



EMPLOYEE HANDBOOK

Reviewed and Updated 9/1/2022

Purpose

This handbook is designed to be used as an information guide to certain employment policies of Alleghenies **Unlimited Care** Providers. It is not intended to give rise to any contractual obligations or establish an exception to the employment-at-will doctrine.

Mission Statement

Helping people live independently - Everyday with quality care

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NUMBERS AND CONTACT INFORMATION

If you have any questions about Alleghenies Unlimited Care Providers, call or e-mail us or visit

Johnstown Office

Address: 119 Jari Drive Johnstown, PA 15904	Telephone: 814-262-9600 877-371-1110	Fax: 814-262-6091	After Hours Call-off # 877-371-1110
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Residential Program

Main Office (Jari Drive)	Telephone: 814-262-9600	Fax: 814-539-0975	After Hours Call-Off # 814-270-5177
Brazil	814-254-4308		814-915-3427
Leidy	814-322-1265		814-915-3427
Lindberg	814-255-2861		814-270-5177
Lyman	814-322-1450		814-270-5177
St. Michael	814-495-8244		814-341-9092
Salix	814-487-4105		814-341-9092

Zelienople Office

Address: 145 Chestnut Street Zelienople, PA 16063	Telephone: 412-364-2262	Fax: 412-364-2155	After Hours Call-off # Contact your Field Manager directly
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E-Mail

info@alucp.org General Information

safety@alucp.org Safety Related Information

wellness@alucp.org Wellness Program Information

Web Site

Find us on the web at

www.alucp.org

EMPLOYEE PORTAL – Access the electronic version of the Employee Handbook and other employment related forms and information

www.alucp.org/employees

ORGANIZATION INFORMATION

Our Mission

Helping people live independently, every day with quality care.

Our Core Values

Alleghenies **Unlimited Care** Providers is dedicated to the following core values:

Committed

We are committed to our quality of care, in which everyone may experience a sense of belonging and worth.

Inclusive

We create an environment for everyone to feel respected, supported, and safe. Everyone has a seat at our table.

Diverse

We recognize the strength in our differences. We respect, value, and embrace all ethnicities, genders, abilities, religions, cultures, and education.

Community-Focused

We honor our community by being socially immersed and financially responsible.

Resourceful

We pursue continued excellence and education to ensure innovation is at the forefront of all we do.

Our Vision

An Autonomous community that is unbiased, valued, and has unencumbered access to resources.

PROGRAMS AND SERVICES

Alleghenies **Unlimited Care** Providers approach to authorized service delivery has been shaped by Pennsylvania State Regulations and the licensure agency of the Pennsylvania Department of Health. It has been guided by the shared vision of consumers, Board of Directors, and Unlimited Care staff to meet the goals of continuity, quality service, accessibility, independence, and community inclusion for the disabled and aging population.

Alleghenies **Unlimited Care** Providers main office, Jari Drive, serves as the hub of service delivery. Operational business hours are from 8:00am until 4:30pm, Monday through Friday for all administrative staff. Our twenty-four (24) hour phone line is staffed by an on-call supervisor to receive emergency and urgent calls from our participants, their family members and staff. Unlimited Care's satellite office is located at 145 Chestnut Street in Zelienople, PA.

In-Home Personal Care Services

The Pennsylvania Department of Health defines Homecare services as the following:

- Assistance with self-administered medications.
- Personal care such as assistance with personal hygiene, dressing and feeding.
- Homemaking such as assistance with household tasks housekeeping, shopping, meal planning and preparation and transportation.
- Companionship.
- Respite care such as assistance and support provided to the family; and
- Other non-skilled services.

Alleghenies **Unlimited Care** Providers is approved for and provides services under the following State Waivered Services:

- Act 150
- Home and Community Based Waiver
- Consolidated Waiver
- In addition, Unlimited Care is contracted to provide in-home, non-medical personal care under all three (3) Managed Care Organizations:
 - UPMC
 - PA Health & Wellness
 - AmeriHealth

Alleghenies **Unlimited Care** Providers also provides services through various County Programs in many of the areas we serve:

- PAS- Personal Assistance Service
- Personal Care
- Homemaker
- Options

We can also arrange for Private Pay care and services with individual contracts or through third party payers such as, long term care insurance or trusts.

Behavioral Supports Services

Behavioral Support focuses on positive strategies and incorporates a proactive understanding of behavior by supporting individuals, who may demonstrate behavioral challenges ranging from limited communication skills to impaired sensory systems, through mentoring, coaching, and one-on-one tailored interactions.

Transportation Services

Unlimited Care offers transportation options to specific participants and under other contracts with community service providers. Unlimited Care's fleet of vehicles includes seven (7) specially designed vans, which ensure accessibility for any individual with a disability.

Residential Services | Community Living Arrangements (CLA)

Unlimited Care currently operates six (6) Community Living Arrangements in Cambria County: Lindberg (Danny Veigh Home), Brazil, Salix, St. Michael (Aryln Home), Lyman, and Leidy. All of our individual residents are offered experiences or activities of daily living, decision making, and social and emotional growth that encourage them to take charge of their lives with help available when needed. Unlimited Care strives to reinforce the idea of "Every Day Lives" as developed by the state Office of Developmental Programs.

Consumer Activity Program

Unlimited Care offers its consumers, along with the general public, the opportunity for social engagement with the consumer activity program, **Ability Works**. This consumer-based program is geared toward improved self-image, increased opportunities for social situations, growing consumer confidence, and giving back to the community with civic engagement through actions.

Recent outings and activities:

- Outdoor picnic and paddle boats at Lake Rowena
- Altoona Curve Game
- Fishing picnic at Windber Sportsman's Club
- Buba Box Project benefitting the patients of Conemaugh Regional Hospice
- Presentation on K-9 Unit with local Police Chief

NATURE OF EMPLOYMENT DECLARATION

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the Human Resources Department.

Second, the procedures, practices, policies and benefits described herein may be modified or discontinued from time to time. Alleghenies Unlimited Care Providers reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook, except where federal, state, and/or local law mandates otherwise.

In the event a change in policy, procedure, or benefit program is necessary, the Human Resources Department, by directive, will draft the necessary changes in accordance to law and submit them to the Executive Director for review and approval. The Human Resources Department will notify all employees of such a change and effective date in writing. We will try to inform you of any changes as they occur.

Third, this handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except Alleghenies Unlimited Care Providers employees and others affiliated with Alleghenies Unlimited Care Providers whose knowledge of the information is required in the normal course of business.

Finally, some of the subjects described here are covered in detail in official policy documents. You should refer to these documents for specific information since this handbook only briefly summarizes those benefits.

If any provision in this handbook is found to be unenforceable or invalid, such finding does not invalidate the entire handbook, but only the specific subject provision.

EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at Alleghenies Unlimited Care Providers, where employment is based upon personal capabilities and qualifications without regard to race, color, religion, sex, age, national origin, disability, or any other protected characteristic as established by federal, state, or local laws governing nondiscrimination in employment within every location in which the agency operates.

Alleghenies Unlimited Care Providers expressly prohibits any form of workplace harassment based on race, color, religion, sex, age, national origin, disability, veteran status, or any other protected characteristic as established by federal, state, or local law. Improper interference with the ability of employees of Alleghenies Unlimited Care Providers to perform their job duties may result in discipline up to and including discharge.

This policy applies to all terms and conditions of employment including recruiting, hiring, placement, promotion, termination, leaves of absences, compensation, and training.

The Human Resources Department has overall responsibility for this policy and maintains reporting and monitoring procedures. Any questions or concerns should be referred to the Human Resources Department.

EMPLOYMENT AT-WILL

Your employment with Alleghenies Unlimited Care Providers is a voluntary one and is subject to termination by you or Alleghenies Unlimited Care Providers at-will, with or without cause, and with or without notice, at any time. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of Alleghenies Unlimited Care Providers employees.

This handbook is intended to provide general information and guidance regarding Alleghenies Unlimited Care Providers' policies and procedures. This handbook is not an employment contract. No policy or procedure in this handbook shall vest any right to you or any other employee to create a guarantee of employment for any period, or to create or contribute in any way to a legal cause of action against Alleghenies Unlimited Care Providers. No representative of the Agency may enter into any agreements, or make any representation, written or oral, to alter your at-will status or otherwise create any contractual obligation to you, unless in writing and signed by the Executive Director of Alleghenies Unlimited Care Providers.

****The last page of the Handbook is the "Acknowledgment of Handbook Receipt Form". Read this Acknowledgment Form carefully. If you have any questions or concerns, you should contact the Human Resources Department.**

Section I

INTRODUCTION

Purpose of Employee Handbook

The Employee Handbook is designed to cite the terms of employment with Alleghenies Unlimited Care Providers and establish the employer/employee relationship. This handbook is intended as guidelines for understanding personnel policies and procedures by both employee and the Board of Directors. The purpose is to establish universal personnel policies and procedures throughout the Agency. It is anticipated that guidelines will assist the organization in its ongoing efforts to provide a positive work environment.

Administrative Directives

The Executive Director may issue Administrative Directives to provide further detail concerning the implementation of the personnel policies in the handbook as a result of specific program operation requirements. These directives will also be part of the Employee Handbook.

Amendments

The Employee Handbook will be reviewed periodically by the Human Resources Department and Executive Director, whose findings will be reported to the Board of Directors. Amendments to the handbook will be issued to all employees in writing. Regulation from funding sources (state, county and federal regulatory bodies) pertaining to personnel matters and program specific policies will also be considered part of the Employee Handbook.

Applicability of the Employee Handbook

The Employee Handbook applies to all employees without regard to race, color, gender, national origin, veteran status, religious persuasion, marital status, disability, or any other status protected by federal, state, or local laws, that does not prohibit performance of essential job functions with or without reasonable accommodations. It is to be applied uniformly throughout the Agency.

Section II

POSITIONS AND RESPONSIBILITIES

Position of Executive Director

The Executive Director has full responsibility for the daily administration of the Corporation and reports directly to the Corporation Board of Directors.

Position other than Executive Director

The Corporation Board formally authorizes the existence of all staff positions. Staffing levels to meet the daily operation of the corporation are based on the availability of funds, and the approval of the appropriate funding source. The Executive Director approves the qualifications, duties, and responsibilities of all positions other than his/her own.

Job Descriptions

Alleghenies Unlimited Care Providers makes every effort to create and maintain accurate job descriptions for all positions within the Corporation in accordance with federal, state, and local laws. Existing job descriptions are reviewed periodically and revised to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. As a new position becomes available, an appropriate job description will be written for that job.

Section III

EMPLOYMENT PRACTICES AND PERFORMANCE

Background Check & Employment Reference Requirements

To ensure that individuals who join Alleghenies Unlimited Care Providers are well qualified and have a strong potential to be productive and successful, it is the policy of Alleghenies Unlimited Care Providers to check the employment references and conduct background checks for all applicants and employees as required by state and federal regulations.

Background Checks

Several background checks are required per state and federal regulations, including Older Adults Protective Service Act (OAPSA) Federal Bureau of Investigation background check. A Pennsylvania State Police criminal history background check must be obtained through the Pennsylvania State Police and Child Abuse Clearance obtained through the Childline and Abuse Registry at the Department of Child Welfare are required for all applicants and employees. The Agency will request that an applicant furnish proof of residency through submission of any of the following documents: motor vehicle records, such as a valid driver's license or a State-issued identification, housing records, such as mortgage records or rent receipts, public utility records and receipts, such as electric bills, local tax records, a completed, signed, Federal, State or local income tax return with the applicant's name and address preprinted on it, employment records, including records of unemployment compensation. The applicant or new employee is responsible for providing the **original** background checks results upon hire or forwarding the **original** background checks to the Human Resources Department within 30 days of employment if employee is a provisional hire (90 days for provisional hires who have not lived in Pennsylvania for 2 years prior to hire). If the employee fails to do so, employment will be suspended until the clearances are received by the Human Resources Department. If the clearances are not received within a reasonable time frame after the employee is suspended employment will be terminated.

All employees will be required to submit a Federal Bureau of Investigations background check within 30 days of initial employment and every subsequent five (5) year period thereafter.

All employees will be required to submit a Child Abuse Clearance through Childline and Abuse Registry at the Department of Child Welfare within 30 days of initial employment and every subsequent five (5) year period thereafter.

The Agency conducts background checks, upon hire or as a program requirement every three (3) years, through the Pennsylvania Access to Criminal History Web Based System (P.A.T.C.H.) upon hire and periodically thereafter per state and federal regulations.

*The following three certifications **must be obtained prior to providing services in homes where children under 18 years of age reside:***

- *Report of criminal history from the Pennsylvania State Police (PSP)*

- *Fingerprint based federal criminal history submitted through the Pennsylvania State Police or its authorized agent (FBI)*
- *Child Abuse History Certification from the Department of Human Services (Child Abuse).*

There is no 30-day or 90-day provisional hiring period on obtaining clearances if someone under 18 resides in the consumer's home. All employees working in homes where minor children reside must obtain these clearances prior to working in the home.

All employees must make Alleghenies Unlimited Care Providers aware within 72 hours of any arrest or conviction on any offense that would constitute grounds for denying employment or participating in a program, activity or service. As listed on the Older Adults Protective Services Act as a Prohibitive Offense. Those employees who fail to report said arrest or conviction will be subject to disciplinary action up to and including termination.

If an employee is arrested for any offense as listed on the Older Adults Protective Services Act as a Prohibitive Offense that would constitute grounds for denying employment or participating in a program, activity or service, that employee would be placed on an unpaid leave of absence until cleared of charges.

The Agency verifies all employees' social security numbers. Verification that the social security number is valid and belongs to the employee is performed through the Social Security Administration. The Agency may request a copy of the employee's social security card.

For all employees who may be required to use a company vehicle or employees who drive consumers, a Motor Vehicle Record check will also be completed upon hire, application to drive, annually, or more frequently as appropriate.

In addition, the Agency conducts Medical Assistance Fraud (MA Fraud) checks with all required databases prior to extending an offer of employment, entering an agreement with a potential vendor, or offering any voluntary position including board membership and monthly thereafter in accordance with state and federal regulations. Databases checked include but are not limited to: General Service Administration - Excluded Parties List System (SAM-EPLS), Office of Inspector General - List of Excluded Individuals/Entities (OIG-LEIE), Office of Inspector General - Most Wanted Fugitives (OIG Most Wanted), Office Of Foreign Assets Control - Specially Designated Nationals (OFAC-SDN), Pennsylvania MediCheck List (PA MediCheck List). Information for individuals or entities, who are a potential match, will be forwarded to the Bureau of Program Integrity at RA-BPU-Preclusions@state.pa.us for validation.

Employment References

The Agency is also required to conduct employment reference checks on all applicants. The Agency reference checks follow state and federal regulations. Acceptable reference checks include two (2) professional reference checks (previous supervisors or colleagues at previous employer or appropriate volunteer organization), three (3) personal reference checks (non-relatives who have personal

knowledge of the applicant) or a combination of both. References are asked a series of questions to verify that the applicant is a suitable match for the position for which s/he applied.

Other Verifications

The Agency may verify other applicant and employee credentials as determined by the job duties and/or additional state or federal regulations, including professional licenses, degrees and certifications.

Records Maintenance and Confidentiality

All background checks, references, and verifications are confidential and kept in the employee's personnel file with the exception of the Medical Assistance Fraud checks, which are maintained electronically on a secured drive in the original electronic file returned from the verification service as well as any files modified for excluded names. All files are secured during business hours and locked during non-business hours.

Exceptions

An employee who works with consumers who has complied with the criminal background requirements and who transfers to another agency owned and operated by the same entity is not required to obtain another criminal history report.

Opportunity to Appeal

If the decision is made not to hire an applicant or retain an employee based in whole or in part on the State Police criminal history records, Department of Aging letters of determination regarding Federal criminal history records, or both, the Agency will provide the affected individual with information on how to appeal to the sources of the criminal records if the individual believes the records are in error.

Employment & Unacceptable Status

Any and all offers of employment are contingent upon completion of the necessary clearances, background checks and reference checks. All applicants and employees must complete and pass required background checks for his/her position and all new employees are provisional hires until such background checks have been completed and verified by the Agency.

Any and all questionable results will be reviewed against state and federal regulations as well as Agency policies and requirements, including those steps outlined by the Chief Counsels of the Departments of Aging, Health and Welfare and the Office of General Counsel, which requires that an applicant hired under the interim Nixon policy must possess five years of care-dependent services, which the Agency must reasonably investigate by means of interviews, references and evidence of work history:

1. Obtain information from the applicant regarding the prohibitive offense(s).

2. Review the prohibitive offense(s) and determine the date(s) of conviction or release(s) from incarceration.
3. If said offense(s) occurred more than five years ago, the Agency shall ask applicant to provide evidence of a minimum five-year aggregate work history in care-dependent services, without incident, from either the date(s) of conviction or release(s) from incarceration, whichever is later.
4. The Agency shall require applicant to provide documentation (i.e., pay stubs, W-2s, etc.) confirming said work experience.
5. The Agency shall investigate the five years of work experience by contacting any/all employers.
6. The Agency shall require employer(s) to provide confirmation and written documentation of applicant's employment and conduct a character reference check.
7. The Agency may wish to conduct personal reference checks or any other available employment, community, etc. check.
8. All documentation shall be kept confidential and filed in the individual's personnel file.

Employees who do not meet the established standards set by the Agency, state or federal regulations will be terminated immediately, this includes unacceptable background checks or prohibited convictions under any applicable law (including a conviction of the Crimes Code (18 Pa. C.S.A. § 101) as indicated by OAPSA prohibitive offenses. For a complete list, visit this website:

http://www.dhs.state.pa.us/cs/groups/webcontent/documents/document/p_011509.pdf

A felony conviction of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. § 780-101), being listed in any MA Fraud or other exclusion database, Older Adults Protective Services Act (OAPSA) violations, letter of determination from the Department of Aging stating that the applicant/employee is not eligible for employment and felony convictions of The Controlled Substance, Drug, Device and Cosmetic Act will also preclude applicants and employees from employment. Non-compliance with the Agency, state or federal requirements is subject to discipline up to and including termination.

Business Ethics and Conduct

The successful business operation and reputation of Alleghenies Unlimited Care Providers is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of Alleghenies Unlimited Care Providers is dependent upon our consumers' trust and we are dedicated to preserving that trust. Employees owe a duty to Alleghenies Unlimited Care Providers and its consumers to act in a way that will merit the continued trust and confidence of the public.

Alleghenies Unlimited Care Providers will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide the employee with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed with your immediate supervisor and, if necessary, with the Executive Director and the Human Resources Representative for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every Alleghenies Unlimited Care Providers employee. Employees are required to report under a criminal statute for violations occurring on or off the premises or while conducting Alleghenies Unlimited Care Providers business. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Classification of Positions

Like most organizations, Alleghenies Unlimited Care Providers has fluctuating personnel needs. To satisfy those needs, we enter into various employment relationships which are briefly described in the following paragraphs. Please take the time to acquaint yourself with the various types of employee status since these terms are used throughout this handbook.

- ❑ **Full-Time Position:** Includes hourly or salaried individuals working a minimum of 30 hours per week. Because full-time employees are the backbone of our Alleghenies Unlimited Care Provider team, they will receive a comprehensive benefits package.
- ❑ **Part-Time Position:** Includes hourly individuals working less than 30 hours per week, but at least 20 hours per week. Although part-time employees are an important part of our company, they will not be eligible for the full benefit package which is provided to full-time employees. However, they will be offered a part-time benefit package.
- ❑ **Part-Time Casual Position:** Includes hourly individuals working less than 20 hours per week. Although part-time casual employees are an important part of our Agency, they will not be eligible for any of the benefit package which is provided to full or part-time employees.
- ❑ **Temporary Position:** Full or part-time individual who is employed for a specific project or a limited time period, usually no more than ninety (90) days, and are so informed at the time of hire, are considered temporary employees. Employees who work on an “as needed” basis as an adjunct to the basic staff are temporary employees. Temporary employment is of limited duration, intermittent, or has no regular schedule. They are not eligible for any of the benefit packages which are provided to full-time employees.
- ❑ **Per Diem Position:** Individual hired on an as-needed basis, for a specific purpose, temporary in nature, usually on a day-to-day basis.
- ❑ **Introductory Position:** Any employee, full-time or part-time, within the first sixty (60) days of employment, with an option to extend up to six (6) months. This classification includes all new hires, rehired employees, or employees who have transferred to a new job position through promotion or demotion.
- ❑ **Intern Position:** Individual hired for a defined time period, part or full time, generally for the purpose of providing the individual with education opportunities. Individuals in this classification are not eligible for any benefits provided by Alleghenies Unlimited Care Providers, other than those required by law.
- ❑ **Independent Contractor Position:** Individual hired through a contracted purchase-of-service agreement.
- ❑ **Contracted Position:** Individual hired for a specific amount of time with a written agreement between the employee and the organization.

Conflict of Interest and Disclosure

Whenever the potential of a conflict of interest exists between an employee's employment or volunteer work outside of Alleghenies Unlimited Care Providers, the employee must discuss the situation with the Executive Director, or in the case of the Executive Director, with the Board Chair. Employees who are employed elsewhere, while working for Alleghenies Unlimited Care Providers may not receive outside compensation while performing Alleghenies Unlimited Care Providers duties.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Alleghenies Unlimited Care Providers' business dealings. For the purpose of this policy a relative who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of Alleghenies Unlimited Care Providers as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Alleghenies Unlimited Care Providers does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Alleghenies Unlimited Care Providers. In addition, employees are not to solicit or conduct any outside business during paid working time. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any confidential information.

A full-time employee's position with Alleghenies Unlimited Care Providers shall be considered their primary occupation. Employees who have accepted outside employment may not use paid APL to work on the outside job. Fraudulent use of APL will result in disciplinary action up to and including termination.

Any outside employment must be reported to the Human Resources Representative and Executive Director, who in turn may require that such employment be terminated if it:

- Interferes with the employee's performance or reduce the employee's efficiency in working for the Agency, or
- Constitutes a conflict of interest (i.e. it competes, conflicts with, or compromises) with Alleghenies Unlimited Care Providers or is with an organization that does a significant amount of business with the Agency, such as major contractors, suppliers and customers, or
- Adversely affects the Agency's image

Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If necessary, normal disciplinary procedures will be followed to deal with the specific problem(s).

Employee Identification Card

Employees of Alleghenies Unlimited Care Providers are required to have a Photo Identification Card. This Identification Card is for the employee's safety and protection, as well as the consumer's safety and protection. Alleghenies Unlimited Care Providers representative will take the photo or request that you submit a current photo for the Identification Card upon hire and periodically throughout employment per regulation and policy. Employees may be subject to a \$5.00 replacement fee for lost Identification Card. The Identification Card must be carried always while in the course of Agency business and must be returned to the employee's immediate supervisor or the Human Resources Department upon resignation or termination.

Employee-of-the-Month Program

To better celebrate our staff, we have developed an Employee of the Month program which awards one team member per month with a \$50 gift card. Unlimited Care is extremely proud of its incredible staff members. Every day, our office receives inspiring phone calls from clients, family members of clients, fellow staff, or community members who have had a positive experience with a member of our staff!

Nominations for the award are encouraged to be submitted by any consumer, family member of consumers, Unlimited Care staff member, or general member of the community using the form available on the Employee Portal or at one of our office locations. You can submit hard copies by mail, fax, email, drop-off at any office location or you can call the scheduling department to easily relay your nomination over the phone. An online form is also available on the Employee Portal located on the Unlimited Care website.

Please submit all nomination forms by the first Friday of the month for consideration.

Once received, all nominations will be collected, and a winner will be pulled at random.

Employees having any disciplinary action(s) within the month of nomination are not considered in good standing with the Agency and are therefore ineligible for that month.

Employees who have questions or need assistance with this policy are encouraged to check with their immediate supervisor or Human Resources Department.

Whatever way you choose to share your story, we are so grateful to hear it!

Hours of Work

The Alleghenies Unlimited Care Providers business hours are 8:00 AM to 4:30 PM, Monday through Friday, holidays excluded. The Executive Director may grant an employee an alternate work schedule, upon request and justification by the employee. The decision to grant such a schedule shall be based on factors including, but not limited to, employee justification for the alternate schedule, as well as compatibility with co-worker's schedules and with the goals and priorities of the organization.

Each day, the time the Personal Care Attendant starts and finishes work must be recorded through the Telephony System. Failure to comply with this policy is grounds for disciplinary action (please refer to the Progressive Discipline Policy of this handbook). Due to the nature of our business, when necessary, longer or shorter workdays or work weeks may be scheduled. Note that the Agency does not guarantee a minimum number of hours of work per week. All shifts must be pre-approved by the department scheduling those shifts and are subject to consumer approved needs.

Employees are required to complete an availability form during new hire orientation. In the event of a change in availability, employees are required to notify Service Provision as soon as the employee has knowledge of the change. Employees are also required to complete a new availability form. Schedules are determined at the discretion of management and based on employee availability and consumer needs.

A non-exempt administrative employee shall not be permitted to perform work away from the premises, job site or at home, unless approved in advance by the direct supervisor or manager. If approved, work performed off the premises, job site or at home by a nonexempt employee will be counted as time worked. The employee and manager will discuss the job responsibilities, equipment needs and scheduling issues to come up with an acceptable agreement for temporary telecommuting. Alleghenies Unlimited Care Providers will determine the equipment needs for each employee on a case-by-case basis. Equipment provided by the agency is to be used for business purposes only. Employees who are approved to work remotely are expected to ensure the protection of agency and client information.

Individuals not Eligible for Employment

Board of Directors: Members of the Corporation's Board of Directors cannot be employed by the Corporation unless they resign from the Board.

