



# BROAD REACH

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HOSPICE & PALLIATIVE CARE

**EMPLOYEE HANDBOOK**

# Table of Contents

## **Governing Principles of Employment**

- 1-1. Introduction
- 1-2. Mission Statement
- 1-3. Meeting the Needs of Those We Serve
- 1-4. Equal Employment Opportunity & Pregnant Workers Fairness Act
- 1-5. Non-Harassment
- 1-6. Massachusetts: Sexual Harassment
- 1-7. Drug and Alcohol-Free Workplace
- 1-8. Workplace Violence
  - Prohibited Conduct
  - Procedures for Reporting a Threat

## **Operational Policies**

- 2-1. Employee Promotions & Transfers
- 2-2. Employee Classifications
- 2-3. Trial Period
- 2-4. Length of Service / Seniority
- 2-5. Your Employment Records
- 2-6. Agreement to Work as Assigned / Working Hours / Schedule / Breaks
- 2-7. Timekeeping Procedures
- 2-8. Overtime
- 2-9. Safe Harbor Policy for Exempt Employees
- 2-10. Your Paycheck
- 2-11. Direct Deposit
- 2-12. Salary Advances
- 2-13. Performance Review
- 2-14. Parking

## **Benefits**

- 3-1. Benefits Overview/Disclaimer
- 3-2. Reserved for future use
- 3-3. Differentials
- 3-4. Paid Holidays
- 3-5. Paid Vacations
- 3-6. Richmond Vacation Bonus
- 3-7a. Paid Sick Days
- 3-7b. Paid Personal Days

- 3-8. Insurance Programs
- 3-9. Workers' Compensation
- 3-10. Jury Duty Pay
- 3-11. Bereavement Leave
- 3-12. 401(k) Retirement Plan
- 3-13. Tuition Support / Reimbursement

### **Leaves of Absence**

- 4-1a. MA Sick Leave
- 4-1b Personal Leave
- 4-2. Military Leave
- 4-3. Family and Medical Leave
- 4-4. Massachusetts: Small Necessities Leave
- 4-5. Massachusetts: Maternity/Paternity Leave
- 4-6. Paid Parental Leave

### **General Standards of Conduct**

- 5-1. Underlying Principle: Just Cause
- 5-2. Peer Grievance Review
- 5-3. Workplace Conduct
- 5-4. Punctuality, Attendance and Notification of Absence
- 5-5. Audio/Video Recording Devices
- 5-6. Use of Communications and Computer Systems
- 5-7. Communication in Languages Other Than English
- 5-8. Smoking, Eating & Drinking
- 5-9. Personal Visits Telephone Calls and Cell Phones
- 5-10. Solicitation and Distribution
- 5-11. Bulletin Boards
- 5-12. Confidential Company Information
- 5-13. Conflict of Interest and Business Ethics
- 5-14. Legal & Other Documents
- 5-15. Blogging
- 5-16. Use of Facilities, Equipment and Property, Including Intellectual Property
- 5-17. Health and Safety
- 5-18. Employee Dress and Personal Appearance
- 5-19. Publicity/Statements to the Media
- 5-20. References
- 5-21. If You Must Leave Us
- 5-22. Exit Interview

### **Receipt of Employee Handbook**

### **Receipt of Sexual Harassment Policy**

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# BROAD REACH

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## HOSPICE & PALLIATIVE CARE

### **ABOUT THIS HANDBOOK / DISCLAIMER**

This handbook has been prepared to assist you in finding answers to many questions you may have regarding your employment with Broad Reach Hospice. Please take the necessary time to read it.

This handbook probably won't answer all of your questions -- your supervisor and Human Resources are also important sources of information.

Neither this handbook nor any other verbal or written communication by a management representative, is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation. Broad Reach Hospice adheres to the policy of employment at will, which permits the Hospice or the employee to terminate the employment relationship at any time, for any reason, with or without cause or notice.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate documents. These documents are always controlling over any statement made in this handbook or by any staff member.

This handbook states only general guidelines. The Hospice may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to terminate employment at will.

This handbook supersedes all prior handbooks.

## **Governing Principles of Employment**

### **1-1. Introduction**

For those of you who are commencing employment with Broad Reach Hospice ("Broad Reach Hospice" or the "Hospice"), welcome. We hope you will enjoy your work here. We are glad to have you with us.

For those of you who have been with us, thank you for your past and continued service.

We understand that it is our employees who provide the services that our customers rely upon, and who will grow and enable us to create new opportunities in the years to come.

### **1-2. Vision & Mission Statement**

We seek to foster and sustain an organization which provides

a good quality of life

– feelings of home, safety, trust, compassion and dignity,

comfort and laughter –

and seeks to meet individual wants and needs

utilizing progressive, team-oriented approaches

in an atmosphere of respect

which ultimately enhances the satisfaction and loyalty

of both those we serve and all staff members

and affords the organization a sustaining competitive advantage.

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Broad Reach Hospice's mission is

to provide high quality compassionate care

focusing on the unique needs of our patients and their families

dealing with advancing illness, dying and bereavement.

### **1-3. Meeting the Needs of Those We Serve**

Our work for the most part is concerned with care for persons who have disabilities and varying degrees of dependency. Good care goes beyond any daily "routine." Everyone's goal must be to provide service that goes beyond care "basics" and addresses each family's need for support and security. Every patient or resident must be considered as an individual, with unique and different needs.

Often, the people who have entrusted their well-being to us are experiencing new and difficult changes in lifestyle. Together, we must try to make the adjustments as easy as possible for all.

Our work is to care for individuals and their families confronting terminal illness. As we enter into this caregiving responsibility, we recognize this is one of the most difficult situations a person and their loved one will ever face. Hospice is a philosophy of care which promotes comfort, dignity and quality of life, and goes well beyond just addressing the basic needs of care. Every patient and their family are treated as individuals and we develop our plan of care with respect to their unique needs. Hospice works as an interdisciplinary team, and those who have entrusted their care to us will be treated with the greatest of compassion as they transition from this life to the next

### **1-4. Equal Employment Opportunity & Pregnant Workers Fairness Act**

Broad Reach Hospice is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation, arrest record, or any other characteristic protected by applicable federal, state or local laws. Our organization is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

The Hospice will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of our business. If you need assistance to perform your job duties because of a physical or mental condition, please let the HR Director know.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the HR Director. The Hospice will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. To ensure our workplace is free of artificial barriers, violation of this policy will lead to discipline, up to and including discharge.

The Pregnant Workers Fairness Act (2018) prohibits discrimination on the basis of pregnancy and pregnancy related conditions such as lactation of the need to express breast milk for a nursing child, and also describes employers' obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other

employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers. Employers are also required to provide written notice of employees' rights under the Act (which are included at the end of this handbook) to new employees and an employee who provides notification of a pregnancy or pregnancy-related condition.

### **1-5. Non-Harassment**

It is Broad Reach Hospice's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to the HR Coordinator. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the Hospice Administrator, Associate Executive Director or the Director of Operations. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Hospice will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

### **1-6. Massachusetts: Sexual Harassment**

It is Broad Reach Hospice's policy to prohibit harassment of any employee by any supervisor, employee, customer or vendor on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within the Hospice. It is to ensure that at the Hospice all employees are free from sexual harassment. For your information, "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances,

requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mails and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, improper conduct also can include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to the HR Coordinator. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the Associate Executive Director or the Director of Operations. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Hospice will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

While employees are encouraged to report claims internally, if an employee believes that he or she has been subjected to sexual harassment, he or she may file a formal complaint with the government agency or agencies set forth below. Using the Hospice's complaint process does not prohibit an employee from filing a complaint with these agencies.

The United States Equal Employment  
Opportunity Commission ("EEOC")  
JFK Federal Building, Room 475  
Boston, Massachusetts 02203  
(617) 565-3200

The Massachusetts Commission Against  
Discrimination ("MCAD")  
Boston Office:  
One Ashburton Place, Room 601  
Boston, Massachusetts 02108  
(617) 727-3990

Springfield Office:  
436 Dwight Street, Room 220  
Springfield, Massachusetts 01103  
(413) 739-2145

## **1-7. Drug and Alcohol-Free Workplace**

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Hospice property, and to ensure efficient operations, the Hospice has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Hospice.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on Hospice premises, while on Hospice business (whether or not on Hospice premises) or while representing the Hospice, is strictly prohibited. Employees and other individuals who work for the Hospice also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. This restriction does not apply to responsible drinking of alcohol at approved Hospice social functions/meetings.

Violation of this policy will result in disciplinary action, up to and including discharge.

The Hospice maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes anyone's health or safety.

## **1-8. Workplace Violence**

Broad Reach Hospice is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Hospice and personal property.

We do not expect you to become an expert in psychology or to physically subdue a threatening or violent individual. Indeed, we specifically discourage you from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage you to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs:

- over-resentment, anger and hostility;
- extreme agitation;
- making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur;

- sudden and significant decline in work performance;
- irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior;
- reacting to questions with an antagonistic or overtly negative attitude;
- discussing weapons and their use, and/or brandishing weapons in the workplace;
- overreacting or reacting harshly to changes in Hospice policies and procedures;
- personality conflicts with co-workers;
- obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker;
- blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

### Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Hospice employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Hospice premises.

### Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to the HR Coordinator. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Hospice determines, after an appropriate good faith investigation, that someone has violated this policy, the Hospice will take swift and appropriate corrective action.

## **Operational Policies**

### **2-1. Employee Promotions & Transfers**

Our policies on promotion and transfer are based upon the fundamental philosophy that it is generally in the best interest of both Broad Reach Hospice and our employees to promote from within, whenever qualified personnel are available within our organization.

An employee's work may be more meaningful and of better quality by permitting employees to transfer to jobs more suitable to their ability and interest. Such transfers require the approval of the hospice administrator.

In order to be considered for a position in another department, you are encouraged first to speak to the supervisor coordinating recruitment for the position. At this point, your inquiry will be kept confidential if you prefer. At the point that it is determined you wish to accept the position if offered, you will need to meet with your current supervisor and work out a mutually agreeable date for the department change.

Promotions are determined by attributes including:

- the individual's job performance (prior work record);
- potential (aptitude, job knowledge);
- attendance and behavior.

When a promotion or work transfer takes place, the business office must be informed and given pertinent information so the employee's records can be changed accordingly.

## **2-2. Employee Classifications**

For purposes of this handbook, all employees fall within one of the classifications below.

**Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

**Short-Term Employees** - Employees who were hired for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term Employees generally are not eligible for Hospice benefits, but are eligible to receive statutory benefits.

In addition to the above classifications, employees are categorized as either "**non-exempt**" or "**exempt**" for purposes of federal and state wage and hour laws.

- Exempt staff members are also called "salaried" employees do not receive overtime pay. Such salary may be paid less frequently than weekly.
- Non-exempt staff members are also called "hourly" employees.

You will be informed of your classification upon hire and informed of any subsequent changes to your classifications.

## **2-3. Trial Period**

The first three months of your employment is a probationary period. This is an opportunity for the Hospice to evaluate your performance. It also is an opportunity for you to decide if you are happy being employed by the Hospice. The Hospice may extend the probationary period if it desires. Completion of the probationary period does not alter an employee's at-will status.

## **2-4. Length of Service / Seniority**

Broad Reach Hospice believes in recognizing your seniority and length of service. Seniority is a right given to employees through length of service which entitles them to certain privileges and considerations.

We recognize seniority between regular, full-time employees by job classification within a department.

Your seniority is determined by a specific "anniversary" date. Usually this date is the date you were hired. However, if your seniority has been broken through resignation or leave of absence, your anniversary date may be different. Employees having the same anniversary date will hold seniority in alphabetical order.

Your seniority is important to you in the following ways:

1. It represents an investment in time and money by Broad Reach Hospice in your training and experience. This gives you more job security (as detailed in # 3 below) and promotion possibilities as your experience increases.
2. Your seniority has a direct relationship to certain of our important employee benefits which are based upon length of service, such as paid vacations and personal time.
3. In case we should ever have a layoff, your seniority will give you more work opportunities provided you have the necessary qualifications.

You may lose seniority rights and your length of service for the following reasons:

1. If you voluntarily quit or resign.
2. If you are discharged.
3. If you receive a settlement for total disability.
4. If you fail to report back to work within three (3) work days after a recall from layoff.
5. If you overstay an authorized leave of absence or vacation.
6. If you give a false reason for a leave of absence.
7. If you are absent without notification or acceptable excuse you will be considered to have voluntarily quit your job.

## **2-5. Your Employment Records**

In order to obtain your position, you provided us with personal information, such as your address and telephone number. This information is contained in your personnel file.

Please keep your personnel file up to date by informing the HR Coordinator or your supervisor of any changes. Also, please inform the HR Coordinator or your supervisor of any specialized training or skills you may acquire in the future, as well as any changes to

any required visas. Unreported changes of address, marital status, etc. can affect your withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach you in a crisis could cause a severe health or safety risk or other significant problem.

Certain documents may be required, either upon hire and/or with periodic updates as they expire. These include but are not limited to:

- Licensure/Certification by agencies of the Commonwealth of Massachusetts for positions such as Registered Nurses, Licensed Practical Nurses, Home Health Aides, Social Workers, Physical Therapists, Occupational Therapists, Speech/Language Pathologists, etc. (Specific continuing education credits are also required by the licensing Board to maintain most of these licenses, and it is the employee's responsibility to ensure that their license is current at all times.)
- \*Health including evidence of fitness for duty, TB testing, Hepatitis B vaccination/declination, and influenza vaccination/declination.
- \*Work Status, inclusive of documents required to affirm eligibility to legally work in the United States, regardless of country of citizenship
- \*Background Checks including CNA Registry, Criminal Background Check (CORI) and other Federal database(s) of persons excluded from working in health care settings.

The Hospice maintains certain systems to ensure that employee records are periodically reviewed and current, but ultimate responsibility for maintaining and producing the documents rests with the individual staff member.

\* These documents are maintained in separate, limited access files to ensure their confidentiality.

## **2-6. Agreement to Work as Assigned / Working Hours / Schedule / Breaks**

Because of the nature of hospice operations, the organization must provide 24-hour, 365-day coverage. It is therefore necessary that some employees accept their share of assignments on weekends, evening and night shifts and holidays in whatever resident care area need is evident.

If there is a temporary shortage of available employees, everyone is expected to cooperate by doing a fair share of filling in as necessary. To accommodate the needs of our operations, at some point we may need to change individual work schedules on either a short-term or long-term basis.

Employees are provided meal and rest periods as required by law. Meal periods and breaks are scheduled by supervisors to minimize interruption of services. The number of breaks an employee receives depends on the length of his/her shift:

- If the scheduled workday is at least 4 hours but less than 6 hours, the employee receives one paid 15 minute rest period (break).
- If the scheduled workday is at least 6 hours but less than 8 hours, the employee receives one paid 15 minute rest period (break) and a 30 minute paid meal period\*.
- If the scheduled workday is 8 hours, the employee receives two 15 minute rest periods (breaks) and a 30 minute meal period (all paid).

Breaks should not be "combined" or otherwise "bundled" into longer periods.

\*Thirty minute meal periods are unpaid but the employee is not required to punch out as long as they remain on property. It is not considered "worked time". See additional information regarding meal break timekeeping in the next section.

## **2-7. Timekeeping Procedures**

Employees must record their actual time worked for payroll and benefit purposes. Both hourly and exempt employees must use time sheets to record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason. Your time sheet is the way to record your hours worked, and it must match visits documented in the patients medical records or its validity will be in question.

Hourly employees may not start work until their scheduled starting time.

## **2-8. Overtime**

Like most successful organizations, we experience periods of extremely high activity. During these busy periods, additional work may be needed. Your Supervisor is responsible for requesting overtime work if it is necessary.

Any hourly employee who works overtime will be compensated at the rate of one and one-half times (1 ½) his/her normal hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

Employees may work overtime only with prior supervisory authorization.

For purposes of calculating overtime for non-exempt employees, the work week begins on Sunday at 12:00 midnight and ends on the following Saturday at 11:59 PM.

### **Meal Breaks:**

- Employees are entitled to a 30-minute meal break during a scheduled shift of more than six (6) continuous hours. This 30-minute unpaid break is automatically deducted from the total hours reported/inputted/"punched" in time clocks or other timekeeping systems.
- There may be circumstances where someone is precluded from taking a 30-minute break during their shift. For this to be accurately recorded and compensated, the

employee is responsible to complete a “Meal Break Exception Form” and submit it to their direct supervisor that day, and the supervisor is responsible to forward it to payroll so that it can be credited, and the 30-minute break is not be deducted from hours for the day. Meal Break Exception Forms are available at timeclocks and in break areas.

- Employees are expected to take their meal break.
- Employees are expected to report any perceived omissions or errors in their time records or pay to their immediate manager so that such potential omissions or errors can be addressed promptly and appropriately. If corrections or modifications are made to an employee’s time record or pay, both the employee and employee’s manager must verify the accuracy of the changes.

## **2-9. Safe Harbor Policy for Exempt Employees**

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly and that no improper deductions are made, you must review your pay stubs promptly to identify and report all errors.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours you may work for the Company. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under federal and state law, your salary is subject to certain deductions. For example, unless state law requires otherwise, your salary can be reduced for the following reasons:

Absences for personal reasons.

Absences for sickness or disability.

Full-day disciplinary suspensions for infractions of our written policies and procedures.

Family and Medical Leave absences (either full- or partial-day absences).

To offset amounts received as payment for jury and witness fees or military pay.

The first or last week of employment in the event you work less than a full week.

Any full work week in which you do not perform any work.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

If you believe you have been subject to any improper deductions, you should immediately report the matter to the HR Coordinator. If you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully

acceptable reply), you should immediately contact VP/Chief Experience Officer or the President/CEO.

### **2-10. Your Paycheck**

You will be paid weekly for all the time you have worked during the past pay period. Pay day is generally Friday following the end of the work week -- there is no "hold back" period. Remittance confirmations (also sometimes called a "check stub") are available online via the secure *Employee Portal* on our web site. Funds are disbursed electronically.

