental Services, Region V area Agency, shall always be the well being of the individuals served. Conduct and attitude of personnel should, at all times, reflect this commitment. Staff members shall be familiar with all policies and procedures adopted by the Board of Directors of MDS and shall be loyal to the stated principles of the organization. The personnel policies set forth herein reflect MDS's efforts to provide a positive professional environment for all employees.

This Handbook supersedes any previous employee handbook or other written statement of policy, which may have been previously issued by MDS. The policies set forth in this Handbook can be modified, revoked or added to at any time at the sole discretion of MDS through its Executive Director or Board of Directors. No other personnel have the authority to alter the policies. Any revisions will substitute and replace prior policy or procedure statements and become a part of this Handbook. When such changes are made a new Handbook will be sent to all employees, they will become subject to the new addition, deletion or change regardless of date of hire. The Handbook will also be posted on the MDS website: [www.mds-nh.org](http://www.mds-nh.org)

Neither the text of this Handbook nor that of any policy or procedure statement of MDS are intended to, nor should they be construed as a contract of employment or as a contract guaranteeing continued employment.

We wish you the best of luck in your position at MDS, and hope that you will enjoy being a member of our team.



## **MONADNOCK DEVELOPMENTAL SERVICES**

### **MISSION STATEMENT**

Because we believe...

That everyone, from children to the elderly, has the right to experience a safe, supportive family life, in all its many facets;

That respecting each person's and each family's values is the foundation for building and strengthening people's lives;

That power, authority and responsibility lie with each person for how they will live their life;

#### **The mission of MDS is ...**

To work toward inclusion, participation and mutual relationships for all people who are at risk of isolation from community. We will promote self determination and quality of life, develop an environment, which encourages creativity, innovation and individuality, and ensure quality of supports.

**This section contains policies regarding Agency Policies**



## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of MDS to be an equal opportunity employer and to hire individuals solely upon the basis of their qualifications and ability to do the job to be filled.

MDS does not discriminate in any way in its hiring or other employment practices on account of race, religion, creed, color, national origin, marital status, sex, sexual orientation or mental or physical disability, which does not affect job performance.

MDS agrees that when the effects of employment practices, regardless of their intent, discriminate against any group of people on the basis of race, religion, age, color, national origin, marital status, sex, disability, military status, specific positive and aggressive measures must be taken to redress the effects of past discrimination, to eliminate present and future discrimination, and to ensure equal opportunity in the areas of hiring, upgrading, demotion or transfer, recruitment, layoff or termination, rate of compensation, and in-service training programs. All employees or applicants are judged on the basis of their qualifications and ability to meet the requirements established for the position.

## **ETHICS**

It is the policy of Monadnock Developmental Services (MDS) that its employees uphold the highest standards of ethical behavior in the conduct of agency affairs. The intent of this policy is that each employee will conduct the agency's business with integrity and comply with all applicable laws in a manner that excludes considerations of personal advantage or gain. To that end, employees shall:

- 1) Hold paramount the safety, health and welfare of the individuals served as well as the public in the performance of their professional duties.
- 2) Act in such a manner as to uphold and enhance personal and professional honor, integrity and the dignity of the profession.
- 3) Treat with respect and consideration all persons, regardless of race, religion, gender, sexual orientation, maternity, paternity, marital or family status, disability, age or national origin.
- 4) Engage in carrying out MDS's mission in a professional manner.
- 5) Collaborate with and support other professionals in carrying out MDS's mission.
- 6) Build professional reputations on the merit of services and refrain from competing unfairly with others.

- 7) Recognize that the main purpose of MDS, at all times, is to serve the best interests of individuals and families with a developmental disability or acquired brain disorders.
- 8) Accept as a personal duty the responsibility to keep up to date on emerging issues and to conduct themselves with professional competence, fairness, impartiality, efficiency, and effectiveness.
- 9) Conduct agency and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.
- 10) Serve with respect, concern, courtesy, and responsiveness in carrying out the mission of the agency.
- 11) Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all activities in order to inspire confidence and trust in such activities.
- 12) Respect and protect privileged information to which they have access in the course of their official duties.
- 13) Strive for personal and professional excellence and encourage the professional developments of others.

Employees may not:

- 1) Offer, accept or solicit money, property, service or other items of value by way of gift, favor, inducement or loan from individuals served by MDS or vendor agencies unless approved by the Executive Director.
- 2) Use any agency owned facility, building, equipment, materials or vehicle for personal use or benefit, or for the personal use or benefit of any other individual without permission. No employee shall have unauthorized possession of agency property.
- 3) Use their official position for personal gain or other benefits derived from such relationships.
- 4) Accept a gift in cash or cash equivalents.

Employees may accept:

- 1) Gifts of small value from vendors, families or individuals such as calendars, pens, pads, holiday gifts, and candy. The acceptance of alcohol is prohibited.
- 2) Unsolicited tickets to events provided cost is under \$50.00 and must be approved by Executive Director.
- 3) Unsolicited lunch and/or dinner with individuals or vendors.
- 4) Management employees may only accept gifts from those under their supervision on holidays or birthdays.

Any violation of this policy will subject the employee to disciplinary action or immediate discharge. Any agency employee having knowledge of any violation of this policy shall promptly report such violation to the Director of Human Resources and/or the Executive Director. (July 1, 2010)

## **FRAUD AND ABUSE PREVENTION AND DETECTION**

Monadnock Developmental Services (MDS) and all its affiliates take health care fraud and abuse very seriously. MDS is committed to following all applicable laws and regulations, in particular those that address health care fraud, waste and abuse and the proper billing of Medicare, Medicaid and other government-funded health care programs. This includes the federal False Claims Act and State law or related enforcement policies.

MDS will thoroughly and quickly investigate any reported cases of suspected fraud to determine if disciplinary, financial recovery and/or criminal action should be taken. All reports of suspected fraud will be handled under the strictest confidentiality.

MDS is committed to the following efforts:

- a. Minimize billing mistakes
- b. Increase speed and optimize receipt of claim payments
- c. Reduce chance of OIG (Office Inspector General), CMS (Centers for Medicaid Services) audit or audits from external funding sources.
- d. Avoid conflicts with self-referral and anti-kickback and other statutes.

### **Federal False Claims Act**

#### What it does:

Allows a civil action to be brought against a health care provider who:

- Knowingly presents, or causes to be presented, a false or fraudulent, claim for payment or approval to any federal employee;
- Knowingly makes, uses or cause to be made or used a false record or statement to get a false or fraudulent claim paid; or
- Conspires to defraud the government (Medicare, Medicaid) by getting a false or fraudulent claim allowed or paid.

“Knowingly” means:

- (1) having actual knowledge of the information;
- (2) acting in deliberate ignorance of the truth or falsity of the information; or
- (3) acting in reckless disregard for whether the information is true or false. Specific intent to defraud is not required for there to be a violation of the law.

#### Examples of a false claims include but are not limited to:

False Claim – any bill presented to the government for payment where the individual presenting the bill for payment knows the services were never provided or the goods never delivered. Defective goods or services also constitute a “false claim”.

- Fraud – the intentional or deliberate misrepresentation made by an individual that could result in some unauthorized benefit.

- Billing twice for the same service, billing for services not rendered, billing for medically unnecessary services or falsifying certificates of medical necessity.
- Unbundling or billing separately for services that should be billed as one
- Creating false medical records or treatment plans to increase payments
- Failing to report and refund overpayments or credit balances

### Remedies:

A federal false claims action may be brought by the US Department of Justice Civil Division, the United State Attorney.

A private citizen, individual, or employee may bring what is called a **qui tam** action. This means the person files an action on behalf of the government. In certain circumstances, the person who files the lawsuit (known as a relator), may be entitled to share in a percentage of the recovery on behalf of the federal government.

Violation of the federal False Claims Act is punishable by a civil penalty of between \$5,500 and \$11,000 per false claim, plus three (3) times the amount of damages incurred by the government.

A statute of limitations says how much time may pass before an action may no longer be brought for violation of the law. Under the False Claims Act, the statute of limitations is six (6) years after the date of violation or three (3) years after the date when material facts are known or should have been known by the government, but no later than ten (10) years after the date on which the violation was committed.

The submission of false claims may also give rise to criminal liability.

### Federal Whistleblower Protection

Federal law prohibits an employer from discriminating against an employee in the terms or conditions or his or her employment because the employee initiated or otherwise assisted in a false claims action. The employee is entitled to all relief necessary to make the employee whole.

### **What you should do if you think Monadnock Developmental Services may have made a false claim:**

- If you see something that is not right, or looks like one of the examples of a false claim discussed earlier, Monadnock Developmental Services encourages you to:
  - ° Report it to the Director Operations for further investigation. If you are not comfortable doing this or do not see action in response to your report;
  - ° Report it to the Executive Director

You are not required to report a false claims act violation to Monadnock Developmental Services first. You may report directly to the federal Department of Justice or to your state Attorney General.

Monadnock Developmental Services will not retaliate against you if you inform anyone of a possible false claims act violation.

## **How to report fraud in New Hampshire**

To report fraud or a scam in the state of New Hampshire contact the Office of the Attorney General, New Hampshire Department of Justice at 603-271-3658 or <http://doj.nh.gov>

### **GUIDING PRINCIPLES FOR QUALITY CARE / SAFEGUARDS POLICY**

It is the policy of Monadnock Developmental Services to provide supports and services to people with developmental disabilities in a manner, which safeguards each individual's dignity, security and right to determine the course of their lives. As we seek to include people in more natural settings, with freely-given, meaningful relationships, there is a need to ensure that each person receives the support to create a personal, autonomous social network in the midst of joining existing family or household constellations. Concurrently, there is a need to minimize the possibility of isolation, which may occur as an individual chooses to live with a family, which has its own, long-standing relationship network. Experience has shown that there is a much greater likelihood of abuse, neglect or exploitation in a closed social system, so it is essential that we ensure the development of open, responsive support networks.

A network of support must include people outside the family or household constellation to allow for open and free access. In home situations, Day Services will be provided by a person outside the family or household constellation. Residential and Day Services cannot be provided by the same family members or household constellations, and should include others outside of the family or household constellation.

For complete policy details see copy located at the end of this handbook.

#### **NEPOTISM** (employment of immediate family)

To clearly define Monadnock Developmental Service's (MDS) policy regarding the standards for "immediate family" working for MDS in the same or different departments.

MDS permits the employment of qualified relatives of employees as long as such employment does not create actual conflicts of interest. For purposes of this policy, "immediate family" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, "step" relation or any member of the employee's household. MDS will use sound judgment in the placement of related employees in accordance with the following guidelines:

Prospective employees who are related by blood, marriage, or reside in the same household are permitted to work in the same department, provided no direct reporting or supervision to subordinate relationship exists. That is, no employee is permitted to work within "the chain of command" when one relative's work responsibilities, salary, hours, career progress, benefits or other terms and conditions of employment could be influenced by the other relative.

Additionally, employees who are related by blood, marriage, or reside in the same household are not permitted to work hours in programs where their immediate family works.

Related employees may have no influence over the wages, hours, benefits, career progress and other terms and conditions of the other related staff members.