Anti-Nepotism Policy: Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired however if employment would:

- ❑ Create a supervisor/subordinate relationship with a family member;
- ❑ Have the potential for creating an adverse impact on work performance; or
- ❑ Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family include: spouse, parent, child, sibling, in-law, aunt, uncle, niece, nephew, grandparent, grandchild, members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within the Agency to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, the Agency will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the Agency will decide in its sole discretion who will remain employed.

Interoffice Romance/Relationships: Agency office employees are prohibited from having romantic relationships with other agency office employees and/or attendants regardless of their positions or levels of authority. These types of relationships are not permitted by the Agency due to the potential harm they could cause in the workplace including sexual harassment claims, favoritism, distraction to the involved parties or other staff members, and unprofessional behavior while at work.

Romantic relationship is defined as a relationship between two employees of a romantic or intimate nature. The Agency reserves the right to take prompt action if a romantic relationship between two office employees or an office employee and attendant develops. If and/or when a romantic relationship is established, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Human Resources Department immediately. Human Resources will schedule a meeting to discuss the matter with the two involved employees within 48 hours of the finding.

The employees involved in the romantic relationship will be given opportunity to decide which employee wishes to terminate employment with the Agency. If the employees are unable to reach a decision, the Agency reserves the right in its sole discretion to determine which employee will be terminated for violation of this policy. In some cases, both employees may be terminated.

Lunch Period/Rest Breaks

All office staff employees who work an eight-hour day or more are permitted a non-compensable meal break of sixty (60) minutes. Employees are expected to take the full allotted time. Meal breaks are not counted toward worked hours. Employees who voluntarily work through their break periods will not be permitted additional compensation.

All full-time office staff employees are entitled to two (2) fifteen (15) minute breaks each day. They are limited to one in the morning and one in the afternoon. Employees are to coordinate their breaks with that of their co-workers to always maintain adequate coverage.

Personal Care Attendants are provided enough time between consumers to take a lunch and/or break period, if warranted, based on number of hours worked.

Residential Program Workers who work an eight-hour day or more are entitled to a non-compensable meal break of one half-hour to be taken at a time dependent upon consumer needs. Residential Program Workers are not permitted to leave the facility during the non-compensable meal break unless arrangements and accommodations are made with supervision.

Orientation and Training of New Employees

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

Each new employee will receive a thorough orientation of the Agency's employment policies and procedures, complete the required employment forms, and receive training in required personal care procedures and techniques. All employees accepting the position of Agency Personal Care Attendants are required to complete the personal care procedures and technique training. Program position specific orientations and training will be performed by the specific Program Director or Manager of the department to which the employee was hired. All orientation and training must be completed by new hire Attendants prior to working with consumers.

The new employee will be provided with training and guidance from his/her supervisor. He/she may be discharged at any time during this period if his/her supervisor concludes that he/she is not progressing or performing satisfactorily. Under appropriate circumstances, the initial employment may be extended.

At the end of the initial employment period, the employee and his/her supervisor may discuss his/her performance. Provided his/her job performance is "satisfactory" at the end of the initial employment period, he/she will continue employment as an at-will employee.

Training requirements vary by program needs and regulatory authority. For specific training requirements, meet with supervisory staff from that specific program.

Alleghenies Unlimited Care Providers actively supports a learning environment and individual/group educational opportunities are encouraged at all times. To further your educational opportunities, discuss recent programs with your direct supervisor.

Performance Evaluations

In order to attract and retain a highly qualified and competent work force, Alleghenies Unlimited Care Providers has instituted a performance management program to evaluate employees in a fair and equitable manner based upon demonstrated job performance, and in accordance with its Equal Employment Opportunity policy. Through this program employees will receive constructive work reviews designed to address performance and skill developmental needs and interests.

In order to ensure Alleghenies Unlimited Care Providers is offering a competitive compensation package, the Agency annually benchmark jobs and they are compared to those in the local market as well as to similar jobs in comparable industries.

Performance Evaluations and rating procedures will be reviewed by the Human Resources Department, Program Directors, and Executive Director.

Performance Management Program Schedule

Since performance is the key to increased earnings and growth within Alleghenies Unlimited Care Providers, periodic performance appraisals are conducted. If circumstances warrant, your achievements will be recognized, and helpful advice will be given in those areas which need improvement. You are encouraged to discuss your job, your interests, and your employment goals with your supervisor. Your supervisor will review with you your pay rate, job standards, etc. relative to your performance appraisal. Employees may receive constructive work reviews on the following schedule:

Introductory employees will be evaluated by their supervisor after the completion of the sixty (60) days of their employment. Upon completion of this time period a performance evaluation will be done and one of the following actions will be recommended:

1. Placement on regular full time/part time employment status successfully completing the Introductory Period and Training,
2. Continuance of Introductory Period for a period of up to 6 months due to unsatisfactory work performance, or
3. Dismissal from the Agency.

Personnel Files / Records

Alleghenies Unlimited Care Providers maintains personnel files for each employee. The employment personnel file includes, but is not limited to employee applications, resumes, letters of hire, records of training, performance appraisals, salary status and other records as required by Federal, State and Local Employment Laws. As required by the Americans with Disabilities Act (ADA), a second file is also maintained that includes all medical and medically related information.

All employee files are maintained in strict confidentiality and are the property of Alleghenies Unlimited Care Providers. They are located in the Human Resources Department and when not in use, the cabinet is locked.

Employees have the right to review their individual file and request the correction or removal of inaccurate, irrelevant or incomplete information. However, no personnel files may be removed from the Human Resources Department. Employees may review their personnel file with reasonable advanced notice, during regular business hours in the Human Resource Department, in the presence of the Human Resources Representative.

To ensure your personnel file is current, it is extremely important that you notify in writing the Human Resources Department of any of the following changes:

Name	Number of Eligible Dependents
Address	Beneficiary
Telephone Number	Scholastic/Education
Marital Status	Emergency Contact Information
	Withholding Information (W-4 deductions)

Employee files are accessed, maintained and stored in accordance with applicable statutes. Before the contents of an employee's personnel file may be divulged outside of Agency purpose, a release form must be signed by the employee. The forms are available at the Human Resources Department. It is the employee's responsibility to request and complete the form before any information will be released.

Recruitment and Hiring Process

Alleghenies Unlimited Care Providers believes that hiring qualified individuals to fill positions contributes to the overall strategic success of the Agency. Each employee is hired to make significant contributions to Alleghenies Unlimited Care Providers in hiring the most qualified candidates for positions, the following hiring process is applicable:

- ❑ **Internal Job Postings:** Vacancies are posted on the Employee Bulletin Boards located at all program sites for five days. Each job posting notice will include the dates of the posting period, job title, department, location, job description, essential duties, and qualifications. Qualified employees interested in vacant positions are encouraged to apply. To apply for an open position the employee should submit an application to the Human Resources Department listing job-related skills and accomplishments. In general, notices of all job openings are posted, although Alleghenies Unlimited Care Providers reserves its discretionary right not to post a particular opening.

All employees, including part-time and temporary, may apply for internal job postings and will be subject to the same tests as external applicants. An applicant's current supervisor will be contacted to verify performance, skills, etc., and the personnel and discipline file will be reviewed. Employees with a written warning or suspension on file, within the last year, are not eligible to apply for posted positions. Jobs will be awarded to the most senior qualified employee and in certain areas technical skills will be a deciding factor. Staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

- ❑ **External Job Postings:** After the five days of internal posting any or all of the following may occur:
 - Positions will be posted on the Alleghenies Unlimited Care Providers website. Applications for employment may be submitted via electronic link.
 - Applications for employment may be taken on specific dates and times, at the local office of job security.
 - Employment ads for selected jobs may be published in local newspapers.
 - Employment ads for selected jobs may be posted on CareerLink and other related websites.

The vacant position may be advertised both internally and externally at the same time, pending the nature of that specific position. Hiring shall be done in accordance with the Agency's Affirmative Action Policy and the Equal Employment Opportunity regulations.

Applications will be retained for one (1) year.

Former employees who have left the Agency in good standing may be eligible for rehire at Alleghenies Unlimited Care Providers' discretion.

It is our intention to continue to promote a harmonious work environment. We want the employees of Alleghenies Unlimited Care Providers to enjoy their work and look forward to coming into an atmosphere where policies are implemented fairly and equitably.

Resignation/Termination

Employment At Will

Every Alleghenies Unlimited Care Providers employee has the status of "employee-at-will," meaning that no one has a contractual right, express or implied, to remain in Alleghenies Unlimited Care Providers employment. Alleghenies Unlimited Care Providers may terminate an employee's employment, or an employee may terminate his/her employment, without cause, with or without notice, at any time and for any reason.

Resignation

An employee who resigns his/her position with Alleghenies Unlimited Care Providers will be required to provide a minimum of two (2) weeks' written notice for non-exempt/hourly employees and three (3) weeks' written notice for supervisory, executive, and exempt employees.

APL time may not be used during the notice period. With proper notice, an employee who terminates his/her employment with Alleghenies Unlimited Care Providers after successfully completing their introductory period will be paid for up to 75 hours of unused APL time. However, employees who fail to give proper notice will not be paid for any unused APL time.

Six-Month Resignation

Any employee who is unable to work for a period of more than six (6) months, after all applicable leave options have been exhausted will be terminated from the payroll. At any time thereafter the individual may submit an application for re-employment with the Agency. If the individual is re-hired, the previous period of employment shall not apply to the accrual of All-Purpose Leave Time and other fringe benefits or seniority. Thus, the employee would return as a new employee and must follow all guidelines set forth as such. Employees requesting a Military Leave of Absence may be excluded from this policy.

Termination

Any employee whose conduct, actions or performance violates or conflicts with Alleghenies Unlimited Care Providers policies may be terminated immediately and without warning. Please refer to the Disciplinary Action Policy in this Handbook for further information.

Exit Interviews

Upon notice of resignation of employment, employees will be contacted by the Human Resources Department to schedule an exit interview prior to their last day of employment. The purpose of the exit interview is to discuss transition of benefits, obtain agency property, discuss the employee's opinion about the agency's policies and procedures, and to solicit suggestions for improvement.

Post Resignation/Termination Procedures

- **Return of Agency Property:** Upon resignation or termination the employee is responsible for returning all Alleghenies Unlimited Care Providers property and may be responsible for the costs for unreturned items including, but not limited to:
 - Keys
 - Parking passes
 - Meter keys
 - Employee identification card
 - Cell phones, charges, computer, any other applicable equipment.
 - Any additional Agency-owned or issued property

Benefits

Benefits (medical, vision, dental) end on the last day of the month in which the employee's last day of employment falls. Life and disability insurances end on the last physical day of work. An employee, unless terminated for cause, has the option to convert to individual life insurance, and/or to continue medical/dental/vision benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) regulations.

Retirement plan

Employees participating in the 401(k) retirement plan will be mailed information regarding the plan from our third-party administrator. Employees should contact the third-party administrator directly to decide how they would like to continue the benefits once they have received the paperwork.

Final Paycheck

The final paycheck will be mailed during the next normal pay period and will reflect any monies owed to the employee at the time of separation.

APL Payout

Employees who resigned with proper notice will be paid any unused APL time. Up to 75 hours of APL will be paid out to the employee with the final paycheck. Employees who do not provide proper notice or who have been terminated for cause will not be paid for any accrued APL time.

Rehires

If an employee resigns/terminates employment with the Agency and thereafter is rehired as a full-time or part-time employee within 30-days of absence from the agency, the employee will be eligible to re-enroll in any benefits plan that they would be entitled to, based on hours worked. The benefits will be effective on the first day of the month following rehire. The previous period of employment shall apply to the accrual of All Purpose Leave (APL) and will begin to accrue on the employee's first day of rehire. Following a 30-day absence from the agency, any employee who is rehired with the agency will return as a new employee and follow all guidelines set forth.

Reference Checks

All inquiries regarding a current or former Alleghenies Unlimited Care Providers employee must be referred to the Human Resources Department. Should an employee receive a written request for a reference, he/she should refer the request to the Human Resources Department.

All telephone inquiries regarding any current or former employee of Alleghenies Unlimited Care Providers must be referred to the Human Resources Department. In response to an outside request for information regarding a current employee or former employee of Alleghenies Unlimited Care Providers, the Human Resources Department will furnish or verify only an employee's name, dates of employment, and job title.

Training and Career Development

Alleghenies Unlimited Care Providers is committed to a training policy that provides employees an opportunity to grow to their fullest potential. Some of our training programs are informal and provide you with on-the-job skill advancement while others are more formal and require you to enroll and attend seminars or classes. Additional information about Alleghenies Unlimited Care Providers' training program may be obtained from the Human Resources Department, your supervisor, or the trainer/Quality Assurance Specialist.

From the initial Agency orientation upon joining the Alleghenies Unlimited Care Providers team, and through its training and personal development program offerings, Alleghenies Unlimited Care Providers will attempt to provide each employee with an avenue to a successful working experience.

Employee training is relative to career development and includes, but is not limited to:

- Off-duty individual training in local educational institutions to help employees maintain or improve skills that are directly related to their present job or position.
- Individual training that the Agency requires of employees or laws or regulations mandate in order to maintain job or position.

Section IV

COMPENSATION

Agency Mileage / Travel and Expense Reimbursement

Mileage Reimbursement

This policy applies to Office Staff, Floaters and Volunteers (e.g., Board members and committee members) while in the course of business for the Agency.

Alleghenies Unlimited Care Providers provides a uniform system for travel, reporting and reimbursement of ordinary and necessary mileage expenses incurred by employees. A deviation from the policy and procedures may result in the loss of a tax deduction to the Agency or additional taxable income to the employee. Items not provided for herein are considered to be personal in nature and therefore not reimbursable.

- Office staff will receive reimbursement for mileage that exceeds the number of miles from his/her home to their designated alternate worksite. This will occur for both going to and coming from a consumer or travel related to agency business.

For example, if you would normally travel to the office located 10 miles away from your home, and you are being sent to a consumer 40 miles away you would be entitled to mileage for 30 miles of that trip.

- Travel to your designated office to pick up an Agency vehicle will not be eligible for mileage reimbursement.
 - If an Agency vehicle is unavailable employees are entitled to mileage that would exceed the number of miles from his/her home to their designated office.
 - Travel to office to pick up agency vehicle for first initial trip will not be paid. If there is any additional travel to office to pick up an Agency vehicle the same day it will be paid.
- If travel to the first consumer at the start of the shift is less travel than to the employee's designated office the employee is not eligible to claim mileage. After the first initial visit normal mileage will be paid back and forth to consumer's homes only if an Agency vehicle is not available.
- It is the responsibility of the employee to check availability of an agency vehicle. If an employee fails to follow the availability policy and an Agency vehicle was available, they will not be entitled to mileage reimbursement.

Reimbursement of Authorized Expenses

All Office Staff and Volunteers (e.g., Board members and committee members) employees will be reimbursed for reasonable expenses incurred while conducting the business of the Agency.

Applicable Mileage/Travel Expenses must be submitted to the Finance Department no later than seven (7) days following the last day of the month in which the expense was incurred.

Those items which may be routinely charged to the employee's expense sheet include:

- Meals as per approved amounts, if an individual has a business-related meeting, or if the employee is attending a conference or program. Attendance at all business meetings must be approved by the Executive Director.
- Items of which the employee was instructed to purchase by his/her supervisor for Agency use.
- Mileage Reimbursement

Parking and Fares

Parking, tolls, and bus fares paid by Personal Care Attendants are not reimbursed for regular daily consumer visits. With prior approval, they may be reimbursed for out-of-town business-related meetings. The Executive Director must approve the business-related meeting.

Holidays

Employees may be eligible for paid time off or shift differential pay for hours worked on recognized holidays.

Recognized Holidays (10):

New Year's Day	Labor Day
Martin Luther King's Birthday	Veteran's Day
Good Friday (office staff only)	Thanksgiving Day
Easter Sunday (program staff only)	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	

Office Staff: Regular full-time Office Staff who will not work on a recognized holiday due to offices being closed, will be paid their regular rate of pay for each of the 10 listed recognized holidays as stated. Any holiday which falls on a Sunday will be observed on the following Monday. Any holiday which falls on a Saturday will be observed on the preceding Friday. Office staff who are required to work on a recognized holiday and wish to be off on that holiday must submit an All-Purpose Leave Request form to their Supervisor per the APL Policy. Office Staff must work the last scheduled day before and first scheduled day after the holiday to be eligible for Holiday Pay unless the employee has prior Manager approval per the APL Policy.

Office Staff who are required to work on a recognized or actual holiday will be paid shift differential pay for those hours worked. Either Shift differential pay or holiday pay, not both concurrent, will apply on recognized or actual holidays.

Program Staff including attendants and caregivers: The actual day on which the holiday falls is the day of which the holiday is observed. Program Staff may be required to work on designated holidays and will be paid per the Shift Differential Policy. Program Staff who wish to be off on a holiday must submit an All-Purpose Leave Request form to their Supervisor per the APL Policy. Complete the request forms by marking "holiday", listing the consumers, programs, hours that you work for each consumer and whether or not the consumer needs coverage. Every effort will be made to accommodate the holiday dates requested, but such requests will be honored according to the provisions within the APL policy and approved on a rotating basis dependent upon the employee's prior holidays off. Due to the rotation of holidays, employees having an approved holiday off should not submit for the same holiday two years in a row or consecutive holidays within the same year.

Eligibility

- Program staff must be an active regular full-time or regular part-time employee on the date of the holiday.
- Program and Office staff are not eligible for Holiday Pay during his/her sixty (60) day introductory training period.

Overtime Pay

Depending on Agency work needs, employees may be required to work overtime. Prior approval of a supervisor is required before any non-exempt employee works overtime. Overtime may be considered a condition of employment, and refusal to accept it may be cause for discipline, up to and including termination. At the supervisor's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime. Employees working overtime without approval will be subject to disciplinary action.

All employees must follow instructions provided within their schedule and/or as designated by his/her supervisor. Employees violating work schedule instructions are subject to discipline in accordance with the Absentee Control Policy. Employee work schedules are subject to change by supervision.

In accordance with the Fair Labor Standards Act (FLSA), non-exempt employees are eligible to receive overtime pay, at a rate of one and a half times the employee's hourly weighted average rate, for work performed beyond 40 hours per work week.

Exempt employees are not eligible for overtime; they are expected to work as many hours as required to perform the duties of the position.

**** Example of Weighted Average Method****

	Hrs	Rate	Total
Regular Wages	24	\$10/hr	\$240.00
Weekend	20	\$11/hr	\$220.00
	<u>44</u>		<u>\$460.00</u>

Weighted Average Rate **\$10.45**

(total dollars / hours worked)

Overtime **\$15.68**

(calculated by weighted average rate
x 1.5)

Shift Differential Policy

The shift differential policy allows for extra compensation to nonexempt employees who are scheduled on a regular, rotating, or sporadic basis to work during overnight or weekend shifts.

Procedure

Overnight hours begin at 12:00 a.m. and end at 8:00 a.m. on weekdays. Weekend hours begin at 12:00 a.m. Saturday and end at 11:59 p.m. Sunday. Employees are eligible for differential pay for the entire shift that falls within these hours as outlined as long as at least half or the majority of the hours worked in the shift fall within the designated overnight or weekend hours.

For example, an employee scheduled midnight to 8:00 a.m. on Monday will be paid for eight (8) hours at the overnight differential rate. Employees scheduled 11:00 p.m. to 7:00 a.m. on Tuesday will be paid for eight (8) hours at the overnight differential rate. Employees scheduled 8:00 p.m. to 1:00 a.m. on Thursday will be paid at the regular rate. An employee who works 11:00 p.m. on Friday to 7:00 a.m. Saturday will be paid for eight (8) hours at the weekend differential rate.

During time periods of urgent staffing needs, Alleghenies Unlimited Care Providers may offer temporary shift differentials in addition to the regular pay rate. Only one differential will apply per shift and in the event two or more differential rates apply, the employee will be paid at the higher applicable differential rate.

Overnight hours will be compensated at an additional \$1.00 per hour and weekend hours will be compensated at an additional \$2.00 per hour. Shift differentials will be included when determining the rate of pay for overtime hours per the blended overtime rate policy.

Compensation During Leave

Employees will be paid the regular rate when taking paid leave.

Holiday Pay

Holiday pay will be paid at one and a half (1 ½) times the employee's base hourly rate. Shift differentials will not be added to holiday pay per the designated holiday schedule.

Other Paid Leave

There may be times when the agency may close due to unexpected situations such as inclement weather or other reasons beyond the agency's control. Alleghenies Unlimited Care Providers may choose to provide paid administrative leave during these times. Agency administrative leave will be paid at the employee's regular rate. Shift differentials will not be added to administrative leave. Administrative leave will not be included as hours worked in overtime calculations.

Wages and Salaries

Hourly employees that are required to use timesheets must submit them weekly to the Finance Department by noon each Tuesday. Paychecks will be issued bi-weekly per the Pay Schedule. Under no circumstances will the Company release any paychecks prior to the announced schedule. Time sheets not received by cut off time will be carried over to the following pay period.

Compensation for every position is determined by several factors, including, the essential duties and responsibilities of the job. Merit-based pay adjustments are based on Agency funding. Cost of living increases may be granted and are also based upon increases in Agency funding levels. Therefore, increases are not guaranteed.

Receipt of Pay

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at their bank of choice (providing the bank has direct deposit capability). To activate direct deposit, a Direct Deposit Authorization form from Human Resources may be obtained. The completed form must then be returned with a voided personal check to the Human Resources Department. Due to banking requirements, it may take several weeks for activation of the Direct Deposit. Direct deposit is encouraged and may prevent delay in receipt of paper check due to postal service schedule.

All employee paychecks are mailed to the address on file for the individual employee. No exceptions will be made to this policy.

In the event of a lost paycheck, the Finance Department must be notified in writing as soon as possible before a replacement check can be issued. In the event the lost paycheck is recovered and the Company identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the Agency within 24 hours of the time it is demanded. Disciplinary action may result if determined that action was deliberate and/or fraudulent.

Statement of earnings

A statement of earnings is given each pay period to employees indicating:

- Gross Pay (indicating the number of regular and overtime hours worked)
- Statutory Deductions (Federal, State, and Local deductions required by law)
- Voluntary Deductions (Those authorized by you in writing)

Payroll tax withholdings

The amount of Federal withholding is affected by the number of exemptions claimed on Form W-4, Employee's Withholding Certificate. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Human Resources Department.

No salary advances will be made.

Section V

EMPLOYEE BENEFITS

Mandatory Insurance Benefits

The Agency is required by law to provide the following benefits to all employees: Social Security, Pennsylvania Unemployment Compensation and Workers' Compensation. For a full explanation of Workers' Compensation and employee's responsibility under WC, please see section VII of this Employee Handbook.

Voluntary Insurance Benefits

Disclaimer

The Agency has established a variety of employee benefit offerings designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. This portion of the Employee Handbook contains a very general description of the benefits to which you may be entitled as an employee of Alleghenies Unlimited Care Providers. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination from the Human Resources Department. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

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

As in the past, Alleghenies Unlimited Care Providers reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to employees and their dependents. Further, the Agency reserves the exclusive right, power, and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions provided to you separately or contact the Human Resources Department for another copy.

Eligibility

The eligibility requirements explained in this section refers to eligibility for health/medical insurance, dental insurance, vision insurance, group life, voluntary group life, short-term disability, and voluntary long-term disability. Eligibility is effective the first day of the month following the employee's "Introductory Period".

- **Definitions:**

- **Full-time**

- Employees having maintained a consistent average of 30 or more hours per week and having completed the “Introductory Period” become eligible for designated full-time benefits.
 - After the first requirement is met, in order to continue receiving benefits, employees **must** maintain a working bi-weekly average of 60 hours.

- **Part-time**

- Employees having maintained a consistent average of 20 hours, but less than 30 hours, per week and having completed the “Introductory Period” become eligible for designated part-time benefits.
 - After the first requirement is met, in order to continue receiving benefits, employees **must** maintain a working bi-weekly average of 40 hours.

Ineligibility: Employees who have not completed the introductory period, temporary employees, interns and/or part-time casual employees are NOT eligible to participate in any of the benefits offered by Alleghenies Unlimited Care Providers.

Health / Medical Insurance

Alleghenies Unlimited Care Providers currently offers eligible employees health coverage. Employees are eligible the first of the month following his/her attainment of the eligibility requirement. Employees are required to pay a premium share with pre-tax payroll deductions (employee contribution). Eligible dependents may be covered at the employees’ expense through pre-tax payroll deductions. Employees may opt out of group health coverage if they provide proof of coverage under a spouse’s plan, an individual plan, or sign a release and waiver.

Dental Insurance

Alleghenies Unlimited Care Providers currently offers regular **full-time** and **part-time** employees (who have been employed by the Agency for at least sixty (60) days) the option to participate in a comprehensive dental insurance plan. Employees are eligible the first of the month following his/her attainment of the eligibility requirement.

Generally, diagnostic and preventive services (exams, cleanings, x-rays, etc.) are fully covered, subject to calendar year maximums. Basic services (basic restorative, repairs, extractions, oral surgery, etc.) are covered and subject to co-insurances and calendar year maximums. Major Services are covered with co-insurances along with the calendar year maximum.

Vision Insurance

Alleghenies Unlimited Care Providers offers vision benefits to eligible **full-time** and **part-time** employees, who have been employed by Alleghenies Unlimited Care Providers for at least sixty (60) days. Employees are eligible the first of the month following his/her attainment of the eligibility requirement. The plan represents one of the most comprehensive networks of optometrists,

ophthalmologists, and retail optical stores in the nation. Participants can choose to go in-network or out-of-network at a lower coverage amount.

When using an in-network provider, the plan provides a complete vision exam, clear lenses, and a quality frame at no out-of-pocket cost to the employee/participant, other than the co-pay amount. However, if the participant selects optional items, such as tinted lenses or photo grays, there are additional charges that the participant will pay. Additionally, frames whose acquisition cost exceeds that plan's wholesale frame allowance will also result in extra charges.