Your remittance confirmation itemizes deductions made from your gross earnings. By law, the Facility is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Your remittance confirmation will also differentiate between regular pay received and overtime pay received.

If you believe there is an error in your pay, bring the matter to the attention of your Supervisor or HR Coordinator immediately so the problem can be resolved quickly.

### **2-11. Direct Deposit**

Direct Deposit is available and encouraged. Forms to enroll in Direct Deposit are available from the business office. It is critical that you do not close an account into which your paycheck is directly deposited before changing your direct deposit enrollment or you may delay receipt of your funds.

### **2-12. Salary Advances**

Broad Reach Hospice does not permit advances on paychecks. "Cashing in" accrued vacation or personal time is not considered a salary advance, but is limited to time accrued. No other benefit time may be "cashed in".

### **2-13. Performance Review**

Depending on your position and classification, Broad Reach Hospice endeavors to review your performance annually on your anniversary date. Salary increases will typically occur at this time.

Your performance is generally reviewed by your supervisor at the end of the first 90 days of the initial orientation period, and an annual review is completed on the anniversary date thereafter. For most positions, the annual review uses a position-specific review tool to ensure a comprehensive, meaningful analysis. It allows you to discuss your goals and express your comments and any concerns regarding your job and the company. Your review will cover the following points:

1. The amount of work you accomplish.
2. The accuracy and thoroughness of your work.
3. Your dependability and attendance on the job.
4. Your attitude toward your job, fellow employees, the company, our patients and their families.
5. Your ability to organize and plan your work.
6. Your knowledge of your job duties.
7. The enthusiasm and initiative you demonstrate in your work.
8. Your courtesy and cooperation toward fellow employees, patients and their families.
9. Your personal appearance (i.e. uniform, self-confidence, etc.).
10. Your comments and concerns.

The performance evaluation program also provides valuable information to use when considering employees for promotion. In addition, it gives you an opportunity to have a personal discussion with your supervisor and to learn how you can improve your on-the-job performance and what we can do to help.

The administrator reviews all performance evaluations before the supervisor and employee meet. No employee's review is done without having been discussed with the administrator.

Annual reviews are not complete until the date the employee provides required health and/or licensure information, if new information is necessary. Employees who do not provide required information within 60 days of the review will forfeit the "retroactive" component of any wage increase, and may be subject to other disciplinary action.

## **2-14. Parking**

Parking in our private lot is restricted in use to visitors and on-duty employees only. Protect your property by locking your vehicle doors. Broad Reach Hospice can not be liable for theft, fire, damage or personal injury involving employees' vehicles. Other limitations involving parking at Liberty Commons include:

- Outpatient rehab. spaces are reserved Mon-Fri from 6AM - 5PM and at any other times designated. Please keep these spaces available for the patients who need them.
- Visitor (upper lot by lobby) spaces are reserved for visitors, with the exception of staff working 11 PM - 7AM, who are expressly requested to park in the upper lot and enter via the lobby. Employees on site in the morning who will leave the lot by 11AM may also use this lot.

## **BENEFITS**

### **3-1. Benefits Overview/Disclaimer**

In addition to good working conditions and competitive pay, it is Broad Reach Hospice' policy to provide a combination of supplemental benefits to all eligible employees. In

keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, insurance and other plan benefits, tuition reimbursement/support, and retirement plan support. We are constantly studying and evaluating our benefits programs and policies to better meet your present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Broad Reach Hospice provides for you and your family. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for your general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon your request from HR Coordinator. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

If you have any questions regarding your benefits, please contact the HR Coordinator.

3-2. –Reserved for Future Use --

### **3-3. Differentials**

Pay rate increases are available to hourly employees for certain shifts and days of the week. Other differentials vary by position and include:

- Weekend shifts
- Overnight (11PM - 7AM) shift.
- Evening (3 PM-11 PM) shift

Weekend differential begins at 11PM on Friday and ends at 11PM on Sunday.

Some programs are only open at specific times, depending on Facility need. Generally, when a program is opened to new hires, any existing employee who would be eligible given his/her schedule would be eligible to participate.

### **3-4. Paid Holidays**

Broad Reach Hospice recognizes certain days of religious and historic importance as holidays and pays employees for time off on these days in accordance with its special eligibility rules.

Full time employees are paid for the following holidays off:

- New Year's Day \*\*
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day \*\*
- Labor Day
- Columbus Day
- Veteran's Day (*off, for veterans only*)
- Thanksgiving Day \*\*
- Christmas Day \*\*
- Employee's Birthday (*after 3 years of service*)

The birthday holiday does not have to be taken on the employee's actual birthday; it may be deferred for up to 30 days after the birthday.

When a regular full-time employee's regular day off falls on a holiday, every effort will be made to provide the employee with an additional day off in the holiday week, as scheduling and proper coverage permit.

In order to be paid for a paid holiday off, employees must have completed 90 days of employment and have worked their scheduled day before and scheduled day after the holiday. Holiday pay for the day off is paid at up to 8 hours (base) pay or the employee's usual number of hours for the day, whichever is less.

Working on a Holiday:

- Regular hourly employees working on a holiday are paid at 2.0 times premium pay (double time) for hours worked.
- Holidays marked with a double asterisk (\*\*) are premium holidays for which all hourly employees working are paid double time and one half .
- Per diem employees working on holidays are paid at time and one half for all holiday hours worked.
- Exempt employees working on holidays do not receive holiday premiums except in the circumstance of on-call visits, which are paid at 150% of the usual visit rate. (Reference specific policy for exempt employees regarding scheduling and working holidays.)
- Birthday and Veteran's Day are limited to holiday pay for the day off. Premium is not applicable.
- On Christmas Eve, the evening shift is paid premium for those working.

When a holiday falls on a Saturday or Sunday, a weekday will be designated for observance in which the business office will be closed. Holiday premiums are paid beginning at 11:00 PM the day before the holiday and ending at 11:00 PM on the holiday.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate), thus using one less vacation day, unless requested otherwise by the employee.

If a holiday falls within a bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee will receive an additional day off at the option of the Hospice.

Employees on Leaves of Absence are not paid for holidays off.

### **3-5. Paid Vacations**

Every regular full and part time employee shall be entitled to a vacation. Each regular employee on the active payroll shall be eligible for paid vacation in accordance with the following schedule

<b>Yrs of Svc.</b>	<b>Month #</b>	<b># days accrued/avail.</b>	<b># Days/Yr (for reference)</b>
0.08	1	0	
0.17	2	0	
0.25	3	0	
0.33	4	0	
0.42	5	0	
0.50	6	0	
0.58	7	8.75	
0.67	8	1.25	
0.75	9	1.25	
0.83	10	1.25	
0.92	11	1.25	
<b>1.00</b>	<b>12</b>	<b>1.25</b>	<b>15</b>
1.08	13	1.25	
1.17	14	1.25	
1.25	15	1.25	
1.33	16	1.25	
1.42	17	1.25	
1.50	18	1.25	
1.58	19	1.25	
1.67	20	1.25	
1.75	21	1.25	
1.83	22	1.25	
1.92	23	1.25	
<b>2.00</b>	<b>24</b>	<b>1.25</b>	<b>15</b>
2.08	25	1.25	
2.17	26	1.25	

2.25	27	1.25	
2.33	28	1.25	
2.42	29	1.25	
2.50	30	1.25	
2.58	31	1.25	
2.67	32	1.25	
2.75	33	1.25	
2.83	34	1.25	
2.92	35	1.25	
3.00	36	1.25	15
3.08	37	1.25	
3.17	38	1.25	
3.25	39	1.25	
3.33	40	1.25	
3.42	41	1.25	
3.50	42	1.25	
3.58	43	1.25	
3.67	44	1.25	
3.75	45	1.25	
3.83	46	1.25	
3.92	47	1.25	15
4.00	48	1.25	
4.08	49	1.25	
4.17	50	1.25	
4.25	51	1.25	
4.33	52	1.25	
4.42	53	1.25	
4.50	54	1.25	
4.58	55	1.25	
4.67	56	1.25	
4.75	57	1.25	
4.83	58	1.25	
4.92	59	1.25	15
5.00	60	1.25	
5.08	61	1.25	
5.17	62	1.25	
5.25	63	1.25	
5.33	64	1.25	
5.42	65	1.25	
5.50	66	1.25	
5.58	67	1.25	
5.67	68	1.25	
5.75	69	1.25	

5.83	70	1.25	
5.92	71	1.25	
6.00	72	1.25	13.75
after 6 years:		1.67	20
		days/month	days/yr

\*Weeks are defined based on average weekly hours worked in the prior year, up to 40 hours per week for full time employees. Part time employees receive vacation time on the average weekly hours worked in the previous year. For example, a part-time employee who works 20 hours per week would be entitled to 60 hours of vacation after 3 years of employment (3 week X 20 hours per week).

Scheduling of vacations is the responsibility of department heads and is subject to the administrator's approval.

