

HomeCentris Healthcare, LLC and Subsidiaries

Personal Home Care, LLC

HomeCentris Personal Care, LLC

HomeCentris Home Health, LLC

HomeCentris Community Care, LLC

HomeCentris Virginia, LLC

HomeCentris Pennsylvania, LLC

**Human Resources Policy Manual**

IMPORTANT NOTE:

The policies in this manual are intended for the employees of HomeCentris. They are not intended to govern any vendors or 1099 contractors.

# 

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# INTRODUCTION TO ALL MANAGERS REGARDING HUMAN RESOURCES POLICIES & PROCEDURES

This Human Resource Policy Manual contains HomeCentris Healthcare, LLC and Subsidiaries’ (referred to as “HomeCentris” or “Company” throughout this manual) employer-employee policies written into a usable guidebook for its managerial and supervisory staff. In addition to the actual policies, this manual also indicates how policy is to be administered. Consequently, each manager and supervisor should use this manual as a guidebook when he or she needs to apply policy in a given situation.

Any policy is only as good as its implementation, and the key to the implementation of policy is the manager, who is responsible for, and in direct contact with our employees. You are individuals who must translate these policies and procedures into action and it is upon you that we depend for the successful development of a productive, legal, and harmonious working environment.

Research and experience has shown that written policies promote consistency, transparency, and understanding within an organization. When policies are put into writing in the form of a manual, they add a visual effect to their overall purpose. Moreover, written policies help management by eliminating the need for time-consuming debates, expensive memos, bulletins, and announcements. Written policies also aid supervisors and managers in consistently achieving fair and equitable interpretations of policy that require action on a regular, recurring basis. Moreover, fellow employees feel a deeper understanding for their role in the organization when they realize that policies are written and thereby uniformly administered.

I request that each of you thoroughly familiarize yourself with the contents of this manual in order that all Human Resources policies may be administered consistently, fairly and effectively.

Matthew Auman

Chief Executive Officer

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# PURPOSE AND USE OF THIS MANUAL

This Human Resources and Policy and Procedure Manual is provided for informational purposes only and the policies and procedures they contain do not constitute an employment contract of any kind between HomeCentris Healthcare, LLC (“HomeCentris” or “Company”), or any of its divisions or subsidiaries, and any employee. Its purpose is to provide basic information about the Company’s policies and procedures and benefits.

From time to time, HomeCentris will review its policies, practices, procedures and benefits. Accordingly, the policies, procedures and practices outlined in this Manual are subject to review and change, including termination, at any time. HomeCentris will attempt to notify staff members of new policies or changes in existing policies and each policy header displays a “Revision Date” field to show any such changes.

HomeCentris reserves the right to make the final interpretation of all current or future policies and to make the determination, entirely within its discretion, as to whether the facts of a particular situation warrant action on its part.

Employment with HomeCentris is “at-will” and, therefore, may be terminated, with or without cause, and with or without prior notice, at any time, at the option of HomeCentris or the staff member. No representative of HomeCentris has any authority to enter into an employment agreement of any kind, including an agreement for any specified period of time or to assure any other personnel action, either before or after employment commences, or to assure any benefits or terms and conditions of employment, or make any agreement to the foregoing except as set forth in writing and signed by the Chief Executive Officer of HomeCentris and the employee.

HomeCentris will comply with all applicable federal, state and local laws and regulations and these policies reflect our current understanding of those laws. We will make every effort to update these policies in accordance with changes in applicable laws and regulations. However, in the event of differences between the policies set forth herein and applicable law or regulation, applicable law or regulation will apply.

**NOTE:** Certain states may have more stringent requirements relevant to the policies or regulations contained herein. In the event of variance between HomeCentris polices, and state and federal regulations, the more stringent requirements prevail. Several of these general policies also have state-specific pages or policies included. Please ensure you are using the correct version of the policy for your state.

In the event of differences between these policies and procedure and any current collective bargaining agreement with any HomeCentris entity, the collective bargaining agreement shall prevail.