Employees who marry while employed, or become part of the same household are treated in

accordance with these guidelines. That is, if a conflict arises as a result of the relationship, one of the employees may be offered a transfer to another program. MDS will conduct a review of current situations and make changes where appropriate at the earliest practical time.

This policy extends to include situations where Service Coordinators have family members working with people on their caseloads.

### **SUBCONTRACTOR VS. EMPLOYEE RELATIONSHIP**

It is the policy of MDS that no one will be hired as an employee if they are a sub-contractor of MDS. If they are currently an employee of MDS and wish to bid on a contracted service, they will be required to resign as an employee if the contract is awarded to them. At no time will anyone be allowed to be both an employee and a sub-contractor of MDS at the same time.

### **RECRUITMENT AND SELECTION OF PERSONNEL**

It is the policy of MDS to recruit and select the most qualified persons for available positions. Recruitment and selection of personnel is conducted in accordance with approved procedures. It is balanced to provide competitive entry-level opportunities as well as advancement opportunities through promotion of existing employees with the necessary qualifications and skills to fill the vacancy.

#### **Recruitment:**

If a person is not already being nurtured and trained to fill a particular job opening, then the

1. Position is posted in-house for five working days.
2. The file maintained on previous or unsolicited applicants is reviewed.
3. The position is advertised in the appropriate newspaper and/or any other appropriate recruiting source.

These steps may happen simultaneously.

#### **Selection:**

1. A job description outlining duties and qualifications is prepared for use during the interview.
2. Resumes of all interested candidates are screened.
3. All interviews are conducted by the appropriate supervisor and with other staff as deemed appropriate. All support staff candidates will meet and be approved by individual(s) being served, parent/guardian or designee as requested, by individual, prior to working in the program. The Executive Director reserves the right to review all candidates before they are hired.
4. Before a decision is made, applicants' references and credentials are checked. All final candidates will be subject to a BEAS check, Criminal Records Check and a Motor Vehicle Record Check.

5. All are required to submit the results of a TB test, which must have occurred within six months of hire. Any further testing or X-rays required is at the applicants' expense. The final hiring decision is based on the results of the BEAS check, Criminal Records Check, the Motor Vehicle Records Check, the TB Test and references.
6. When a decision has been made, all applicants interviewed are notified by the Director of Human Resources.

### **CELL PHONES**

This policy outlines the use of cell phones and PDA's at work and the safe use of MDS issued cell phones by employees while driving. It also covers Direct Support Professionals using personal cell phones while working.

All employees are required to be professional and conscientious at all times when using agency issued cell phones.

#### **USAGE**

It is MDS policy that representatives of our organization who are issued a cell phone understand the phones are issued for business use. Employees are expected to make every effort to not exceed the current contracted allowed minutes.

When cell phone bills are reviewed, any employee who exceeds their contracted allowed minutes is subject to additional usage review and charge for personal calls.

Direct Support Professionals are not allowed to use personal cell phones while working with individuals unless there is an emergency.

#### **DRIVING**

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving – use of a cell phone while driving is not required by the agency. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call; use of hands-free operations is acceptable. Common sense should dictate that employees refrain from discussion of complicated or emotional matters and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

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

As with any policy, management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

This policy outlines the use of cell phones at work and the safe use of MDS issued cell phones by employees while driving. It also covers Direct Support Professionals using personal cell

phones while working. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their phone while driving; they are to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or use hands-free operations. Employees charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such action. For complete policy details see copy located at the end of this handbook.

## **DRESS CODE**

This policy outlines Monadnock Developmental Services (MDS) expectations for employee appearance. These guidelines are not meant to unreasonably restrict the freedom of expression that is conveyed through one's attire. However, the agency expects employees to exercise appropriate judgment with regard to personal appearance, dress and grooming to be most effective in the performance of their workplace duties. The guidelines an employee must follow depend on their position within the agency.

### **Purpose**

To promote a professional and safe working environment and to project a positive and respectful image of the agency to all individuals, families, business associates and the general public.

### **Guidelines:**

1. All employees must come to work clean and well-groomed. Grooming preferences or dictates by religion, ethnicity, etc. are not restricted but should always be well presented.
2. All employees are expected to wear clothing that is appropriate to the work they do and the activities they will be participating in during their hours of work. Clothing must not interfere with the safe operation of equipment or performance of job duties.
3. Tattoos that are perceived as offensive, hostile, or that diminish the effectiveness of the employee's professional persona must be covered while on shift.
4. All employees' clothes must be clean and in good repair. Rips, tears, or holes will not be tolerated.
5. In the office environment limit the use of fragrances, including but not limited to perfumes, colognes, after shaves and hairspray.
6. Employees, whose primary position is to provide supports in the community, must wear appropriate shoes or boots to provide safe completion of their work or activity (i.e. sturdy shoes or boots with non-slip soles) where there is a danger of foot injuries due to falling, rolling objects, i.e. carts, wheelchairs, or objects piercing the soles. Open toed shoes, flip flops, crocs, platform shoes and high heels are not appropriate and are not permissible forms of footwear.
7. Employees not providing direct support are expected to wear footwear appropriate to the performance of his or her job.
8. For the safety of individuals and employees, when you are supporting an individual, employees providing direct support should not wear large hoops or dangly earrings, necklaces or

other jewelry/accessories with sharp/hard edges.

9. Employees should avoid clothes with stamps, logos, pictures that might be perceived as offensive or inappropriate.

10. If applicable, employees must conform to the dress code policies specific to the location (work place, certain activities, etc.) at which they are supporting an individual.

<b>Appropriate Standards of Dress</b>
Shorts or skorts that are mid-thigh in length
Skirts that are just above the knee or longer are permitted
Jeans/slacks/pants in good condition free of rips, tears and fraying
Form fitting leggings/spandex pants worn with tops that are mid-thigh in length
T-shirts/sweatshirts/sweaters/button down tops in good condition
Tops must cover the midriff and have a neckline that is not revealing and be closed at the back
Swim suits worn in the company of an individual when at a pool or beach must be a one piece style/full coverage (or two piece worn with a t-shirt) for women or full mid-thigh length trunks for men

### **Addressing workplace attire and hygiene problems**

Violations of this policy can range from inappropriate clothing to offensive perfumes and body odor. If an employee comes to work in inappropriate dress, the employee will be required to go home, without pay, to correct his or her appearance, and return to work.

All discussions of poor hygiene or over use of perfume/cologne should be discussed, by the respective supervisor, in private, regarding the specific areas of concern. If the problem persists, supervisors should follow the normal disciplinary action process.

### **E-MAIL PROCEDURE**

Monadnock Developmental Services has established a statement with regard to access and disclosure of electronic mail messages created, sent or received by agency employees using the agency's electronic mail system.

The agency intends to honor the statements set forth below, but must reserve the right to change them at any time as may be required under the circumstances.

1. The agency maintains an electronic mail system. This system is provided by the agency

2. to assist in the conduct of business within the agency.
3. The electronic mail system hardware is agency property. Additionally, all messages composed, sent, or received on the electronic mail system are and remain the property of the agency. They are not the private property of any employee.
4. The use of the electronic mail system is primarily for the conduct of business at the agency, however, it may be used for appropriate personal business.
5. The electronic mail system may not be used to solicit or persuade for commercial ventures, religious or political causes, outside organizations or other non-job related solicitations.
6. The electronic mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive, are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability.
7. The agency reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose. The contents of electronic mail properly obtained for legitimate agency purposes may be disclosed within the agency without the permission of the employee.
8. The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality.
9. Notwithstanding, the agency's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this statement must receive prior approval by the Executive Director.
10. Employees shall not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission.
11. Any employees who discover a violation of this statement shall notify the Executive Director.
12. Any employee who violates this statement or uses the electronic mail system for improper purposes shall be subject to discipline, up to and including discharge. Feb. 15, 2005

To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all Board of Directors, employees and associates who work for Monadnock Developmental Services (MDS).

In the rapidly expanding world of electronic communication, social media can mean many

things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else's web log, or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with MDS, as well as any other form of electronic communication. Ultimately you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers or otherwise adversely affects individuals, vendors, or suppliers, people who work on behalf of MDS or MDS legitimate business interest may result in disciplinary action up to and including termination.

### **Know and follow the guidelines**

Carefully read these guidelines, MDS' Ethics Policy, Harassment and Discrimination Policy, and ensure your postings are consistent with these policies. Inappropriate postings regarding individuals, employees, vendor or suppliers associated with MDS that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be respectful**

Always be fair and courteous to co-workers, individuals, vendors, suppliers, people who work on behalf of MDS or MDS legitimate business interest. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our open door policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, intimidating, or disparaging personal attacks of co-workers, individuals, vendors, suppliers, people who work on behalf of MDS or MDS legitimate business interest, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous post you have altered. Remember that the Internet archives almost everything: therefore, even deleted postings can be searched. Never post any information that you know to be false about co-workers, individuals, vendors, suppliers, people who work on behalf of MDS or MDS legitimate business interests.

### **Post only appropriate and respectful content**

- Maintain the confidentiality of MDS' private or confidential information including individuals' confidential and protected health information. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Do not create a link from your blog, website or other social networking site to MDS' website without identifying yourself as MDS staff.

- Express only your personal opinions. Never represent yourself as a spokesperson for MDS. If MDS is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of MDS co-workers, individuals, vendors, suppliers, people who work on behalf of MDS or MDS legitimate business interests. If you do publish a blog or post online related to the work you do or subjects associated with MDS, make it clear that you are not speaking on behalf of MDS. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the view of MDS.”

### **Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with agency equipment policy.

Do not use MDS email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is prohibited**

MDS prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media contacts**

Employees should not speak to the media on MDS’ behalf without contacting the Executive Director or the Director of Operations. All media inquiries should be directed to them.

### **For more information**

If you have questions or need further guidance, please contact human resources. Nov. 30, 2016

## **SOLICITATION, DISTRIBUTION, AND POSTING**

Under no circumstances may employee solicit other employees during working time or in work areas. Similarly, no distribution of any non-work-related written materials is permitted in any work area at any time.

Working time is defined as the time during which performance of job duties is expected. It does not include time such as before/after a work shift, or lunch periods. Working time includes the work time of the employee doing the soliciting or distributing, as well as the work time of the employee or employees to whom the soliciting or distributing is directed.

Work areas are defined as any place where an employee is expected to provide support to an individual supported by Monadnock Developmental Services (MDS). It also includes any office, conference room or agency owned van.

Solicitation is defined as requests for contributions, donations, membership in organizations, attendance at events or similar conduct.

**This rule applies to solicitation for both charitable and non-charitable causes.**

Absent prior approval by MDS, soliciting and distributing literature by anyone who is not directly employed by MDS is prohibited on agency premises at all times, and will only be permitted for MDS business functions and purposes, and for isolated charitable events.

“Business functions and purpose” means any event, including fundraising and related charitable activities that constitute an integral part of MDS necessary functions, such as with the United Way and Special Olympics.

MDS assets, such as stationary, meeting rooms, the agency intranet, internet, bulletin boards, telephones, computers, email and voice mail systems, copiers and handheld communication devices, are not to be used for purposes other than agency business.

MDS personnel may not solicit from any individual supported by the agency.

Any exceptions to this policy must be approved, in writing, by the Executive Director.