Employee Assistance Program

Alleghenies Unlimited Care Providers offers a voluntary and professional service that provides free and confidential information, counseling, and referral services to all full-time employees and their dependents that may be experiencing stress in their lives affecting their personal lives and/or job performance. Be assured that if you or your family member contacts the EAP directly, no one at Alleghenies Unlimited Care Providers will know unless you tell them. If, because of job performance, you are referred to the EAP by your supervisor or the Human Resource Department, no information concerning the nature of the problem will be released without your written consent. The only information the Human Resource Department will be given will be that you have contacted the EAP and whether you intend to comply with the EAP counselor's recommendations.

Group Life Insurance (Involuntary)

Because Alleghenies Unlimited Care Providers recognizes the importance you place on your family's security, the Agency provides, at its expense as a fringe benefit, group term life insurance and AD&D (Accidental Death and Dismemberment) insurance for all **full-time** and **part-time** employees who have been employed by Alleghenies Unlimited Care Providers for at least sixty (60) days. Employees are eligible the first of the month following his/her attainment of the eligibility requirement.

- For full-time employees, each policy generally pays a death benefit in an amount equal to two times the employee's "annual base pay rate", with a minimum payable amount of \$15,000 and maximum amount of \$150,000.
- For part-time employees (working at minimum of 20 hours per week), each policy generally pays a death benefit in an amount equal to two times the employee's "annual base pay rate", based on a twenty (20) hour week, regardless of hours worked, with a minimum payable amount of \$15,000 and maximum amount of \$80,000.

According to statutory obligations, the first \$50,000 of employer provided group term life insurance is excluded from taxation. However, any employer provided amount over \$50,000 is subject to FICA taxation. The value of the benefit will be included in Box 1 of the employee's Form W-2 and in Box 12 with Code C. In addition, the value will be included in Boxes 3 and 5 for social security and Medicare wages, and the taxes withheld will be reported in Boxes 4 and 6.

Group Life Insurance (Voluntary)

Recognizing that our employees have different needs when it comes to voluntary insurance plans, Alleghenies Unlimited Care Providers has arranged for guaranteed issue amounts of voluntary life

insurance to be made available to eligible employees and family members at company group rates. Additional coverage is available for amounts above the guaranteed issue upon providing evidence of insurability. Optional Group Life Insurance is available to eligible **full-time** and **part-time** employees who have been employed by Alleghenies Unlimited Care Providers for at least 60 days. Employees are eligible the first of the month following his/her attainment of the eligibility requirement.

Retirement Plan – 401(k)

Alleghenies Unlimited Care Providers offers to eligible full-time and part-time employees a 401(k) plan. Administration of the plan is funded by Alleghenies Unlimited Care Providers and conducted by Capital Retirement Plan Services, Inc. Alleghenies Unlimited Care Providers contributes up to 5% match of eligible employee's contribution into the plan.

- **Eligibility**

Full-time and part-time employees, at least 21 years of age, having worked for Alleghenies Unlimited Care Providers for a minimum of 1,000 hours are eligible.

The 401(k) plan offers a voluntary Roth and pre-tax salary reduction option in which eligible full-time and part-time employees may elect to participate beginning with the first payroll period administratively feasible after the employee meets the 1,000 hour eligibility requirement. The "window" periods during which employees may enroll, change the dollar amounts, or the percentages of your contributions are January 1st and July 1st of each year.

Employees may contribute a portion of their salary, on a pre or post-tax basis, through payroll deductions, up to a maximum amount specified by statutory restrictions.

Further details about the Plan may be obtained from the Finance Department and the Plan document. See Human Resources for restricted contribution amounts.

Short Term Disability Insurance (Voluntary)

To keep the business and each department running smoothly and efficiently, it is important that every employee be on the job on time regularly. For this reason, careful attention is given to promptness, absence record and overall dependability.

Alleghenies Unlimited Care Providers recognizes, however, that an employee may occasionally be disabled by injury or illness. As a result, the Income Continuation Program or Short-Term Disability plan is a benefit designed to provide protection to employees against loss of income during unavoidable, non-work related illness, injury, or disability, after an absence of more than seven (7) consecutive calendar days. Benefits begin on the 8th day of an illness, disability, or accident and continue for related absences up to a maximum of twelve (12) weeks. Employees filing a short term disability claim must use available APL prior to commencement of benefit payments.

A disability claim form, which can be obtained from the Human Resources Department, must be filed with the insurance company at least 30 days prior to disability leave, if the leave is foreseeable or as soon as practicable if the leave is unforeseeable. A short-term disability leave must be certified by a

physician's or licensed health care professional's statement identifying the nature of the disability and stating or estimating the date when the employee will be able to return to work. If the employee cannot return on that date, another statement from a physician or licensed health care professional, with a new return date, will be required. Employees will not be able to return to work without submitting to the Human Resources Department a note from a physician or licensed health care professional authorizing the employee's return.

Alleghenies Unlimited Care Providers reserves the right to confirm the necessity for disability leave by requiring the employee to receive a second or third opinion by a doctor of the Agency's choice. Alleghenies Unlimited Care Providers will assume any costs for additional examinations that are not paid by the insurance carrier.

Any FMLA leave to which an employee may be entitled runs concurrently with time off granted under this policy. In other words, an employee cannot take his/her full short term disability benefits, and then take an additional twelve (12) weeks off under the FMLA; any time spent on short term disability counts as part of an employee's FMLA leave.

Eligibility

- ❑ **Full-time** employment status (see definition of full-time above).
- ❑ Having completed sixty (60) days of continuous employment with Alleghenies Unlimited Care Providers.
- ❑ Employees are eligible the first of the month following his/her attainment of the eligibility requirement.
- ❑ The employee must be under the care of a licensed physician, be unable to perform the essential duties of his/her occupation due to illness, injury, or pregnancy and submit medical certification to the Human Resources Department and the insurance carrier for review and to make a determination on benefit qualification.
- ❑ May not be engaged in any other occupation for wage or profit and may not engage in activities that may delay recovery and a return to work.

Benefit Payments

- ❑ Begin on the eighth day for a qualifying illness, injury, accident, or disability.
- ❑ Replaces 60% of your base salary.
- ❑ Continue for the length of the temporary disability, but no longer than twelve (12) weeks.

Maintenance of Group Benefits While on Short-Term Disability Leave

During Short Term Disability leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. The employee's portion of health insurance premiums (the amount that would have been deducted from the employee's paycheck) must be made on a bi-weekly basis to the Human Resources Department.

If the employee's payment of health insurance premiums is more than thirty (30) days late, Alleghenies Unlimited Care Providers may discontinue health insurance coverage upon notice to the employee.

Return to Work

The Agency will attempt to return an employee who is returning from a short-term disability leave to the same or similar job, at the same salary that the employee held prior to the leave. Under some circumstances, however, replacement during a leave may be required, or in some instances, staffing requirements may change. Therefore, unless an employee is entitled to return to the same or an equivalent position under the Family and Medical Leave Act, a job cannot be guaranteed when the employee is ready to return to work from a short-term disability leave. If an employee decides not to return from a short-term disability leave, the last day that the employee was authorized to return or the date the employee notifies his/her supervisor that he/she is not returning, whichever is sooner will be considered as his/her resignation date. Such employees may be considered for reemployment.

- If the employee is released to return to work prior to the end of the first twelve (12) weeks, the employee will be reinstated according to the FMLA policy (see Section VII).
 - The employee's quarterly or annual review date will remain on the same schedule as prior to the leave.

Long-Term Disability Insurance (Voluntary)

Alleghenies Unlimited Care Providers offers long-term disability benefits provided through an insured plan to **full-time** employees who have been employed by Alleghenies Unlimited Care Providers of at least sixty (60) days. Employees are eligible the first of the month following his/her attainment of the eligibility requirement. Long-term disability benefits are designed to pick up where short-term disability benefits end. Employees who receive long-term disability benefits are generally not expected to be able to return to work in the foreseeable future. Benefits usually pay approximately 60% of the employee's salary (including any Social Security benefits, if applicable) and are customarily payable following a waiting period of 13 weeks.

Employees may elect to purchase the long-term disability insurance during open enrollment or during benefit election periods for new hires and employees having a family status change.

An employee may elect to continue his/her health coverage for up to 18 months while taking Long Term Disability and will be required to pay all or part of the premium for the continuation coverage through COBRA.

Enrollment / Status Changes

Following your first sixty (60) days of employment, Human Resources will discuss with you your benefit options at which time you must make your benefit plan election. Once made, your election is generally fixed for the remainder of the plan year. However, if you undergo a **change in family status** (as defined in the Plan document), you may make a mid-year change in coverage (i.e., you may change coverage from individual to family or from family to individual, add or delete dependents, or revoke coverage), provided you do so **within 30 days** from the date of the change in family status, in a manner which will not entitle you to make a mid-year change from one medical carrier to another. Please contact the Human Resources Department to determine if a family status change qualifies under the Plan document and IRS regulations.

Because of the advantages of pre-tax contributions, Federal law says that you may change your benefit elections only during Open Enrollment, unless you have a **“qualified family change in status”**. Examples of qualified family status changes include:

- Employee’s marriage, divorce, or annulment.
- The birth, adoption, placement for adoption, or appointment of legal guardianship of your child.
- Employee’s death.
- The death of a dependent.
- A gain or loss of the employee or his/her spouse’s medical coverage and/or cost of coverage.
- A change in the employee’s (or dependent’s) employment status due to a switch between full-time and part-time employment, an unpaid leave of absence, strike or lockout.
- A change in the employee’s (or dependent’s) eligibility.
- A change in the employee’s (or dependent’s) place of residence or work.
- The employee’s requirement to cover a dependent according to a judgment, decree, or order resulting from divorce, annulment, or change in legal custody.
- The employee’s (or dependent’s) eligibility for COBRA.

At the end of each calendar year, **during open enrollment** you are free to change your medical elections for the following calendar year, whether or not you have a change in family status.

The Human Resources Department will assist you in making the necessary arrangements for enrollment. A complete description of the plans is provided to each employee as Summary Plan Descriptions and appropriate supplements.

Section VI

PAID LEAVE TIME

All Purpose Leave (APL)

It is essential for the health and welfare of Alleghenies Unlimited Care Providers employees that they have time away from their jobs. Alleghenies Unlimited Care Providers offers All-Purpose Leave, also referred to as APL, to regular full-time and regular part time employees who have successfully completed the 60-day introductory period.

APL is used as sick time, personal time, and vacation time and is accrued based on the number of hours an employee works in a calendar year (excluding overtime, above 40 hours per week) and the length of service an employee has with Alleghenies Unlimited Care Providers. APL may not be used or scheduled by an employee until it has been earned.

Employees will accrue APL hours beginning the first day of work (date of hire) and are eligible to begin using APL upon completion of the 60-day introductory period.

APL is calculated as follows (excluding overtime, above 40 hours per week)

Regular, Full Time Employees	Regular, Part Time Employees
First Year: No. hours worked x 6.923%	First Year: No. hours worked x 2.00 %
2 - 4 Years: No. hours worked x 8.846%	2-4- Years: No. hours worked x 3.00%
5 -10 Years: No. hours worked x 10.77%	5-10 Years: No. hours worked x 4.00%
11+ Years: No. hours worked x 12.69%	11+Years: No. hours worked x 5.00 %

Example

A regular, part time employee who has worked for three years at 22.5 (twenty-two and one half hours) per week will be eligible for 35.1 hours of APL (annually).

Formula used:

$$22.5 \text{ hours per week} \times 52 = 1170 \text{ hours worked} \times 3.00\% = 35.1 \text{ hours}$$

Employees who have been suspended and employees who are on a Leave of Absence do not accrue APL time or seniority. Employees who are on active Military Leave, Disability, or FMLA will not earn APL time, but will continue to earn seniority.

Submitting APL Requests

Employees must submit an APL request at least two (2) weeks in advance to his or her immediate supervisor. **All APL requests must be in writing** and have the written approval of the department manager or human resource representative. APL requests will be accepted three (3) months in advance on a rolling basis per the following schedule:

Approval of APL

Every effort will be made to accommodate the dates requested. However, approval of APL requests submitted timely as stated will be based on seniority. Requests submitted after the deadlines, must be submitted at least two (2) weeks in advance and will be approved on a first come basis. Under these circumstances, APL will only be approved providing there are not too many employees already scheduled off, consumer services are able to be covered, and based on geographical area. APL will be scheduled so that consumer services can continue with minimal disruption.

If there is a conflict with regard to a specific APL schedule, the employee filing the request within the designated time frames above and having the greatest length of continuous service with Alleghenies Unlimited Care Providers will be given first consideration.

The Agency reserves the right to blackout periods for which no APL requests will be accepted or approved (i.e. weeks when too many employees have requested off, holidays, etc.). The Agency also reserves the right to cancel approved APL in emergency situations.

Any employee on FMLA or approved leave of absence is required to use accrued APL time to which they are entitled consecutively. Employees eligible for short-term disability are required to use a minimum of five (5) days of APL prior to receiving any benefits under the short-term disability program.

If an employee is off for three (3) consecutive working days due to an injury or illness, the employee must submit a doctor's certificate permitting the employee to return to work with or without restrictions. Employees failing to submit the proper documentation will not be permitted to work and will be subject to disciplinary action up to and including termination. Employees who fail to return to work when authorized by his/her physician will be considered as having resigned his/her employment.

All APL requests are subject to the approval of the Agency.

Emergency use of APL

Emergency APL use, without the required two (2) weeks' notice, may be granted at the discretion of management and requires written approval. Employees are permitted two (2) emergency uses per quarter. Employees failing to submit the required form(s) will NOT be paid APL. All employees using APL on an emergency basis must follow the call-off procedure as discussed in the Absentee Control Policy. In the event of an extreme emergency the employee must notify his/her immediate supervisor as soon as possible.

Weekends and Designated Holidays

All Personal Care Attendants, Caregivers and Residential Program Workers are required to work weekends and holidays as scheduled. Employees wishing to request a weekend or holiday off must submit an APL request in writing and have the written approval of his/her supervisor or Human Resource Representative and follow all guidelines set forth in this policy. If an employee fails to do so, is scheduled to work on the weekend or holiday and fails to show-up for work, the absence will follow all guidelines within the Absentee Control Policy. Every effort will be made to accommodate the holiday dates requested.

Cancellation of Approved APL

If an employee schedules APL it must be taken unless a forty-eight (48) hour notice of cancellation is provided by the employee and the cancellation is approved by his/her supervisor. Pre-approved APL may only be taken provided the employee has an APL balance equivalent to or greater than the requested amount. Pre-approved APL will automatically be cancelled if an employee's APL balance drops below the amount requested/pre-approved due to his/her subsequent use of APL (i.e. emergency uses, for FMLA or STD, etc.). The Executive Director reserves the right to cancel authorized pre-planned APL for any employee at any time.

Accrual of APL

The Finance Department calculates hours worked (excluding overtime above 40 hours per week), per time period, using the APL accrual formula and adds the APL hours earned to an employee's APL account. The Finance Department deducts APL time taken by an employee per time period from his/her APL account. APL balances will be recorded on the employee's pay statement. It is recommended that employees review their APL account balance. If an employee believes there is a discrepancy in APL balance, the employee has two (2) years from the date of the check to request a review.

Maximum APL balances

Employees may accrue APL hours to a maximum of 270 hours. Employees whose APL account balance reaches the 270-hour limit will not accrue additional APL. After the employees uses APL and his/her balance falls below 270 the employee will begin to accrue APL hours again to the maximum of 270.

Terminating Employment

Upon termination of employment with Alleghenies Unlimited Care Providers the Agency will pay to the exiting employee his/her accrued APL hour balance up to 75 hours according to the parameters set forth below. Employees who resigned with proper written notice will be paid any unused APL time. Up to 75 hours of APL will be paid out to the employee with the final paycheck. Employees who do not provide proper written notice or who have been terminated for cause will not be paid for any accrued APL time. Employees who terminate his/her employment with Alleghenies Unlimited Care Providers within the 60-day introductory period will not have his/her APL hours paid to them. No request for APL time is permitted during the last 10-days of employment regardless of any previous approval for APL use during this time period. APL earned during the resignation period will be added to an employee's APL account. APL will be paid to a successfully terminating employee the next pay cycle after the last date worked.

Bereavement Leave

In the unfortunate event of a death in the immediate family, Alleghenies Unlimited Care Providers provides its **full-time** employees with paid time off to attend the funeral and/or handle other affairs immediately associated with the funeral/death. Each full-time employee is entitled to a maximum of three (3) Agency working days, to be taken consecutively, within a reasonable time of the day of the death or day of the funeral, and may not be split or postponed for the death of an immediate family member. Each full-time employee is provided with one paid day off to attend the funeral (only the day of the funeral), if the employee is scheduled to work, for a close family member.

- **Immediate family member** is defined as:
 - Current Spouse
 - Significant Other / Fiancé
 - Child (Son / Daughter)
 - Parent (Mother / Father)
 - Sibling (Brother / Sister)
 - Step-(Mother, Father, Brother, Sister, Son, Daughter)
 - In-Law (Mother, Father, Son, Daughter, Brother, Sister)
 - Grandparent (Grandfather, Grandmother)
 - Grandchild (Grandson, Granddaughter)
- **Close family member** is defined as:
 - Aunt
 - Uncle
 - Niece
 - Nephew

The employee must submit documentation to Human Resources of funeral attendance and relationship to the deceased from the funeral director to qualify for paid time off.

All other time off for bereavement must be covered with APL.

Part-time Employees

Part-time employees are entitled to follow the same bereavement time-off as full-time employees, however part-time employees are not entitled to receive compensation (pay) for bereavement time off. Part-time employees taking unpaid bereavement leave are required to submit documentation to Human Resources of funeral attendance and relationship to the deceased from the funeral director.

Authority

Alleghenies Unlimited Care Providers has authority to change, modify or approve exceptions to this policy at any time with or without notice.

Completing Time Sheets

Please refer to the following instructions for completing paper time sheets and always use a black ball point pen.

- 1) Enter the pay period.
- 2) Enter your name and your supervisor/manager's name.
- 3) At the start of each shift, you must enter the correct date and the time of your arrival. Be sure to note if it is AM or PM. Only use .25 (fifteen minutes), .5 (one half-hour), .75 (forty-five minutes). At the end of each shift, record the time of your departure. If your shift is at a consumer's home, you must have the consumer sign or stamp his/her signature and date to verify that the time you worked is correct. **Please note: This MUST be done daily.**
- 4) You must note consumer's name or residential home location, or project worked on for each shift worked.
- 5) At the end of the pay period and before submission of time sheets, total the number of hours and travel time and be sure that you sign the time sheets.
- 6) APL time: if you use APL or if it is a holiday, enter the date, the number of hours that you would have normally provided services under Agency Benefit Hours and note APL or Holiday as applicable.
- 7) Please keep time sheet in an orderly fashion.
- 8) Please be careful in completing the time sheets, REMEMBER they must be completed and signed on a daily basis; and must be submitted in a timely fashion (**no later than noon on Monday of every week**). If these instructions are not followed, you may not receive your check until the following payday.
- 9) Time sheets are available at the Johnstown office. If you cannot pick them up, call the office and one will be emailed or mailed to you. You can also access forms on the Employee Portal at www.alucp.org/portal

If you have any questions concerning the instructions for correctly completing your time sheets, please contact payroll or your supervisor.

Jury Duty

Jury duty is an important civic responsibility which Alleghenies Unlimited Care Providers encourages. During this leave, employees will be compensated by payment of an amount equal to the difference between their jury duty pay provided by the court, for a period up to two (2) weeks and their regular straight time wages salary.

If you receive jury duty notice, consult your supervisor immediately. An employee on jury duty is expected to report to work any day he/she is excused from jury duty. If your jury duty requires attendance for less than four (4) hours, you must return to work for the balance of the day. The court's written statement must be presented to the Human Resources department verifying attendance and the fees paid.

Military Leave

An employee who, by reason of membership in the United States Military is authorized to attend a training period or encampment under the supervision of the United States Armed Forces, is ordered by the appropriate authorities to participate in training or active duty, will be granted a leave of absence from work duties on all working days not exceeding fifteen (15) in any calendar year during which he or she will be actually engaged in such activities. The employee will be paid the difference between his/her wages and payment received from the military for that specific time period.

The employee must give the Military Order to his/her immediate supervisor as soon as it is received by the employee. A copy of the Military Order will be put in the employee's personnel file. Proof of service must be presented upon return for the number of days absent and pay received for services.

Alleghenies Unlimited Care Providers will adhere to all employers' obligations under the Uniformed Services Employment and Reemployment Rights Act of 1994.

For Military Leaves of more than 15 days and further discussion, see FMLA.

Short-Term Disability / Income Continuation

Please refer to Section V – Short Term Disability Insurance for details.

Section VII

UNPAID LEAVE TIME

Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. Alleghenies Unlimited Care Providers has elected to use a “rolling year” for FMLA entitlement. Therefore, the 12-month period prior to or after the commencement of leave is the 12-month period.

During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

All Purpose Leave (APL) will be apply concurrently with FMLA leave.

Employee Eligibility

To be eligible for FMLA benefits, an employee **must**:

- ❑ Have been employed by Alleghenies Unlimited Care Providers for at least 12 months (which need not be consecutive);
- ❑ Have worked at least 1,250 hours for Alleghenies Unlimited Care Providers during the 12-month period immediately preceding the commencement of the leave; and
- ❑ Work at a location where at least 50 employees are located within 75 miles.

Types of Leave Covered

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

- ❑ The birth of a child and in order to care for that child.
- ❑ The placement of a child for adoption or foster care and to care for the newly placed child.
- ❑ To care for a spouse, child or parent with a serious health condition.
- ❑ The serious health condition of the employee.
- ❑ Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

Definition of a child

The term “son or daughter” is defined as “a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing *in place of a parent*”. The child must be under eighteen (18) years of age, or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability. The regulations define “incapable of self-care” to mean that the individual requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living” (i.e. bathing, using telephones and taking public transportation).

Servicemember Family Leave

Servicemember Family Leave Eligible employees who are the spouse, child, parent, or next of kin of a covered Servicemember are entitled to up to 14 weeks of additional leave during a single 12-Month Servicemember Period (for a total of 26 weeks if combined with other FMLA leave), to care for such covered Servicemember who incurred a serious injury or illness in the line of active duty in the Armed Forces. Available leave not taken during the 12-Month Servicemember Period, which begins on the first day leave is taken, will be forfeited. No more than 26 weeks of leave may be taken in a single 12-Month Servicemember Period, and no additional extended leaves may be taken in other years for the same injury or illness. If married spouses both work for the Agency, their total Servicemember Family Leave may be limited to an aggregate of 26 weeks.

Definition of a “Serious Health Condition”

“Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves either:

- ❑ any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; **or**
- ❑ continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to:
- ❑ A health condition (including treatment here fore, or recovery therefrom) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition, that **also** includes:
 - Treatment two or more times by or under the supervision of a health care provider; **or**
 - One treatment by a health care provider with a continuing regimen of treatment; **or**
- ❑ Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; **or**
- ❑ A chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes). A visit to a health care provider is not necessary for each absence; **or**
- ❑ A permanent or long-term condition for which treatment may not be effective (e.g., Alzheimer’s, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; **or**
- ❑ Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation treatments for cancer.)

Limitations on FMLA leave

- ❑ When both spouses are employed by Alleghenies Unlimited Care Providers, they are together entitled to a **combined** total of 12 workweeks of FMLA leave within the designated 12 month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA

qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 workweeks, but not more than a total of 12 workweeks per person).

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

- ❑ Leave for birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

Intermittent or reduced work schedule leave

Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. Intermittent leave entitles an employee to a maximum of 480 hours per rolling year.

- ❑ FMLA leave for the birth and care or placement for adoption or foster care must be taken all at once and may not be taken intermittently or on a reduced schedule.
- ❑ FMLA leave because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition, may be taken all at once or, where **medically necessary**, intermittently or on a reduced work schedule.

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

- ❑ Employees on intermittent FMLA leave must supply the FMLA administrator with a doctor's note for each absence. The Doctor must clarify that the absence is directly related to the FMLA certification. Failure to provide the Doctor's note within **two** business days, from the date of the absence, will result in the employee's ineligibility to cover the absence with FMLA leave and subject to Absentee Control Policy.

The 12-month period

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

Mandatory weekend and holiday schedules and FMLA entitlement

Scheduled weekends and holidays will be counted against the employee's entitlement under the FMLA as any other scheduled workday.

Employees on FMLA leave are required to use available all-purpose leave (APL) concurrently with applicable FMLA leave.

The employer is responsible for designating if an employee's use of paid leave counts as FMLA leave based on information from the employee.

Requests for FMLA leave

An employee should request FMLA leave by completing Alleghenies Unlimited Care Providers' Request for Leave form and submitting it to Alleghenies Unlimited Care Providers' FMLA administrator in the Human Resources Department.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide Alleghenies Unlimited Care Providers with at least **30 days advance notice**, or such shorter notice as is practicable (i.e., within 1 or 2 business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide Alleghenies Unlimited Care Providers with notice of the need for leave as soon as practicable (i.e., within 1 or 2 business days of learning of the need for the leave).

Required documentation

An employee is required to submit medical certification from a health care provider as defined by the Department of Labor to support a request for FMLA leave for the employee's or a family member's serious health condition. Medical certification forms are available from the FMLA administrator in the Human Resources Department.

When leave is taken to care for a family member, Alleghenies Unlimited Care Providers may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court documents).