Unless noted otherwise, all references to “Human Resources,” or “Human Resources Manager” refer to the Human Resources designee at each HomeCentris entity, if any. References to “Corporate Human Resources” or “Corporate HR” refer to the department of Human Resources located at corporate headquarters.

# COMMITMENT TO DIVERSITY POLICIES

| **POLICY NAME:** | EMPLOYMENT POLICIES | | **POLICY NO:** | HR - 14 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

Our employees contribute directly to our success. We value and support our employees by attempting to maintain a healthy, supportive and positive workplace.

**policy**

1. Our Work Environment:

* We shall attempt to demonstrate proper respect and consideration for one another, regardless of position, station or relationship. The Company will not tolerate discriminatory treatment, harassment, abuse or intimidation of any type.
* We shall conform to the standards of our professions. Refer all differences of opinion in professional judgment to the appropriate level of management for resolution.
* We shall follow the Company policies and procedures in the performance of our duties.
* We strive to verify the credentials of all medical professionals including whether they have been the subject of adverse actions for conduct or performance that would affect their duties and responsibilities at the Company.
* We shall attempt to disclose any and all adverse actions for conduct and performance that would affect our duties and responsibilities at the Company.

1. Equal Employment Opportunity:

* The Company is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination against any applicant or employee based on any legally-recognized basis, including, but not limited to: race, color, religion, sex (including pregnancy, lactation, childbirth or related medical conditions), sexual orientation, gender identity, or genetic information (including testing and characteristics), national origin or ancestry, age (40 or over), citizenship status, mental or physical disability, veteran status or any other status protected by federal, state or law.
* For employees in Pennsylvania, HomeCentris also complies with Pennsylvania law, which prohibits discrimination and harassment against employees or applicants for employment based on race, color, religious creed, ancestry, age (40 and over), sex (including pregnancy, childbirth and related medical conditions), national origin, disability (including physical or mental impairment), use of a guide or support animal because of blindness, deafness, or the physical handicap of any individual or status as a holder of a general educational development certificate or credential (versus a high school diploma).
* For employees in City of Philadelphia, Philadelphia, HomeCentris also complies with City of Philadelphia, which prohibits discrimination on the basis of actual or perceived race, ethnicity, color, sex (including pregnancy, childbirth, or related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, and marital status, source of income, familial status, genetic information or domestic or sexual violence victim status.
* For additional information concerning the Company’s policy against sexual or any other form of illegal harassment, please refer to the Harassment Policy included in this manual.

1. Safety:

* We shall attempt to be familiar and comply with all the Company and OSHA requirements related to work and safety.
* We shall attempt to maintain a drug-free workplace and will not tolerate the manufacture, possession, distribution, use or being under the influence of illegal drugs or alcohol.
* We shall attempt to report any practice or condition that may violate rules, regulations, OSHA requirements and the Company policy or safety standards to our direct supervisor.

| **POLICY NAME:** | EQUAL OPPORTUNITY EMPLOYMENT | | **POLICY NO:** | HR - 01 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Policy**

* HomeCentris provides equal employment opportunity to all employees and applicants.
* HomeCentris will not discriminate against any applicant or employee based on any legally-recognized basis, including, but not limited to: race, color, religion, sex (including pregnancy, childbirth, lactation, or related medical conditions), ancestry, age (40 or over), national origin, marital status, sexual orientation, gender identity, genetic information, veteran status, genetic information (including testing and characteristics), mental or physical disability, or any other status protected under applicable federal, state, or local applicable law.
* For employees working in Pennsylvania, HomeCentris also complies with Pennsylvania law, which prohibits discrimination and harassment against employees or applicants for employment based on use of a guide or support animal because of blindness, deafness, or the physical handicap of any individual or status as a holder of a general educational development certificate or credential (versus a high school diploma). For employees working in Pennsylvania, HomeCentris will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.
* For employees in City of Philadelphia, Philadelphia, HomeCentris also complies with City of Philadelphia, which prohibits discrimination on the basis of actual or perceived race, ethnicity, color, marital status, source of income, familial status, genetic information or domestic or sexual violence victim status. For employees working in City of Philadelphia, Philadelphia, HomeCentris will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.
* For employees in Virginia, HomeCentris also complies with Virginia law, which prohibits discrimination on the basis of military status (including membership in the National Guard, Virginia Defense Force and naval militia). Discrimination on the basis of race includes discrimination based on traits historically associated with race, including hair texture, hair type, and protective hair styles such as braids, locs, and twists.
* HomeCentris complies with applicable state and local laws governing nondiscrimination in employment in every location in which HomeCentris has facilities and employees.