Any employee who violates this policy may be subject to disciplinary action, up to and including termination.

## **TOBACCO USE**

In order to provide a healthier environment for our individuals, employees and visitors, and because of the residual effects of tobacco use, and the difficulties designating smoking-permitted areas, Monadnock Developmental Services (MDS) prohibits the use of tobacco products (e.g., vaping smoking cigarettes, pipes, or cigars, snuff, or chewing tobacco) anywhere on MDS property or on the property of the Peterborough office.

### **General**

No tobacco use is allowed anywhere inside any MDS owned or leased office, vehicle or residential program unless otherwise identified as permissible by the individual being supported.

No tobacco use is allowed anywhere on the grounds of, or adjacent to any MDS owned or operated office, building, structure or facility, including, but not limited to: entry areas, parking lots (whether in vehicle or not), grassed areas, woods, sidewalks, or driveways.

This policy applies to all persons including employees, visitors, and individuals or anyone else coming to any MDS facility, for any purpose.

### **Enforcement**

Signs indicating that MDS is a “tobacco-free campus” will be posted throughout the buildings, vehicles and the grounds of MDS.

MDS employees who notice violations should, to the extent they are comfortable doing so, make the person aware of the agency policy. If an employee is uncomfortable speaking with the person, they may notify any MDS Manager/Supervisor, or Director of Human Resources.

When alerting or reminding others of the agency’s policy, understanding, respect, tact, and good manners are always to be stressed.

The degree of enforcement is determined by the problem intensity, duration, and possible repetitiveness of violations.

Consequences for violations of this policy shall include:

## **Employees/Staff**

Violation of this policy by any employee or staff member of MDS may lead to disciplinary actions per the Disciplinary Policy.

## **Visitors**

Employees who observe visitors who are using tobacco products on MDS grounds shall, depending on the circumstances, respond as follows:

Request that the visitor not smoke

Remind him/her about the policy and health reasons for implementing the policy

When appropriate, ask the person to extinguish the cigarette, cigar, or, if the person continues to smoke, alert a nearby manager or the Director of Human Resources about the problem.

Visitors who persist or continue to violate this policy may be asked to leave, and under extreme circumstances, be barred from MDS grounds.

## **Questions About this Policy**

Any questions about this policy or its enforcement should be directed to the Director of Human Resources.

## **Transition**

To assist employees with complying with this policy MDS will offer interested employees access to a tobacco cessation counselor to aid them in quitting. (July 1, 2010)

## **AUTOMOBILE LIABILITY INSURANCE**

All employees transporting individuals served by MDS in the employees own automobile must carry, at their own expense, standard automobile liability insurance of at least 100,000 / 300,000 per person / per accident. Documentation must be provided to the Human Resource Manager showing adequate insurance coverage upon hire and annually when the insurance is renewed.

## **MDS OWNED VEHICLES**

MDS owns several vehicles for transportation of the individuals we serve. These vehicles are maintained under the director of the Transportation Coordinator. All individuals driving these vehicles must have a Motor Vehicle Driving Record on file with MDS. These records will be updated each year. All operators will follow and obey all rules of the road and any State of New Hampshire laws and speed limits. All motor vehicle accidents and injuries will be reported immediately to the Transportation Coordinator. Any injuries to MDS employees will be reported to the Human Resource Manager as soon as possible during regular officer hours. These vehicles must be kept clean and safe at all times.

Smoking will **not** be allowed in any vehicle owned by MDS.

## **SEAT BELTS**

For the safety of everyone, seat belts must be worn at all times by all occupants of MDS vehicles. In employee owned vehicles, the people we serve must use their seat belts

at all times, as well as the employees if on company business.

## **OFFICE CLOSINGS**

The Area Agency Office may close on days of inclement weather by radio announcement. Employees are expected to report to work on such days unless told not to do so by the Executive Director or his/her designee. If conditions exist which prevent reporting for duty, the employee may be charged with a personal day or vacation day. If the employee is sick, he/she should report this information to the Area Agency as required.

## **ANTI DISCRIMINATION / HARASSMENT POLICY**

Monadnock Developmental Services (MDS) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. MDS expects that all relationships among persons while on the job will be business-like and free of bias, prejudice and harassment.

It is the policy of MDS to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. MDS prohibits any such discrimination or harassment.

MDS encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of MDS to investigate such reports. MDS prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Sexual harassment is defined, as in the EEOC Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, their behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that; (1) has the purpose or effect of creating an intimidating,

hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunity.

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

This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to MDS (e.g., an outside vendor, or consultant). Employees in a position of leadership, authority or management will have no sexual contact with persons participating in their program including any staff member, person with a disability or their family member.

In fulfilling their obligation to maintain a positive and productive work environment, managers and supervisors are expected to immediately stop any harassment as soon as they become aware of it and take appropriate action, including disciplinary action.

For complete policy details see copy located at the end of this handbook.

## **GRIEVANCE / COMPLAINT PROCEDURE**

- a. Grievance is defined, as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management, supervisors, or other employees. Examples of actions which may be causes of complaints include, but are not limited to:**
- b. Application of agency policies, practices, rules, regulations, and procedures believed to be to the detriment of an employee;
- c. Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
- d. Alleged discrimination because of race, color, sex, sexual orientation, age, religion, handicap, national origin, military reserve or veteran status, marital status, or any other non-merit factor; and
- e. Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

A grievance/complaint should be brought forward as soon as it might reasonably have become known to exist. In the event, a complaint arises the employee should submit it to their supervisor within 5 working days. If a satisfactory solution cannot be settled, with their supervisor, the complaining employee shall, within 3 working days, forward the complaint to the department manager. If a satisfactory solution cannot be settled with the department manager, the employee shall, within 5 working days, forward the written complaint to the Director of Human Resources. If a satisfactory solution cannot be settled with the Director of Human Resources, the employee, shall, within 5 working days, forward the written complaint to the Executive Director. The

decision of the Executive Director shall be final and binding on the parties, without further right to appeal. Please refer to the Policy Statement Concerning Non-Discrimination and Harassment and the Grievance Complaint Procedure for detailed instructions on how to file a grievance/complaint. A copy of this procedure may be found in the human resource office. Grievance / Complaint forms, as well as a list of managers/supervisors may be found in the human resource office or located in the desk in the receptionist area where other forms, i.e. time sheets and expense forms can be found. June 30, 2000

## **DISCIPLINE**

Monadnock Developmental Services (MDS) uses a progressive discipline policy to identify and address employee and employment related problems. This policy applies to any and all employee conduct that the agency, in its sole discretion determines must be addressed by discipline. Of course, no discipline policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, MDS takes a comprehensive approach regarding discipline and will attempt to consider all relevant factors before making decisions regarding discipline.

Employee conduct that warrants discipline results from unacceptable behavior, poor performance or violation of the agency's policies, practices or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. Equally important, the company need not resort to progressive discipline, but may take whatever action it deems necessary to address the issue at hand.

The agency will normally adhere to the following progressive disciplinary process:

**Verbal Warning:** An employee will be given a verbal warning when he or she engages in problematic behavior. As the first step in the progressive discipline policy, a verbal warning is meant to alert the employee that a problem may exist or that one has been identified, which must be addressed. Verbal warnings will be documented and maintained in an employee's personnel file.

**Written Warning:** A written warning is more serious than a verbal warning. A written warning will be given when an employee engages in conduct that justifies a written warning. Written warnings will be maintained in an employee's personnel file.

**Suspension:** A suspension with or without pay is more serious than a written warning. An employee may be suspended when he or she engages in conduct that justifies a suspension. An employee may be suspended if they are involved in a Human Rights investigation.

It is during this time the employee will be asked to ponder whether they should continue employment with the agency. If the employee returns, they will be expected to adhere to agency policy, practices and guidelines.

**Dismissal/Termination:** An employee will be terminated when he or she engages in conduct that justifies termination or if actions are related to prior warnings and the employee has not corrected the issues resulting in prior warnings.

Below are some examples of incidents or problems that would warrant disciplinary actions or termination of employment. This is not an all inclusive list.

Excessive absenteeism or tardiness (failure to notify the agency when absent three (3) consecutive works days will be considered a voluntary termination unless failure to notify is beyond employee's control). Note: a doctor's note is required for absence of three (3) days.

Inability or refusal to perform work efficiently, productively and safely within established procedures.

Falsification of agency records such as omitting or supplying false information on employment application, time sheets, med logs, attendance sheets, or other agency records.

Destroying, misusing or removing agency property without authorization.

Fighting on agency property, including an individual's residence.

Using threatening or abusive language, immoral conduct and indecency.

Sleeping on the job.

Unauthorized disclosure of agency or individual private or classified information.

Possessing or using illegal drugs or intoxicating beverages while on agency property or individual residences.

Reporting to work in an unfit condition.

Possession of a dangerous weapon(s), firearm(s), or explosive.

Failure to observe agency safety rules.

The agency will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation. The Human Resource Director should be involved in any disciplinary actions. The Executive Director should be involved in any disciplinary actions regarding supervisory positions. In either case the Executive Director will be made aware of any disciplinary actions involving termination of staff. Oct. 14, 2009

## **INDIVIDUAL RIGHTS AND CONFIDENTIALITY**

It is the policy of MDS to promote individual rights and to maintain confidentiality regarding those we serve. To that end, each employee and volunteer will be required to subscribe to the following statement upon commencing employment or association with MDS.

Employees / volunteers / consultants of MDS are obligated to report to their immediate supervisor and /or the Executive Director, on behalf of an individual whenever they observe or become aware of instances of abuse, neglect, exploitation or other mistreatment. Employees have the responsibility to safeguard the rights of the people we serve as defined in the Human Rights Policy Manual.

**Confidentiality:** At no time shall the name of an individual receiving services through MDS or

his/her diagnosis be mentioned outside MDS unless it is necessary for the service being delivered to that individual.

## **MANAGERIAL RIGHTS / PRODUCTIVITY**

Except as otherwise limited by an express provision of this policy, the Executive Director shall have the right to exercise complete control and discretion over the organization, policies, and technology including, but not limited to: the determination of the standards of services to be provided and standards of productivity; performance of its employees; establish and/or revise personnel evaluation programs; the determination of the methods, means and personnel by which its operations are to be conducted; the determination of the content of job classifications; the appointment, promotion, assignment, direction and transfer of personnel; the suspension, demotion, discharge or any other appropriate action against its employees; the relief from duty of its employees because of lack of work or for any other legitimate reason; the establishment of reasonable work rules; and the taking of all necessary actions to carry out its mission in emergencies. The State of New Hampshire and its state agencies subject to all-pertinent rules and regulations promulgate this Policy and any related federal regulations.

Employees may be terminated for failure to perform duties as described in individual job descriptions. Further, any employee who knowingly violates the rights of the individuals we serve may be terminated. All notices of termination shall be final.

Should a “reduction in force” (RIF) be necessary due to state mandates or Area Agency Board of Directors, the final decision will rest with the Executive Director.

## **TERMINATION OF EMPLOYMENT**

Termination of employment can be either voluntary or involuntary. In all cases, the procedures used will be of a fair and consistent nature, taking into consideration the reasons for separation.