If Alleghenies Unlimited Care Providers has reason to doubt the employee's initial certification, Alleghenies Unlimited Care Providers may:

- ❑ With the employee's permission, have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or
- ❑ Require the employee to obtain a second opinion by an independent Alleghenies Unlimited Care Providers designated provider at Alleghenies Unlimited Care Providers' expense. If the initial and second certifications differ, Alleghenies Unlimited Care Providers may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, Alleghenies Unlimited Care Providers requires that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide Alleghenies Unlimited Care Providers with periodic

reports regarding the employee/family member's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide Alleghenies Unlimited Care Providers with reasonable notice (i.e. within 2 business days) of the employee's changed circumstances and new return to work date. If the employee does not give Alleghenies Unlimited Care Providers notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Return to work documentation

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee is required to submit a "fitness for duty" certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work without restrictions. The "fitness for duty" certification must be presented to the FMLA administrator at least **two** (2) business days prior to the return date. If the two (2) day notice is not given by the employee, then the employee will be sent home and will not be permitted to return to work until the two day notice is met. In situations such as this, the two days will be counted against the employee's FMLA entitlement and will be unpaid.

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

Maintenance of health benefits

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. The employee's portion of health insurance premiums (the amount that would have been deducted from the employee's paycheck) must be made on a bi-weekly basis to the Benefits Administrator in the Human Resources Department.

If the employee's payment of health insurance premiums is more than thirty (30) days late, Alleghenies Unlimited Care Providers may discontinue health insurance coverage upon notice to the employee.

In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Job Restoration

Upon return from FMLA leave, Alleghenies Unlimited Care Providers will place the employee in the same position the employee held before the leave or an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

Limitations on reinstatement

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because

of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, an employer may refuse to reinstate certain highly paid “**key**” employees after using FMLA leave during which health coverage was maintained. In order to do so, the employer must:

- ☐ notify the employee of his/her status as a “key” employee in response to the employee’s notice of intent to take FMLA leave;
- ☐ notify the employee as soon as the employer decides it will deny job restoration, and explain the reasons for this decision;
- ☐ offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice; **and**
- ☐ make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

A “key” employee is a salaried “eligible” employee who is among the highest paid ten percent of employees within 75 miles of the work site.

Failure to return to work following FMLA leave

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

Short Term Disability

Short-term Disability as described in the benefits section of this handbook may replace lost income when you are unable to work as a result of an injury or illness, that is not work-related, that makes you unable to perform one or more of the essential functions of your job. Short term disability would run concurrent with applicable FMLA leave. Available All-Purpose Leave (APL) will be applied to applicable unpaid waiting period.

Workers Compensation

Worker’s Compensation as described in this handbook may replace lost income when you are unable to work as a result of an injury or illness, that is work-related, that makes you unable to perform one or more of the essential functions of your job. Worker’s Compensation would run concurrent with applicable FMLA leave. Available All-Purpose Leave (APL) will be applied to applicable unpaid waiting period.

Resolution

Final federal regulations provide that all disputes over whether leave qualifies as FMLA are to be resolved through employer-employee discussions. It is the policy of Alleghenies Unlimited Care Providers not to discharge or discriminate against any employee exercising his or her rights under the federal Family and Medical Leave Act. Therefore, if a problem arises, the employee is instructed to follow the Grievance Procedure found in Section VIII of this handbook.

Additional information

For further information or clarification about FMLA leave, please contact the FMLA administrator in the Human Resource Department.

Military Leave of Absence without Pay

Alleghenies Unlimited Care Providers supports those employees who meet their military obligations. An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the employee is qualified to perform.

Continuation of Health Benefits

During a military leave of less than 30 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. Under these circumstances, the employee is required to pay their normal premium share for continued coverage. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage for up to 18 months of uniformed service and be required to pay all or part of the premium for the continuation coverage through COBRA.

Requests for Leave

Leave for Active or Reserve Duty

Upon receipt of orders for active or reserve duty, an employee should notify his/her supervisor, as well as Human Resources, as soon as possible, and submit a copy of the military orders to his/her supervisor and the Human Resources Department (unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable).

Leave for Training and Other Related Obligations (e.g., fitness for service examinations)

Employees will also be granted time off for military training (normally 14 days plus travel time) and other related obligations, such as for an examination to determine fitness to perform service if it cannot be done outside of work hours. Employees should advise the Human Resources Department of their training schedule and/or other related obligations as far in advance as possible.

Return from Military Leave

Notice Required

Upon return from military service, an employee must provide notice of or submit an application for reemployment in accordance with the following schedule:

- 1) An employee who served for less than 30 days or who reported for a fitness examination, must provide notice of reemployment at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service.

2) An employee who served for more than 30 days, but less than 181 days, must submit an application for reemployment no later than 14 days after completing his/her period of service, or, if this deadline is impossible or unreasonable through no fault of the employee, then on the next calendar day when submission becomes possible.

3) An employee who served for more than 180 days must submit an application for reemployment no later than 90 days after the completion of the uniformed service.

4) An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less than 30 days), or submit an application for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period (but which may not exceed two years).

Required Documentation

An employee whose military service was for more than 30 days must provide documentation within two weeks of his/her return (unless such documentation does not yet exist or is not readily available) showing the following: (i) the application for reemployment is timely (i.e. submitted within the required time period); (ii) the period of service has not exceeded five years; and (iii) the employee received an honorable or general discharge.

It is the policy of Alleghenies Unlimited Care Providers to comply with all statutes regarding military leave including USERRA and VEVRAA. Any questions regarding Alleghenies Unlimited Care Providers' policy regarding military leaves of absence should be referred to the Human Resources department.

Witness Leave

Alleghenies Unlimited Care Providers recognizes that employees may be required to respond to a subpoena and testify in proceedings related to them being a witness to a crime or the victim of a crime. In such an event, the employee must notify his/her supervisor immediately upon receipt of a subpoena. Employees are permitted time off, without pay, to respond and serve a subpoena for court proceedings. The court's written statement of attendance must be presented to the Human Resources department upon release to return to work. Available All-Purpose Leave (APL) will be applied to as applicable.

Section VIII

POLICIES AND PROCEDURES

Absentee Control Policy

Because Alleghenies Unlimited Care Providers depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, and punctuality is always essential. As such, employees are expected to be at work on all scheduled workdays, during all scheduled work hours including mandatory training and meetings and to report on time.

A careful record of absenteeism and lateness is kept by the Human Resources Department and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

The following defines a comprehensive employee absentee control program. It is fair and equitable and is based on unexcused absences as defined below with no exceptions.

Definitions:

- ❑ **Absenteeism** - any scheduled workday absence except pre-approved APL, the two permissible emergency APL uses per quarter, short-term disability leave, family and medical leave (FMLA), Workers Compensation, paid holidays (in which the employee is not scheduled to work), jury duty, paid funeral leave, military leave, and personal leave based on extenuating circumstances approved by the Human Resources Department.
- ❑ **Tardiness** –reporting to your assigned work area after the scheduled shift start, failure to call in and report an absence or tardy at least one (1) hour prior to your scheduled shift start, to the office/beeper and the consumer (see “call in procedure” for further details regarding call-offs between the hours of 11:00 pm and 6:00 am), leaving early (employees are expected to work their entire shift).
 - Permission to leave early will be granted strictly at the discretion of management and only in the most extreme cases. However, permissible early leaves, by management, may subsequently result in disciplinary action according to policy.
 - A tardy or early leave approved by a consumer must be relayed to the office scheduling staff and designated as preapproved by the consumer in order to waive disciplinary action.

Management reserves the right to clear an employee from disciplinary action due to natural disasters and severe weather conditions. Decisions will be made based on studies of the effects on surrounding counties and the percentage of employees who attend work.

Time theft, including potential abuse of the rounding rules, will be addressed with appropriate corrective action. Shifts will be continuously monitored for consistent patterns of such activity.

Back-up Coverage

When an employee agrees to provide back-up coverage this becomes part of his or her schedule and therefore the employee is required to provide that coverage. Failure to provide the back-up coverage may result in disciplinary action.

The Progressive Discipline System is as follows

- ❑ Level 1 – Documented Problem Assessment Session
- ❑ Level 2 – Documented Written Warning I
- ❑ Level 3 – Documented Written Warning II
- ❑ Level 4 – Documented 3-Day Unpaid Suspension (Last Chance Agreement)
- ❑ Level 5 – Documented Termination

Sixty (60) day introductory period

All newly hired employees, within their sixty (60) day introductory period, must have perfect attendance; otherwise, employment may be terminated at the discretion of management or if it poses a hardship (financial, quality care, etc.) to the company. For extenuating circumstances, please consult Human Resources. Management reserves the right to extend an employee's sixty (60) day introductory period up to six months.

No Call / No Show

An employee who fails to report for work for two (2) consecutive scheduled shifts and/or occurrences without notifying the Company will be considered to have resigned and will be terminated with or without notification.

Missed clock in/out:

It is important to follow clock in/out procedures and employees are encouraged to use the available caregiver portal to clock in/out of scheduled shifts. You must report any missed clock-in or clock-out immediately to your manager or supervisor along with the actual arrival time and/or end time. Any missed clock in/out MUST be accompanied by applicable documentation containing employee and client signature. Missed clock-ins/outs are subject to disciplinary action up to and including termination.

Abuse, Neglect, Exploitation and Abandonment

It is the policy of Alleghenies Unlimited Care Providers that everyone, staff and consumers, shall be treated with dignity and respect. Alleghenies Unlimited Care Providers employees shall not physically, verbally, sexually or psychologically abuse a consumer. In addition, employees are responsible to report all suspected incidents of abuse, neglect, exploitation or abandonment by any individual. All alleged incidents shall be documented, investigated immediately and appropriate action taken by the designated individuals of the Agency. Failure to report abuse, neglect, exploitation or abandonment will result in discipline in accordance with the decision of the Agency.

Definitions

- Abuse is the intentional and unnecessary infliction of pain, injury, or mental anguish to a consumer, unreasonable confinement, intimidation, punishment or mental anguish of the consumer. Abuse is an act or omission that willfully deprives a consumer of rights or human dignity, goods or services which are necessary to maintain physical or mental health, or which may cause or causes actual physical injury or emotional harm to a consumer, including a critical incident or one or more of the following: sexual harassment or rape of a consumer, sexual contact between a staff member and a consumer, restraining a consumer, financial exploitation of a consumer, humiliating a consumer, withholding regularly scheduled meals from a consumer, abuse of a consumer. Abuse of a consumer also includes physical abuse, psychological abuse, sexual abuse, verbal abuse.
- Neglect is the intentional failure or by omission to carry out prescribed medical treatment or personal care tasks for a consumer, or the intentional failure or by omission to report the consumer's physical and emotional problems to an immediate supervisor. The failure to provide for oneself or the failure of a caregiver to provide goods, care or services essential to avoid clear and serious threat to the physical or mental health of an adult
- Exploitation/Mistreatment is defined as the intentional use of inappropriate medications, isolation or physical or chemical restraints on a consumer. This also includes taking advantage of the personal, financial, physical and/or emotional disabilities of a consumer to the personal gain of the employee. An act or course of conduct by a caregiver or other person against an adult or an adult's resources, without the informed consent of the adult or with consent obtained through misrepresentation, coercion or threats of force, that results in monetary, personal or other benefit, gain or profit for the perpetrators or monetary or personal loss to the adult.
- Abandonment is the desertion of an adult by a caregiver.
- Sexual abuse or assault is defined as any sexual contact to which one part does not consent. Sexual contact between any consumer and employee is strictly prohibited.

What to do if you suspect abuse, neglect, exploitation, abandonment:

All employees are mandated reporters of abuse, neglect, exploitation, abandonment. Any employee who has reason to suspect that abuse, neglect, exploitation or abandonment must report to the local adult protective agency. See below for additional reporting guidelines.

If the adult is age 60 or over and you suspect abuse, neglect, exploitation, abandonment:

- Call 911 if the person is in immediate danger
- Call the Area Agency on Aging (AAA) or the Statewide Elder Abuse Hotline 1-800-490-8505
- File an incident report:
 - In Electronic Incident Management System (EIM) if you are an under-60 agency serving over-60 participants in non-Aging waivers
 - In SAMS (Service Access and Management, Inc.) if you are an Area Agency on Aging (AAA) serving Aging Waiver participants
 - Through RA-Incident@pa.gov if you are an under-60 agency serving Aging Waiver participants
- Cooperate with Older Adult Protective Services Act (OAPSA)

If the adult is between the ages of 18 and 59 and a consumer and you suspect abuse, neglect, exploitation, abandonment:

- Call 911 if the person is in immediate danger and take action to secure the safety of the individual
- Contact your Office of Long Term Living (OLTL) Regional Supervisor
- File an incident report:
 - In EIM if you are an under-60 agency serving over-60 participants in non-Aging waivers
 - Through RA-Incident@pa.gov if you are an under-60 agency serving Aging Waiver participants
- Contact Law Enforcement Officials immediately when suspected abuse or neglect is one of the following:
 - Sexual abuse
 - Serious injury
 - Serious bodily injury
 - Suspicious death
- Cooperate with Adult Protective Services Act (APS)

If the adult is between the ages of 18 and 59 and is not a consumer and you suspect abuse, neglect, exploitation, abandonment:

- Call 911 if the person is in immediate danger
- Contact the local and/or state law enforcement
- Cooperate with Adult Protective Services Act (APS)

If the individual is under the age of 18 and you suspect abuse, neglect, exploitation, abandonment:

- Call 911 if the person is in immediate danger
- Contact Child Protective Services at 1-800-932-0313

If the incident is sexual abuse, serious injury, or poses immediate risk to the individual Law Enforcement Officials must be contacted.

Filing Unusual Incident Reports

As each individual program policy and procedure mandates, the Unusual Incident Report (see Appendix) and findings will be reported to one or more of the following agencies and/or as listed above:

Department of Public Welfare

Office of Administration, Bureau of Human Services Licensing
1-877-401-8835

Department of Health

Division of Nursing Care Facilities
1-800-254-5164

Child Protective Services

1-800-932-0313

Other Resources:

Office of Developmental Programs

Department of Public Welfare Customer Service Line
1-888-565-9435

Office of Mental Health and Substance Abuse Services

Consumer Information Line
1-877-356-5355

PA Protection & Advocacy, Inc.

<http://www.openmindsopendoors.com>
717-236-8110

Investigations

Any employee of Alleghenies Unlimited Care Providers or its affiliates, contractor serving the consumer, or consumer's self-report of an incident, who has reasonable cause to believe that the consumer has been abused, neglected, exploited, or abandoned will immediately complete an Unusual Incident Report (UIR), report to the appropriate agencies (including, but not limited to OLTL, OAPS, DRN, Law enforcement, Fire as needed) within twenty-four (24) hours or other appropriate timeframe as dictated by state and federal regulations, and file all required reports (including, but not limited to EIM, SAMS) as dictated by state and federal regulations. The UIR will be forwarded to the designated certified investigator.

An unbiased Alleghenies Unlimited Care Providers Agency-designated individual trained in certified investigation procedures will investigate and provide his/her findings within appropriate timeframes per state and federal regulations from receipt of the Unusual Incident Report (UIR) to the appropriate Agency(s).

After completion of the certified investigation, any employees' discipline will be documented. Based on all available facts, disciplinary action up to and including immediate termination of employment may result.

The final results will be discussed with the employee. In cases involving a consumer and an Agency employee, the results will be relayed to the consumer as well.

Based on the type of incident, the consumer will be advised that he/she may have legal recourse against the individual and the appropriate staff is available to assist the consumer in pursuing his/her rights in this area. The Agency will also advise the consumer of counseling and other support services that are available.

Investigations involving employees may require the employee to be removed from the program, having no contact with the consumer or suspension pending the completion of the investigation. If an employee is alleged to have committed abuse, the Agency will immediately suspend the employee (or where appropriate use a plan of supervision if such a plan is approved by the Adult Protective Services agency and applicable state licensing agency). Suspension may be with or without pay based upon circumstances and the alleged offense. All incidents and/or allegations of any misconduct such as these are held in strict confidence.

All information gathered as a result of the investigation regarding abuse, neglect, exploitation or abandonment is confidential and shall be retained at the Agency office. The investigations involving employees cannot be released to outside agencies unless under order of the courts. All founded or indicated cases of abuse, neglect, or exploitation will be reported to appropriate Agencies according to state, federal and any regulatory agency requirements.

Examples of Abuse/Neglect/Exploitation/Abandonment

Any form of abuse, neglect, exploitation, abandonment is prohibited. The following are examples of abuse / neglect / exploitation / abandonment. This list is not intended to be all inclusive. Examples include but are not limited to:

- Any abuse of a consumer.
- Restraining a consumer.
- Humiliating a consumer.
- Striking the consumer.
- Threatening to inflict physical harm to the consumer.
- Giving a consumer medication not prescribed by a medical professional.
- Forcing a competent consumer to take medications against his/her will.
- Providing inadequate supervision resulting in danger or injury.
- When a person forces, coerces, or threatens a consumer to have any form of sexual contact or to engage in any type of sexual activity in order to have power or control over the person. Any sexual harassment of a consumer or sexual contact between a staff member and a consumer.
- Verbal abuse including obscene language or intimidation techniques causing emotional anguish to the Consumer.
- Financial exploitation of a consumer, including accepting or giving of monetary gifts in order to coerce or influence a consumer to the personal gain of the employee.
- Withholding regularly scheduled meals or removal of food or other types of retaliation/discipline that are deemed inappropriate by the standards set by the program's policies and procedures and each individual consumer.

Acceptable Use Policy

The purpose of this policy is to establish acceptable and unacceptable use of electronic devices and network resources at Alleghenies Unlimited Care Providers, the Agency. This policy applies to all employees, contractors or personnel affiliated with third parties and applies to information assets owned or leased by the Agency or to devices that connect to or reside at an Alleghenies Unlimited Care Providers site.

General Requirements

Resources of Alleghenies Unlimited Care Providers may not be used for any unlawful or prohibited purpose. For security, compliance, and maintenance purposes, authorized personnel may monitor and audit equipment, systems, and network traffic. Devices that interfere with other devices or users on the Agency's network may be disconnected.

Cell Phone Use

Employees are not permitted to use personal cell phones during work time unless there is an emergency or business necessity to do so.

The use of a cellular phone or device while operating an automobile during Agency duty is strictly prohibited. This includes but is not limited to answering incoming/outgoing calls, sending/receiving text message or emails, social media and internet use. Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely responsible for the liabilities that result from such actions.

The Agency is not liable for the loss of personal cell phones or electronic devices brought into the workplace.

Agency provided cell phones are to be used for business reasons only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

Employees in possession of Agency equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period of twenty-four (24) hours may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

System Accounts

Employees are responsible for the security of data, accounts and systems under your control.

Passwords must be kept secure and must not be shared with anyone, including other personnel, family

or friends. Providing access to another individual, either deliberately or through failure to secure its access, is a violation of this policy.

Computing Assets

Employees are responsible for ensuring the protection of assigned Agency equipment and must notify any lost or stolen equipment to their Manager immediately.

Internet and Electronic Mail Usage

Just as the computer is considered business equipment, the e-mail system is also a part of the business equipment and technology owned by Alleghenies Unlimited Care Providers. Every Agency employee is responsible for ensuring that the electronic (e-mail) system is used properly. E-mail is not a private communication within the Agency. The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner.

- Alleghenies Unlimited Care Providers' Internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or X-rated. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. Harassment of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon Alleghenies Unlimited Care Providers or be contrary to Alleghenies Unlimited Care Providers' best interests; and any illegal activities including; piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail are forbidden.
- Copyrighted materials belonging to entities other than Alleghenies Unlimited Care Providers may not be transmitted by employees on the Agency's network. All employees obtaining access to other companies' or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If you find something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his/her own.
- Do not use the system in a way that disrupts its use by others. This includes sending or receiving many large files and "spamming" (sending e-mail messages to large amounts of recipients.)
- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Be sure to virus-check downloaded files immediately. Instructions on how to check for viruses are available through the IT Department. Also, many browser add-on packages (called "plug-ins") are available to download. There is no guarantee that such will be compatible with other programs on the network and such may cause problems; therefore, please refrain from downloading such plug-ins.

- Each employee is responsible for the content of all text, audio or images that he/she places or sends over the company's Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that Alleghenies Unlimited Care Providers' name is attached to all messages so use discretion in formulating messages.
- E-mail is not guaranteed to be private or confidential. Therefore, Alleghenies Unlimited Care Providers reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. Also, the Internet is not secure so don't assume that others cannot read or possibly alter your messages.
- Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the Agency.

Blogging and Social Networking

A "blog" is a written expression of opinion posted on the Internet that is accessible to anyone with access to the Internet. A blog can include, but is not limited to, essays and other writings, photos, drawings, videos, and other graphic or audio information. Blogging also includes postings on social networking sites, such as Facebook, Linked-In or related sites.

As employees, leadership, volunteers (including Board members); we are dedicated to professionalism and the utmost care and concern for each individual we serve—including the community, consumers, clients, volunteers and staff member. Anyone involved with Alleghenies Unlimited Care Providers, as mentioned above, must comply with the agencies' blogging and social networking policies.

Under no circumstances may employees, and those affiliated mentioned above, post, either by blogging or other social networking, any comments which are discriminatory or harassing or that could be perceived as such. Alleghenies Unlimited Care Providers expects all employees to act professionally and refrain from behavior, both on and off the job, which could have an adverse impact on Alleghenies Unlimited Care Providers reputation or missions. Furthermore, employees may not blog or engage in Internet social networking using the agencies' name, logo, intellectual property or any other Alleghenies Unlimited Care Providers property without the express written consent of Alleghenies Unlimited Care Providers and or affiliates management and for purposes consistent and not in conflict with the agencies' business.

Employees are encouraged to bring questions, complaints or concerns about their working environment, job responsibilities or agency policies to their Supervisor, any member of management or with any member of the Human Resources Department. Alleghenies Unlimited Care Providers cannot resolve an issue if they are not aware of the issue.

This policy is not intended to restrict employees' lawful expressions of opinion other than those that may portray Alleghenies Unlimited Care Providers, its management or services in a negative light, in the agencies' sole discretion.

The employee should be honest about their identity when utilizing social networking and blogging sites. Employees should not pretend to be another person. Tracking tools enable a supposedly anonymous post to be traced back to its author. Employees, who write political, social, cultural or educationally related matters, should include a disclaimer on the site that provides as follows. The views expressed in (the social media format) are mine alone and do not necessarily reflect the views of Alleghenies Unlimited Care Providers. All social media users are liable for all postings and comments on their own site and on their postings on other social media sites. Individual bloggers or social media users have been held liable for commentary deemed to be defamatory, libelous and/or obscene as defined by law. Further, bloggers have been held liable for the release of inappropriate use of proprietary and copyrighted information.

While employees should be honest about their identity, they should not provide personal information that scam artists or identify thieves could use against them. Do not list your home address or home telephone number, work telephone number or email address. It is a good idea to create a separate email address that is use only with your social media site.

Enforcement

Violation of this policy will be subject to discipline up to and including termination of employment.

Alleghenies Unlimited Care Providers' Right to Monitor and Consequences

All company-supplied technology, including computer systems and company-related work records, belong to Alleghenies Unlimited Care Providers and not the employee. Alleghenies Unlimited Care Providers routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the vast resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are Alleghenies Unlimited Care Providers owned, all Agency policies are in effect at all times. Any employee who abuses the privilege of Alleghenies Unlimited Care Providers facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

Questions Regarding the Use of the Internet or E-mail

If you have questions regarding the appropriate use of the Internet or E-mail, contact the IT Department or the Human Resources Department.

Affirmative Action Policy

This is the philosophy, policy, and practice of Alleghenies Unlimited Care Providers, to provide equal opportunity to all qualified applicants for employment without regard to race, color, religion, sex, ancestry, national origin, sexual orientation, age, disability, veteran status or political affiliation and to administer all personnel practices such as hiring, promotions, and all other terms, conditions, and privileges of employment in compliance with the Equal Opportunity Employment regulation. Alleghenies Unlimited Care Providers commits to a program of total equal opportunity to all employees and applicants for employment.

Dissemination of Policy

- Internal Communications by:
 - Distribution of Policy to all Program Directors and Board of Directors.
 - Discussion and distribution of Policy at employee orientations.
 - Discussion of Policy of Management and Board Meetings.
 - Posting of Policy on bulletin boards at all the Agency's facilities.
- External Communication by:
 - Notification of Policy to minority, women, disabled, and veteran groups.
 - Attachment of Equal Opportunity clause in all advertisements of employment, contracts, etc.
 - Inform all vendors, contractors, and suppliers by sending a written notification of the Agency's Policy and request appropriate action on their part.
- All required EEO posters are permanently displayed in a conspicuous place in all facilities in which employees are located and in reception areas where applicants for employment apply.

Responsibilities for Implementation

The Board of Directors has the overall responsibility for enforcement and implementation of the Agency's Equal Opportunity program.

The Executive Committee, which reflects the proportioned representation of the Board of Directors, has the responsibility of reviewing the informal determination of the Equal Opportunity Officer (EOO) in complaints of discrimination. Human Resources will accept the responsibilities of the EOO.

The EOO, under the direction of the Executive Director and the Executive Committee is responsible for:

- Assisting the Board of Directors and all levels of management in interpretation and administration of the Agency's Affirmative Action Plan.
- Assisting management in identification of program areas and development of solutions to implement affirmative action.

- Serving as liaison between Alleghenies Unlimited Care Providers and Equal Employment Opportunity enforcement agencies.
- Keeping respective management informed of the latest developments and Requirements in EEO and recommending to appropriate management needed changes in policy and procedures.
- Auditing employment practices and procedures to ensure compliance with Agency employment policies.
- Directing dissemination of the Agency's Affirmative Action Policy.
- Provide ongoing formal orientation to the Board of Directors and all Management staff.
- Maintaining and providing appropriate data and statistics for the Agency's Affirmative Action Plan.

Equal Opportunity Officer

The Equal Opportunity Officer (EOO) has the responsibility of coordinating and monitoring the Agency's Equal Opportunity Program, assisting the Board of Directors, and all levels of management to ensure that the Agency's policy is being carried out. The duties and responsibilities, location, and telephone number of the EOO is posted on the bulletin boards of all the Agency's facilities.