**procedure**

1. Explanation:

* Equal Employment Opportunity applies to all terms, conditions, and privileges of employment, including, but not limited to, interviewing, hiring, training, orientation, placement and employee development, promotion, transfer, compensation, benefits educational assistance, layoff and recall, social and recreational programs, employee facilities, termination of employment, and retirement.
* Corporate Human Resources is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity.

1. Responsibility:

* While overall authority for implementing this policy is assigned to Corporate Human Resources, an effective equal employment opportunity program cannot be achieved without the support of management personnel and employees at all levels. All company employees, and particularly managers, have a responsibility for keeping our work environment free of unlawful discrimination. Managers should not attempt to handle complaints of discrimination on their own without the assistance of Human Resources.

1. Complaint Procedure:

* Employees who observe or believe they are the victim of unlawful discrimination should immediately report every instance of unlawful discrimination to their manager, Human Resources designee, or the Compliance Officer. Detailed reports—including names, descriptions, and actual events or statements made—will greatly enhance HomeCentris’ ability to investigate. Any documents supporting the allegations should also be submitted. Based on the employee’s report, the Company will conduct an investigation with due regard for the privacy of everyone involved. However, confidentiality cannot be guaranteed. HomeCentris prohibits any and all retaliation for submitting a report of unlawful discrimination and for cooperating in any investigation. Any manager or employee who retaliates against the accuser or those involved in the investigation will be disciplined, up to and including discharge from employment.
* If the investigation determines that prohibited discrimination or other conduct in violation of Company policy has occurred, the Company will take corrective action, up to and including termination of employment, against those who engaged in the misconduct.

1. Advertising:

* All HomeCentris advertisements for employment opportunity shall contain the following: EOE m/f/d/v

| **POLICY NAME:** | HARASSMENT | | **POLICY NO:** | HR - 15 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris strives to maintain a work environment that is free of discrimination and harassment of any kind. We will not tolerate harassment of any employee, patient, patients’ family member, visitor or vendor, by anyone, including any supervisor, co-worker, supplier, client or customer.
2. HomeCentris prohibits harassment of employees, patients, patients’ family members, visitors and vendors on the basis of race, color, religion, sex (including pregnancy, childbirth, lactation, or related medical conditions), ancestry, age (40 or over), national origin, marital status, sexual orientation, gender identity, genetic information, or disability, or any other status protected under applicable federal, state, or local applicable law. All such harassment is prohibited. This policy applies in the workplace, during business trips and work assignments away from the workplace, and at work-related professional, social or recreational functions.
3. This anti-harassment policy applies to all persons involved in our operations and prohibits harassing conduct by any employee of HomeCentris, including nonsupervisory employees, supervisors and managers. This policy also protects employees from prohibited harassment by third parties, such as vendors, clients, or temporary or seasonal workers. If such harassment occurs on the job by someone not employed by HomeCentris, the procedures in this policy should be followed.