### **Resignation**

Employees voluntarily leaving employment shall submit a formal letter of resignation to their immediate supervisor at least fourteen (14) days prior to the effective date. This will be forwarded to the Director of Human Resources for inclusion in the personnel file. Upon termination, employees will be given their final paycheck due them on the next regularly scheduled payday.

### **Lay-off**

Reduction in the work force due to budgetary restrictions and/or reduced workload sometimes cannot be avoided. In the case of a layoff, immediate supervisors will notify effected employees as far in advance as possible. Each employee will meet with the Director of Human Resources to discuss options and benefits. Consideration will be given to seniority and ability to perform work in the jobs not affected by the lay-off when deciding which employees will be laid off. Employees will be called back to work based on Agency need.

### **Dismissal**

Involuntary separation from employment may occur due to disciplinary infractions or inability to

perform the work. In all such cases, it is expected that the immediate supervisor has thoroughly investigated the incidents leading to the dismissal, documented any action taken, and has applied discipline in a fair and consistent fashion. Upon termination, employees will be given their final paycheck within 72 hours of dismissal

It is the policy of MDS that all employees who do not have a written employment contract with MDS for a specific, fixed term of employment are employed at the will of the Agency for an indefinite period and may be terminated at any time, and for any reason with or without cause or notice.

## **SAFETY PLAN**

It is the policy of MDS to comply with all applicable federal, state and local health and safety regulations and to provide a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by MDS or by federal, state or local law.

MDS has appointed a Safety Committee to oversee the company's safety policies and procedures.

## **SAFETY POLICY STATEMENT**

### **To all Employees**

Your safety and that of the surrounding community are vital aspects of Monadnock Developmental Services operation. A safe workplace is directly related to the efficiency of our operation. Our policy is designed to keep our workplace at the highest level of safety in order to achieve our goal of zero accidents and injuries.

### **Management Responsibilities**

We will provide or make available, sound equipment, safe tools and necessary protective equipment and training. We will cooperate in all efforts to maintain a safe working environment. We will commit the necessary resources and time to create the safest and most efficient workplace possible. We will communicate the company's positions on occupational health and safety issues that affect the employees and the company. We will maintain the

Occupational Safety and Health Programs regulated by OSHA pertinent to the operations of Monadnock Developmental Services

### **Supervisor's Responsibilities**

Supervisors are responsible for the safety of those who work for him/her. Employee safety is one of the supervisor's primary responsibilities and will be a measured element in their performance.

### **Employee Responsibilities**

Employees are expected to cooperate fully in helping protect themselves and those around them. Participating in required safety trainings following safety rules and contributing to a safe and healthy workplace are included in these duties.

### **Assignment of Responsibility**

Monadnock Developmental Services feels it is important that all of its employees are aware of their role and recognize its responsibilities.

### **Management**

- Assign responsibility
- Allocate resources
- Set goals and objectives
- Lead by example
- Evaluate
- Follow-up
- Feedback

### **Safety Coordinator**

- Ensure that the facility is in compliance with all applicable regulations
- Develop safety programs and policies
- Direct the safety committee
- Train
- Keep records
- Inspect
- Investigate accidents
- Analyze job hazards

### **Department Supervisor**

- Ensure accountability
  
- Train
- Project positive attitude
- Distribute personal protective equipment
- Enforce policies
- Attend safety committee meetings when appropriate
- Keep records and documentation
- Take disciplinary action for not following safety precautions
- Ensure routine quarterly inspections

## **Employee**

- Report all accidents, incidents, hazards and near misses
- Do general housekeeping of their work areas
- Be responsible for the safety of themselves and their fellow workers
- Attend all scheduled meetings
- Attend training scheduled by management or the safety coordinator
- Keep a positive attitude
- Follow any safety procedures for their job.

## **Rules and Regulations**

The rules and regulations enforced by Monadnock Developmental Services are for your protection. The management of Monadnock Developmental Services expects you to adhere to the following list:

- Be responsible for the safety of yourself and others
- Wear personal protective equipment at all times necessary
- No smoking in the building or in unauthorized areas
- No horseplay
- Keep work area free of hazards
- Maintain equipment
- No alcohol or drug use
- Report all potential hazards and near misses to your supervisor
- Cooperate with members of the safety committee
- No threatening, intimidating, coercing or interfering with fellow employees or supervisor(s) on the premises
- Put away equipment when finished with job
  
- Do not lift anything that is too heavy or awkward for you
- Wear seatbelts while driving during work hours
- Follow specific rules and regulations

## **Joint Loss Management Committee**

The purpose of the Joint Loss Management Committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in the workplace.

The Joint Loss Management Committee assists management and makes recommendations for change.

### **Committee Size**

The committee shall have at least four (4) employees for representation due to the fact that Monadnock Developmental Service has over 20 employees. There is no limit to how large this committee can grow.

### **Representation**

-Employee representation shall be selected by employees.

-Management may select whoever they wish to have present. IT is important that top management takes an active part in the committee either through direct involvement or through a representative.

-Any member must be paid his/her regular rate of pay while participating on committee functions.

-Chairmanship of the committee shall rotate between the employee representation and the management representation.

### **Specific Roles of Committee**

-**Chairperson:** Oversees overall operations and duties of the committee

-**Moderator:** Facilitates discussion and allocates time

-**Liaison:** Messenger, responsible for relaying information, putting words into action

-**Recording Secretary:** Records minutes and takes attendance

### **Activities and Responsibilities**

-Recognize all potential hazards

-Assist with accident investigation

-Review documentation

-Develop new programs

-Assist PPE's purchases and distribution

-Review violation

-Aid in development of incentive programs

-Lead by example

-Attend all meetings

-Report employee complaints

-Review safety and health records

- Perform inspections
- Must meet at least quarterly
- Responsible for reviewing accident investigations
- Responsible for Alternative Light Duty Program

**This section contains information regarding MDS benefits**

## EMPLOYMENT AND PARTICIPATION IN BENEFITS

At the time you are hired, you are classified as Regular Full-Time, Regular Part Time, or Part Time, Variable Part Time Benefit Ineligible, and as exempt or nonexempt. MDS maintains standard definitions of employment status and will classify employees for purposes of personnel administration and related payroll transactions according to the following definitions. An employee's status may change if his/her position changes. An employee will be notified of any change in status. Nothing contained within these definitions modifies the employee's at-will relationship with MDS.

**Employee-at-will:** Employees are employed at the will of MDS. MDS offers no employment contracts nor does it guarantee any minimum length of employment.

**Regular Full-time:** Employment in an established position for a minimum of 37 ½ regularly scheduled hours per week. Full-time employees may generally participate in all employee benefits, subject to the waiting periods and other terms, conditions and limitations of each benefit. See Premium Offset Plan for current rates (subject to change on plan year renewal)

**Regular Part - Time** – Employment in an established position for a minimum of 30 – 36 **regularly scheduled** hours per week. Regular part time employees are eligible to participate in legally mandated benefits (such as social security and workers' compensation). Effective April 1, 2015 Regular Part - Time employees may generally participate in Single medical and dental insurance (see Note below), subject to the waiting periods and other terms, conditions and limitation of such benefits, however Regular Part Time employees are ineligible for MDS' other benefit programs.. See Premium Offset Plan for current rates. (subject to change on plan year renewal) NOTE: Employees may elect Two Person or Family coverage, however the employee will be responsible for 100% of the cost difference.

**Part-time Non-Benefit Eligible:** Employment in an established position for no more than 29 hours scheduled per week. These employees are not eligible to participate in any benefit programs.

**Variable, Part-time, Non - Benefit Eligible:** Employment in an established position for no more than 29 hours of service per week reasonably expected and the employee works a variable number of hours each week. This category is for new employees only and lasts for the initial measurement period as determined by MDS.

**Exempt (Salaried) and Non-exempt (Hourly) Employees:** All employees are classified as either exempt or non-exempt. This is necessary because, by law, employees in certain jobs are entitled to overtime pay for all hours worked in excess of forty (40) hours per week. Non-exempt employees are those whose positions do not meet the exemption tests of the FLSA. Non-exempt employees are paid one and a half times their regular rate for hours worked in excess of 40 in one week. Employees classified as non-exempt generally occupy non-supervisory, office and direct support positions. Exempt employees are exempt from overtime pay requirements meaning that they are not eligible for overtime pay.

## EMPLOYEE BENEFITS

It is the intent of MDS to encourage employees to maintain health and dental insurance coverage for himself/herself and his/her family, as well as for MDS to provide employees with life and long-term disability insurance coverage.

MDS will make available group benefit plans approved by the Board of Directors for all regular full-time employees working thirty-seven and one-half (37.5) hours or more per week. Qualified employees become eligible for benefits on the 90<sup>th</sup> day of regular employment. Employees who go from part time to full time employment will become eligible upon start of full time hours and have worked for MDS at least ninety (90) days previously. Employees will share in the cost of this coverage at a rate established by the Board of Directors. These benefits are subject to change as need and cost dictate.

**Health and Dental Insurance:** Complete details on group health and dental are contained in separate information issued to eligible employees by the Human Resource Manager.

**Flexible Spending Accounts:** FSAs allow an employee to pay for un-reimbursed medical, dental, vision and day care expenses with pre-tax money. Employees may redirect a portion of their paycheck to an account set up for them to use to pay these expenses. You must be employed for 6 months and work a minimum of 20 hours per week on a regular basis. Details are available in the human resource office.

**Education Reimbursement:** MDS encourages employees to continue their education. To be eligible you must be a regular full time employee with a minimum of one year of service. The employee pays for the tuition and textbooks and is reimbursed upon successful completion of an approved course provided the employee remains actively employed through the completion date of the course. Upon completion of the course, the employee is required to submit a transcript of the grade along with a course description to the Director of Human Resources for approval. Payment, for tuition only, will be made in the following manner: \$500. for a grade B or better; \$250. for a grade C. No payment for grades D, F, or Incompletes. The maximum benefit entitlement is once per fiscal year.

**COBRA Policy for Terminated Employees:** All terminated employees who are being carried on the agency's health and dental insurance are eligible for continued insurance coverage at their own expense. Agency paid benefits will end the final day of the month

in which employment is terminated. Upon termination or reduction in hours worked to less than thirty- seven and one half five (37.5), the employee will be notified of his/her COBRA (Consolidated Omnibus Budget Reduction Act) rights and the cost of the insurance.

**Continuation of Benefits While Out On Leave:** MDS recognizes the importance of continuation of insurance benefits while an employee is out on a leave of absence. Therefore, all insurance coverage will stay in place for three (3) months at the expense of the employer, provided the employee pays MDS their premium contribution. After three (3) months, the employee will be responsible for paying the entire cost of the medical coverage. The employee will be sent notice of their COBRA (Consolidated Omnibus Budget Reconciliation Act) rights which explains their continuation of benefit rights should their leave of absence extend beyond three (3) months.

**Long Term Disability Insurance:** If a covered employee is unable to work due to a non-work related illness or injury after eighty-nine (89) days, long term disability coverage will start paying on the ninetieth (90) day. Covered employees are eligible to receive sixty %

(60%) of his/her regular weekly income up to a maximum of six thousand dollars (\$6,000.) per month until age sixty-five (65). Please refer to LTD policy for additional details.