- Written requests for vacations of a week or more should be submitted at least four (4) weeks in advance.
- Priority regarding the selection of time will generally be given based on seniority.
- If a holiday occurs during an employee's vacation period, the holiday will not count as a vacation day.
- Single day vacation requests should be submitted in writing to the supervisor according to usual cut-offs for scheduling. Same-day vacation requests will not be honored.
- To receive vacation pay in advance, indicate that you would like your vacation pay with your last check before the start of the vacation.
- Accrued vacation can not be carried-over from one anniversary year to the next except under special circumstances with the administrator's written approval.

### **3-6. Richmond Vacation Bonus**

Richmond Vacation is a pay enhancement which accompanies traditional vacation time for those who have achieved enhanced lengths of service to the Hospice:

- Length of Service = Richmond Pay Earned
  - After 10 Years = 1 Week
  - After 15 Years = 2 Weeks
  - After 20 Years = 3 Weeks

Richmond Vacation is not additional time off, but rather is additional pay which enables the staff member to have extra money while on a vacation. It's like turning regular vacation pay into a double time vacation. This pay can't be taken by itself -- it must be specifically requested (on the request form) with traditional vacation days and the employee must have the traditional vacation days available to match it to. In addition to the length of service requirements specified above, those earning Richmond Vacation must be on a benefits package which includes paid vacation time.

Richmond Vacation is subject to the same rules for rollover as traditional vacation time.

### **3-7a. Paid Sick Days**

All employees are eligible to earn and use paid sick leave. Sick leave accrues at the rate of one hour for every thirty hours worked per calendar year. For accrual purposes, exempt employees will be assumed to work 40 hours per week, unless they are normally scheduled to work fewer than 40 hours, in which case earned sick leave accrues based on their regular schedule. Once an employee has accrued 40 hours in a calendar year, additional sick time is not earned until the next year. Sick time is automatically paid out when an absence is known to be for a reason covered by the MA Sick Leave law (see Section 4-1a).

In accordance with state law, sick leave may not be paid out on demand during the year. At the end of each year, 16 hours of unused sick leave is carried forward into the next year, and amounts in excess of the carry-forward are paid out.

Employees may not use more than 40 hours of accrued sick leave per calendar year. Accrual of sick leave begins on the employee's date of hire, but may not be used until 90 days after the start date. Sick leave is paid out on termination of employment.

### **3-7b. Paid Personal Days**

In addition to sick leave, full time regular employees accrue 0.6667 hours every month, providing 1 personal day. With length of service, the amount of personal time earned increases.

- After one year of employment, 1.33333 hours of personal time accrues every month providing 2 personal days per year.
- After two years of employment, 2 hours of personal time accrues every month for a total of 3 personal days per year.

Your personal days are for your use as you see fit. However, if at all possible, it is expected that you schedule these days off with your supervisor as far in advance as possible so that arrangements can be made to cover your shift. Departments have specific advance deadlines by which requests must be submitted.

When a personal day is requested on work weekend it may be required that the employee find coverage in order for the request to be approved.

Personal days are not "automatically" paid. Employees must request pay for the day from accrued time.

### **3-8. Insurance Programs**

Full-time employees may participate in the Hospice's insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

Upon becoming eligible to participate in these plans -- generally the first day of the month after hire -- you will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Of course, feel free to speak to Human Resources if you have any further questions.

### **3-9. Workers' Compensation**

On-the-job injuries are covered by our Workers' Compensation Insurance Policy, which is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to your Supervisor. Failure to follow Hospice procedures may impact your Workers Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. The monetary benefit is not paid by the Hospice, and payment does not begin with the first day of an absence, but rather is administered in accordance with state law. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

### **3-10. Jury Duty Pay**

Broad Reach Hospice realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. You are expected, however, to provide the Hospice with proper notice of your request to perform jury duty and with your verification of service. You also are expected to keep your supervisor informed of the expected length of your jury duty service and to report to work for the major portion of the day if you are excused by the court. If the required absence presents a serious conflict for the Hospice, you may be asked to try to postpone your jury duty. Employees on jury duty leave will be paid for their jury duty service.

### **3-11. Bereavement Leave**

In the event of the death of an employee's father, mother, brother, sister, spouse, child, father-in-law, mother-in-law, grandparents, or a person living in the same residence as part of the same household as the employee, time off will be given, up to a maximum of three working days, without loss of straight time pay. Bereavement leave without pay may be granted by the administrator in special circumstances when immediate family is not involved.

Paid bereavement leave is not applicable within the time limits of scheduled vacation or when an employee is off duty due to illness or injury or for other reasons. In administering this policy, verification of death may be required.

### **3-12. 401(k) Retirement Plan**

Eligible employees are able to participate in the Hospice's 401K retirement plan.

Upon becoming eligible to participate in this plan, you will receive a Summary Plan Description (SPD) describing the plan in greater detail. Please refer to the SPD for detailed plan information. Of course, feel free to speak to HR Coordinator if you have any further questions.

### **3-13. Tuition Support / Reimbursement**

The organization's future success and long-term growth depend in part on the development of its employees. Education benefits employees and the company. This process of employee education is supported through our Tuition Reimbursement Program. This program strives to balance both personal development and ongoing business needs by reimbursing tuition and certain fees for courses or degree requirements directly related to the employee's current job or their next logical position. Company approval of tuition reimbursement does not imply that an employee will be transferred or promoted as a result of these studies, although a minimum return commitment of 24 months of work for the company is expected upon completion of course of study in which they have matriculated.

Under the Tuition Reimbursement Program, the company will reimburse to full-time regular employees 100% of tuition and laboratory fees for the satisfactory completion of approved courses of study in which they have matriculated.

In order to participate in this program, an employee must:

- Have been employed as a full time regular employee for at least one year.
- Be at an acceptable or better level of job performance and not have received a written warning in the preceding twelve months.
- Complete a "Request for Tuition Reimbursement" form, *each semester*, and have it approved by the administrator. (The approved form will be returned to the employee indicating authorization to enroll in the course.)
- Attend programs accredited by organizations such as the American Council on Education/Council on Postsecondary Accreditation or the American Association of Community and Junior Colleges.

In order to receive reimbursement, the employee must:

- Maintain regular employment without written warning until course completion.
- Obtain a "B" or better grade.
- Submit all copies of the preapproved "Request for Tuition Reimbursement" form to the administrator within 60 days of course completion, along with the following information:

- Evidence of satisfactory completion of the course(s), such as a grade report or a letter from the professor on school stationery.
- An invoice or bill from the institution showing a breakdown of charges.
- A copy of the course syllabus or outline of the subjects covered.

While this program provides competitive and liberal coverage, there are some limitations:

- Expenses for books, travel, application, activity, and health fees, parking, late enrollment, deferred payment fees, or miscellaneous fees are not covered. (NOTE: The Community College All Purpose Fee is covered.)
- Grades of "C" or below, dropped courses, or incomplete courses are not covered.
- Entry tests and preparatory tests are not covered.
- Loans, direct payments to schools, or advances can not be made.

It has also been the organization's practice to sponsor and offer other educational support, including advanced degrees/certification, CNA->LPN and LPN -> RN programs. Certain provisions of the tuition program vary depending on the specific program.

## **LEAVES OF ABSENCE**

### **4-1a. MA Sick Leave**

Earned sick leave is provided to allow employees to:

1. Care for employee's own physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;
2. Care for a child, parent, spouse, or parent of a spouse who is suffering from a physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;
3. Attend routine medical and dental appointments for themselves or for their child, parent, spouse, or parent of a spouse; and
4. Address the psychological, physical, or legal effects of domestic violence.

Earned sick leave may be used for full or partial day absences. If an employee's absence from work requires call in a replacement to cover the absent employee's work, the absent employee may be required to use up to a full shift of earned sick leave.

An employee and supervisor may mutually agree that an employee will work and be paid for an equivalent number of additional hours or shifts during the same pay period as the hours or shifts taken as sick leave. In those cases, the employee will not be required to use accrued sick leave, and the employee is not paid for the time absent. Supervisors may not require this, and employees are not entitled to it.

Absences without earned sick leave earned and paying for the missed time do not fall within any of the provisions of "Earned Sick Leave".

### **Verification of Use of Sick Leave**

If an employee uses sick leave for a period that lasts over 24 consecutively scheduled hours, the Company may require the employee to submit a note from a healthcare provider that confirms the employee's need to use earned sick leave. If the employee does not have a healthcare provider, or if the earned sick leave is taken for permissible non-medical reasons, the Company may require the employee to submit a written statement evidencing the need to use earned sick leave.

If an employee is requested to submit documentation but fails to do so, the Company may delay or deny the future use of accrued sick leave until the documentation is provided. Although it may sometimes be contained in the same document, such healthcare provider confirmation is not the same as "clearance for duty" or other such return to work authorization and does not enable the employee to remain out of work while provision of such a confirmation document is pending.

#### **4-1b. Personal Leave**

If you are ineligible for any other Hospice leave of absence, Broad Reach Hospice, under certain circumstances, may grant you a personal leave of absence without pay. A written request for a personal leave should be presented to your supervisor at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and you are not eligible for FMLA, medical certification also must be submitted. Your request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as your performance and attendance records.

During your leave, you will not earn vacation or personal/sick days. We will continue your health insurance coverage during your leave if you submit your share of the premium payments to the Hospice in a timely manner, subject to the terms of the plan documents.