Recruitment

The Agency will seek out qualified minority, female, disabled or veteran applicants for employment in all job categories when vacancies occur, to insure and equal representation at all levels. This will be accomplished by:

- Contact with the Bureau of Employment Security, Bureau of Vocational Rehabilitation (HGA), Department of Welfare, local newspapers, and other applicable agencies.
- Publicizing that the Agency is an "Equal Opportunity Employer" in all employment opportunity advertisement.
- Advertise top management employment vacancies in newspapers that have a large circulation of minority readers.

Promotion and Transfer

Each qualified employee will be considered regardless of race, color, religion, ancestry, national origin, sexual orientation, age, sex, disability, veteran status or political affiliation.

Alleghenies Unlimited Care Providers has adopted a job posting plan that covers all positions within the agency. Under the job posting plan, all vacancies are posted in all facilities, and any employee may apply by notifying the Human Resource Department in writing.

The records of minority, female, disabled or veteran employees are reviewed to assure that qualified individuals are given equal consideration as opportunities for upgrading, promotion and transfer occur.

To ensure equal representation to minorities, women, disabled, veterans, this Agency will:

Review job descriptions for each position on an annual basis to determine if minorities, females, disabled, veterans are given an equal opportunity for promotions and transfers. If it is found that the job descriptions are structured to prevent the promotion or transfer of minorities, females, disabled and veterans, they will be rewritten to afford the opportunity to qualified minority and female employees.

Facilities

All work areas, facilities, and programs under the jurisdiction of Alleghenies Unlimited Care Providers, are maintained on a racially desegregated basis.

Other

A copy of the policy statement signed by the Executive Director and Board President, and a copy of the entire Affirmative Action Plan will be on display at all facilities.

The Employee Handbook will be revised on a yearly basis to include procedures established to assure equal opportunity practices in the employment process.

Each supervisor will meet formally with each of his/her employees for a performance evaluation and at that time discuss job duties, job performance, goals, and opportunities. Supervisors will stress equal opportunities for all employees during this session.

Vacancies

Vacancies for all positions are posted first internally to provide the opportunity for these positions to be filled by internal promotion or transfer of qualified employees.

In instances where it is apparent that internal applications for vacant positions will not be received, and a demonstrated need exists to fill the vacant position in a timely fashion, internal and external job advertisements are registered simultaneously. However, qualified internal applications are given first priority for screening and interviewing.

All positions that are not filled by internal promotion or transfer are registered with the Pennsylvania Bureau of Employment Security, the Department of Welfare, Bureau of Vocational Rehabilitation (HGA) and as advertised in county newspaper.

The following factors will be considered when the labor market is screened for employment:

- The minority/women/disabled/veteran population of the labor area surrounding the Agency.

- The size of the unemployed minority/women/disabled/veteran forces in the labor market area surrounding the Agency.
- The availability of minorities/women/disabled/veterans having skills in the immediate labor area.
- Availability of promotable and transferable minority/women/disabled/veteran employees within the Agency.
- Percentage of the minority/women/disabled/veteran workforces compared to the total work force in the immediate labor area.
- The existence of training institutions capable of providing training in the requisite skills.
- The degree of training which the agency is reasonably able to undertake as a means of making all job classes available to minorities/women/ disabled/veterans.
- The availability of minorities/women/disabled/veterans seeking employment in the labor market and/or recruitment area of the Agency.

To preclude disparities in the area of representation and salaries the following will be considered.

- Whatever vacancies occur in the category of officials and managers, the Agency will wholeheartedly recruit qualified minorities/women/disabled/veterans for those positions.
- Employees will be counseled to take steps necessary to qualify for promotions.
- An inventory will be maintained of the skills and abilities of employee to aid in the identification of persons to be trained and promoted.

This Affirmative Action Plan covers all Alleghenies Unlimited Care Providers personnel practices and will continuously promote equal employment opportunities through a positive continuing program of specific practices designed to ensure the full realization of equal employment opportunities without regards to race, color, religion, sex, national origin, disability or veteran status.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act (ADAAA) are federal laws that require certain employers to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations, so that they may perform the essential job duties of the position.

Alleghenies Unlimited Care Providers is committed to complying with all federal and state laws concerning the employment of person with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the agency policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Procedures

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

Alleghenies Unlimited Care Providers will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the agency. Contact Human Resources with any questions or requests for accommodation.

All employees are required to comply with the agency's safety standards. Current employees who pose a direct threat to the health and safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the ADA Policy. The HR department is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat, and undue hardship issues.

Alleghenies Unlimited Care Providers will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final. An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

ADA Complaint Process

Alleghenies Unlimited Care Providers prohibits discrimination based on a disability and is committed to ensuring equal opportunity and access for persons with disabilities. ALUCP has established a process in all its programs and services, including transportation, for resolving complaints of discrimination based upon disability.

Any person who believes he or she has been subjected to discrimination, based on a disability, may file a complaint under this procedure. The HR department is responsible for implementing this policy and for overseeing investigations and responses to complaints of discrimination based on a disability.

Complaint Process

1. Any person who believes they have been subjected to discrimination based on a disability, may file a complaint alleging discrimination with ALUCP. ADA Discrimination Complaint forms are available electronically on the website at www.alucp.org, or at our main office of:

Human Resources, ADA Administrator
Alleghenies Unlimited Care Providers
119 Jari Drive
Johnstown, PA 15904

2. Written complaints must be completed in full and should contain:
 - a. The name, address, and telephone number of the individual or representative filing the complaint. Complaints filed on behalf of third parties must describe or identify the alleged victims of the discrimination.
 - b. An explanation of the alleged discrimination or denial of service.
 - c. The date the alleged violation(s) occurred.
 - d. Signature of the person filing a written complaint.
3. All written complaints will be acknowledged within ten (10) business days of receipt of the complaint. The ADA Administrator will proceed with an investigation within ten (10) business days of receipt of the complaint. If additional information is needed to resolve the case, ALUCP may contact the complainant via mail. The complainant has five (5) business days from the date of the letter requesting additional information to send the requested information. If the additional information is not received within five (5) business days, ALUCP can administratively close the case. A complainant may also be administratively closed if the complainant no longer wishes to pursue the case.
4. Confidentiality will be maintained as far as practicable. If it is necessary to identify the complainant, the same shall be advised in advance and shall be told why it is necessary to identify him/her. If the complainant is not willing to release their name, and the case cannot proceed without this information, the case will be considered "closed" and the complainant will be notified in writing.

5. When a decision is reached, it will be rendered in writing within ten (10) business days after completion of the investigation. A copy of the written decision will be promptly furnished to the complainant. The case will either be closed because there was not a violation or if corrective or remedial action is found warranted, such decision will state the findings and the actions the agency has taken to address the violation.
6. The complainant may make an appeal within three (3) business days of the date of notification of the decision. The appeal must be made in writing within ten (10) business days after notice of decision. The appeal will then be settled by the ALUCP Board of Directors, and the decision shall be in writing and final.

Any individual who files a complaint or who testifies, assists, or participates in any manner in an investigation or hearing will be safeguarded against intimidation, coercion, or discrimination in any manner. If the complainant wishes to have a representative present at any discussion, the request will be honored, and a representative will be given an opportunity to be present.

Complaints may also be filed with the Federal Transportation Administration's Office of Civil Rights, no later than 180 days after the date of the alleged discrimination, to the following address:

**Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590**

ADA Complaint Form

Alleghenies Unlimited Care Providers prohibits discrimination based on a disability in all its programs and services, including transportation, based upon disability. If you feel you have been discriminated against because of a disability, please provide the following information to assist us in processing your complaint.

Please submit your complaint to:

Alleghenies Unlimited Care Providers

HR Department

119 Jari Drive

Johnstown, PA 15904

Complainant Information:

First Name: _____ Middle: _____ Last Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

Email: _____

Person Completing this Form on Behalf of the Complainant:

Name: _____ Relationship to Complainant: _____

Home Phone: _____ Cell Phone: _____

Please confirm that you obtained permission of the complainant to file on their behalf. [☐] Yes [☐] No

Date of Incident (MM/DD/YYYY): _____ Time of Incident: _____

Location of Incident: _____

Provide the name of the person(s) who discriminated against you. If unknown, please provide descriptive information to help identify the employee.

Please explain as

clearly as possible what happened and why you believe you were discriminated against. If more space is needed, please use a separate sheet of paper.

Please list the names and contact information of any witnesses.

Have you previously filed an ADA complaint with ALUCP? ☐ Yes ☐ No

Have you filed a complaint with a Federal, State, or local agency, or with any Federal or State court? ☐ Yes ☐ No

If yes, check all that apply:

☐ Federal agency ☐ Federal Court ☐ State agency ☐ State court ☐ Local agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name and Title: _____

Agency: _____

Address: _____

City, State and Zip Code: _____

Phone Number: _____

I affirm that I have read the above and that the information is true to the best of my knowledge and belief.

Signature and date are required.

Signature

Date

Anti-Harassment Policy and Reporting Discrimination/Harassment

Alleghenies Unlimited Care Providers 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. Therefore, Alleghenies Unlimited Care Providers expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment.

Definitions

Harassment on the basis of any protected characteristic is strictly prohibited. Under this policy, harassment is verbal or physical conduct that defames or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, national origin, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

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

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission 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, these 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 (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

Individuals and Conduct Covered

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether related to conduct engaged in by fellow employees, by a supervisor or manager, by a member of the Board of Directors, or someone not directly connected to Alleghenies Unlimited Care Providers (e.g., an outside vendor, consultant or customer).

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

Retaliation is Prohibited

Alleghenies Unlimited Care Providers prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

COMPLAINT PROCEDURE:

Reporting an Incident of Harassment, Discrimination or Retaliation

Alleghenies Unlimited Care Providers strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to this policy or who have concerns about such matters should file their complaints with the Human Resources Director or the immediate supervisor, before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of Human Resources.

In addition, Alleghenies Unlimited Care Providers encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Alleghenies Unlimited Care Providers recognizes, however, that an individual may be more comfortable with pursuing the matter through the complaint procedures. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, Alleghenies Unlimited Care Providers strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Alleghenies Unlimited Care Providers along with the cooperation of its staff/employees will make every effort to stop alleged harassment before it becomes severe or pervasive

IMPORTANT NOTICE TO ALL EMPLOYEES:

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as Alleghenies Unlimited Care Providers believes appropriate under the circumstances.

Individuals who have questions or concerns about these policies should talk with a member of the Human Resources Department.

False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

The Human Resources Department, on behalf of the Agency will ensure the posting of Alleghenies Unlimited Care Providers' Harassment Policy at the Agency office and all facilities. The policy will also be placed within the Employee Manual.

Will conduct Harassment Sensitizing Training Sessions in a timely basis for management and non-management staff, either at the Agency office or at off-site areas. Material covered may include, but is not limited to:

- Defining Sexual Harassment, the Harassed and the Harasser
- Actions to take
- Legal Implications
- Work Relationships and Gender Roles
- Review and Sign off of Alleghenies Unlimited Care Providers Harassment Policy

Conclusion

Alleghenies Unlimited Care Providers has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination and retaliation. Alleghenies Unlimited Care Providers will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of Alleghenies Unlimited Care Providers prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

If after the Agency has taken action, the employee feels the Agency has failed to adequately address the harassment issue internally, he/she must first follow the Grievance Procedure found on pages 126-127. He or she then has the right to file a discrimination complaint with:

Department of Human Services
Bureau of Equal Opportunity
Room 223, Health & Welfare Building
PO Box 2675
Harrisburg, PA 17105

PA Human Relations Commission
Harrisburg Regional Office
333 Market Street, 8th Floor
Harrisburg, PA 17101

U.S. Department of Health & Human Services
Office for Civil Rights
Suite 372, Public Ledger Bldg.
150 South Independence Mall West
Philadelphia, PA 19106-9111

Bulletin Boards

Bulletin boards maintained by Alleghenies Unlimited Care Providers are to be used only for posting or distributing material of the following nature:

- ❑ Notices containing matters directly concerning Agency business;
- ❑ Announcements of a business nature which are equally applicable and of interest to employees.
- ❑ Information regarding charitable and community activities supported by Alleghenies Unlimited Care Providers and Agency sponsored programs related to Agency products and services.

All posted material must have authorization from Human Resources. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

Violation of this policy should be reported to Human Resources.

Call-In Time Keeping

Alleghenies Unlimited Care Providers requires that all Direct Care Workers (DCW) and Caregivers accurately use the Clear Care call system to report and record the hours worked.

1. Direct Care Workers will call in at the beginning of their shift.
2. Direct Care Workers will call out at the end of their shift.

****** The telephony system will only allow you to clock in 5 minutes prior to your scheduled shift. The agency also recommends clocking out within 5 minutes of your scheduled shift end time.

Violations

- Direct Care Workers and Caregivers are not permitted to work over the scheduled hours unless authorized by a manager or supervisor. If a consumer should require care over the scheduled hours, the Direct Care Worker or Caregiver must contact a manager or supervisor to report the reason. In extenuating circumstances, it may be necessary to contact the on-call staff for approval of additional hours. Direct Care Workers or Caregivers that work overtime without authorization may be subject to disciplinary action, up to and including termination of employment.
- If a Direct Care Worker or Caregiver misses a call in/out, they must notify on-call staff within 1 hour of the scheduled shift. Direct Care Workers or Caregivers that consistently miss either calling in or out may be subject to disciplinary action up to and including termination of employment.
- Having someone other than the employee call in or out will result in disciplinary action, up to and including termination of employment.

Exceptions

The employee will contact a manager or supervisor if:

- There is an emergency or event that requires staff to leave during the shift.
- Starting the shift from a location other than the consumer's home (as indicated on the consumer's service plan). The employee must contact a manager or supervisor to report the time the shift started within 1 hour of the scheduled start time. This requirement is to ensure that the employee's time has been accurately recorded and that the consumer is receiving their required care.
- There is a problem with the consumer's phone; contact a manager or supervisor so this failure can be appropriately investigated and repaired.

Failure to abide by this policy may result in disciplinary action, up to and including termination.

Call-Off Procedure

To ensure the well-being of consumers, attendants must strictly adhere to the Call-off procedure. In the event that Alleghenies Unlimited Care Providers attendants are unable to report for scheduled working hours, an employee **must** notify their manager or supervisor as far in advance as possible, but not later than one (1) hour prior his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. Failure to comply with the call-in requirement may result in disciplinary action up to and including termination. The employee must adhere to the procedure outlined below.

Procedure

All staff at all Alleghenies Unlimited Care Providers facilities must report call-offs prior to scheduled start time to their manager or supervisor. Employees are required to speak with a manager or supervisor or to leave a voice mail if there is no answer. Text message are not proper means of reporting off work. Employees are responsible to follow up with his/her supervisor to discuss the call-off.

Emergency Call Off and Flex Options

Employees are permitted two (2) Emergency Uses per quarter totaling eight (8) per calendar year without accruing disciplinary actions as long as call off and APL policies are followed. Call offs above and beyond the allotted occurrences will be considered in excess of the call off policy and subject to disciplinary action up to and including termination. APL will not be applied to any improper call offs or absences.

DCW FLEX OPTIONS

Agency Direct Care Workers are also permitted to use a FLEX OPTION, two (2) times per quarter totaling eight (8) times per calendar year. Service Provision Specialists will offer flex time at the time of Emergency Use. DCW will have the option to flex their time and pick up hours the week of the call off to cover their hours at the time of call off only. FLEX time will be per agency need and will not be offered when calling for back up shifts.

Part Time Casual DCW and **Single Consumer DCW** are permitted to take up to 20 hours of non-paid leave each calendar year.

What is an occurrence?

- Any call off including consecutive days. For example: DCW calls off Monday, Tuesday and Wednesday (1) occurrence
- Any occurrence lasting **more** than two (2) consecutive calendar days will require a doctor's release to return to work.

What is a quarter?

- January 1 – March 31 = 2 Emergency Uses and 2 flex times
- April 1 – June 30 = 2 Emergency Uses and 2 flex times
- July 1 – September 30 = 2 Emergency Uses and 2 flex times
- October 1 – December 31 = 2 Emergency Uses and 2 flex times

Company Vehicle Policy and Procedures

To ensure the safe operation of Agency-owned vehicles, personally owned vehicles used for Agency business, and vehicles rented at Agency expense, employees are to adhere to the following policy under those circumstances. Failure to do so may result in immediate termination.

Compliance with applicable laws. All employees must comply with all traffic laws at all times.

Seat belts. All employees and passengers will use seat belts/shoulder harnesses at all times.

Intoxication. Employees will be physically fit at all times when operating any vehicle. Employees may not operate a vehicle while or after consuming any alcohol. Employees taking a prescription or over-the-counter medication, which may affect their ability to drive, will not drive. Employees may never take illegal drugs and operate a vehicle. Employees who violate this policy will be terminated immediately.

Current license. All employees will maintain a current, valid driver's license. All employees will comply with any restrictions on their driver's license.

Examination of driving record. Annually, employees' driving records will be examined by a record check with the Bureau of Motor Vehicles. Drivers may be reprimanded and, depending on the violation, may be terminated. Conviction for driving while intoxicated may result in termination.

Accident reports. A complete, accurate, written accident report will be submitted within twenty-four (24) hours of any accident, unless the employee is physically or mentally unable to do so.

Insurance. Employees are to obtain and maintain motor vehicle insurance as required by applicable state law. Proof of such coverage may be requested at any time by the Agency.

Inspection of vehicles. Employees are to conduct visual inspections of vehicles prior to operation, in accordance with the instructions received in the training course and/or policy.

Safety equipment. Each vehicle shall be equipped with the safety equipment listed in the training material.

Non-Employees. Non-Employees are not permitted to be transported in the vehicle unless prior approval is given by the Executive Director.

Use for non-business reasons. No employee is permitted to use Agency vehicles for non-business reasons.

Coordination with other policies and applicable law. Employees are subject to the Agency's disciplinary policy, conflict of interest policy, its safety policy, and its alcohol and drug policy, while operating a

company vehicle on or off duty or while operating a rental vehicle at Agency's expense on or off duty or while operating a personal vehicle for company business.

Driving records and any medical information (e.g., part of a driving restriction or from an accident report) will be maintained in confidence in accordance with applicable law. This policy will be interpreted and applied in accordance with state and federal laws.

Please contact the transportation department for further details and a copy of the complete vehicle policy.

Vehicle Usage Policy

- Vehicle Checklist Sheet must be complete each time a vehicle is used. This form must be returned to a Supervisor of Service Provision upon signing back in the vehicle.
- The gas tank must be filled if the tank is less than ½ full before returning the vehicle to the office.
- All gas receipts must have the vehicle number, employee name and department written on them and must be stapled to the Vehicle Checklist Sheet.
- Employees must report any issues with the vehicles on the Vehicle Checklist Sheet.
- No Smoking, Eating or Drinking is permitted in Agency vehicles.
- Agency vehicles are not to be used by employees for non-business reasons.
- Employees must follow all pertinent laws and regulations while operating Agency vehicles, including wearing seatbelts, no texting, etc.

Compliance Program

INTRODUCTION

Alleghenies Unlimited Care Providers, hereafter referred to as the Agency, maintains compliance as established by federal, state and local laws as they pertain to Health Care Fraud including but not limited to the following:

- Pa Code 1101.74 Provider Fraud
- PA Code 1101.75 Provider Prohibited Acts
- PA Code 1101.51 Ongoing Responsibilities of Providers
- The False Claims Act
- The Health Care Fraud Statute
- The Anti-Kickback Statute
- Physician Self-Referral Law, Stark Law
- Whistleblower Law

A report of fraud or abuse can be reported by telephone, face to face, by e-mail or by a written note. Any person reporting suspected Medicaid program or other program fraud, or abuse will be protected from retaliation from any supervisor or fellow employees.

INFORMATION TECHNOLOGY

The finance department has two programs installed, an accounting general ledger program and another used for payroll. The Agency uses a database for consumer and employee information. This system is password protected with access limited to that necessary to conduct business. A security system is installed at the doors for each department and each employee has a badge that unlocks the door if that person is to have access to that department. This security system is controlled by the IT department which can set the time for access and who will have access to each department. People from any leased spaces do not have access to any of the Agency. The IT department maintains a daily backup for each server in which a copy is stored offsite.

Every computer has a screen saver that is activated after the computer is idle for a set period of time, each computer is password protected so only that user can activate the computer and each password has to be changed every sixty days. When an employee quits or is fired, the IT administrator disables their account on all computer programs so the former employee does not have access to any information stored on the computer servers.

WORKPLACE CONDUCT AND EMPLOYMENT PRACTICES

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at the Agency, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, veteran status, or any other protected characteristic as established by federal, state, or local laws.

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

BILLING

The finance department at Alleghenies Unlimited Care Providers handles billing for the Agency. The finance department is audited once a year by representatives of the various programs funded by the Office of Long Term Living of the state of Pennsylvania. The finance department is also audited once a year by an outside independent auditing agency.

ADHERING TO LAWS AND REGULATIONS

Employees of the Agency are required to obtain background and employment reference checks as a requirement of employment. Please refer to the Background Check and Employment Reference Requirements section of this Employee Handbook.

Falsification of employment application and/or fraudulent time keeping (includes making unauthorized alterations on a time and attendance record).

The Agency has adopted a progressive Discipline Policy. Progressive Discipline is a series of steps intended to give the employee the opportunity to change when involved in matters associated with inappropriate behavior or poor job performance. See Progressive Corrective Action Procedure – Progressive Discipline Policy.

FRAUD AND ABUSE

Examples of fraud and abuse are: Calling in or out when a consumer is not at home or is in the hospital, calling in for a shift then leaving, not calling in and out consistently, falsifying or altering claims or records, up coding or incorrect coding, double billing, billing for services or supplies that were not rendered, failing to maintain appropriate records or any issues resulting in overpayments, embezzlement or theft, failure to return funds not authorized and falsifying timesheets.

SOLVING CONCERNS AND THE COMPLIANCE PROGRAM

The policy of the Agency is no retaliation against employees reporting known or suspected fraud. It is the responsibility of the CEO, the Board of Directors, Executive Directors, Department Supervisors, Program Directors and all employees to maintain a safe working environment, free from retaliation for reporting any suspicion of fraud. If an employee suspects fraud they should report it to the Compliance

Officer who will conduct an investigation into the fraud allegation. The employee reporting the fraud can make the report anonymously and should not receive retaliation for reporting the fraud. Any employee found retaliating against a person reporting fraud or abuse will be disciplined following the Agency guidelines for discipline.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

The Agency strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to this policy or who have concerns about such matters should file their complaints with Human Resources or the immediate supervisor before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of Human Resources.

In addition, individuals who believe they are being subjected to such conduct should promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Agency recognizes, however, that an individual may be more comfortable with pursuing the matter through the complaint procedures. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the Agency strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. The Agency will make every effort to stop alleged harassment before it becomes severe or pervasive but can only do so with the cooperation of its staff/employees.

IMPORTANT NOTICE TO ALL EMPLOYEES

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination and retaliation laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

THE INVESTIGATION

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

RESPONSIVE ACTION

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the Agency believes appropriate under the circumstances. Under the Whistleblower Protection Act, any person that reports a suspected abuse or fraud is protected from retaliation.

Individuals who have questions or concerns about these policies should talk with a member of the Human Resources Department.

False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

CORRECTIVE ACTIONS

Depending on the outcome of the investigation, the result could be a warning, job suspension, recovery of any lost money and/or termination. The investigator will report to the CEO and Board of Directors what the issue is, what measures need to be taken to correct the issue and a timeframe in which the corrections need to be made.

COMPLIANCE HOTLINE

The Agency has a toll-free hotline number 1-877-371-1110, or you can email to hrconfidential@alucp.org any allegations of fraud or you can mail a complaint to the Compliance Officer at 119 Jari Drive, Johnstown PA 15904 for anyone who wishes to remain anonymous.

The Pennsylvania Department of Public Welfare has established a hotline to report suspected fraud and abuse committed by any entity providing services to Medical Assistance recipients. To report suspected fraud or abuse of services provided under the Medical Assistance Program, please call the Bureau of Program Integrity at 1-866-DPW-TIPS (1-866-379-8477) or write to:

Department of Public Welfare
Office of Medical Assistance Programs
Bureau of Program Integrity
P.O. Box 2675
Harrisburg, PA 17105-2675

The MA Provider Compliance hotline is answered between the hours of 8:30 AM and 3:30 PM, Monday through Friday. Voicemail is available at all other times. Callers may remain anonymous and may call after hours to leave a voice mail if they prefer.

- Anyone calling the hotline is not required to identify who they are.

- If you do not want to speak to a hotline representative, you can leave a message during non-business hours.
- The caller will need the provider's name and address that they suspect of fraud.
- The caller will have to describe the activity they suspect, the time frame, recipient name and ID number.
- If you want to be contacted, you can leave a phone number where you can be reached.

Some common examples of fraud and abuse are:

- Billing or charging Medical Assistance recipients for covered services
- Billing more than once for the same service
- Falsifying records or time sheets
- Performing inappropriate or unnecessary services

Suspected fraud and abuse may also be reported via the website at <http://dpw.state.pa.us/omap> or emailed to omaptips@state.pa.us. Information reported via the website or email can also be done anonymously. The website contains additional information on reporting fraud and abuse. To contact OLT's Participant Helpline call 1-800-757-5042.

The Medicare fraud hotline is 1-800-447-8477 and the website for reporting to the Office of Inspector General is <https://oig.hhs.gov/>. If a review of your complaint leads to recovery of at least \$100 from a provider, you may be eligible for a reward. To report welfare fraud call 1-800-932-0582.

THE COMPLIANCE OFFICER

The Compliance Officer will insure the posting of Harassment, Discrimination or Retaliation policy at the agency offices and all facilities. The policy will also be place within the Employee Handbook.