**Life and AD&D Insurance:** MDS provides salary based life and accidental death & dismemberment insurance for each qualified employee. There is also a voluntary deduction plan available for additional coverage, which an employee may take with them when they leave MDS.

**Retirement Plan:** An Employer Sponsored Discretionary Vested Matching 403(b) Retirement Plan in a tax-sheltered annuity is available to those who wish to participate. All dollars that you contribute will reduce your taxable income and grow on a tax-deferred basis until you withdraw your funds.

There is no minimum age requirement to make salary reduction contributions, including Designated Roth Contributions, to this plan.

There is no minimum service requirement to make salary reduction contributions to this plan.

Employer Matching Contributions – you must be at least 21 years of age to receive employer matching contributions.

You must have completed at least one year of service **and** 1,000 hours of service during the prior year.

**Workers' Compensation Insurance:** MDS carries Workers' Compensation Insurance on all employees to assist with income and certain expenses in the event of a work related illness or injury.

**Direct Deposit:** Direct deposit of part or all of an employee's paycheck is available, up to three accounts.

**Employee ID Cards:** An ID card will be issued upon hire and will be renewed annually thereafter. It is up to the employee to contact the Human Resource Manager when it is time for renewal. This card can be used at several local businesses to receive a discount. A list of those businesses will be updated and sent out to employees periodically.

## **PAYROLL DEDUCTIONS**

Automatic payroll deductions are currently available for the following:

Direct Deposit

Monadnock United Way

Employee Health & Dental Insurance Contribution – Pre-tax / After-Tax

Mutual of America (MOA) 403 (b) Retirement Plan – Pre-tax

Flexible Spending Accounts (FSA's)

Life Insurance – Employee owned

IRS Tax Liability

State Mandated Child Support

Any other State, Federal or Legally Mandated Deductions

### **PAID TIME OFF - FULL TIME EMPLOYEES**

Monadnock Developmental Services recognizes the importance of taking time off to maintain staff's health and emotional well-being. This policy defines the method in which full time employees will accrue paid time off (PTO) importance of taking time off to maintain staff's health and emotional well-being. This policy defines the method in which full time employees will accrue paid time off (PTO)

#### **Paid Time Off**

Paid time off is defined as vacation and holiday time. Full time employees must work a minimum of 37.5 hours per week to be eligible for paid time off accrual. Accrual will begin on the first day of full time employment.

See Schedule A for details on accrual.

#### **Guidelines for using paid time off.**

1. Paid time off is paid at the regular rate of pay and is not considered hours worked when calculating overtime.
2. Paid time off must be requested and pre-approved by respective supervisor and may be used in a minimum of one hour increments.
3. In the event a full time employee does not work 37.5 hours in one week he or she may use paid time off to cover the discrepancy. Note: this will be monitored for abuse of practice.
4. Paid time off will not accrue when an employee is out on unpaid leave.
5. The employee's immediate supervisor is responsible for review and approval of requests for paid time off. In cases where the paid time off requests by employees conflict, preference will be subject to the operational needs of MDS.
6. Paid time off will not accrue during an extended leave or any other leave of absence, i.e. FMLA, Long Term Disability, Workers' Compensation, Military Leave, and Bereavement Leave. Accrual will resume when the employee returns to work.

#### **Pay out of PTO at Termination**

1. If a full time employee voluntarily resigns from employment with a working three (3) weeks' advance written notice, the employee will receive hundred (100%) of the balance of accrued paid time off.
2. If a full time employee voluntarily resigns from employment with less than a three (3) weeks' written notice, but with a minimum of two (2) working week's advance written notice, the employee will receive fifty percent (50%) of the balance of accrued paid time off.

3. If a full time employee voluntarily resigns from employment with less than a two (2) weeks' written notice, but with a minimum of one (1) working week's advance written notice, the employee will receive twenty-five percent (25%) of the balance of accrued paid time off.
4. If a full time employee voluntarily resigns from employment with less than a one (1) weeks' written notice, the employee will forfeit all paid time off and receive zero percent (0%) of the balance of accrued paid time off.
5. Any type of time off used after giving notice will not be considered part of the notice of resignation time frame when calculating the percentage of the payout of accrued paid time off.
6. In the even a full time employees' work status changes from full time to part time they will be paid out one hundred percent (100%) accrued paid time off to date.
7. In the event of a layoff a full time employee will be paid one hundred percent (100%) of their accrued paid time off to date.
8. Any full time employee who is involuntarily terminated from employment will receive zero percent (0%) of their accrued paid time off.

### **PAID TIME OFF – REGULAR PART TIME EMPLOYEES**

Monadnock Developmental Services (MDS) recognizes the importance of taking time off to maintain staff's health and emotional well-being. This policy defines the method to which regular part time employees are hired and scheduled to work a minimum of thirty (30) hours per week will accrue paid time off (PTO).

#### **Paid Time Off**

Paid Time Off (PTO) is defined as accrued hours to be paid when the employee is not at work. Regular part time employees **must be** regularly scheduled to work a minimum of thirty (30) hours per week.

#### **Guidelines For Accrual of Paid Time Off**

Regular part time employee qualifies for this benefit if they are regularly scheduled for 30 hours per week will accrue 0.03206 hours per 30 hour pay period to a maximum of 50 hours per year for PTO.

PTO will begin accruing on hours worked after being employed 90 days. PTO will accrue on all hours worked up to 30 hours per week (i.e. if a person works 40 hours, PTO will only accrue on the first 30 hours).

Paid time off will not accrue when an employee is out on unpaid leave.

Paid time off will not accrue during an extended leave or any other leave of absence, i.e. FMLA, Workers' Compensation, Military Leave. Accrual will resume when the employee returns to regular scheduled hours of work.

Employees may carry over time up to 31 days of paid time off accrued per calendar year (January 1 – December 31). At the end of the calendar year any time over 31 days will be forfeited.

## Guidelines For Using Paid Time Off

Paid Time Off is paid at the regular rate of pay and is not considered hours worked when calculating overtime. Paid Time Off (vacation) must be requested and pre-approved by respective supervisor(s) at least one week in advance and may be used in a minimum of one hour increments.

In the event a qualified regular part time employee does not work 30 hours in one week he or she may use paid time off to cover the discrepancy. Note: this will be monitored for abuse of practice.

- The employee's immediate supervisor is responsible for review and approval of requests for paid time off. In cases where the paid time off request by employees conflict, preference will be subject to the operational needs of MDS.

### Pay Out of PTO at Termination

1. If a qualified regular part time employee, resigns from employment with a **minimum working three (3) weeks** advance written notice, the employee will receive one hundred percent (100%) of the balance of accrued paid time off.
2. If a qualified regular part time employee, resigns from employment with less than three (3) weeks advance written notice, but with a **minimum of two (2) working weeks** advance written notice, the employee will receive fifty percent (50%) of the balance of accrued paid time off.
3. If a regular qualified part time employee, resigns from employment with less than a two (2) weeks advance written notice, but with a minimum of **(1) working week** advance written notice, the employee will receive twenty five percent (25%) of the balance of accrued paid time off.
4. In the event a qualified regular part time employee resigns from employment with **less than a one (1) week** advance written notice, the employee forfeits all paid time off accrued and will receive zero percent (0%) of the balance of accrued paid time off.
5. In the event a regular part time employee is involuntarily terminated from employment the employee will receive zero percent (0%) of their accrued paid time off.
8. Paid time off used after giving notice will not be considered part of the notice of resignation time frame when calculating the percentage of the payout of accrued paid time off.
7. In the event of a layoff a regular part time employees will be paid one hundred percent (100%) of their accrued paid time off to date.
8. In the event of a layoff a qualified part time employee will be paid 100% of their accrued paid time off to date.

## **PERSONAL TIME – FULL TIME EMPLOYEES**

Personal time is not included in PTO. Full time employees employed less than two (2) years will be credited with (1) personal day per fiscal year (July 1 – June 30).

Full time employees employed for two (2) or more years will be credited with (3) personal days per fiscal year (July 1 – June 30).

Personal time is not paid out at the end of employment.

### **Schedule A – Paid Time Off Accrual**

Full time employees scheduled to work on a holiday, will be entitled to be paid for the holiday up to 7.5 hours at his/her regular rate of pay in addition to being paid for any hours worked. The holiday time will be deducted from the paid time off accrual.

Full time employees working 37.5 hours per week and employed less than 2 years will accrue at a rate of .10 per hour worked. For example:  $.10 \times 37.5 \text{ hours} = 3.75 \text{ hours accrued}$ .  $3.75 \text{ hours accrued} \times 52 \text{ weeks} = 26 \text{ days accrued per year}$ .

Full time employees working 37.5 hours per week and employed 2 or more years will accrue at a rate of .120 per hour worked. For example:  $.120 \times 37.5 \text{ hours} = 4.50 \text{ hours accrued}$ .  $4.50 \text{ hours accrued} \times 52 \text{ weeks} = 31.2 \text{ days accrued per year}$ .

Employees may carry over time up to 31 days of paid time off accrued per fiscal year (July 1 – June 30). At end of the fiscal year any time over 31 days will be forfeited.

## **SICK TIME – Part Time Employees**

### **(Except Respite and Per Diem Positions)**

All employees working qualify for this benefit if they are regularly scheduled for less than 37.5 hours per week. Employees will accrue 0.0192 hours per pay period to a maximum of thirty (30) hours per calendar year (January-December) for sick time.

Sick time will begin accruing immediately upon hire.

Accrued sick time may be used ninety (90) days from date of hire.

Sick time will only accrue on the first thirty (30) hours worked per week.

Sick time will not accrue when an employee is out on unpaid leave. Sick time will not accrue on extended leaves or any other leave of absence, i.e. FMLA, Workers' Compensation or Military Leave. Accrual will resume when the employee returns to regularly scheduled hours of work.

Sick time is paid at the regular rate of pay and is not considered hours worked when calculating overtime.

Sick time must be approved by respective supervisor.

Sick time may be used for wellness care, medical and dental appointments or personal illnesses for yourself, the employee's spouse, domestic partner, child, parent sibling or person living in household.

Sick time may not be used to supplement other paid time off such as vacation time.

When a staff person leaves employment with MDS, MDS does not pay out unused sick time.

Employees who are out three (3) consecutive working days will be required to provide a doctor's note for return to work.

### **SICK TIME - FULL TIME EMPLOYEES**

This policy provides guidelines for accruing, using and reporting sick leave, when a staff person must be out of work due to an illness or to address medical needs.