When you anticipate your return to work, please notify your supervisor of your expected return date. This notification should be made at least one week before the end of your leave.

Upon completion of your personal leave of absence, the Hospice will attempt to return you to your original job, or to a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise your supervisor or the HR coordinator of your availability to return to work, failure to return to work when notified, or your continued absence from work beyond the time approved by the Hospice, will be considered a voluntary resignation of your employment.

#### **4-2. Military Leave**

If you are called into active military service or you enlist in the uniformed services, you will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, you must provide the Hospice with advance notice of your service obligations unless you are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable for you to provide such notice. Provided your absence does not exceed applicable statutory limitations, you will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Please ask the HR Coordinator for further information about your eligibility for Military Leave.

If you are required to attend yearly Reserves or National Guard duty, you can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). You should give as much advance notice of your need for military leave as possible so that we can maintain proper coverage while you are away.

### **4-3. Family and Medical Leave**

The Leave Policy: You are eligible to take up to twelve (12) weeks of unpaid family/medical leave within any 12-month period and be restored to the same or an equivalent position upon your return from leave (subject to the terms of the Family and Medical Leave Act) provided you have worked for the Hospice for at least twelve (12) months, and for at least 1,250 hours in the last twelve (12) months. The 12-month period is a rolling 12 months and will be measured backward from the date an employee uses the leave. Reasons for Leave. You may take family/medical leave for any of the following reasons: (1) the birth of a son or daughter and in order to care for such son or daughter; (2) the placement of a son or daughter with you for adoption or foster care and in order to care for the newly placed son or daughter; (3) to care for a spouse, son, daughter or parent (called a "covered relation") with a serious health condition; or (4) because of your own serious health condition which renders you unable to perform any of the essential functions of your position. Leave because of reasons (1) or (2) must be completed within the 12-month period beginning on the date of birth or placement. Spouses employed by the Hospice who request leave because of reasons (1) or (2) or to care for an employee's parent with a serious health condition may only take a combined total of twelve (12) weeks leave during any 12-month period.

Notice of Leave. If your need for family/medical leave is foreseeable, you must give the Hospice at least 30 days' prior written notice. If this is not possible, you must at least give notice as soon as practicable (within two (2) business days of learning of your need for leave). Failure to provide such notice may be grounds for delay of leave. Additionally, if you are planning a medical treatment you must consult with the Hospice first regarding the dates of such treatment. Where the need for leave is not foreseeable, you are expected to notify the Hospice within two (2) business days of learning of your need for leave, except in extraordinary circumstances. The Hospice has Request for Family/Medical Leave forms available from the Human Resources Department. You should use these forms when requesting leave.

When the Hospice is aware of reasons for absence which constitute FMLA leave, those absences will be counted toward the 12 weeks even if not specifically specified as such by the employee.

**Medical Certification.** If you are requesting leave because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate medical certification. You may obtain Medical Certification Forms from the Human Resources Department. When you request leave, the Hospice will notify you of the requirement for medical certification and when it is due (at least fifteen (15) days after you request leave). If you provide at least thirty (30) days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided.

Broad Reach Hospice, at its expense, may require an examination by a second health care provider designated by the Hospice, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the Hospice, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The Hospice may require subsequent medical recertification. Failure to provide requested certification within fifteen (15) days, if such is practicable, may result in delay of further leave until it is provided.

**Reporting While on Leave.** If you take leave because of your own serious health condition or to care for a covered relation, you must contact your supervisor or the HR Coordinator every other week during the leave regarding the status of the condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are may need to be changed.

**Leave Is Unpaid.** Family/medical leave is unpaid leave, although you may be eligible for workers' compensation benefits under those insurance plans or policies. If you are entitled to receive money from these sources, your leave will be considered "paid leave" for the period during which you receive that money. If your leave is "unpaid" leave you will be required to substitute paid time off (vacation, sick days, personal days) for "unpaid" FMLA leave as described below. If you request leave because of a birth, adoption or foster care placement of a child, any accrued paid vacation and personal days first will be substituted for unpaid family/medical leave. If you request leave because of your own serious health condition, or to care for a covered relation with a serious health condition, any accrued paid vacation, personal days and sick days first will be substituted for any unpaid family/medical leave. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. Further, in no case can the substitution of paid leave time for unpaid leave time result in your receipt of more than 100% of your salary. Your family/medical leave runs concurrently with other types of leave (i.e., paid vacation, state family leave laws, etc.). Those other leaves may provide for paid leave.

**Medical and Other Benefits.** During an approved family/medical leave, Broad Reach Hospice will maintain your health benefits as if you continued to be actively employed. If paid leave is substituted for unpaid family/medical leave, the Hospice will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium. Your health care coverage will cease if your premium payment is more than thirty (30) days late. If your payment is more than fifteen (15) days late, we will send you a letter to this effect. If we do not receive your payment within fifteen (15) days after the date of this letter, your coverage may cease. If you elect not to return to work for at least thirty (30) calendar days at the end of the leave period, you will be required to reimburse the Hospice for the cost of the health benefit premiums paid by the Hospice for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

**Intermittent and Reduced Schedule Leave.** Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If leave is unpaid, the Hospice will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave, the Hospice may temporarily transfer you to an available alternative position which better accommodates your recurring leave and has equivalent pay and benefits.

**Returning From Leave.** If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required to provide medical certification that you are fit to resume work. You may obtain Return to Work Medical Certification Forms from the Human Resources Department. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

**No Work While on Leave.** The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

**State and Local Family and Medical Leave Laws and Other Hospice Policies.** Where State or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits provided by such laws will apply.

**Exemption for Highly Compensated Employees.** The Hospice may choose not to return highly compensated employees (highest paid 10% of employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to the Hospice. (This fact-specific determination will be made by the Hospice on a case-by-case basis). The Hospice will notify you if you qualify as a "highly compensated" employee, if the Hospice intends to deny reinstatement, and of your rights in such instances.

#### **4-4. Massachusetts: Small Necessities Leave**

Broad Reach Hospice will grant employees who have worked for the Hospice for at least twelve (12) months and have provided at least one thousand, two hundred and fifty (1,250) hours of service in the preceding 12-month period with up to twenty-four (24) hours of unpaid leave during any 12-month period, in addition to any FMLA leave, to participate in various activities. These include: attending a parent-teacher conference, accompanying a son or daughter to routine medical appointments or accompanying an elderly relative, related by blood or marriage, to routine medical or dental appointments or appointments for other professional services related to the relative's care. Employees must provide seven (7) days' advance notice of their need for leave. If the need was not foreseeable, the employee must provide the Hospice with as much notice as possible. An eligible employee first must substitute any accrued paid time off for this leave.

#### **4-5. Massachusetts: Maternity/Paternity Leave**

Broad Reach Hospice provides unpaid maternity/paternity leave for eligible employees in accordance with state law. Employees who have been employed on a full-time basis for at least three (3) consecutive months are eligible for leave. Eligible employees generally are entitled to up to eight (8) weeks of unpaid maternity/paternity leave for the purpose of giving birth or adopting a child under the age of 18 (or adopting a person under the age of 23 if that person is physically or mentally disabled).

Employees must provide at least two (2) weeks' notice of the intended departure date for leave, and notice of the intention to return to work.

State maternity/paternity leave runs concurrently with Family and Medical Leave (if applicable) unless otherwise required by law.

Employees may use accrued paid time off for this purpose.

#### **4-6. Paid Parental Leave (PPL)**

Effective 7/1/2015, Broad Reach Hospice offers paid parental leave to its eligible employees.

Up to 8 consecutive weeks at up to 80% of base salary is paid to an employee who is

- An eligible parent serving as a primary caregiver
- Following either the biological birth or legal adoption of a minor child who is new to the household of both parents.

The amount of the benefit is the base salary determined by regularly scheduled hours of work, up to a maximum of 40 hours per week, multiplied by 80%.

Employees must be otherwise eligible for Family and Medical Leave (FMLA) / MA Maternity/Paternity Leave as of the last day worked. Payment for PPL is made on regular payroll dates.

Employees must intend to return to employment after the leave, and agree in advance to repay the PPL if return does not occur, for any reason.

If both parents are employed by the organization, one of them is designated as the primary caregiver, eligible for the paid leave, or they may request to split it in accordance with time away, but no more than eight weeks (total) will be eligible to be paid.

This Parental Leave policy runs concurrently with any Federal or Massachusetts state regulations that an employee may qualify for that govern leave of absence, maternity leave, paternity leave, sick leave or other forms of time off (paid or unpaid) including but not limited to the Family Medical Leave Act, Massachusetts Maternity and Paternity leave and Massachusetts paid Sick Leave.

The organization reserves the right to amend the paid parental leave policy at any time except to the extent regulated by law.

### **Definitions**

An **eligible parent** is defined as a biological parent, same sex spousal equivalent, or a new adoptive parent who is the primary caregiver (see definition below). An individual that adopts a spouse or partner's child(ren) is not eligible for this benefit.