The Compliance Officer will ensure training is done on a timely basis for all management and non-management staff, either at the agency office or at off-site areas. Material covered may include, but is not limited to:

- Defining harassment, discrimination and retaliation
- Defining Medicare Fraud
- Actions to take
- Legal implications
- Review and sign off Medicaid Policy

CONCLUSION

The Agency developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination and retaliation. The Agency will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and policies of the Agency prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not form the basis of an exception to them. If after the Agency has taken action, the employee feels the Agency has failed to adequately address the harassment issue internally, he/she must first follow the Grievance Procedure found in the Employee Handbook. He or she has the right to file a complaint of discrimination with the Office of Equal Opportunity, Pennsylvania Department of Health, and/or the Pennsylvania Human Relations Commission.

AGENCY INFORMATION

The Office of Equal Opportunity
EEOC Building
Sixth Floor, Suite 6NW14G
131 M Street, NE
Washington, DC 20507
Phone: (202) 663-7081

Pennsylvania Department of Health
Room 526 Health and Welfare Building
625 Forster Street
Harrisburg, PA 17120
Phone: (717) 787-1816
Hotline: (800) 254-5164

The Pennsylvania Human Relations Commission
300 Liberty Avenue
11th floor, Suite 1100
State Office Building
Pittsburgh, Pa 15222
Phone: (412) 565-5395

Confidentiality

All Agency personnel, volunteers and members of the Board of Directors are expected to fully respect the confidentiality of personnel files, financial records, consumer information and donor files. In general, consumer information may be shared internally, as needed, to coordinate information and referral services. All employees of Alleghenies Unlimited Care Providers are required to sign the Agency confidentiality and Privacy Agreement which becomes part of the employee's personnel file.

Employer Information and Property

Many of the records that employees regularly handle contain confidential information about employees, consumers, or our own business. Confidential information is also information involving our services, whether written or not. Unofficial release of this information could be detrimental to our employees, our consumers or Alleghenies Unlimited Care Providers. Therefore, confidential information including services, technical information, employee records, funding, consumer lists, and etc. may not be released without prior approval of the Executive Director and/or the legal counsel, where required. Violation of this rule is considered a serious offense and in many instances may be illegal.

The protection of Alleghenies Unlimited Care Providers' business information, property and all other Agency assets are vital to the interests and success of Alleghenies Unlimited Care Providers. No Alleghenies Unlimited Care Providers related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of Alleghenies Unlimited Care Providers) may, therefore, be removed from the Agency's premises. In addition, when an employee leaves Alleghenies Unlimited Care Providers, the employee must return to the Agency all Alleghenies Unlimited Care Providers related information and property that the employee has in his/her possession, including without limitation, employee badges, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies and the employee may not disclose any confidential information learned while working for the organization.

Awareness

Both the Agency confidentiality Policy and the HIPAA Privacy Act **forbid disclosure of all consumer information, directly or indirectly**. Consumer information includes ALL information that would identify a consumer, any and all Protected Health Information (PHI), any and all financial information, and other information obtained from or about a consumer. The consumer expects that information to stay private. This information includes, but is not limited to: name, address, telephone number, social security number, age, date of birth, race/ethnicity and any other identifying characteristics.

Family, friends, neighbors, previous employees, or other consumers are people that are not authorized personnel and the consumer/agency information should never be discussed with them.

Even casual conversation with other employees may be overheard and thereby violate the right of privacy of others. Employees must be particularly careful about conversations in eating places and/or any public place. Information must not be discussed outside the Agency or consumer's home.

If someone questions an employee, the employee must tactfully tell him or her that they are not authorized to discuss the matter and refer them to a supervisor or member of management.

Should the release of client information be necessary, a *Release of Client Information Waiver form* must be completed in the presence of the person about whom information is requested before any data may be released. The form and information being released must also be explained to the person for whom the form is regarding (the consumer).

Violations

Violation of this confidentiality policy and/or the HIPAA Privacy Act is a serious offense and will result in immediate termination. All instances of misconduct should be referred to the Human Resources Department immediately.

Consumer Obligations

Introduction

Personal care attendants who are employees of Alleghenies Unlimited Care Providers must adhere to policies and procedures of the Agency and complete duties as assigned by his/her Service Provision Supervisor, or other department supervisor depending on your job location and duties, on an ongoing basis in a consumer's home or agency owned location. Agency employed attendants must provide services as defined in the service plan with the consumer being responsible for the supervision of the attendant when in the consumer's home.

Service Plan

Prior to initiating services within a consumer's home, the attendant will review the approved services with a Supervisor. The attendant will provide services according to the terms of the service plan. If at any time, the consumer's needs change, the consumer is required to inform the Service Coordinator of needed adjustments and the attendant must receive approval from the Service Coordinator before providing the new service. An attendant will not provide services to a consumer if that service is not listed in the service plan.

Schedules

Each consumer receiving services will have a set schedule of the times and days they receive services. Schedules should remain consistent unless there is a change in the consumer's condition or living arrangements that will require the hours, they receive services to be adjusted. Attendants must adhere to the schedules initially given unless notified by his/her supervisor. Consumers can receive services any day of the week or hour of the day including weekends and holidays. All schedule changes for service to consumers must have prior authorization from a program Service Provision Specialist and a department supervisor. Changes in consumer schedules must be based on consumer need and request.

Priority Care and Back-up Services

Most Agency Programs require that each consumer shall take responsibility for arranging back-up services independent of the Agency. However, the Agency is ultimately responsible for providing priority care back-up coverage.

The use of family, friends, and neighbors shall be encouraged since these sources are dependable and usually available on short notice.

Priority Care is defined as care needed by a consumer to fulfill his/her basic service needs. Basic Services are defined as the services in a service plan that is personal care. These needs should be responded to within a reasonable time frame (1 to 3 hours). Priority Care cannot be used to provide

ancillary services. Ancillary Services are defined as housecleaning, errands, shopping, and various household chores.

Attendant Rights

An attendant has the right to:

- Be treated with respect and dignity and not be subjected to verbal, psychological, or physical abuse.
- Request to be removed from placement with a consumer due to unique circumstances that must be addressed with his/her supervisor.
- Refuse to provide services that are not in his/her Service Plan.
- File a grievance after an attempt to resolve issues fails and the problem persists.

Professional Recommendations to Enhance Consumer / Attendant Relationships

- Be courteous, take time to show people you care.
- Be honest.
- Focus on the positive.
- Focus attention on present activity. Don't get ahead of yourself.
- Observe.
- Never discuss business in front of others. Make notes and discuss later.
- When you have a question, seek out the answer.
- Listen to suggestions and make note of them and act on them.
- Do not become defensive when asked questions. Be positive and if necessary take action to correct problems.
- Be careful about appearance. Take time to present your best.
- A person looking for faults will find them. A person looking for good will find it. Always remember to maintain a positive outlook.
- **Always remember you are representing the Agency.**

Child Care Policy

Baby-sitting is not an allowable support service. Employees are not permitted to provide child care services. An employee is not permitted to take his/her child(ren) into the consumers home.

Pet Care Policy

Pet care is not an allowable support service. Do not handle or care for a pet in a consumer's home at any time.

Shopping / Banking / Cash Transactions

Attendants may shop, make purchases and/or do banking on behalf of a consumer. The attendant must submit all receipts for shopping purchases to the consumer, and all change (excess money) must be returned to the consumer on the date of shopping AND the attendant **MUST** complete a Cash Transaction Sheet.

If the consumer is unable to independently sign his/her name to checks they must make other arrangements to be able to pay for the items an attendant is shopping for. Attendants are not permitted to do banking for any other related party or entity. Attendants may pay bills or do banking for consumers only – no family members of consumers.

Consumer Medical Records

To ensure the confidentiality, security and integrity of all protected health information including paper and electronic files and records in accordance with applicable federal and state laws and regulations.

Agency will ensure that all consumer identifiable information in the paper and/or electronic medical record will remain confidential and will be secured and controlled whether in hard copy or in electronic format. Agency will implement measures to safeguard medical records/information against loss, destruction, tampering, and unauthorized use.

The Agency will maintain and retain medical records in accordance with state and federal regulations for no less than seven (7) years, even if the consumer is discharged or the Agency discontinues operations. If the consumer is transferred to another home health care agency, a copy of the record or abstract shall accompany the consumer. A clinical record containing pertinent past and current information in accordance with accepted professional standards shall be maintained for every consumer receiving services. In addition to the plan of treatment, the record shall contain appropriate identifying information; name of physician; drug and dietary treatment; activity orders; signed and dated clinical and progress notes by the individual who delivered the service. All clinical notes are written the day service is rendered and incorporated into the clinical record no less often than weekly; copies of summary reports sent to the physician; and a discharge summary.

The Agency shall provide all employees with training on the HIPAA Privacy Rule and ensure that all records are compliant with the HIPAA Privacy Rule. All new employees shall receive confidentiality and privacy training during their orientation. If the Agency changes its policies and procedures related to confidentiality, security and integrity of information, all employees shall receive retraining. All privacy orientation and retraining shall be documented in the employees' personnel files.

Before assuming job responsibilities, all staff will be educated regarding the confidential nature of medical records and information, either hard copy or electronic format, and be informed of the resulting disciplinary action for willful, unauthorized disclosure of confidential information. Any discussion involving consumer/caregiver information will be conducted discreetly to avoid accidental disclosure to unauthorized staff.

Measures such as locking file cabinets or locking the medical record room will be utilized for protection of records from access and/or retrieval by unauthorized personnel after business hours. Any information needing to be faxed will have a cover sheet stating the confidential nature of the information.

The Agency will avoid placing medical records in unattended areas accessible to unauthorized individuals. Assure medical records on desks or computers can't be read by unauthorized individuals. Store medical records in a manner that minimizes the possibility of damage from fire and water. Paper records should be carried in locked containers. If utilizing digital signatures the signature must not be in an encrypted format.

Agency will observe confidentiality when releasing medical record information and when arranging for record removal from the licensed premises by court order, subpoena, or statute. Agency staff will observe confidentiality when copying and/or removing copied medical record information. The Agency will maintain and destroy all medical records in accordance with state and federal regulations. All consumer records will be kept confidential and, except in emergencies or with written consent of the consumer, may not be accessible to anyone without the written consent of the participant or if a court orders disclosure other than the following:

- The consumer
- The consumer's legal guardian
- An individual holding the consumer's power of attorney for health care or health care proxy
- The Agency staff for the purpose of providing a service to the consumer
- An agent of the Office of Long Term Living, Department of Health or other regulatory entity

Electronic Records Retention

Consumer computer data will be accessed, entered or retrieved by authorized persons only. All employees who have access to the system will be given network and database username and passwords. These passwords are not to be shared with any person. Passwords will be changed by the user periodically or following a breach in security. Passwords will be deleted at termination of an employee.

Laptop and other portable media/devices security measures to be taken by authorized agency staff may include but, not be limited to: utilization of password management procedures (for changing and safeguarding passwords) for all portable or remote devices that store electronic protected health information; installation of personal firewall software on all laptops that store or access electronic protected health information or connect to networks on which electronic protected health information is accessible; installation, use and regular update of virus-protection software on all portable or remote devices that may access electronic protected health information; use of session termination (time-out), lock-down or other locking mechanisms for inactive or unattended laptops or other inactive portable or remote devices; prohibition of transmission of electronic protected health information (including email) over open networks, such as the Internet, where appropriate.

All electronic records will be maintained as original records and will be readable. Electronic imaging of paper documentation will be an exact reproduction of the original document and confirm to the

Agency's electronic record retention policy. Any and all alterations will include the original and altered version, dates of creation and the creator. The Agency will maintain and retain electronic records in accordance with state and federal regulations as described above.

The electronic format will conform to state and federal requirements. The electronic record will be readily accessible to state and federal departments and agencies, including the Office of Long Term Living and the Department of Health, or the state and federal agencies designee.

Corrective Action – Progressive Discipline

Rules, regulations, and procedures are essential for the successful operation of any organization. These rules and procedures have been designed for the protection and welfare of all employees and are intended to be fair while imposing requirements necessary for the successful operation of this Agency.

In the interest of keeping Alleghenies Unlimited Care Providers the kind of place where all of us enjoy working, certain rules of conduct must be maintained. Because no set of rules or procedures can cover all possible situations and circumstances which may arise, these rules should be considered guidelines and may change from time to time depending on circumstances. Where appropriate, the Agency will apply corrective action for violation of the rules and regulations as well as for improper conduct of a commonsense nature. It is Alleghenies Unlimited Care Provider's intention that these be uniformly applied to all employees and that any action is remedial and appropriate for the frequency and seriousness of the offense. Please check with your immediate supervisor or the Human Resource Department in the event the rules or procedures are not clear or do not cover a particular situation. Employees may view the Progressive Discipline Policy in the Human Resource department.

The following are examples of offenses that may warrant corrective action up to and including discharge. Please note that this is not intended to be an all-inclusive list.

- ❑ Disregard of safety rules and Agency procedures.
- ❑ Failure to immediately report on-the-job accidents to your supervisor and Human Resources.
- ❑ Tardiness or absenteeism (Absentee Control Policy).
- ❑ Insubordination, disorderly conduct, including fighting and harassment.
- ❑ Failure to perform assigned duties within reasonable expectations and/or unsatisfactory job performance.
- ❑ Failure to report all equipment malfunctions to a supervisor or making repair to Agency equipment without proper authorization.
- ❑ Possession, usage or working under the influence of alcohol or non-prescribed drugs or chemicals on Agency premises, while operating Agency vehicles, in consumer's homes, or while on Agency paid time, or supervisory personnel allowing any of the above to occur.
- ❑ Willful failure to complete and submit a request for approval of outside employment when that employment is in conflict with an employee's departmental duties and Alleghenies Unlimited Care Provider's conflict of interest policy.
- ❑ Providing false information to the Agency or dishonesty in your relations with the Agency, including falsification of timesheets and records.
- ❑ Falsification of employment application and/or fraudulent time keeping (includes making unauthorized alterations on a time and attendance record).
- ❑ Disclosure of confidential company, employee, or consumer information, including any breach of the confidentiality statement/policy.
- ❑ Discussing other consumers or attendants with consumers.
- ❑ Discussing personal or financial problems with consumers.

- ❑ Unauthorized possession of or damage to another employee's, consumers, or Agency's property.
- ❑ Presence on Agency property outside of working hours without permission.
- ❑ Performing unauthorized personal work on Agency time.
- ❑ Any form of language and/or conduct that reasonably offends another person on account of sex, race, age, color, national origin, religion disability or any other status protected by law whether intentional or unintentional, including swearing or questionable language.
- ❑ Acceptance of money, loans, gifts, gratuities, favors, service, or other proffered arrangements for personal benefit from consumers (or family members), private parties or organizations doing business with the Agency.
- ❑ Posting of unauthorized materials.
- ❑ Smoking on Agency premises, in designated non-smoking areas, on Agency time, or in the consumers home (even if the consumer smoke in their home, employees may not).
- ❑ Carelessness including excessive work-related accidents.
- ❑ Sleeping on company premises.
- ❑ Gambling on company premises.
- ❑ Immoral or indecent conduct.
- ❑ Possession of weapons, firearms, or explosives on company premises.
- ❑ Theft or attempted theft of any kind.
- ❑ Excessive breaks, including personal business, phone calls and/or visits.
- ❑ Littering and/or poor housekeeping.
- ❑ Horseplay.
- ❑ Disregarding the food/drink policy. Attendants may not eat in the consumer's home (for exceptions please see your supervisor).
- ❑ Threatening, intimidating, profane, or abusive language or conduct.
- ❑ Leaving during working hours without your supervisor's permission.
- ❑ Carelessness in the performance of your job.
- ❑ A working attitude that adversely effects work performance of self or others such as refusing to work as a team player.
- ❑ Failure to return to work as scheduled following a leave or other unpaid time off.
- ❑ Wasting company materials.
- ❑ Missed staff meetings.
- ❑ Late timesheets.
- ❑ Driving consumers (or his/her family or friends) in personal or consumer's vehicle.
- ❑ Consumer abuse.
- ❑ Taking children or other family members to work or into the consumer's home or accepting personal phone calls while at a consumer's home (including cell-phone calls).
- ❑ Authorizing and/or administering medical procedures.
- ❑ Providing services to a consumer who is hospitalized without prior authorization. (**No** personal care services are allowed in the hospital (this is an Agency and hospital regulation)).
- ❑ Accepting keys to a consumer's home without Agency authorization.
- ❑ Loafing or other abuse of time during assigned work hours, including watching television (permitted only during Respite Care).
- ❑ House sitting or person sitting when the consumer is not home.

- ❑ Failure to complete mandatory trainings.
- ❑ Failure to complete mandatory 2-Step TB tests/shots/vaccinations.
- ❑ Safety infraction likely to cause harm or death to consumers, self, employees, or others.

Alleghenies Unlimited Care Providers has adopted a progressive Discipline Policy. Progressive Discipline is a series of steps intended to give the employee the opportunity to change when involved in matters associated with inappropriate behavior or poor job performance.

Following is the progressive disciplinary action program with cumulative levels

Level Key: Level 1 = Documented Problem Assessment Session
 Level 2 = Documented Written Warning I
 Level 3 = Documented Written Warning II
 Level 4 = Documented 3-Day Unpaid Suspension [Last Chance Agreement]
 Level 5 = Documented Termination

Although these procedures will generally apply, each occurrence will be handled on a case-by-case basis and appropriate action will be taken based on its severity. Alleghenies Unlimited Care Providers reserves the right to harshen or lessen the progression of levels if the offenses warrant. In appropriate cases involving extreme/gross misconduct, the progressive system is not used. An employee may be immediately suspended without pay, or in some cases, terminated. The Executive Director, Deputy Director and/or the Human Resource Director may dictate the institution of the process at any step appropriate to the level of misconduct. Appeals regarding disciplinary actions, including termination, must be handled through the grievance procedure.

Alleghenies Unlimited Care Providers absentee control program prevails under normal circumstances and is independent of this program. However, distinctive tardiness and/or attendance problems can be evaluated under this program as well. For example, pattern absenteeism or tardiness.

All new employees within their sixty (60) day introductory training period who are unable to meet satisfactory job performance criteria may be disciplined up to a level 5 of termination.

Dress Code

Alleghenies Unlimited Care Providers and its affiliates considers it very important that employees are well groomed, neat, and dress appropriately for your job function and, while we trust each employee's common sense and good judgment, a dress code must be followed that is appropriate to the work environment. The Agency has adopted and emphasizes a professional business dress code. Appropriate dress and hygiene are important in promoting a positive company image to our customers. Following are guidelines detailing what is meant by the term "Professional Business Dress".

Office environment

- Business Casual attire is expected in the office environment.
- Dress pants should be worn with a blouse, or blouse and jacket, or sweater for females. Appropriate undergarments must be worn at all times. Dress slacks with shirt, shirt and jacket, or sweater is appropriate for males. Males may exclude neckties; however, only professional collared, pressed shirts may be worn (button-up shirts, polo/golf shirts with a collar).
- Skorts/Split skirts, dressy capris, and dressy walking shorts (not shorts) may be acceptable if worn no higher than two (2) inches above the top of the knee.
- "Casual Friday" will be acceptable only if it is not abused. Please avoid tank tops/halter tops and t-shirts or sweatshirts with questionable sayings written on them. Showing midriffs, low cut tops or tops exposing cleavage and short-shorts are not permitted. The Friday dress code for the office environment may include jeans and well-kept athletic shoes. If you are conducting or attending meetings, seminars, etc. where you come in contact with other business professionals, customers, or consumers, you are expected to represent the Agency in a professional manner and dress appropriately for conducting such business. Know your audience, remember what you represent and dress accordingly. If you are unsure of the appropriate attire for different circumstances, please contact Human Resources for assistance.
- Flip-flops are not appropriate business attire and may never be worn including "Casual Friday".
- Body art should not detract from employees' professional demeanor.
- Clothing must be neat, clean and presentable; free from dirt and odor. Pants & jeans may not have frayed cuffs, holes or patches.
- Jewelry must be kept to a minimum and have a professional appearance. Appropriateness of jewelry may be at the discretion of managers and supervisors. Facial piercings are not permitted in the office environment.

Attendants

While the Agency does not require uniforms in the workplace, a standard of dress is required to promote a safe and productive working environment. As in an office environment, if you are conducting or attending meetings, seminars, etc. where you come in contact with other business professionals, you are expected to represent the Agency in a professional manner and dress appropriately for conducting such business. If you are unsure of the appropriate attire for different circumstances, please contact Human Resources for assistance. The following dress code is required:

- Clothing must be neat and clean and be properly fitted and presentable.
- Jeans are acceptable unless ripped or patched.
- Scrubs are acceptable, however not required.
- Shorts are acceptable but must be no shorter than mid thigh; short-shorts are not permitted.
- Employees must wear shoes with flat heels and closed toes, covering the entire foot and have non-slip soles for traction. If a consumer asked you to remove your shoes, bring a clean pair of shoes or rubber soled footwear.
- Hair must be shampooed regularly and if long, hair must be braided or tied back.
- Beards and/or mustache must be clean and trimmed.
- Fingernails must be clean and trimmed so they do not tear the gloves.
- Body must be free from dirt and odor.
- Attendants may carry spare clothing and/or shoes (do not leave at your consumer's home).
- Shirt or blouse must be long enough to meet the top of your pants (no midriff showing). Please avoid tank tops/halter tops and t-shirts or sweatshirts with questionable sayings written on them. Showing midriffs, low cut tops or tops exposing cleavage are not permitted.
- Keep jewelry to a minimum.

General guidelines for everyone

The Agency wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Therefore, the following clothing is NOT ACCEPTABLE: spandex, bare feet; pants, shorts, or skirts worn below the waistline; sexually provocative clothing; hats in the office environment; clothing with profanity, nude or semi-nude pictures, sexually suggestive slogans, cartoons, or drawings; the observable lack of undergarments and exposed undergarments.

Compliance

Supervisors and Managers are responsible for ensuring their departmental personnel are in compliance. Supervisors, Managers, and Human Resources reserve the right to send any employee home to change clothes who violates any part of the dress code policy. The time spent away from work for this reason will follow Attendance Policy guidelines and will be unpaid. Where an employee's clothing is questionable, the Supervisor or Manager has first discretion and will follow the normal chain of command. If you wish to report a non-compliance, please report it to your supervisor or the Human Resources Department. Violations will also be subject to the "Corrective Action Procedure" for discipline.

Drug and Alcohol-Free Workplace

Alleghenies Unlimited Care Providers has established a drug and alcohol-free workplace policy, in keeping with its commitment to provision of high quality, professional services. The unlawful manufacture, distribution, sale or use of a controlled substance on Alleghenies Unlimited Care Providers premises, or while conducting Agency business anywhere is absolutely prohibited and is considered extreme misconduct and grounds for termination of employment. This applies to Agency employees, members of the Board of Directors, volunteers, visitors, and consumers. The use of alcoholic beverages at Agency events must be used responsibly and within legal limits.

When we work together for a common goal, every member of the team has a vital role to play. That goal is the success of Alleghenies Unlimited Care Providers. It is important that each of us is ready to work safely, productively and efficiently every day. Statistics show that a negative relationship exists between abuse of alcohol and/or a controlled dangerous substance (CDS), and the ability to perform a job with regard to judgment, interpersonal relationships, manual dexterity, safety, reliability and productive utilization of skills.

Therefore, it is necessary to establish a drug and alcohol policy. We believe that all employees will cooperate fully with this program. If you have any questions at any time, please discuss them with the Human Resource Director. This policy is subject to modification by the Agency as appropriate.

Regulation concerning use

Drugs include alcohol, a CDS (as defined by state or federal authorities) and medications other than those sold to the public on a non-prescription basis or those prescribed to the employee by a duly licensed physician.

Unauthorized use, possession, sale or distribution of drug paraphernalia, or reporting for work under the influence of alcohol or CDS, may result in disciplinary action, up to and including discharge.

Employees are also expected not to engage in any off-duty or off-premises drug or alcohol-related conduct which may affect their work performance, or which causes adverse publicity to the Agency. Employees convicted for the sale or possession of an illegal substance will be terminated. Employees who are indicted, but not convicted (i.e. hung jury, pre-trial intervention, dropped charges) may also be terminated or subject to other discipline. Alleghenies Unlimited Care Providers will comply with all state and federal program mandates.

Substance abuse screening

By accepting employment and continuing employment with the Agency, employees consent to authorize Agency representatives conducting periodic and reasonable searches of their person, clothing, and personal effects brought onto company property, any other worksite, or customer property, whether or not during working hours. Any employee refusing to consent to a search of

his/her person, clothing, effects, or vehicle will be disciplined, up to and including termination. Such searches will only be conducted if a reasonable suspicion exists concerning employee use, sale, or possession of alcohol and/or a CDS, and in the presence of a supervisor.

The Agency will request a urinalysis, blood test or breathalyzer test when there is a reasonable suspicion that the employee may have a substance-related problem, which is affecting his/her job performance. A reasonable suspicion includes but is not limited to excessive absenteeism or tardiness; erratic behavior; accidents; decreased productivity; carelessness; safety violations; health problems, or other circumstances that justify a reasonable suspicion of drug or alcohol use.

All drug testing will be performed using a system designed to ensure the integrity of a specimen from the time it is collected until laboratory testing is completed. If an initial test is positive, a second confirmatory test will be performed on the same sample to ensure accuracy and indicate the specific identity and levels of any alcohol or a CDS. The laboratory shall preserve part of the test sample for ninety (90) days so that the employee may have the sample tested at his/her own expense.

Employees who are taking prescription medicine should carry it in an appropriately identified container, labeled by a licensed pharmacist, indicating their doctor's name and the prescription number. Employees taking medicine that may cause drowsiness or otherwise affect job performance should report that to their supervisor and Human Resources. The Agency reserves the right to evaluate whether an employee taking a drug for medical reasons can safely perform their duties while taking the medication.