#### **Sick Time Accrual**

All full time employees will accrue one (1) sick day per month (12 days per year)

#### **Guidelines for using sick time**

1. Sick time may be used for well care, medical, and dental appointments or personal illnesses for yourself or an immediate family member. Immediate family members, for this policy, include spouse or domestic partner, children, parent(s), parent(s)-in-law.
2. Sick time is paid at the regular rate of pay and is not considered hours worked when calculating overtime.
3. Sick time must be taken in a minimum of one hour increments.
4. Absences due to illness of 3 or more days will require a physician's note to return to work.
5. Sick time will not accrue during an extended sick leave, i.e. FMLA, Long Term Disability or Workers' Compensation, Military Leave, Bereavement Leave, or any other leave of absence. Accrual will resume upon return to work.
6. Full time employees may carry over up to 65 days of sick time per fiscal year July 1st – June 30<sup>th</sup>.
7. Unused sick time is not paid out when an employee resigns or is terminated from employment.
8. An employee who is reinstated or re-employed after an absence of less than twelve (12) months shall be credited with his/her sick time at termination of his/her prior employment. An employee who is reinstated or re-employed after a period of twelve (12) months shall receive prior sick leave, if approved by the Executive Director, where such absence was caused by:
  - a. Illness of said employee;
  - b. Dismissal through no fault or delinquency attributable to the employee, or:
  - c. Injury while in the employment of the Agency in the line of duty and for which said employee would be entitled to receive Workers' Compensation benefits.
9. Absences due to illness in excess of the authorized sick leave provided in this policy (or for personal reasons not provided for under said sick leave provisions) will be charged to vacation time.

10. Sick time may not be used to supplement other paid time off such as personal days or vacation time.

Sick Time Accrual for Providing Support in the Community, Administrative and Supervisory Positions in the Office.

Full time staff working a minimum of 37.5 hours per week will accrue sick time at .0464 per hour worked. For example:  $.0464 \times 37.5 \text{ hours} = 1.74 \text{ hour per week}$ .  $1.74 \times 52 \text{ weeks} = 90.48/7.5 = 12.06 \text{ days per year}$ .

### **Sick Time Accrual**

1. Regular part time employees qualifies for this benefit if they are regularly scheduled for 30 hours per week. They will accrue 0.0192 hours per 30 hour pay period to a maximum of thirty (30) hours per calendar year (January 1-December 31) for sick time.
2. Sick time will begin accruing hours worked after ninety (90) days of continuous employment.
3. Sick time will accrue on all hours worked up to thirty (30) hours per week (i.e. if a person works forty (40) hours sick time will only accrue on the first thirty (30) hours of work.
4. Sick time will not accrue when an employee is out on unpaid leave. Sick Time will not accrue on extended leaves or any other leave of absence, i.e. FMLA, Workers' Compensation or Military Leave. Accrual will resume when the employee returns to regularly schedule hours of work.
5. Employees may carry over up to 65 days of sick time per calendar year (January 1st – December 31).
6. An employee who is reinstated or re-employed after an absence of less than twelve (12) months shall be credited with his/her sick time at termination of his/her prior employment. An employee who is reinstated or re-employed after a period of twelve (12) months shall have a maximum of 30 days sick leave restored, if approved by the Executive Director, where such absence was caused by:
  - a. Illness of said employee;
  - b. Dismissal through no fault or delinquency attributable to the employee, or:
  - c. Injury while in the employment of the Agency in the line of duty and for which said employee would be entitled to receive Workers' Compensation benefits.
7. Absences due to illness in excess of the authorized sick leave provided in this policy (or for personal reasons not provided for under said sick leave provisions) will be charged to Paid Time Off (PTO).

### **Guidelines for using sick time**

1. Sick time may be used for well care, medical and dental appointments or personal illnesses for yourself or an immediate family member. Immediate family members, for this policy, include spouse or domestic partner, children, foster children, parent(s), or parent(s)-in-law.

2. Sick time is paid at the regular rate of pay and is not considered hours worked when calculating overtime.
  3. Sick time must be taken in a minimum of one hour increments and be approved by respective supervisor(s).
  4. Absences due to illness of 3 or more days will require a physician's note to return to work.
  5. Sick time may not be used to supplement paid time off (PTO)..
  6. Unused sick time is not paid out when the staff person resigns or is terminated from employment.
- Any exceptions to this policy must be approved, in writing, by the Executive Director or his/her designee. This policy is subject to change or revision at any given time.

### **ATTENDANCE**

It is the policy of Monadnock Developmental Services (MDS) to establish reasonable and necessary controls to ensure adequate attendance to meet the needs of the individuals MDS supports and the needs of the agency. Therefore, your attendance and punctuality are very important. Absences negatively impact the individuals supported, cause a slow-down in the work and added burdens for your fellow employees. Good attendance is something that is expected from all employees. You should be at your specific work location by the start of each workday at the time designated by your supervisor or the department. Excessive absenteeism or tardiness will not be tolerated and will be cause for disciplinary action up to and including discharge.

Definition of absent: An employee is deemed absent when he/she is unavailable for work at assigned/scheduled and such time off was not scheduled/approved in advance as required by department notification procedure as noted in the vacation/sick policy.

1. Working schedules and starting times are established by the Department Supervisor/Manager based on the needs of the individuals supported as well as the department. Supervisors are responsible for communicating work schedules to employees.
2. Employees are expected to be at work on time, as scheduled, and in a fit condition to perform assigned duties. Work activity should commence at starting times and continue until the designated stopping times for lunch or the end of the work day.
- 3 When reporting unplanned absences, such as illness or a family emergency, employees must telephone his/her supervisor (or on call between 4:30 pm and 8:00 am and weekends) a minimum of two hours in advance to allow time to find alternate coverage if needed. Employees may phone, text/email their supervisor/manager of absence. The supervisor/manager will acknowledge via phone, text or email that the absence is excused. Leaving a message does not qualify as notifying your supervisor. You must receive acknowledgment from your supervisor or an on call supervisor.
4. Absences of three (3) or more consecutive days due to illness or injury will require a doctor's note documenting the necessity of the absences and specifying the employee's ability to return to work.

5. Excessive absenteeism is defined as six (6) or more instances of absence in a rolling three (3) month period. Such excessive absenteeism is subject to corrective discipline. Any twelve (12) instances of absenteeism in a rolling twelve (12) month period are considered grounds for disciplinary action up to and including discharge.

6. In the event an employee is absent for three (3) consecutive shifts without notice (ie. no call no show) or approval, such absence is viewed as job abandonment. The employee is then separated from employment as a voluntary quit. The Human Resource department will notify the employee of job abandonment.

7. The following types of absences, when prearranged and/or in accordance with applicable law or company policy are considered excused absences and as such are not subject to any disciplinary action: paid time off, personal days, leaves of absence, occupational illness or injury, family medical leave, military leave, bereavement leave, jury duty or illness as accompanied by a physician note.

8. Notification of absences, that are approved, by the supervisor/manager will be considered excused absences. However, the ability to maintain job performance is critical to the agency and will be a factor in determining, if any, disciplinary action is required.

Definition of Tardiness: Tardiness occurs when an employee is not present and ready to begin working at his/her scheduled time.

1. Excessive tardiness shall be subject to corrective disciplinary action. Excessive tardiness is defined as two (2) or more instances or lateness in a month and is subject to corrective discipline. Any ten (10) instances of tardiness in a rolling twelve (12) month period are considered grounds for disciplinary action up to and including discharge.

2. An employee's request to leave work early may be considered by the Supervisor/Manager. Approval of such request should be based upon the urgency of the reason for leaving and individual staffing needs. It is MDS' expectation that leaving early should not exceed two (2) instances in a one (1) month period or ten (10) instances in a rolling twelve (12) month period.

3. The human resources department in conjunction with department supervisors, is responsible for maintaining attendance records.

### **Schedule of Disciplinary Action**

<b>Unexcused Absences*</b>	<b>Discipline Steps/Action</b>
6 absences in a rolling 3 month period	Verbal warning, documented in personnel file
Excessive absences – 12 absences in a rolling 12 month period	Further disciplinary action with the possibility of an unpaid suspension, or up to termination of employment.
<b>Tardiness</b>	<b>Discipline Steps/Action</b>
2 or more incidents tardiness in one month	Written verbal warning, documented in personnel file

10 incidents of tardiness in a rolling 12 month period	Further disciplinary action including at a minimum written warning documented in personnel file
<ul style="list-style-type: none"> <li>All absences are unexcused unless they fall under Section 7 above.</li> </ul>	

**BEREAVEMENT LEAVE (except Respite and Per Diem Positions)**

This policy establishes uniform guidelines for providing paid time off to active employees in the event of the death of a family member.

Monadnock Developmental Services will provide an employee who wishes to take time off due to the death of a family member with bereavement leave. Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonus, overtime or shift differentials.

The employee should notify their supervisor as soon as possible that they require leave. If an employee leaves work early on the day they are notified of the death, that day will not count as bereavement leave.

**Eligibility**

All full-time and part time active employees are eligible for benefits under this policy.

**Procedures**

Paid bereavement leave will be granted according to the following:

- Bereavement for immediate family members: Full time and part time employees are allowed up to five (5) days for immediate family to include: employees spouse, domestic partner, child, parent, sibling or person living in household.
- Bereavement for extended family members: Full time and part time employees are allowed up to three (3) days for extended family to include: grandparents, grandparents in law, parent in – law, grandchildren, brother, or sister in law.
- Maximum compensation not to exceed one week’s regular scheduled pay without overtime.
- Time must be used within three (3) months with the Executive Director, or designee, approval.
- Days do not have to be used consecutively.
- Employees may use additional sick time, upon approval of supervisor, if additional days are required.
- Evidence may be requested, in writing, to the Executive Director or their designee. This policy may be changed or revised at any time.

## **VOTING LEAVE**

An employee whose hours of work prevent him/her from voting in a town, city, state, or national election shall, upon request to his/her supervisor, be granted a voting leave with pay, not to exceed two (2) hours, for the sole purpose of voting in the election.

## **CIVIC / JURY DUTY**

Employees summoned for jury duty will be granted a leave of absence, with pay, for time lost from their regular work schedule while on said jury duty upon presentation of the appropriate summons to the Executive Director.

An employee who received jury fees for jury service, upon presentation of the appropriate court certificate of service, shall either:

Retain such jury fees in lieu of pay for the period of jury service if the jury fees exceed his/her regular rate of compensation for the period involved; or remit to Human Resources the jury fees, if less than his/her regular rate of compensation for the period involved.

Jury fees for the purpose of this Section shall be the per diem rate paid for jury duty by the court not including the expenses reimbursed for travel, meals, rooms, or incidentals.

An employee summoned as a witness in court on behalf of the state or any town, city, or county of the state, or on behalf of the federal government shall be granted court leave with pay upon filing of the appropriate notice of service with the Executive Director, except that this section shall not apply to any employee who is also in the employ of any town, city, or county of the state, or in the employ of the federal government, or any private employer and who is summoned on a matter arising from that employment.

An employee on court leave who has been excused by the proper court authority shall report to his/her regular scheduled employment with MDS if such interruption in court service will permit four (4) or more consecutive hours of employment. Court leave shall not affect any employment rights of the individual. No court leave shall be granted when the employee is the defendant or is engaged in personal litigation.

## **MILITARY LEAVE**

Monadnock Developmental Services (MDS) is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is MDS's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the Director Human Resources.

### **Procedure/Guidelines**

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#### **• Temporary (Two-Week) Military Leave**

In addition to the rights and benefits provided to employees taking Extended Military Leave (as described in this policy), eligible employees who must be absent from their job for a period of not more than ten working days each year in order to participate in temporary military duty are entitled to as many as ten days unpaid military leave. All benefits will continue during an employee's temporary military leave.