A **primary caregiver** is defined as someone who has primary responsibility for the care of a child immediately following the birth or the coming of the child into the custody, care and control of the parent for the first time. A primary caregiver must reside in the same household as the child. This definition applies to both births and adoptions.

An **eligible employee** is defined as an employee eligible for the time of unpaid under FMLA/MA Maternity/Paternity laws who is regularly scheduled to work 30 or more hours per week.

## **Paid Parental Leave (PPL) Frequently Asked Questions (FAQ's)**

**How do I request/apply for this benefit?** When submitting a *Request for Leave of Absence*, also complete a *Paid Parental Leave Request Primary Caregiver Affidavit*.

**Do I still accrue vacation, sick leave, or any other Paid Time Off while I'm out on leave?** *No, employees who are utilizing the Paid Parental Leave benefits do not accrue paid time off.*

**Can I use other accrued time to receive 100% of pay?** *Yes, employees may offset their 80% paid time with vacation or personal/sick time to achieve 100% pay during the leave.*

**Is the paid leave be included like regular payroll disbursement?** *Yes. It is exactly like a regular payroll disbursement – either direct deposit or debit card.*

**How long after the birth/adoption of a child can I take Paid Parental Leave?** *Paid Parental Leave is designed to provide financial support to adjust to the addition of a new family member during the important period immediately following the birth or adoption of a child. Employees are eligible to receive Paid Parental Leave during the first 8 weeks following the birth or adoption of a child.*

**Can I take Paid Parental Leave again for the birth or adoption of another child later?** *Yes, Paid Parental Leave can be used following subsequent births or adoptions.*

**Can I take Paid Parental Leave and then take time off using Family Medical Leave separately?** *Paid Parental Leave and Family Medical Leave run concurrently.*

**Can I take Paid Parental Leave and then take paid time off using Massachusetts Paid Sick Leave?** *Paid Parental Leave and Massachusetts Paid Sick Leave run concurrently to the extent allowed by law.*

**Do I have to be married to be eligible for this benefit?** *No, you do not need to be married to be eligible.*

**If you are marrying someone and are adopting your new spouse's children, are you eligible for Paid Parental Leave?** *No. An employee who adopts a spouse or partner's child(ren) is not eligible for this benefit.*

**If an employee has multiple births (twins, triplets, etc.), is a staff member eligible for more than 8 weeks of Paid Parental Leave, or if both parents work at Broad Reach Healthcare can they both take 8 weeks of Paid Parental Leave?**

*No. The Parental Leave benefit provides up to 8 weeks at 80% paid leave per birth event or adoption event, regardless of multiple births (twins, triplets, etc.) or adopting more than one child. Only the person identified as the primary caregiver is eligible for the benefit. If both are employees, requests to split the 8 weeks will be considered.*

**Does the policy apply to foster children?** *No. The benefit only covers birth or adoption.*

**Does the policy apply to the employee's grandchild, younger sibling or another relative?** *Maybe. But only if the event includes the legal adoption (versus guardianship or temporary*

*guardianship) of the grandchild, younger sibling or another relative who was not previously living in the same household as the employee.*

**Can this benefit be used to cover time off for elder care or sick children?** *No. Paid Parental Leave is designed to address the specific needs of maternity/paternity leave.*

**Am I retroactively eligible for this benefit?** *No. Children adopted or born prior to the 7/1/2015 effective date do not make an employee eligible for this benefit now.*

## **GENERAL STANDARDS OF CONDUCT**

### **5-1. Underlying Principle: Just Cause**

No one should be disciplined, suspended or discharged without *just cause*. The measure of just cause is fairly well established, and generally based on the answers to a number of questions. Where a "no" answer or number of "no" answers exist to the following questions, just cause may not be present:

- (1) Did the employer give the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?
- (2) Was the employer's rule or order reasonably related to the orderly, efficient and safe operation of the business?
- (3) Did the employer, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or directive?
- (4) Was the employer's investigation conducted fairly and objectively?
- (5) Was substantial evidence or proof of the employee's "guilt" the outcome of that investigation?
- (6) Has the employer applied its rules, directives and penalties evenhandedly and without discrimination to all employees?
- (7) Was the degree of discipline administered by the employer in a particular case reasonably related to (a) the seriousness of the employee's proven offense and (b) the record of the employee in his/her service with the home?

Once you've finished your initial 90 day period, Broad Reach Hospice will only suspend, discharge, or otherwise discipline a regular employee for just cause. We believe it to be the basis on which a stronger mutual commitment has the potential to be built.

### **5-2. Peer Grievance Review**

Your complaints or problems are of concern. It is our purpose to provide you an effective and acceptable means to bring your problems and complaints regarding your well-being while at work to our attention. It will always be our policy to let an employee tell his/her side of the story and give full consideration to their problem or complaint. There will be no discrimination against anyone for their part in presenting a complaint or in discussing a problem with their supervisor or anyone in our management. Problems and concerns can only be addressed if you care enough to work together with your supervisor and administrator and correct them.

This Peer Grievance Review option may be used to address concerns relating to interpretations and/or applications of policies, procedures, or established practices, discipline (including discharge) and other matters by mutual agreement between Broad Reach Hospice and the employee. This procedure is not intended to address any other matters such as work schedules, changes in policy, work rules, or established salary level or benefits. It can not address disciplinary decisions concerning mistreatment of residents.

The only purpose of our complaint procedure is to give you an opportunity to clear up any complaints or problems of any kind. When things go wrong this organization would like to have the chance to fix them if possible.

#### Steps to Take

**Step 1:** If you have a complaint to make or feel that any action by Broad Reach Hospice or a supervisor is unjust, go talk to your supervisor about it. Your supervisor should know more about you and your job than any other supervisor, and should be in the best position to handle your complaint properly and quickly. Be sure to talk with your supervisor within five (5) consecutive work days. Your supervisor will make every effort to satisfy your complaint or problem within three (3) working days. If the problem or complaint you have is with your supervisor, or for some other reason you have a need to discuss it with someone other than your supervisor, you may omit Step 1 and go directly to Step 2.

**Step 2:** If you feel the problem or misunderstanding was not settled satisfactorily by your supervisor you should refer your complaint to the Hospice Administrator within five days. If your supervisor is also the Hospice Administrator, you should then address the Director of Operations. You will be provided an answer within five working days.

**Step 3:** If you feel the problem or misunderstanding was not settled satisfactorily by the Hospice Administrator, you have an additional five days to address your complaint to the Director of Operations. (If you addressed your problem to the administrator in Step 2, skip this step.) You will be provided an answer within five working days.

**Step 4:** If you are not satisfied with the response provided at Step 3, you may select either of the following options:

a: You may request a meeting with the President of the company to present the dispute for review. The request must be made within five calendar days after receipt of the Step 3/3A answer. The President will discuss the problem with the employee and give his written decision to the employee. The answer shall be given within ten calendar days after the meeting. The decision of the President is final and binding on all parties.

OR

b: You may, upon written request within five calendar days of receipt of the Step 3 answer, request a hearing before the Peer Review Board. The Board shall consist of three individuals employed by Broad Reach Hospice. The employee exercising this option may select each member of the Board. One member selected must be a supervisor or department head. The other two members shall be selected from among the pool of employees trained to serve on the Peer Review Board. The panel selected may not consist of more than one member who works with the employee on a daily basis (same shift and unit, for example).

Any Board member who is personally involved in the dispute or has a conflict of interest is automatically disqualified from the Peer Review Board.

The Board will convene within fifteen calendar days of the appeal. The employee will present any information, including witnesses and documents, in support of his/her position. The employee's supervisor shall then present its claim, which can include witnesses and documents. The Board may request witnesses or additional information, call other witnesses or request additional investigations as necessary. The Board is to be guided by the aim of giving each party a full and fair opportunity to present its case.

The Board will reach its decision by majority vote. A decision will be issued in writing to all parties involved in the dispute within ten calendar days after the hearing unless an extension is mutually agreed upon. All Board members must sign the decision.

The Board can not change policy, determine wages or benefits, or modify rules. Its authority is limited to interpreting existing policies or rules and applying the facts of current situations to resolve the particular dispute.

The decision of the Peer Review Board is final and binding and can not be appealed.

Statement of Non-Retaliation: No employee will be penalized in any way for exercising his/her rights through this procedure or for his/her participation on the Peer Review Board.

### **5-3. Workplace Conduct**

Broad Reach Hospice endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in the Hospice's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

Broad Reach Hospice generally follows a three step disciplinary action procedure that is designed to be corrective rather than punitive. The Hospice has two groups of work rules and regulations. Violation of any Group I rule will initially result in a documented counseling. A second violation of any Group I rule will result in a written warning. A third violation will result in further discipline up to and including discharge. Violation of any Group II work rule will result in discipline up to and including discharge at first occurrence.

Group I Work Rules:

First Offense: Written Counseling

Second Offense: Written Warning

### Third Offense: Discharge

1. Being repeatedly absent, late or leaving work early without coverage by earned sick leave.
2. Committing fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick leave.
3. Exhibiting a clear pattern of taking sick leave on days when scheduled to perform duties perceived as undesirable (including weekends, holidays).
4. Failing to punch in or out / accurately record time worked.
5. Failing to follow *Absence Notification Procedures*.
6. Failure to submit time sheets.
7. Inability or failure to perform properly assigned work.
8. Littering or contributing to poor housekeeping, unsanitary or unsafe working conditions.
9. Inability to get along with other employees.
10. Use of obscene or vulgar language: patient/caregiver not present.
11. Smoking in any interior or exterior areas where smoking is not permitted.