Employees who voluntarily come forward and admit addiction to a CDS or alcohol will be allowed one chance at rehabilitation. This provision does not apply to casual or recreational users of alcohol. The report of a conviction must be made within five (5) days after the conviction. This requirement is mandated by the Drug-Free workplace Act of 1988.

Alleghenies Unlimited Care Providers also maintains a safety-sensitive substance Abuse Policy for all van drivers. It may be reviewed in the Human Resources Department.

Failure to obey the order to submit to any of these tests will subject employees to disciplinary action, up to and including termination.

Procedures

When the Agency has reasonable suspicion of substance abuse, management will meet with the employee as soon as possible. The supervisor will explain his/her suspicions and ask for an explanation.

The employee will be asked to consent to a substance abuse screening by signing the consent form. Should the employee refuse to give such consent, such refusal will be grounds for discharge.

A management employee will accompany the employee to the medical facility, where the screening will be performed. If the employee appears to be under the influence of drugs, and is unable to work or

drive safely, he/she will be driven home following the screening. If the employee insists upon driving home, he/she will not be stopped from so doing, but the police will be notified.

The employee will be suspended without pay pending results of the tests.

Once the results have been received, a second meeting will take place between the employee, and management, if appropriate. If the results are negative, the employee will be returned to work and made whole.

In the event of a confirmed drug or alcohol usage, the employee may be disciplined, discharged, or may at the Agency's discretion, be offered the option to seek medical attention at a rehabilitation clinic as advised by the Human Resources Department. The employee will be required to follow any and all recommendations made by the clinic, including successful completion of any rehabilitation program, including follow-up care for a minimum of two (2) years. Failure to contact the clinic and/or follow all of their recommendations will be cause for discharge.

Under no circumstances will the employee be permitted to return to work without a release from the clinic or medical consultant. The Agency reserves the right to speak to any treating doctor or other medical personnel for clarification before permitting the employee to return to work and perform all aspects of his/her job without any limitations whatsoever.

Upon receiving a release to return to work, and prior to returning, the employee will be required to undergo a drug/alcohol screen. Upon his return to work, the employee will be subject to random testing, for a period of time not to exceed two (2) years. Should the employee again test positive for either drugs or alcohol, after being released for his/her return to work, he/she will be discharged.

Failure to follow any and all recommendations and/or instructions of the aftercare program will result in termination.

Privacy

Results of drug/alcohol tests will be discussed privately with the employee. If the drug or alcohol tests are positive, the employee will be given the opportunity to provide an explanation before any action is taken. All information relating to testing, results, or rehabilitation, will be kept strictly confidential and divulged only to those within the company who have a need to know, or as required by law.

Grievance Procedure

Grievances are generally objections or complaints by an employee about Corporation policy and/or procedure as applied to him/her. The intent of the established grievance procedure is to provide all employees with a formal, systematic process for bringing work related problems to the attention of management and to resolve such problems promptly and fairly at the organizational level closest to the employee. These objections may include but are not limited to disciplinary actions and/or termination. Retaliation is expressly prohibited against any employee who files a grievance or assists in any investigation(s).

Serious problems with personal care services, difficulties related to the consumer's supervision, alleged violations of attendant rights or guideline violations which cannot be resolved with a meeting of the attendant, consumer and supervisor, may be addressed through the Grievance Procedure.

Employees must present the same grievance at all steps, without change, except to provide more information, as follows:

- 1) The employee presents the grievance to his/her immediate supervisor within five (5) working days of the event or the employee's knowledge of it. The employee is to schedule a meeting so that the grievance can be discussed. Even though the supervisor may have no direct authority to remedy the grievance, the supervisor must be the first step of the grievance process.
- 2) If the discussion does not resolve the issue or is not an appropriate first step in certain instances, a written grievance must be presented to the immediate supervisor within five (5) working days. The immediate supervisor will forward a copy of the written grievance to the Executive Director.
- 3) The immediate supervisor provides a written response to the employee's grievance within five (5) working days.
- 4) If the written grievance is not or cannot be resolved by the immediate supervisor, the grievance and response go to the next higher level of supervision within five (5) working days.
- 5) When the written grievance is received by the next level of supervision, it is reviewed with the employee and the supervisor to discuss the grievance, if the written information is not sufficient. The decision concerning the grievance is communicated to the employee and supervisor within five (5) working days after receipt.
If the employee is still not satisfied, the information concerning the grievance, including all decisions by previous levels of supervision, is forwarded to the Program Director, in consultation with the Human Resources Department. All steps must occur within five (5) working days of the previous response.
- 6) If the employee is still not satisfied, the information concerning the grievance and all decisions by previous levels of supervision is forwarded to the Executive Director, it is reviewed with all

the involved managers and the employee. A decision is made concerning the grievance within five (5) working days.

- 7) If the matter concerns a disputed policy, or cannot be settled at the Executive Director level, the matter is referred to the Board of Directors, which makes a final and binding decision within five (5) working days whenever possible.

A similar process is available for consumers and parents to follow when they have a concern. Any employees having knowledge of such an instance should refer it directly to their supervisor, or, in cases involving their supervisor, to their supervisor's Manager/Director. Failure to do so could result in disciplinary action.

Health Insurance Portability and Accountability Act (HIPAA)

Alleghenies Unlimited Care Providers has a long-standing commitment to protecting the privacy of patient health information which is sometimes referred to as Protected Health Information (“PHI”). A part of this commitment involves compliance with the privacy standards contained in the regulations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the first comprehensive federal protection of health information. The regulation is known as the Privacy Act.

The following is a general overview of the requirements of HIPAA. Each facility is referred to as a “Covered Entity” by these regulations and in this statement. This general policy serves only as a brief description of the full compliance summary which includes specific HIPPA compliance transaction. The full summary and corresponding procedures is housed within Human Resources at the main office of Alleghenies Unlimited Care Providers.

The HIPAA regulations govern the use and disclosure of PHI. In general, a Covered Entity may use PHI for purposes of treatment, payment, and health care operations. It may disclose PHI

1. With the individual’s authorization;
2. To another healthcare provider for treatment and payment purposes with the individual’s authorization; and
3. In certain other circumstances described by the regulations.

In using or disclosing PHI a Covered Entity must restrict the use or disclosure to the minimum amount necessary to accomplish the purpose of the use or disclosure. Employees of a Covered Entity will be assigned classifications that will determine the consumers/employees’ access to PHI in order to comply with the minimum necessary requirement.

The HIPAA regulations also give individuals several rights with respect to their PHI. In addition to the rights to have access and to receive confidential communications about PHI, the individual may copy and inspect PHI, restrict its use and disclosure, amend it, and receive an accounting of disclosures made of their PHI.

There are many obligations imposed on a Covered Entity by the privacy regulations including:

- developing and implementing policies and procedures to assure compliance;
- Training members of its workforce in the HIPAA requirements appropriate to their jobs;
- Documenting its efforts to achieve compliance; developing and implementing safeguards to protect PHI; and
- Designating a Privacy Official.

These ongoing obligations are contained in detail within the full compliance summary and can be obtained by contacting Human Resources or an officer of Alleghenies Unlimited Care Providers.

A Privacy Official is an individual designated by Alleghenies Unlimited Care Providers who is responsible for the development and implementation of the required policies and procedures for compliance with HIPAA. Alleghenies Unlimited Care Providers must also designate a person, who may be the Privacy Official, to handle complaints and to provide information about the entity's practices with respect to PHI.

The Covered Entity must state its practices with respect to the use and disclosure of PHI, the individual's rights and the Covered Entity's obligations in a "Notice of Privacy Practices". This Notice must be given to individuals at the time the treatment relationship begins.

Our HIPAA Policy contains the following:

General

1. Compliance with Federal & State Confidentiality Laws
2. Definitions
3. Notice of Privacy Practices
4. Minimum Amount of PHI Necessary
5. Business Associates Policy
6. Personal Representatives
7. Verification of Entities Requesting Use of Disclosure of PHI
8. Mitigating Effect on Unauthorized Release of PHI
9. Designation of Privacy Officer
10. Employee Training
11. Disciplinary Actions & Prohibition against Retaliation

Uses and Disclosures

12. Use and Disclosure of PHI
13. Individual's Authorization for Use or Disclosure of PHI
14. Treatment Payment & Health Care Operations
15. Use & Disclosure of PHI to Family Friend or Personal Rep
16. Disclosing PHI as Required by Law
17. Disclosing PHI for Public Health Release & Abuse or Neglect
18. Disclosing PHI for Health Oversight Purposes
19. Disclosing PHI for Judicial & Administrative Release
20. Disclosing PHI for Law Enforcement Release
21. Miscellaneous Uses and Disclosures, Decedents, Etc.
22. Breach Notification

Individual Rights

- 23. Individual's Right to Access and Copy PHI and To Direct a Copy of PHI Be Sent to a Third Party
- 24. Individual Rights Request for Amendments to PHI
- 25. Accounting for Certain Uses and Disclosures
- 26. Patient Request Privacy Protection for PHI

HIPAA Security Policies

- 1. Access Control and Validation Procedures
- 2. Security Incident Policy and Procedure
- 3. Sanctions Policy
- 4. Device and Media Controls
- 5. Security Officer
- 6. Supplemental Information Security
- 7. Security Management Process
- 8. Workforce Security
- 9. Security Awareness Training
- 10. Virus Protection Policy
- 11. Password Policy
- 12. Contingency Plan
- 13. Data Authentication, Physical Safeguards
- 14. Facility Access Controls
- 15. Inventory of Hardware and Software
- 16. Acceptable Use
- 17. Portable Media Storage Disposal
- 18. Disposal of Equipment Containing PHI
- 19. Encryption and Decryption

****This is only a brief summary of the agencies overall HIPAA Policy. The entire policy can be reviewed in the Human Resources Department or with agency management.**

Infectious Disease Control Policy

Alleghenies Unlimited Care Providers will take proactive steps to protect the workplace in the event of an infectious disease outbreak. It is the goal of the agency during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

Alleghenies Unlimited Care Providers is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

Preventing the Spread of Infection in the Workplace

Alleghenies Unlimited Care Providers will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, break rooms, conference rooms, door handles and railings. Staff will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

Temperature Screening

Transportation: Will self-monitor temperature using infrared forehead thermometers and report to Supervisor any temperature over 100 degrees Fahrenheit in addition passengers utilizing AUCP transportation will have their temperature monitored through the use of infrared forehead thermometers upon entering the vehicle. AUCP will not transport any individuals displaying a temperature in excess of 100 degrees Fahrenheit.

Direct Care Staff and Caregivers: Will self-monitor temperature and report to Supervisor temperature over 100 degrees Fahrenheit. Self-monitoring and reporting are also completed through the agencies EVV system.

Office Staff: Will utilize designated office location door(s) when entering the building. Temperature checks are completed while entering the building through the use of thermal camera's located at the identified entrance(s) and report to their supervisor any reading over 100 degrees Fahrenheit.

Visitors: Will have their temperature taken upon entering the building/facility through the use of thermal camera. Any visitor who has a temperature of or about 100 degrees Fahrenheit will not be permitted to enter the property.

Residential Staff: Will utilize one home entrance when entering the building, the singular entrance to be used will be identified based on location. Temperature checks are completed while entering the building through the use of thermal cameras or forehead thermometers located at the entrance. Employees should report to their direct Supervisor any temperature reading in excess of 100 degrees Fahrenheit upon arrival at work and prior to entering any other areas of Agency's property. Residential staff should also self-monitor temperature using forehead thermometers while on duty every 4 hours and report any temperature reading of 100 degrees Fahrenheit to their supervisor.

Each employee will be screened privately using a non-contact infrared thermometer or similar contactless temperature taking device. The employee's temperature will be documented, and the record will be maintained as a private medical record. An employee who has a fever at or above 100 degrees Fahrenheit will be sent home.

Time spent waiting for the health screening should be recorded as time worked for nonexempt employees.

If an employee refuses to have their temperature taken, they will not be allowed to enter the property and will immediately be sent home and Human Resources will be notified.

Telecommuting

Telework requests will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to your manager for consideration.

Staying Home When Ill

Many times, with the best of intentions, employees report to work even though they feel ill. We provide All Purpose Leave (APL) and other benefits to compensate employees who are unable to work due to illness. Contact Human Resources to discuss leave or reasonable accommodation options.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: fever, cough, sore throat, runny or

stuffy nose, body aches, headache, chills and fatigue. Employees who report to work ill will be sent home in accordance with CDC and other health guidelines.

Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

Confidentiality of Medical Information

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

Social Distancing Guidelines for Workplace Infectious Disease Outbreaks

In the event of an infectious disease outbreak, Alleghenies Unlimited Care Providers may implement these social distancing guidelines to minimize the spread of the disease among the staff.

During the workday, employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

Outside activities

Employees might be encouraged to the extent possible to:

1. Avoid public transportation (walk, cycle, drive a car) or go early or late to avoid rush-hour crowding on public transportation.
2. Avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

Inclement Weather and Emergency Closings

The authority to close a Corporation facility or operation or open it late will be based on the Corporation's concern for the health and safety of its employees weighed against the mission of the Corporation, and effect on the consumer.

When a decision is made to close a Corporation facility or operation for a Full Day, employees in an actual duty status will not be charged leave time. If an employee is in a non-pay status (LWOP), the employee is considered to be in a non-pay status for the non-workday.

If a Full Day closing occurs, the Executive Director, or designated representative, will contact local radio stations in the area.

When the decision is made to order an EARLY DISMISSAL, employees in actual duty status at their worksite who are affected by the conditions for closing will be excused without charge to leave or loss of pay. The general rule is that employees will be excused only for the specified period of time that the Corporation facility or operation is closed prior to its normal closing time. Employees shall not be permitted to depart before the time set for dismissal without a charge of leave. Employees on approved APL will be charged leave the full amount of time originally requested. If an employee is in a non-pay status (LWOP), the employee is considered to be in a non-pay status for the number of hours the Corporation facility or operation closed prior to its normal working hours.

When a decision is made to order a Late Opening of a Corporation facility or operation, employees who report to their worksite will be excused without charge to leave or loss of pay for the number of hours the Corporation facility or operation delayed its opening. The general rule is that employees will be excused only for the specified period of time that the Corporation facility or operation delayed opening. Employees on approved APL will be charged leave for full amount of time originally requested. If an employee is in a non-pay status (LWOP), the employee is considered to be in a non-pay status for the number of hours the Corporation facility or operation delayed its opening.

A Liberal Leave Policy may be instituted by the Executive Director in cases when an Agency facility or worksite is open but conditions are not uniform throughout the geographic area and some employees are prevented from reporting to the Agency facility or operation to work. This policy permits APL or leaves without pay obtaining advanced approval or providing detailed justification.

Maintenance of Adequate Worksite Conditions

Alleghenies Unlimited Care Providers subscribes to the belief that a worksite should provide a safe and sanitary environment that is free of hazards, illegal drugs or other dangers.

Any staff will not be required to work in unsafe or unhealthy conditions, especially:

- Worksites where illegal activities appear to be occurring.
- Worksites where illegal drugs are present, used, or are being sold.
- Worksites where consumers or their family members are verbally or physically abusive.
- Worksites where unsanitary conditions exist.

An Agency employee is responsible for immediately reporting the occurrence of the above conditions to his/her supervisor, (no later than the end of the workday of an above occurrence). The immediate supervisor will investigate each reported incident with the Program Director. The Agency may suspend services until corrective action can be taken. Alleghenies Unlimited Care Providers will not require Agency staff to work in unsafe, unhealthy or illegal work environments. The Agency may terminate services under the above circumstances and authorities may be contacted when situations necessitate.

Open Door Policy

Alleghenies Unlimited Care Providers promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisor any problems so appropriate action may be taken. If the supervisor cannot be of assistance, Human Resources is available for consultation and guidance. Alleghenies Unlimited Care Providers is interested in all of our employees' success and happiness with us. We, therefore, welcome the opportunity to help employees whenever feasible.

In addition, since information is only as good as its source, we encourage you to regularly consult the following sources of information in addition to your supervisor and/or the Human Resources Department:

- ❑ Employee bulletin boards have important company announcements, messages, and employee activity information.
- ❑ Your employee handbook.
- ❑ Employee newsletters.
- ❑ Agency Website
- ❑ Employee Portal

Safety Procedures

When in the Consumer's Home

Safety is a basic need when caring for consumers in their homes. Most accidents that occur can be prevented using common sense and practicing safety precautions. By Doing so will lower the risk of or eliminate any accidents and/or injuries.

It is important to become aware of your surroundings. When you begin working for a consumer, check for any hazards and inform your consumer of your findings.

Slips, trips and falls are the most common accidents in the home and occur most often in bedrooms and bathrooms. They are due most often to slippery floors, throw rugs, cluttered floors, furniture out of place, poor lighting and slippery bathrooms and showers. If you notice a potentially unsafe condition, report it to your supervisor immediately.

Universal Precautions

The Agency will provide gloves to all Agency employed attendants for use in the consumer's homes. Preventing the spread of infection is the responsibility of every attendant. You must be conscientious about your work. The Agency and your consumers presume that you will practice proper precautions to prevent the spread of infection. One act of carelessness can spread infection and endanger your consumer's safety, as well as your own and also the safety of the next consumer you visit. You can develop the same infection as your consumer if you do not follow required infection precautions. The following is a list of Universal Precautions that should be followed by attendants when providing care to consumers:

- Gloves are worn when touching blood, body fluids, body substances and mucus membranes.
- Gloves are to be worn when assisting a consumer with a bath or shower.
- Gloves are worn when there are cuts, breaks, or openings in the skin.
- Gloves are worn when there is possible contact with urine, feces, vomits, dressings, wound drainage, soiled linen, or soiled clothing.
- Gloves are worn when toileting the consumer or applying medication to any orifice.
- Masks, goggles, or face shields are worn when splattering, smearing, or soiling from blood or body fluid is possible.
- Hands and other parts must be washed immediately if contaminated with blood or body fluids.
- Hands and other body parts must be washed immediately after removing gloves, because gloves are not completely impermeable.
- Avoid consumer contact when you have open skin wounds or lesions. Discuss the situation with your supervisor.
- Handle razor blades and other sharp objects carefully to avoid injuring the patient or yourself.
- Hands are washed after contact with the consumer.

Hand Washing

Hand washing with soap and water is the easiest and most important way to prevent the spread of infection. Your hands are used in almost every consumer care activity. Your hands are easily contaminated and can spread infections if you do not practice hand washing before and after providing care to your consumers.

To minimize the risk of being infected or infecting your consumer with a communicable disease, it is **MANDATORY** to thoroughly wash your hands upon entering a consumer's home, prior to and after any bodily contact. Gloves are to be worn when coming in contact with any body fluids. It is also very important to remember to wash your hands after sneezing, coughing, blowing your nose or using the toilet.

The following procedure is to be used in hand washing:

- Make sure that soap or detergent, paper towels and a waste basket are available.
- Push your watch up four (4) to five (5) inches.
- Stand away from the sink so that your clothes do not touch the sink. The soap and faucet must be within easy reach.
- Adjust the water so that it feels warm and comfortable.
- Wet your wrists and hands thoroughly under the water. Keep your hands lower than your elbows.
- Apply soap or detergent to your hands, rinse the bar of soap before it is used.
- Rub your palms together to work up a good lather.
- Wash each hand and wrist thoroughly, and clean well between the fingers. Clean well under the fingernails by rubbing the tips of your fingers against your palms.
- Rinse your wrists and hands well. Water should flow from the arms to the hands.
- Repeat the previous two (2) steps.
- Return soap to the soap dish (if bar soap is used).
- Dry your wrists and hands with paper towels. Pat dry.
- Turn of the faucet with the paper towels to avoid contaminating your hands.
- Toss paper towels into the wastebasket.

Medication Policy and Procedure

This policy is to be adhered to by the attendants and consumers of Alleghenies Unlimited Care Providers. This policy provides attendants with the regulations mandated by Alleghenies Unlimited Care Providers regarding medication distribution. It also provides consumers with the level of care needed. This may involve a limited exposure of medication assistance by attendants.

It is the policy of Alleghenies Unlimited Care Providers that administering medications by attendants to consumers is strictly prohibited. This is to include those medications that are given orally, intravenously, by injection, and by gastro tubes. The Deputy Director and Program Directors will review each individual case. If the consumer is deemed incapable of the administering of his/her own medications his/her situation will be considered and special exceptions may be made. All decisions regarding these exceptions will be documented in the consumer's Service Plan. If special exceptions are initiated, a Health Maintenance Form will be implemented for that consumer (listed below). Attendants having direct contact with consumers having exceptions to this policy will be provided the appropriate training required.

- **Procedure:** Under no circumstance will the following acts be permitted:
 - No injections of any kind will be administered by attendants.
 - No glucometer (Accu-check) testing is permitted. An attendant may assist with the preparation, procedure and reading of the meter but may not perform the actual needle stick.
 - Absolutely no medications/solutions are to be given through IV's, ports, central lines, etc.
 - No medication may be given that has been prepared by someone else without approval of consumer or primary caregiver.
 - No medication may be given through gastro tubes.
 - No medication may be given through straight catheters.

An attendant that has a consumer deemed physically incapable of administering his/her own medication, certain procedures must be followed. Attendants may have to assist in the following way:

- **Procedure:**
 - You must have the consumer identify the medication by looking at the prescription label.
 - Verify with the consumer of the prescribed proper time for taking the medication.
 - Open the bottle/tube of medication. You may remove the prescribed does. Have the consumer verify this is the right medication he/she is to take.

Each consumer's situation will be different. Any and all decisions regarding medication administering will be addressed through the Executive Programs Director and Program Directors.

Residential Program Workers (RPW's) working at one of the Community Living Arrangements are required to follow the medication policy as per the Office of Developmental Programs. RPW's must pass

the medication administration course administered by Alleghenies Unlimited Care Providers and approved by the DPW to maintain employment and administer medications.

Health Maintenance Activities

A Health Maintenance Activity is a service that is provided to a consumer that is more than basic personal care. This may consist of wound care, catheter care, bowel care or bowel program, range of motion exercises (ROM).

Attendants cannot perform Health Maintenance Activities unless instructed to do so by his/her supervisor. The supervisor must have written verification signed by either a health care professional, consumer or caregiver that instructions have been received to provide quality health maintenance. This form is then signed by the attendant who is approved to provide this care and who has been adequately trained under the supervision of the consumer. Health Maintenance Activities do not include skilled care as defined by the Department of Health.

Health Maintenance Activities Policy

Health Maintenance Activities are those routine activities of daily living that are necessary for health and normal body functions. These activities would be carried out by the consumer if he/she was physically able or by family members or friends if they were available. These activities include, but are not limited to:

- Catheter irrigations
- Bowel programs / enemas / suppositories

The consumer will direct and supervise the attendant in the specified Health Maintenance Activities. An attendant may perform Health Maintenance Activities under the following conditions:

- Written verification that the consumer has indicated that he/she has been adequately instructed by the appropriate health professionals and is qualified and able to instruct and supervise his/her attendant in Health Maintenance Activities. OR written verification that the attendant is instructed and monitored in Health Maintenance Activities by the consumer, the consumer's physician and/or a health care professional as appropriate.
- Written endorsement of the health Maintenance Plan by the following:
 - Agency
 - Attendant
 - Consumer
 - Other nonprofessional individuals who provide Health Maintenance Activities.

If at any time there is an indication that the Health Maintenance Activities are not being carried out adequately by the attendant or not being adequately supervised by the consumer, the contractor has the right and responsibility to intervene and recommend appropriate corrective measures.

If there is a change in the Health Maintenance Activities or if an additional activity is required, the consumer or attendant must notify the Agency or Service Coordinator. A new Health Maintenance Plan must be completed for any changes or additional activities.

Hepatitis B Vaccination

All attendants are offered the Hepatitis B Vaccine at Agency expense at the time of hire. The attendant may accept or decline the vaccination. A declination form must be signed if the attendant chooses not to be vaccinated. A video and literature is available for the attendant to review prior to making the decision to accept or decline the vaccination.

PPD (TB Test)

Two (2) Step TB and Annual TB Screenings

- a. All employees are required to submit to a pre-employment/initial 2 step TB screen and annual TB screens.
- b. If available, the employee will submit to the screens administered by the agency nurse and according to CDC directive as follows:
 - i. The first step of TB tests will be administered on the employees first day or as otherwise scheduled.
 - ii. The second step of TB tests will be administered no later than 3 weeks from the date that the first step test is read and no earlier than 1 week from the date that the first step is read.

This test is provided by the Agency at no cost to the employee. Failure of an attendant to submit to the PPD as required will result in suspension and possible termination of employment.

Physicals

Per mandate by the Office of Developmental Programs, any staff working in this program and/or van drivers are required to undergo a pre-employment physical and are required to get a physical every two years.

Transfer, Lifting and use of Hydraulic Lift

Attendants will be doing many different tasks that will require muscular exertion. Understanding and using the principles of good body mechanics will help the attendant to save, lessen strain, fatigue and avoid injuries.

If a consumer cannot transfer him/herself and must be lifted, proper body mechanics must be used. Training for lifting and transferring the consumer is mandated.

When a consumer cannot be lifted manually due to disability and/or size or weight, the attendant must use a hydraulic lift for transfers. If the consumer does not want to use a hydraulic lift or does not have one in his/her home, the attendant will not be required to transfer the consumer. Training for use of a hydraulic lift is mandatory. Agency attendants do not manually transfer a consumer without a lift unless the transfer involves a consumer that is able to assist and bear some weight (such as a pivot transfer).

Emergencies

An EMERGENCY situation/condition is defined as when a consumer's situation/condition requires immediate medical care to prevent death or serious impairment to the health of the consumer.