• **All Other (Extended) Military Leave**

Employees directed to participate in extended military duties in the U.S. Armed Forces that exceed ten working days will be placed on an unpaid military leave of absence status for a period of as long as five years and will be entitled to the rights and benefits described below, subject to the procedures outlined below.

• **Procedures for All Military Leave**

1. The employee will provide his or her immediate supervisor and the Director of Human Resources with notice that the employee will be engaging in military service, including, where feasible, a copy of the orders directing the military duty, unless the employee is prevented from doing so by military necessity. Employees are requested to provide such notice within 30 days of active military service. Failure to provide adequate notice may render the employee ineligible for the rights and benefits described in this policy.
2. To request a temporary or extended military leave of absence, the employee should, unless prevented from doing so by military necessity, obtain a Request for Leave of Absence Form from the Director Human Resources.
3. The Director of Human Resources will review and sign the Request for Leave of Absence Form, collect any applicable insurance premiums from the employee, generate other applicable documents, and process accordingly.
4. Employees on temporary or extended military leave may, at their option, use any or all accrued paid time off or personal leave during their absence.
5. When the employee intends to return to work, he or she must make application for reemployment to the Director of Human Resources within the application period set forth below.
6. If the employee does not return to work, the supervisor must notify the Director Human Resources so that appropriate action may be taken.

• **Benefits**

If an employee is absent from work due to military service, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate. Beginning after the first 31 days of military leave, group health insurance

coverage for an employee and/or an employee's covered dependents will run concurrently with applicable health insurance coverage under COBRA.

2. The group term life/AD&D insurance provided by the MDS will terminate the day the employee becomes active military.
3. The group long term disability insurance provided by the MDS will terminate the day the employee becomes active military.
4. Employees do not accrue vacation, personal leave or sick leave while on military leave of absence status.
5. With respect to the MDS's retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated MDS match for such contributions.
6. Voluntary supplemental life/AD&D insurance will terminate the day the employee becomes active military. Converting to an individual policy may continue voluntary dependent life insurance coverage, if elected. To exercise this conversion option, dependents must submit a written application and the first premium payment within 31 days immediately following the termination of coverage.

#### • **Reemployment**

Upon an employee's prompt application for reemployment (as defined below), an employee will be reinstated to employment in the following manner depending upon the employee's period of military service:

1. *Less than 91 days of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the MDS, in the position in which the employee had been employed prior to military service.
2. *More than 90 days and less than 5 years of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the MDS, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.
3. *Employee with a service-connected disability* - if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in (i) any other position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the MDS; or (ii) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

## • **Application for Reemployment**

An employee who has engaged in military service must, in order to be entitled to the reemployment rights set forth above, submit an application for reemployment according to the following schedule:

1. *If service is less than 31 days (or for the purpose of taking an examination to determine fitness for service) - the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.*
2. *If service is for 31 days or more but less than 180 days - the employee must submit an application for reemployment with Human Resources no later than 14 days following the completion of service.*
3. *If service is over 180 days - the employee must submit an application for reemployment with Director of Human Resources no later than 90 days following the completion of service.*
4. *If the employee is hospitalized or convalescing from a service-connected injury - the employee must submit an application for reemployment with Director of Human Resources no later than two years following completion of service.*

## • **Exceptions to Reemployment**

In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

1. The MDS's circumstances have so changed as to make reemployment impossible or unreasonable
2. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
3. The employee did not receive an honorable discharge from military service.

## • **General Benefits Upon Reemployment**

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. In addition, an employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at MDS.

• **Documentation** - An employee's manager will, upon the employee's reapplication for employment, request that the employee provide MDS with military discharge documentation that establishes the timeliness of the application for reemployment and length and character of the employee's military service.

## **FAMILY AND MEDICAL LEAVE**

A. It is the policy of Monadnock Developmental Services (MDS) to grant up to 12 weeks of family and medical leave during any 12 month period to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA) and up to 26 weeks of leave in any 12 month period in compliance with the expansion of FMLA under The Support for Injured Service Members of 2007. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

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

1) The employee must have worked for MDS for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of the week or if the employee is on leave during the week.

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

3) The employee must work in an office or work site where 50 or more employees are employed by the agency within 75 miles of that office or work site.

### **C. Type of Leave Covered**

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

*1) The birth of a child and in order to care for that child.*

*2) The placement of a child for adoption or foster care and to care for the newly placed child.*

*3) To care for a spouse, child or parent with a serious health condition.*

*4) The serious health condition (described below) of the employee.*

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

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

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition, which, if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition.

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

MDS will require an employee to provide a doctor's certification of the serious health condition. The certification process is outlined in section H of this policy.

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

*5) A covered family member's active duty or call to active duty in the Armed Forces.*

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. Reasons related to the call-up or service includes helping the family member prepare for the departure or caring for children of the service member. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

Employees requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service before leave is granted.

*6) To care for an injured or ill service member.*

This leave may extend to up to 26 weeks in a 12-month period for an employee whose spouse, son, daughter, parent or next-of-kin is injured or recovering from an injury suffered while on active military duty and who is unable to perform the duties of the service member's office, grade, rank or rating. Next-of-kin is defined as the closest blood relative of the injured or recovering service member. An employee is also eligible for this type of leave when the family service member is receiving medical treatment, recuperation or therapy, even if the service member is on temporary disability retired list.

Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee's leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA leave are included with this type of leave totaling the 26 weeks.

An eligible employee can take up to 12 weeks (or up to 26 weeks of leave to care for an injured or ill service member) under this policy during any 12-month period. MDS will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, MDS will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for the care of an injured or ill service member) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.

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

#### **D. Employee Status and Benefits During Leave**

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

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

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

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

#### **E. Employee Status after Leave**

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or virtually identical in terms of pay, benefits and working conditions.

MDS may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

## **F. Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid sick, personal and vacation time, prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by an established sick leave policy.

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

An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal and family leave prior to being eligible for unpaid leave.

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

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

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

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

If an employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the company before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary. The company may require certification of the medical necessity as discussed in Sections H and J.

## **H. Certification of the Serious Health Condition of the Employee or the Spouse, Child or Parent of the Employee**

MDS may ask for certification of the serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification Form. Request for a medical certificate must be made in writing as part of MDS's response to employee request for leave.

Certification of the serious health condition shall include the date when the condition began, its expected duration and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a family member who is seriously ill, the certification must include a statement that the patient, the family member, requires assistance and that the employee's presence would be beneficial or desirable.

If an employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.

MDS has the right to ask for a second opinion if it has reason to doubt the certification. The agency will pay for the employee to get a certification from a second doctor, which the agency will select. If necessary to resolve a conflict between the original certification and the second opinion, the agency will require the opinion of a third doctor. The agency and the employee will mutually select the third doctor, and the agency will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

## **I. Documentation of the Covered Family Member's Active Duty or Call to Active Duty in the Armed Forces**

Employees requesting this type of service member FMLA leave must provide proof of the qualifying family member's call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.

## **J. Documentation of the Need for Service member FMLA Leave to Care for an Injured or Ill Service member**

Employees requesting this type of Service member FMLA leave must provide documentation of the family member's or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty that renders the member medically unfit to perform his or her military duties.

## **K. Procedure for Requesting Leave for 1) the birth of a child or in order to care for that**

**child; 2) the placement of a child for adoption or foster care and to care for the newly placed child; 3) to care for a spouse, child or parent with a serious health condition; or 4) the serious health condition of the employee**

All employees requesting this type of FMLA leave must provide verbal notice with an explanation of the reason(s) for the needed leave to Human Resources. If the leave is foreseeable, human resource's department may require the employee to provide a written request for leave and reasons(s). Failure of the employee to provide a written request for leave cannot be grounds to deny or delay the taking of FMLA leave.

MDS will provide individual notice of rights and obligations to each employee requesting leave within two business days or as soon as practicable. For employees on intermittent or recurring leave for the same incident, this notice will be provided every six months.

When an employee plans to take leave under this policy, the employee must give the company 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is practicable. An employee who is to undergo planned medical treatment is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to the company's operations. If an employee fails to provide 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the employer receives notice. While on leave, employees are requested to report periodically to the company regarding the status of the medical condition and their intent to return to work.

**L. Procedure for Requesting Leave for 1) a covered family member's active duty or call to active duty in the Armed Forces or 2) to care for an injured or ill service member**

All employees requesting this type of FMLA leave must provide verbal notice with an explanation of the reason(s) for the needed leave to Human Resources. Leave may commence as soon as the individual receives the call-up notice. If the leave is foreseeable, the human resource department may require the employee to provide a written request for leave and reasons(s).

MDS will provide individual notice of rights and obligations to each employee requesting leave within two business days or as soon as practicable.

The Family and Medical Leave Act, which took effect on August 5, 1993, allows employees up to twelve (12) weeks of leave each year for the birth or adoption of a child, to care for an ill family member, when the employee has a serious health condition that makes him/her unable to perform the functions of his/her position.

**Requirements are as follows:**

- Only employees with one (1) year of service who have worked a total of 1,250 hours in the previous twelve (12) months are eligible.

- Employees are guaranteed the same or a similar job upon return from their leave, with no loss of seniority rights or benefits.

- MDS must continue the employee’s benefits during the leave at the level, and under the condition, MDS would have provided prior to the leave. Employees must continue to pay their premium contribution.
- Employees are required to provide MDS with at least thirty (30) days’ notice in writing of the need for such leave.
- MDS may require that employees provide medical certification of a serious illness necessitating a leave.
- MDS may require the employee to periodically report to MDS on their status and intention to return to work.
- During this twelve (12) weeks, vacation and sick time may be paid until fully used. The balance of the twelve (12) weeks will be unpaid leave.

FMLA leave may be extended up to 26 weeks in a 12-month period only under the following conditions: a covered family member’s active duty or call to active duty in the Armed Forces, or to care for an injured or ill service member (This law applies to employers with fifty (50) or more employees).

For complete policy details see copy located at the end of this handbook.

### **HOLIDAYS**

The following days shall be holidays for full time employees:

New Years Day	Labor Day
Martin Luther King Day	Floating Holiday
Presidents Day	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Day after Thanksgiving
Christmas Day*	

\*The Executive Director may grant an additional day off before or after Christmas Day.

All designated holidays shall be observed on the state’s legal holiday unless an alternative day is designated by the Executive Director.

When a holiday occurs on the regular scheduled workday of a full-time employee, he/she, if not required to work that day, shall be entitled to receive his/her regular day’s pay for such holiday. A salaried employee required to work on a holiday shall receive a compensatory day off with pay. A full-time hourly direct care employee shall be entitled to be paid for one holiday of 8 hours at his/her regular rate of pay in addition to pay for the hours worked on the holiday.

## STAFF DEVELOPMENT AND TRAINING

MDS encourages growth and professional development among all employees so they can provide the knowledge, skills, and attitudes that will enable the agency to become a continuous learning and teaching organization. We believe that learning occurs through a process of action, reflection, and experimentation. For that reason, all workshops and training events are designed to offer a variety of ways to learn. We combine lectures, reading materials, discussions, role-plays, simulation, games and an element of serendipity to create an inviting and stimulating learning environment. **All new hires are required to attend a two day orientation program upon hire or the next available class in order to continue working.**

Requests to attend seminars, workshops, etc. must be submitted to your supervisor and will be approved based on need and availability of funds.