### Group II Work Rules:

#### First Offense: Discipline up to and including discharge

1. Conviction of a criminal offense which precludes employment according to state agency directive.
2. Fighting, threatening, or attempting bodily injury to another employee on the company premises.
3. Theft of company property, personal property of a resident or property of another employee.
4. Malicious mischief which results in the injury of another employee or destruction of company property.
5. Use of obscene or vulgar language in the presence of a patient/caregiver/client.
6. Disorderly or immoral conduct on company property.
7. Insubordination, use of profane or abusive language, antagonistic attitude, harassment, physical abuse, threatening behavior to anyone.
8. Falsification of employment application or resume.
9. Falsifying another employee's time record or asking another employee to falsify yours.
10. Mistreatment of patients.
11. Accepting tips, personal gratuities or individual gifts from patients, residents, clients, families.
12. Gross negligence, including sleeping and walking off duty during work hours.
13. Reporting to work under the influence of illegal drugs or liquor. Possessing or bringing intoxicating beverages or illegal drugs on company premises.
14. Failing to follow *Absence Notification Procedures* resulting in failure to report to work for a scheduled shift without notice to employer ("No Call - No Show").

15. Making false vicious, profane, or malicious statements concerning any employee or the company.
16. Sexual harassment.
17. Violation of the Solicitation and Distribution Policy.
18. Violation of Broad Reach Hospice's Harassment or Equal Employment Opportunity Policies.
19. Violation of the Communication and Computer Systems Policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Broad Reach Hospice reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The Hospice will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

#### **5-4. Punctuality, Attendance & Notification of Absence**

You were hired to perform an important function at Broad Reach Hospice. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, your attendance and punctuality are very important. Avoidable absences and lateness place an unfair burden on your fellow employees and your supervisors, and are disruptive and expensive.

Employees should remember that regular, reliable attendance and timeliness is expected. *If an employee is repeatedly absent, late or leaves work early without coverage by earned sick leave, is absent or tardy for more than 40 hours in a year, commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick leave, or exhibits a clear pattern of taking sick leave on days when the employee is scheduled to perform duties perceived as undesirable (including weekends and holidays), the employee may be subject to disciplinary action.*

Progressive discipline for excessive absences without coverage by sick leave is generally triggered at:

1. 4 absences in any six month period --- written counseling
2. 10 absences in any 12-month period --- written warning
3. 12 absences in any 12-month period --- 1 day suspension
4. over 12 absences in any 12-month period --- discharge

An employee with a record of habitual without coverage by sick leave may still be subject to discharge even if the employee has not exceeded 12 absences in a 12 month period, given due consideration to patterns and frequency of absenteeism.

**Notification:** If an absence is foreseeable (for example, if the employee will be absent to attend a previously scheduled appointment), the employee must request the time off in

advance in accordance with departmental scheduling practices. "Calling in" when an absence is foreseeable is not acceptable.

Though there are times when absences and tardiness cannot be avoided, the employee is expected to notify the facility by telephone as early as possible, preferably two hours prior to the start of your shift, and in the absence of extraordinary circumstances no later than the start of your work day. If the employee is unable to provide notice personally, notice may be provided by a surrogate (for example, a spouse, family member or other responsible party).

When you call, please always speak to your direct supervisor, or if s/he is not available, speak to a nurse on duty. Never leave a voice mail message, email or text as the only means of reporting absence. A voice mail message alone does not count, regardless of when the message is left. Know the name of the specific person to whom you made your absence known -- if there is any question about whether your report was made it may be your best backup. You should state the nature of the reason for your absence and its expected duration, every day that you are absent.

If your absence is not reported and you do not speak to someone at the facility before the end of the scheduled shift, you will generally be considered a "No-Call / No-Show" who has abandoned their position and terminated employment.

#### **5-5. Audio/Video Recording Devices**

Due to the potential for issues such as invasion of privacy, sexual harassment, and loss of productivity, no employee may operate a camera except for Hospice business while on company property or while performing work for the Hospice.

The use of tape recorders, dictaphones or other types of voice recording devices anywhere on Hospice property, including to record conversations or activities of others or while performing work for the Hospice, is also strictly prohibited, unless the device was provided to you by the Hospice and is used solely for legitimate business purposes.

Portable media players (e.g. ipods, etc.) are not appropriate to be used while working in most positions/tasks and should never be used while in the presence of any customer. Any staff member who wishes to use a personal media player while working should first discuss it with his/her supervisor.

#### **5-6. Use of Communications and Computer Systems**

Broad Reach Hospice' communication and computer systems are intended for business purposes and may be used only during working time. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the systems.

Broad Reach Hospice may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Hospice deems it appropriate to do so. The reasons for which the Hospice may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Hospice operations continue appropriately during an employee's absence.

Further, Broad Reach Hospice may review Internet usage to ensure that such use with Hospice property, or communications sent via the Internet with Hospice property, are appropriate. The reasons for which the Hospice may review employees' use of the Internet with Hospice property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Hospice operations continue appropriately during an employee's absence.

The Hospice may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Hospice's policies prohibiting harassment, in their entirety, apply to the use of the Hospice's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Since the Hospice's communication and computer systems are intended for business use, these systems may not be used to solicit for religious or political causes or outside organizations.

Further, since the Hospice's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

Employees may not load software or transfer files from/to any media (flash drives, CD's, diskettes, etc.) onto/from the Hospice computer system without specific permission to do so from the administrator or HIPAA officer.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

### **5-7. Communication in Languages Other Than English**

Broad Reach Hospice is fortunate to have employees who speak more than one language. However English is the language used in the Hospice to communicate with residents, staff, families and visitors. This is necessary for workplace safety and for fostering good employee relations.

It is understood that other languages will, at times, be used between staff members for clarification of information. When communication in languages other than English occurs in work areas it should be outside the immediate presence of any patients/residents/customers unless that customer speaks the language.

Also, these rules do not apply to personal time (breaks, lunches, personal telephone calls, casual conversations between employees in public places or work areas outside the presence of patients/residents/customers, etc.). Staff members are also asked to remember that:

- It is generally preferred that all personal conversations be kept to a minimum while employees are working, regardless of the language utilized.
- Derogatory or threatening conversations are prohibited in *any language and will not be tolerated, regardless of the language in which they are made.*
- Common courtesy requires that when someone becomes part of a work group that uses a language the new person does not understand, the group should switch to English so we can maintain a work atmosphere where no employee is made to feel inferior, isolated, intimidated or harassed on the basis of their national origin.

This policy may be enforced by any supervisory staff member, inclusive of charge nurses. Issues of failure to adhere to this policy will be addressed individually, in a fashion consistent with the means by which other policy compliance is handled.

Employees with any concerns or complaints about the enforcement of the policy should direct those concerns to the HR Coordinator. The HR Coordinator will also provide copies of this policy are available in languages other than English, upon request.

### **5-8. Smoking, Eating & Drinking**

Smoking is only permitted in areas approved/specified by the client. Hospice staff working in contracted facilities must also follow any specific requirements for smoking, eating and drinking. "Smoking" includes all tobacco use, e-cigarettes and vaping.

### **5-9. Personal Visits, Telephone Calls and Cell Phones**

Disruptions during working time can lead to errors and delays. Therefore, with the exception of emergencies, there should be no personal calls on company / business phones.

It is generally preferred that personal cell phones be kept "off" during work time. Employee personal cell phones should never be left on "audible ring" during work time

or in any work area -- if the phone is not "off" it should be on "silent". Calls other than emergencies should not be taken during work time/in work areas. Messages should be retrieved away from the work area, in the break room or adjacent halls. Employees using personal cell phones in break areas are asked to exercise courtesy toward others present and take longer calls outside the break room.

For safety and security reasons, employees are discouraged from having personal guests visit or accompany them anywhere in our facilities. Guests should not solicit employees, residents or visitors, and the guest of any employee in violation of this requirement will be asked to immediately leave the premises.

### **5-10. Solicitation and Distribution**

To avoid distractions, solicitation by an employee of another employee is prohibited while either employee is on working time and in all immediate patient care areas. "Working time" is the time an employee is engaged, or should be engaged, in performing his/her work tasks for Broad Reach Hospice. Solicitation of any kind by non-employees on Hospice premises is prohibited at all times.

Distribution of advertising material, handbills, printed or written literature of any kind in immediate patient care areas and all other working areas of the Hospice is prohibited at all times. Distribution of literature by non-employees on Hospice premises is prohibited at all times.

### **5-11. Bulletin Boards**

Important notices and items of general interest are continually posted on our bulletin boards. Make it a practice to review it frequently. This will assist you in keeping up with what is current at Broad Reach Hospice. To avoid confusion, please do not post or remove any material from the bulletin board without authorization.