Examples of EMERGENCIES are, but are not limited to:

- Shortness of breath
- Chest pains
- Burns
- Falls where serious injury is suspected

Incident Policy and Procedure Involving Consumers

Alleghenies Unlimited Care Providers and attendants are responsible for completing incident reports of circumstances that occur. Reports must be completed when the following occur:

- Serious illness.
- Abnormal seizure activity.
- Acute emotional traumas.
- Serious accidents / injuries.
- Death of a consumer in the presence of an attendant or if discovered by attendant.
- Injury or illness that results in hospitalization.
- Suicide attempt or suicidal threats.
- Assault or abuse.
- Rape.
- Fire requiring the services of a fire department.

Procedure for Reporting an Incident Emergency

- Always call 911 or dial the emergency number in your local area.
- Personal Care Attendants do not cover emergency situations.
- Do not call into the office or to your supervisor first in an emergency.
- Only after emergency help is called to the consumer's home, should you then call into the office to report the situation.
- The Service Coordinator will then notify the consumer's emergency contact individual who is listed in the consumer's file.

- A written Incident Report (following page) must be completed and submitted to a Service Coordinator, who works with the consumer, within 24 hours from the occurrence.
- The Service Coordinator will review each Incident Report and notify the Program Director.
- Alleghenies Unlimited Care Providers shall maintain copies of all Incident Reports which shall be filed in the consumer's files.

Incident Resulting in Damage - Policy and Procedure

When an accident/incident occurs resulting in damage to consumer's property, notify your supervisor immediately and submit an accident/incident report within 24 hours from the occurrence of the accident/incident.

If an accident/incident occurs on a weekend or holiday, use the afterhours call in procedure.

Reports shall be maintained as a permanent part of the record and shall be filed in the appropriate consumer and employee files.

For injuries on the job, please refer to the Workers' Compensation Section of this handbook.

Title VI Policy and Complaint Process

Alleghenies Unlimited Care Providers (AUCP) grants equal access to its programs and services to all citizens. This document serves to make citizens aware of their rights to such access and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.

What is Title VI? Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

AUCP'S TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by Alleghenies Unlimited Care Providers. These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and AUCP may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file separate complaints.

1. A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address, and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. An AUCP Title VI complaint form can be obtained from AUCP Human Resources. AUCP encourages individuals to submit Title VI complaints in writing using this form and mailing it to:

**Human Resources, Title VI Coordinator
Alleghenies Unlimited Care Providers
119 Jari Drive
Johnstown, PA 15904**

2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the AUCP Human Resources Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the AUCP Human Resources Title VI Coordinator will assist the complainant in completing a written statement.

3. When a complaint is received, the Human Resources Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail or hand delivery.
4. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
5. Within 15 business days from receipt of a complete complaint, AUCP will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Executive Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail or hand delivery informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of AUCP's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When AUCP does not have sufficient jurisdiction, the Executive Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the Executive Director or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Executive Director within 60 days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Human Resource Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
8. The Executive Director or his/her authorized designee will issue letters of finding to the complainant and Respondent within 90 days from receipt of the complaint.
9. If the Complainant is dissatisfied with AUCP's resolution of the complaint, he/she has the right to file a complaint in the time allotted by law with:

**Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590**

POSTING OF PUBLIC NOTICE

Public notice of the Title VI Policy, ADA Policy and Complaint Procedure is posted:
Vehicle 219, 315, 319, 321, 518, 612, 615, 716, 719, 811, 816, 819, 15, 18, 19 and 20
AUCP administrative office 119 Jari Drive Johnstown, PA 15904
107 Lindberg Avenue Johnstown, PA 15905
129 Leidy Lane Johnstown, PA 15909
533 Brazil Lane Johnstown, PA 15909
304 Lyman Lane Johnstown, PA 15909
174 Main Street St. Michael, PA 15956
145 Chestnut Street Zelienople, PA 16063
108 School Street Salix, PA 15952

Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint:

<u>Section I:</u>	
Name:	
Address:	
City, State, Zip Code:	
Telephone Number: (home)	(cell)
Accessible Format Requirements? Large Print TDD Audio Tape	
Other:	

<u>Section II:</u>	
Are you filing this complaint on your own behalf? YES* NO	
If you answered YES to this question-go to Section III	
If not, please supply the name and relationship of the person for whom you are complaining:	
Please explain why you have filed for a third party:	
Please confirm you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:	

<u>Section III:</u>	
I believe the discrimination I experienced was based on (check all that apply):	
____ race ____ color ____ National Origin	
What was the date of the alleged discrimination (Month, Day, Year)?	
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form:	

Section IV:
Have you previously filed a Title VI complaint with this agency?

Section V:
Have you filed a Title VI complaint with any other Federal, State, or local agency, or with any Federal or State Court? YES NO
If YES, check all that apply:
_____ Federal Agency: _____
_____ Federal Court: _____
_____ State Court: _____
_____ State Agency: _____
_____ Local Agency: _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____
Title: _____
Agency: _____
Address: _____
Phone: _____

Section VI:
Name of agency complaint is against: _____
Contact person: _____
Title: _____
Phone: _____

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Your Signature Date

Print your name

Please submit this form in person at the address below, or mail this form to:

Human Resources, Title VI Coordinator
Alleghenies Unlimited Care Providers
119 Jari Drive
Johnstown, PA 15904

Limited English Proficiency Policy/Language Access Plan

In compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency”, ALUCP has established the following LAP to ensure that individuals with limited English proficiency (LEP) may access all resources and services provided by our agency. “LEP individuals” are defined as “individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.”¹

The purpose of the LAP plan is to ensure meaningful access to programs, activities, and any other resources, in order to ensure equity and inclusion throughout the agency. To implement this plan, ALUCP used information obtained from The Four Factor Analysis, which is an individualized assessment that balances the following four factors:

- 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.**
 - a. ALUCP does not encounter many LEP individuals due to the LEP population in the service area consisting of Cambria, Somerset and surrounding counties in PA. ALUCP identified the number or proportion of LEP persons in the area by consulting data from the U.S. Census Bureau, American Community Survey (ACS).² Based on this data, ALUCP identified LEP populations in the surrounding service area to be persons who speak English (95.97%), Spanish (1.86%), and other languages (2.17%).
- 2. The frequency with which LEP persons come into contact with ALUCP.**
 - a. To date, ALUCP has not had any requests for an interpreter, written or oral. Office staff, field staff, and drivers will report directly to HR if this request is needed.
 - b. As our community continues to evolve and grow over time, ALUCP will monitor shifts in our population’s demographics through annual assessments and as may be needed daily, to ensure we are adequately tracking LEP representation in our jurisdiction
- 3. The nature and importance of the program, activity, or service provided by ALUCP to people’s lives.**
 - a. ALUCP provides meaningful access to LEP individuals. ALUCP works to identify LEP individuals by collecting and recording primary language data from individuals when they first engage with our programs and services. Language assistance services are available if requested.
- 4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.**
 - a. Due to the lack of LEP individuals in the surrounding service areas, ALUCP does not have a **formal** practice of outreach techniques, or programs.
 - b. ALUCP will follow DOJ’s General LEP Guidance as applicable and necessary. When an interpreter is needed, in person or on the telephone, staff will utilize appropriate resources from LEP.gov.

Based on the Four Factor Analysis, ALUP developed its Language Assistance Plan (LAP) as outlined in the following section.

Language Assistance Services

ALUCP may identify a person who needs Language Assistance Services:

1. Examine records to see if requests for language assistance have been received in the past and present, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Any language barriers are identified at the time the intake process takes place. If an LEP individual calls for transportation, an interpreter will be requested. Oral and written language assistance may also be requested, if the LEP individual does not have an interpreter.
3. Office staff, field staff, and drivers will greet clients and consumers as they arrive at the office or on shift. By informally engaging participants in conversation, it is possible to gauge each individual's ability to speak and understand English or any other language.
4. Monitor and assess the U.S. Census Bureau on language and population demographic shifts.
5. Provide Census Bureau Language and Identification Cards available at the office and buses. This will assist staff and drivers in identifying specific language assistance needs of passengers. If LEP individuals are encountered, staff and drivers will be instructed to contact HR.
6. When an interpreter is needed, in person or on the telephone, staff will utilize appropriate resources from LEP.gov.
 - a. When an interpreter is needed, in person or on the telephone, staff will utilize appropriate resources from LEP.gov.

Staff Training

Appropriate ALUCP staff will be educated on procedures to follow, and topics as listed below:

1. Understanding the Title VI Policy and LEP responsibilities.
2. Documentation of Language Assistance requests.
3. How to handle a Title VI and/or LEP complaint

Monitoring and Updating the LEP/LAP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, ALUCP will follow the Title VI Program update schedule for the LEP plan.

ALUCP's Notice of Rights under Title VI to the public is available in the following Agency vehicles: 219, 315, 319, 321, 518, 612, 615, 716, 719, 811, 816, 819, 15, 18, 19, and 20 and posted in Administration facility areas.

Copies of the LEP Plan will be provided upon request. LEP individuals may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to the AUCP Title VI Coordinator.

ALUCP Human Resources, Title VI Coordinator
119 Jari Drive
Johnstown, PA 15904
Phone: 814-262-9600

Fax: 814-262-6091
Email: kjosephson@alucp.org

Public Participation Plan

Alleghenies Unlimited Care Providers strives to sustain the delivery of quality transportation service to the residents of Cambria County.

The Agency routinely reviews all transportation programs. Alleghenies Unlimited Care Providers provides Demand Responsive transportation services and as such establishes contracts with other community-based organizations to serve clients throughout the community in addition to consumers through The Pennsylvania Office of Developmental Programs through state waiver services. Each program area is monitored closely to ensure it is meeting acceptable service standards and make recommendations for improvements.

Routes are based on demand and individuals participating in transportation services are not charged individual fares.

As a private non-profit 501c (3) entity Alleghenies Unlimited Care Providers is governed by an independent volunteer Board of Directors. The agency does not appoint its board members, nor does it establish any other program specific committees. The Board strives to maintain a broad-based mix of members from the public and private sectors. The maximum size for the Board of Directors is 15 members and must have a minimum membership of 5.

Equity Analysis Statement:

AUCP has not performed a major construction project since the last Title VI update so no equity analysis has been performed. AUCP will perform an equity analysis for all future qualifying construction projects.

List of Title VI Investigations/Complaints/Lawsuits

FY10/11 -	None
FY11/12 -	None
FY12-13 -	None
FY13-14-	None
FY14-15 -	None
FY15-16-	None
FY16-17-	None
FY17-18-	None
FY18-19-	None
FY19-20-	

12/13/2019 claim filed- disability- citing agency policy to restrict individuals with Implantable Cardioverter Defibrillator (ICD) from being employed in certain positions as discriminatory; dismissed 8/20/2020

12/23/2019 claim filed- disability- citing agency policy to restrict individuals with Implantable Cardioverter Defibrillator (ICD) from being employed in certain positions as discriminatory; dismissed 2/12/2021

FY20-21- None
FY21-22- None

Notifying the Public of Rights Under Title VI and Americans with Disabilities Act of 1990 (ADA)

Alleghenies Unlimited Care Providers, Inc. (ALUCP)

- ALUCP operates its programs and services without regard to race, color, and national origin in accordance with **Title VI of the Civil Rights Act**. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with ALUCP
- In accordance with the requirements of Title II of the **Americans with Disabilities Act of 1990 (ADA)**, ALUCP will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.
- For more information on ALUCP's Title VI and ADA Policy, and the procedures to file a complaint, contact the main office at **814-262-9600**; visit our website at **www.alucp.org**; or visit our main office at **119 Jari Drive, Johnstown, PA 15904**.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the **Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590**.

If information is needed in another language, contact 814-262-9600.

Tobacco Use Policy

Alleghenies Unlimited Care Providers has a responsibility to provide a healthy and safe environment for all individuals in the conduct of Agency business. Creating a smoke-free work environment in accordance with applicable laws fulfills part of this responsibility.

Alleghenies Unlimited Care Providers Facilities

In fairness to all employees, individuals who use tobacco (including smoking and smokeless tobacco) are expected to comply with existing company policy regarding break time. Tobacco use may be done only during the employee's two (2) fifteen (15) minute rest breaks and lunch hour.

Alleghenies Unlimited Care Providers has prohibited tobacco use throughout all the Agency's facilities. However, tobacco use is permitted only outside in the back areas of these facilities. Tobacco use in front of the facilities is prohibited.

Supervisors and Managers will be held accountable for fairly applying all Agency policies including those on breaks and rest periods.

Consumer's Residence

Employees are not permitted to use tobacco products while at a consumer's residence regardless of whether or not the consumer uses tobacco products.

General

Employees violating Agency work rules on breaks or tobacco use areas will be subject to disciplinary action, up to and including discharge, in accordance with Agency policy.

Any violation of or disputes arising under this policy should be reported immediately to the Human Resources Department and the grievance procedure must be the action for recourse. The Agency will promptly investigate any disputes arising under this policy and in resolving disputes shall give priority to the health concerns of the employee desiring a tobacco-free area.

Any questions regarding the Tobacco Use policy should be directed to the Human Resources Department.

Training Compliance

PURPOSE

The purpose of this policy is to ensure that all employees who provide services to consumers meet the mandatory requirements for training compliance with minimal service interruption for our consumers. In support of this goal, the organization has adopted the following policy.

POLICY

Each employee who works with consumers is required to complete time and content specific training to maintain compliance. All annual trainings are completed in a set three (3) month period based on the employee's hire date; CPR is completed bi-annually based on the month of initial certification. Notifications are mailed via USPS to each employee notifying him/her in advance of trainings with the schedule for completion and any other appropriate information.

In-office trainings are entered into the employee's schedule and shifts are opened for consumer coverage with another employee. If an employee has a scheduling conflict, the employee must contact Human Resources in advance to discuss other training options. It is the employee's responsibility to complete the training and it may be at his/her own expense if there are no other sessions scheduled within the compliance timeframe, the employee does not have a valid schedule conflict and/or an employee misses his/her scheduled in-office training with no notice. Disciplinary action and suspension will apply if an employee fails to complete any mandatory training within the allotted time period.

For online training requirements, notifications are mailed via USPS with the complete log-on information and required courses as well as the completion date and instructions. All designated courses must be completed by the designated date (approximately two weeks prior to the end of the three month period) and it is the employee's responsibility to complete them on schedule. If an employee is having difficulty with the trainings, website, etc., they should contact Human Resources or their supervisor. If the online courses are not completed by the designated date a 1 level corrective action will result. Any previous corrective actions will be taken into consideration. The employee will be informed that s/he has until the end of the three month period (approximately two weeks) to complete the remaining courses or s/he will be suspended without pay because s/he is out of compliance.

Once an employee is suspended without pay for failure to meet training requirements, s/he will be permitted three (3) days to complete the outstanding training(s). Failure to complete mandatory training will result in further disciplinary action up to and including termination.

The following are the current required trainings that must be maintained for employment at the Agency as an employee who works with consumers:

Standard Annual Training

Employees who work with consumers are required to complete annual training on the following topics: prevention of abuse and exploitation of consumers, reporting critical incidents, consumer complaint resolution, state and regulatory agency issued policies and procedures (including, but not limited to the Office of Long Term Living, Department of Public Welfare and Department of Health), the Agency's quality management plan, fraud and financial abuse prevention.

On-Line Mandatory Training

Direct Care Workers are required to submit at least three (3) courses of relevant continuing education per quarter. Courses are conducted via the internet. Employees will be compensated at the minimum wage rate for a reasonable time to complete the on-line trainings. Time to conduct the trainings must be reflected on the employee's time sheet. Employees are notified in advance of the training requirements.

CPR and First Aid Mandatory Training

All employees are required to attend CPR and First Aid training every two years. These trainings are conducted at the Johnstown office and may be available at other locations.

Residential Program Workers – Mandatory Training

Residential Program Workers are required to complete a minimum of twenty-four (24) hours of mandatory training as designated by his/her supervisor and according to both state and Agency requirements. Employees may be mandated to complete more than twenty-four (24) hours of training.

Failure to complete the mandatory trainings will result in suspension of employment and possible termination.

Workplace Security

Alleghenies Unlimited Care Providers is committed to providing a safe and secure workplace for all employees. AUCP has adopted the following guidelines to promote security during work hours and work-related activities.

Administrative Offices and Residences

- ❑ All visitors to Agency office locations, including former staff members must sign in with a receptionist or authorized staff member. The receptionist or authorized staff member will get the visitor's name, reason for visit and Agency contact person. When possible, employees are to notify the receptionist ahead of time of any expected visitors.
- ❑ All visitors, including former staff members will remain in the lobby or waiting area until met and escorted by the Agency contact person that they are meeting.
- ❑ All visitors, including former staff members must be escorted back to the lobby once the visit is over.
- ❑ Paychecks for all inactive employees will be mailed unless prior arrangements for pick up are made with Payroll.
- ❑ Employees must report any threatening, suspicious or unsafe activity or unescorted visitors to their manager or Human Resources immediately.

Field Personnel and Transportation

- ❑ Employees must report threatening, suspicious or unsafe activity to their manager or Human Resources immediately.
- ❑ Employees traveling to unfamiliar areas should have detailed directions prior to travel or contact the Agency immediately if they become lost.
- ❑ Employees must not take valuable personal belongings into a consumer's home.
- ❑ Employees are not permitted to tend, feed or interact with pets during work shifts.
- ❑ Employees are never to give out their own personal information including phone number or email address to clients. Employees should always use Agency contact information only.

Workplace Violence

Alleghenies Unlimited Care Providers is committed to reducing the risk of violence and to maintaining a safe work environment. The Agency has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur onsite or offsite during work-related activities.

Prohibited Conduct

Alleghenies Unlimited Care Providers does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. Prohibited behaviors include:

- ❑ Causing physical injury to another person.
- ❑ Making threatening remarks.
- ❑ Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- ❑ Intentionally damaging employer property or property of another employee.
- ❑ Possessing a weapon while on company property or while on company business.
- ❑ Committing acts motivated by or related to sexual harassment or domestic violence.

Employees are expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. Agency resources may not be used to threaten, stalk or harass anyone at or outside of the workplace.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities must be reported as soon as possible to management or Human Resources. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the HR department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regards to intimate partner violence.

Employees are expected to exercise good judgment and to inform Human Resources if any employee exhibits behavior that could be a sign of a potentially dangerous situation including:

- ❑ Discussing weapons or bringing them to the workplace
- ❑ Displaying overt signs of extreme stress, resentment, hostility or anger.
- ❑ Making threatening remarks.
- ❑ Showing sudden or significant deterioration of performance.
- ❑ Displaying irrational or inappropriate behavior.

Investigations and Enforcement

Alleghenies Unlimited Care Providers will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Alleghenies Unlimited Care Providers will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, Alleghenies Unlimited Care Providers may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Alleghenies Unlimited Care Providers encourages employees to bring their disputes to the attention of their supervisors or the HR department before a situation escalates. Alleghenies Unlimited Care Providers will not discipline employees for raising such concerns.

Workers' Compensation

All employees of Alleghenies Unlimited Care Providers are covered under Workers' Compensation through:

UPMC Health Benefits Inc.
600 Grant Street US Steel 8th Floor
Pittsburgh, PA 15219
1-866-397-8762

All employees of Alleghenies Unlimited Care Providers are **required** to report any accidents or injuries sustained within the course of employment to Human Resources immediately or within 24 hours. It is the responsibility of the supervisor to ensure that an accident report is completed and submitted Human Resources within 24 hours. The time element is essential in processing claims with the insurance carrier.

What should you do if you have a work related accident?

- 1) Notify your supervisor and the HR Department immediately to report the accident. All accidents must be reported within 24 hours. The following information/details must be provided:
 - Place of injury.
 - Time the accident happened and time you started your shift.
 - Specific job-related activity the employee was doing when injured.
 - How the injury occurred.
 - The nature of the injury or disease and what areas of the body are affected/injured.
 - Who was present or witnessed the incident?
 - The name and address of the attending preferred health care provider (doctor) or hospital involved (if it was an emergency) and/or if you need to seek a doctor's care.
- 2) If you are injured while working with your consumer, inform him/her that you are injured.
- 3) If the injury is not life threatening notify the HR Department to obtain the appropriate panel of physicians. **Do not go to a physician who is not on the panel.**
- 4) It is not necessary to go to the hospital emergency room for a minor injury. A physician on the panel will be able to give you primary care and if you need further treatment, you will be referred to a specialist.

90-Day Period

If medical treatment is necessary, the employee is required to notify Human Resources. Through which an appointment will be scheduled with one of the health care providers listed

on the panel of physicians designated by Alleghenies Unlimited Care Providers. The employee is obligated to treat with this physician for a period of ninety (90) days after the employee's first visit with that physician. A copy of the current panel is posted at the main office bulletin board or may be obtained from the Human Resources Department.

After the ninety (90) day period has expired, the employee may treat with a non-panel health care provider of their choice. The employee must notify Human Resources at least five (5) days prior to the first visit or within two (2) business days if the first visit is an emergency visit. If notification is not made to Human Resources, no payment will be made by the Workers' Compensation Insurance carrier.

The employee must inform the health care provider that Workers' Compensation will be paying the charges. All bills are to be submitted to:

Alleghenies Unlimited Care Providers
119 JARI Drive
Johnstown, Pa 15904
Attn: Human Resources Department

Emergency services

If an employee is injured while at work and emergency medical attention is required, an ambulance will be made available to the employee for transportation to the nearest emergency room.

Benefits during work-related absences

Employees will continue to receive employee benefits for a total of twelve (12) weeks during an absence due to a Workers' Compensation claim. During this time, employees are responsible to pay for that portion of the premium set for their employee benefits coverage as they would as an active employee (what would normally be deducted from your paycheck). After a combined total twelve (12) weeks of absences, employee benefits will cease. After that time frame expires employees would be eligible to purchase benefits under COBRA.

Weekly disability guidelines

Worker's Compensation (weekly disability) is not payable for the first seven (7) days of disability unless the disability lasts fourteen (14) days or more. After the seven (7) day waiting period, the employee is entitled to compensation benefits equal to 2/3 of his/her average weekly wage (wages should include those from all employers for whom the employee is currently working) subject to maximum and minimum limits as provided by law. The first payment of compensation must begin no later than the 21st day after Alleghenies Unlimited Care Providers knew of the disability. Once the employee returns to his/her previous work at the same or

greater wage, or the disability otherwise ceases, the employee's claim for compensation may be reopened within three (3) years from the date of the employee's last payment of disability.

Employees cannot collect twice for the same injury. For example, unemployment compensation benefits will be reduced if the employee also is receiving Workers' Compensation benefits.

Time off under Workers' Compensation runs parallel to the Family and Medical Leave Act (FMLA) benefit (i.e. up to the first twelve (12) weeks of leave under WC equally decreases the amount of leave time allowable under the FMLA; time off under WC is also considered time off under the FMLA).

Investigative policy and procedure

For the protection of all Alleghenies Unlimited Care Providers employees and consumers, Alleghenies Unlimited Care Providers will attempt to investigate all alleged work-related injury claims brought to its attention within a seventy-two (72) hour timeframe.

Human Resources will interview the employee and record all information relating to the incident. Work related injuries will require a post-accident drug screening (10 plus panel instant or equivalent) at a medical facility. The reported claim will be forwarded immediately to the Agency's Workers' Compensation carrier for the claim approval/denial decision.

Upon receiving notice of an alleged injury to a personal care attendant, Human Resources will contact and review the incident with the Attendant's Supervisor. Human Resources and the Supervisor will contact the attendant's consumer and arrange a home visit to discuss the incident and assess the home environment if necessary.

If necessary, the Supervisor will contact the attendant(s) assigned to the consumer and schedule a meeting to discuss the findings, recommendations, disciplinary action (if required) and trainings required in relation to the specific incident. Human Resources will be included in this meeting.

All documentation related to the incident will be attached to the Workers' Compensation Claim and retained for future reference.

Upon release by the physician, the employee (DCW's and RPW's) will be required to attend re-training and testing on all equipment prior to being released back to work.

Misrepresentation/Denial of Claim

Anyone who misrepresents important facts relating to Workers' Compensation may be found guilty of a felony and fined up to \$50,000, sentenced up to seven (7) years in prison, or both. Examples of fraud would be an employee who knowingly files a claim for an injury that did not

occur at work, knowingly exaggerates the severity of an injury, or knowingly prolongs disability after he or she has recovered from the injury.

Employees injured while under the influence of alcohol or illegal drugs may be ineligible to receive Workers' Compensation.

If an injury occurs due to an unsafe act, which is contrary to the proper body mechanics or transferring procedures and training the employee has been taught, the injury will be denied by Workers' Compensation.

ACKNOWLEDGEMENT OF HANDBOOK RECEIPT FORM

The employee handbook describes important information about Alleghenies Unlimited Care Providers and I understand that I should consult my supervisor or Human Resources regarding any questions not answered in the handbook. I have entered into my employment relationship with Alleghenies Unlimited Care Providers voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or Alleghenies Unlimited Care Providers can terminate the relationship at will, with or without cause, at any time, so long as there is not a violation of applicable federal or state law.**

I understand and agree that, other than the Executive Director of Alleghenies Unlimited Care Providers or designated representative of the Agency, no manager, supervisor, or representative of Agency has any authority to enter into any agreement for employment other than at-will; only the Executive Director of the Agency has the authority to make any such agreement and then only in writing signed by the Executive Director of Alleghenies Unlimited Care Providers.

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with Alleghenies Unlimited Care Providers. By distributing this handbook, the Agency expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by Alleghenies Unlimited Care Providers, and the Agency reserves the right to change my hours, wages, and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Executive Director of Alleghenies Unlimited Care Providers has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at Alleghenies Unlimited Care Providers is employment at-will, which may be terminated at the will of either Alleghenies Unlimited Care Providers or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Alleghenies Unlimited Care Providers or me.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. I expressly understand, agree, and acknowledge that the handbook is not a contract of employment or legal document and creates no legal rights pertaining to my employment.

Employee Name (print)

Employee's Signature

Date

HR Rep Name (print)

HR Rep's Signature

Date