Resource materials and books are available for all employees to read/borrow and are stored in the Jeannette Stubbs conference room. Please sign out all materials borrowed.

## PERSONAL PROFESSIONAL DEVELOPMENT PLANS / PERFORMANCE EVALUATIONS

It is the policy of MDS that all new employees and all present employees transferred or promoted to a new job are to be carefully monitored and evaluated for an initial introductory period (usually 90 days). After satisfactory completion of the introductory period, those employees will be evaluated as provided for in the policy below.

MDS endorses a regular system of performance reviews and recognizes that this system is designed to:

- Maintain or improve each employee's job satisfaction and performance showing an interest in his/her professional development.
- Set standards and desired objectives.
- Review and discuss job duties and responsibilities, and amend job descriptions as necessary.
- Provide an opportunity for each employee to assess his/her own performance, discuss and establish future performance, discuss and establish future performance objectives, and discuss any areas of concern.
- Develop a plan to improve performance with a plan for further training and staff development.

Upon employment, each employee shall be given a current written description of his/her job, outlining the goals of the position and the specific tasks required in that position. Each department of MDS shall review its job descriptions annually and shall submit any recommendations for changing and/or updating them to the Director of Human Resources for review.

Each employee shall be evaluated on his/her job performance as outlined in the relevant job

description. Employees will normally be evaluated at the end of three months of employment, and annually on the employee's anniversary date. The evaluation will be in writing and the employee's supervisor shall review the evaluation with the employee. If desired, the employee may comment on the evaluation in writing. The evaluation shall be signed by the supervisor, the employee, director of the department and their immediate supervisor. Supervisors may review employee performance more frequently at their discretion.

Because MDS believes in continued growth for everyone each evaluation should include a plan for professional development.

Salary reviews take place at each performance evaluation, however no increase in salary is guaranteed. Salary increases are based on an increase in responsibility, longevity, cost of living, level of job performance and **availability of funds**.

The original copy of each performance evaluation shall be signed by the employee, supervisor and placed in the employee's personnel file.

### **TRAVEL AND EXPENSE REIMBURSEMENT**

When an employee of MDS is authorized to use his/her personal automobile for employment related travel, he/she shall be reimbursed at a mileage rate approved annually in the contract between MDS and the Department of Mental Health and Developmental Services. Employees shall not be reimbursed for commuting between their home and office or other work location. Other approved expenses will be reimbursed at cost. A receipt **must** be attached to the expense form for those expenses to be reimbursed.

**State and / or Federal Regulations**

## **OVERTIME**

The purpose of this policy is to successfully support the needs of individuals and the agency functions while also balancing the fiscal impact overtime payment has on individual budgets as well as preserving employees' work/personal life balance.

### **Compliance**

Monadnock Developmental Service (MDS) will pay overtime at a rate of time and a half to hourly employees who exceed 40 hours of work time in a workweek (Sunday, 12:01 am – Saturday, 11:59 pm).

Unpaid leave, or paid leave, such as holiday, FMLA leave, military leave, jury and witness duty, funeral/bereavement leave and voting time off, sick or vacation pay, **do not** apply toward work time and will not be considered when calculating overtime pay.

### **Overtime Approval**

Hourly employees are required to obtain approval from supervisors/managers **prior** to working any overtime hours. Employees who anticipate the need for overtime to complete the week's work must notify their supervisor/manager, in advance, and obtain approval prior to working hours that extend beyond their normal schedule.

### **Mandatory Overtime**

During busy periods, the employer may require employees to work extended hours.

### **Working Outside Scheduled Hours**

MDS values and appreciates the need for staff to have personal time when not working. At times staff may receive communications from team members outside his or her work schedule. MDS discourages work relation communications outside schedule work hours via telephone, email or other electronic devices. Business conversations shall be concluded during regular work hours. The only exception to this practice is in a true emergency, i.e. hospitalization, death, police involvement, calling your supervisor if you are ill and are unable to work and care should be taken to only involve relevant personnel.

**Consequences of Unauthorized Work Time** - Employees who fail to obtain approval prior to working hours that extend beyond their normal 37 ½ hour workweek (unless there are extenuating circumstances) will be subject to disciplinary action up to and including termination of employment.

## **PAYMENT OF WAGES**

MDS pays its employees on a bi-weekly pay schedule. The pay period begins on Sunday and ends on Saturday of the second week. Time sheets need to be in to MDS by noon on Sundays. This allows the business office to complete payroll on time, ensure timely reporting of direct deposits and prompt mailing of checks so employee have them on by Friday following the end of the pay period. Please refer to your payroll schedules.

## **PERSONNEL FILES**

A confidential personnel file shall be maintained for each MDS employee in the Human Resource Manager's office. All transactions affecting an employee's status shall be processed in a consistent manner. The Executive Director and his/her designees, the Human Resource Manager, and the employee's immediate supervisor are authorized to have access to personnel files.

Each employee shall have the right to examine and receive copies of any and all material contained in their personnel file at MDS during normal business hours with permission and in the presence of an authorized individual. Copies shall be made available within a reasonable time. MDS reserves the right to charge for these additional copies.

Whenever any material, including evaluations, is inserted in the personnel file of an employee, such employee shall be promptly notified and given a copy of such material. Any employee may challenge the accuracy or propriety of a personnel evaluation by filing a written statement of the challenge in the personnel file. The written challenge shall remain part of the employee's permanent file. An employee may file a grievance based on a personnel evaluation, which results in a negative action. Upon a determination at any step of the grievance procedure that such material is either inaccurate or improperly placed in such employee's personnel records, said material is to be removed from the record and may be replaced by an accurate or proper evaluation. If the grievance is resolved against the employee, the employee grievance and copy of the notes from the grievance investigation shall be placed in the personnel file with the evaluation that gave rise to the grievance.

## **ALCOHOL AND DRUG POLICY**

This policy provides Monadnock Developmental Services (MDS) employees and volunteers with guidelines pertaining to drug and alcohol abuse during the normal course of employment.

- A. MDS provides a safe and productive work environment for all its employees and the people we support. It is the policy of MDS that employees shall not be involved with the unlawful use, possession, sale, or transfer of drugs or narcotics in any manner. Further, employees shall not possess open alcoholic beverages in the workplace or consume alcoholic beverages in association with the workplace or during work time and/or between any worksite affiliated with the NH Department of Health and Human Services. MDS staff on duty or on asleep overnights may not drink alcoholic beverages or use other drugs. In addition, there is to be not impairment of function due to alcohol or other drugs before coming on duty. The specific purpose of this procedure is to outline the methods for maintaining a work environment free from the effects of alcohol/drug abuse or other substances that adversely affect the mind or body. If we are to continue to fulfill our responsibility to provide reliable and safe service to our consumers and a safe work environment for our employees, employees must be physically and mentally fit to perform their duties safely and efficiently.

Employees are expected to report for work and remain at work in a condition to perform assigned duties free from the effects of alcohol and drugs.

Alcohol abuse or illegal drug use and its physiological effects represent a threat to the well-being and security of employees, the people we support and could cause extensive damage to the agency's reputation and community standing.

Any involvement with alcohol/drugs, including prescription, non-prescription or over the counter medication that adversely affects the workplace or the work environment will not be tolerated.

Off-the-job illegal drug activity or alcohol abuse that could have an adverse effect on an employee's job performance or that could jeopardize the safety of the employees, the people we support, the public, the agency, or the agency's relations with the public will not be tolerated.

B. Illegal drugs are those drugs defined as illegal under federal, state, or local laws: they include, but are not limited to:

- Marijuana
- Heroin
- Fentanyl
- Hashish
- Hallucinogens
- Ecstasy (MDMA)
- Cocaine

The use of drugs or alcohol during working hours is strictly prohibited.

### **Consequences of Alcohol/Drug Abuse**

**Drug Abuse:** the unlawful manufacture, distribution, dispensing, sale, abuse, or personal possession (i.e. on the person or in a desk, or vehicle) of a controlled substance (including abuse of prescription, and/or over the counter substance) while on the job, including rest periods and meal periods, or on agency property is a dischargeable offense and may result in criminal prosecution. Any illegal drugs found will be turned over to the appropriate law enforcement agency.

**Alcohol Abuse:** The use or personal possession (i.e. open container) on the person or in a desk, or vehicle of alcohol during work time or on agency property is a dischargeable offense.

For all employees, alcohol consumption is prohibited during the workday, including rest periods and meal periods. Notwithstanding this, there may be occasions, removed from the usual work setting, at which it is permissible to consume alcohol in moderation, with management approval. employees who consume alcohol under such circumstances shall not report back to work during the workday.

This section contains policies/procedures regulated by NH Department Health and Human  
Services

## **COMMUNICABLE DISEASE PROCEDURES / TB TESTING**

MDS has a written policy to follow applicable to state laws, Public Health standards, and center for Disease Control recommendations regarding communicable disease, prevention, testing, and immunization practices. Monadnock Developmental Services Inc will give this booklet to each employee upon initial hire. An employee is required to attend an in-service upon hire and yearly thereafter.

As part of the hiring process of MDS all new employees must have a Tuberculosis (TB) Screening within the first six (6) months of being employed. For positive reactions the employee will be expected to follow-up with their own physician and present a note from their physician indicating they do not have active TB. Each year thereafter, upon attending a Bloodborne Pathogens training, employees must complete a Tuberculin Skin Test Questionnaire.

### **BEHAVIOR MANAGEMENT**

Certain positions at MDS require employees to become involved with individuals with assaultive or self-abusive behaviors. It is each employee's responsibility to become completely familiar with all agency and program policies and procedures concerning behavior management prior to engaging in direct services. Behavior Management Guidelines are available in the office of MDS.

### **CRIMINAL RECORDS CHECK**

All individuals hired by MDS will be subject to a Criminal Records Check through the New Hampshire State Police. Any employees having a criminal history will be subject to dismissal at the discretion of the Executive Director of MDS. A potential employee will not be hired until an acceptable record check is completed. Employees from other states will need to send for the Criminal Record and MDS will reimburse the employee for the cost.

### **MOTOR VEHICLE RECORDS CHECK**

All individuals hired by MDS will be subject to a Motor Vehicle Driving Record Check through the state where they are licensed to drive a motor vehicle. Our liability insurance carrier has issued MDS strict motor vehicle records guidelines. If an employee's driving record is unacceptable according to those guidelines, they will be prohibited from transporting the individuals we serve. In many cases, this would cause the employee to be unable to fulfill his/her job duties and would be grounds for dismissal. Those who have Motor Vehicle Records from states other than NH will be responsible for getting his/her own record and MDS will reimburse for the cost. A potential employee should not be hired until the record comes in and is acceptable.





### **Employee Handbook Acknowledgment and Receipt**

I hereby acknowledge receipt of the Monadnock Developmental Services' handbook. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither it, company practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, and change by management at any time without notice.

I further agree that neither this document nor any other communication shall bind the agency to employ me now or hereafter and that my employment may be terminated by me or the agency without reason at any time. I understand that no representative of the agency has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contract to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Executive Director or their designee of the agency may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Executive Director or their designee.

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Employee's Name (PRINT)	Employee's Signature	Date
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To be placed in employee personnel file.