### **5-12. Confidential Company Information**

During the course of work, an employee may become aware of confidential information about Broad Reach Hospice' business, including but not limited to information regarding Hospice finances, pricing, products and new product development, software and computer programs, marketing strategies, suppliers, customers and potential customers, and knowledge, skills and abilities of personnel. An employee also may become aware of similar confidential information belonging to the Hospice's customers (patients, residents, families, etc.). It is extremely important that all such information remain confidential, and particularly not be disclosed to our competitors. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of the Hospice may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement reiterating these obligations.

### **5-13. Conflict of Interest and Business Ethics**

It is Broad Reach Hospice's policy that all employees avoid any conflict between their personal interests and those of the Hospice. The purpose of this policy is to ensure that the Hospice's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of the Hospice.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with the Hospice, by any employee who is in a position to directly or indirectly influence either the Hospice's decision to do business, or the terms upon which business would be done with such organization.
2. Holding any interest in an organization that competes with the Hospice.
3. Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with the Hospice or which competes with the Hospice.
4. Profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with the Hospice.

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is your responsibility to report any actual or potential conflict that may exist between you (and your immediate family) and the Hospice.

### **5-14. Legal & Other Documents**

No employee should witness or otherwise participate in the preparation, signing or assisting in legal documents for residents, such as wills, trusts and deeds.

### **5-15. Blogging**

Broad Reach Hospice respects the right of any employee to maintain a blog. However, to protect the Hospice's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

1. Employees may not post on a blog during work time or with Hospice equipment or property.
2. All rules regarding confidential information apply in full to blogs. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog.
3. If employees mention the Hospice in a blog and also express a political opinion or an opinion regarding the Hospice's actions, the poster must specifically note that the opinion expressed is his/her personal opinion and not the Hospice's position. This is necessary to preserve the Hospice's good will in the marketplace.
4. Any conduct which under the law is impermissible if expressed in any other form or forum is impermissible if expressed through a blog.

Further, the Hospice encourages all employees to contemplate the speed and manner in which information posted on a blog can be relayed and often misunderstood by readers. Thus, subject to the limited restrictions above, while an employee's free time is generally not subject to any restrictions by the Hospice, the Hospice urges all employees to not post information regarding the Hospice or their jobs which could lead to morale issues in the workplace or which could detrimentally affect the Hospice's business.

#### **5-16. Use of Facilities, Equipment and Property, Including Intellectual Property**

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines. Please notify your Supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job. Employees also are prohibited from any unauthorized use of the Hospice's intellectual property, such as audio and video media, print materials and software. Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge. Further, the Hospice is not responsible for any damage to employees' personal belongings unless the employee's Supervisor provided advance approval for the employee to bring the personal property to work.

#### **5-17. Health and Safety**

The health and safety of employees and others on Hospice property are of critical concern. The Hospice intends to comply with all health and safety laws applicable to our operation. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions.

Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Hospice's premises, or in a product, Hospice, piece of equipment, process or business practice for which the Hospice is responsible should be brought to the attention of a supervisor immediately.

Periodically, the Hospice may issue rules and guidelines governing workplace safety and health. The Hospice may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. Material Safety Data Sheets (MSDS) are maintained for all potentially hazardous materials. All employees should familiarize themselves with this information, as well as these rules and guidelines, as strict compliance is expected.

Any workplace injury, accident, or illness must be reported to the employee's Supervisor as soon as possible, regardless of the severity of the injury or accident. An Employee Accident Form must be completed -- these are available throughout the workplace, including at each nurse's station.

### **5-18. Employee Dress and Personal Appearance**

You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well groomed and wearing the proper attire.

In health care settings, it is extremely important to maintain a clean, neat appearance. Your appearance benefits the patients and residents, helps their families feel secure, and reflects on the reputation of the organization in general.

The best protection against the spread of infection is washing your hands often. All employees are required to wash their hands in accordance with established infection control standards. This includes after using the rest room, smoking, or after finishing any aspect of personal care. Foodservice employees must also wear an appropriate hair restraint while on duty.

Badges and buttons other than name pins and recognition pins provided by the Hospice are not permitted. Name badges are supplied by the Hospice and are required by state regulation of all on-duty employees.

Guidelines: Employees should dress "professionally". These guidelines apply to employees wearing uniforms, and those wearing "street clothes":

- T-shirts, sweatshirts and denim / denim like-clothes should not be worn.

- Shorts: Shorts are not prohibited in most positions, but should be sufficiently long to reach the knee.
- Coverage: Neither midriffs nor undergarments should be exposed. Necklines should be modest.
- Shoes: Shoes with open toes may be worn only by staff who are not providing direct physical service to patients/residents, and for whom open-toed shoes do not present potential safety or infection control concerns. Open-toed shoes would generally not be appropriate for employees whose positions require uniforms.
- Tattoos, Piercings & Jewelry: Should not impede work performance (including ability to speak clearly) or hinder safety. Tattoos must meet community standards regarding content -- a message inappropriate as a "sign" or on clothes is a message which most likely should be covered in the workplace.

### **5-19. Publicity/Statements to the Media**

All media inquiries regarding the Hospice and its operation must be referred to the Director of Operations or Hospice Administrator. Only the Director of Operations or Hospice Administrator is authorized to make or approve public statements pertaining to the Hospice or its operations. No employees, unless specifically designated by Director of Operations or Hospice Administrator, are authorized to make those statements. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Hospice must first obtain approval from Director of Operations or the Hospice Administrator.

### **5-20. References**

Broad Reach Hospice will respond to reference requests through the Human Resources Department. The Hospice will provide general information concerning the employee such as date of hire, date of termination, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Dept.

Only the Human Resources Department or an authorized designee may provide references.

### **5-21. If You Must Leave Us**

Should you decide to leave the Hospice, we ask that you provide your Supervisor with at least two weeks advance notice of your departure. Supervisors are requested to provide at least four weeks advance notice.

All Hospice property including, but not limited to, keys, laptop computers, etc. must be returned at separation. Employees also must return any of the Hospice's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Hospice (through payroll deduction, if lawful) for any lost or damaged Hospice property.

As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

**5-22. Exit Interview**

Employees who resign may be requested to participate in an exit interview with Human Resources.

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## **Receipt of Employee Handbook**

This Employee Handbook is an important document intended to help you become acquainted with Broad Reach Hospice. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Hospice's operations may change, the contents of this Handbook may be changed at any time, with or without notice, in an individual case or generally.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee Handbook.

I have received and read a copy of Broad Reach Hospice's Employee Handbook. I understand that the policies, rules and benefits described in it are subject to change at any time.

I further understand that my employment is terminable at will, either by myself or the Hospice, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" status except an express written agreement. I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Hospice's Employee Handbook.

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this acknowledgment should be returned to HR - it will be filed in your personnel file.

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## **Receipt of Sexual Harassment Policy**

It is Broad Reach Hospice' policy to prohibit harassment of any employee by any supervisor, employee, customer or vendor on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within the Hospice. It is to ensure that at the Hospice all employees are free from sexual harassment. For your information, "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mails and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, improper conduct also can include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to the HR Coordinator. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the Associate Executive Director or the Director of Operations. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Hospice will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints

in bad faith may be subject to disciplinary action, up to and including discharge.

While employees are encouraged to report claims internally, if an employee believes that he or she has been subjected to sexual harassment, he or she may file a formal complaint with the government agency or agencies set forth below. Using the Hospice's complaint process does not prohibit an employee from filing a complaint with these agencies.

The United States Equal Employment  
Opportunity Commission ("EEOC")  
JFK Federal Building, Room 475  
Boston, Massachusetts 02203  
(617) 565-3200

The Massachusetts Commission Against  
Discrimination ("MCAD")  
Boston Office:  
One Ashburton Place, Room 601  
Boston, Massachusetts 02108  
(617) 727-3990

Springfield Office:  
436 Dwight Street, Room 220  
Springfield, Massachusetts 01103  
(413) 739-2145

I have read and I understand Broad Reach Hospice's Sexual Harassment Policy.

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this receipt should be given to HR - it will be filed in your personnel file.

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# **MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION**

## **MCAD Guidance PREGNANT WORKERS FAIRNESS ACT**

Issued 1/23/2018

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy- related conditions and have an obligation to accommodate pregnant workers.

Under the Act:

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable

accommodation for a pregnancy or pregnancy-related condition.

- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.
- Employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy, in a handbook, pamphlet, or other means of notice no later than April 1, 2018.
- Employers must also provide written notice of employees' rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy or a pregnancy-related condition, no more than 10 days after such notification.

The foregoing is a synopsis of the requirements under the Act, and both employees and employers are encouraged to read the full text of the law available on the General Court's website here:

<https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter54>.

If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Rights Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act.

**Boston Headquarters:** One Ashburton Place, Room 601, Boston, MA 02108 | (617) 994-6000

**Springfield:** 436 Dwight Street, Room 220, Springfield, MA 01103 | (413) 739-2145

**Worcester:** 484 Main Street, Room 320, Worcester, MA 01608 | (508) 453-9630

**New Bedford:** 128 Union Street, Suite 206 New Bedford, MA 02740 | (774) 510-5801

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[www.mass.gov/mcad/](http://www.mass.gov/mcad/)