**PROCEDURES**

* 1. Definition of Sexual Harassment:
* According to Federal law, sexual harassment is defined as:

1. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s initial, continued employment or promotion.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

* Under these definitions, direct or implied requests by a manager or supervisor for sexual favors in exchange for actual or promised job benefits such as favorable review, salary increases, bonus, promotions, avoidance of demotion, reassignment, increased benefits, or continued employment constitutes sexual harassment.
* The legal definition of sexual harassment is broad, dynamic and in addition to the above examples, other conduct of a sexual nature, whether it is intentional or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.
* While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

1. Unwelcome sexual advances, whether or not they involve physical touching.
2. Sexual epithets, jokes, written and oral references to sexual conduct; gossip regarding one’s sex life or the sex life of a co-worker; comments on an individual’s body; comments about an individual’s sexual activity; deficiencies or prowess.
3. Displaying sexually suggestive objects, pictures, cards, cartoons.
4. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
5. Inquiries into one’s sexual experiences.
6. Discussion of one’s sexual activities.
7. Any conduct noted above committed by non-HomeCentris personnel such as vendors, temporary agency employees, clients, customers or couriers.

* Although such actions usually must be continued or repeated before they constitute unlawful harassment, HomeCentris considers it inappropriate and a violation of its policy, for an employee to engage in this type of behavior on even one occasion. It is a violation of this policy for males to sexually harass females or other males, and for females to sexually harass males and other females.
* Sexual harassment on the job is unlawful whether it involves co-worker harassment, harassment by a supervisor, or harassment by persons doing business with or for the Company.
* All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated by this organization.
  1. Other Forms of Harassment:
* Prohibited harassment on the basis of race, ethnicity, color, sex (including pregnancy, childbirth, lactation, or a related medical condition), sexual orientation, gender identity, ancestry, marital status, familial status, genetic information, domestic or sexual violence victim status, national origin, religion, disability, age (40 or over), and any other status protected by federal, state or local law, includes behavior similar to sexual harassment such as:

1. Verbal conduct such as threats, epithets, derogatory comments, inappropriate joking, teasing, or slurs.
2. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures.
3. Physical conduct such as assault, unwanted touching or blocking movement.
4. Retaliation for reporting or threatening to report harassment.
5. Responsibilities:

* Employees

1. Any employee who believes that he or she has been harassed, discriminated against or subject to retaliation by a co-worker, supervisor, agent, client, vendor or customer of HomeCentris, in violation of the foregoing policies, or who is aware of such harassment, discrimination of or retaliation against others, should immediately provide a written or verbal report to his or her supervisor, any other member of management or to Human Resources to report such incidents. If you are not comfortable approaching management or human resources, call the Compliance Hotline at 888-739-0965.
2. Fully cooperate with any investigation conducted by the Company into a complaint of proscribed harassment, discrimination or retaliation, or regarding the alleged violation of any other Company policies. Conduct themselves in a manner that supports HomeCentris’ policy that the work environment be free of harassment.

* Managers

1. Conduct themselves in a manner that supports HomeCentris’ policy that the work environment be free of harassment.
2. Take steps to ensure that the work environment is free of harassment.
3. Ensure that each employee is aware of and educated about HomeCentris’ Harassment policy.
4. Immediately forward any employee complaint or allegation of harassment to the HR designee.
5. Enforce any disciplinary actions taken as a result of a violation of this policy.

* Human Resources

1. Provide an internal system for the fair and objective hearing of harassment complaints.
2. Conduct investigations into complaints of harassment.
3. Recommend appropriate disciplinary action, as necessary.
4. Provide guidance and training to employees and management on preventing harassment.
5. Ensure consistent application of the policy across HomeCentris.
6. Act as a resource to managers and employees regarding HR policy questions.
7. Complaints of Sexual Harassment

* If any employee believes that he or she has been subjected to harassment or witnesses such conduct, he or she should promptly report the incident. This may be done by calling, visiting, faxing or sending an e-mail message to any member of management.  If you are not comfortable approaching management, call the Compliance Hotline at 888-739-0965.
* This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker, or even a non-employee with whom the employee is involved, directly or indirectly, in a business or potential business relationship.
* If the alleged harassment occurs at a time other than your normal business hours, your complaint should be filed as early as practicable on the first business day following the alleged incident.
* Please understand that HomeCentris takes complaints of discrimination and harassment very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint, or discussing or expressing any issue of concern regarding alleged discrimination or harassment, and employees may bypass anyone in their direct chain of command and file their complaint.
* Please note that HomeCentris does not require an employee to confront the alleged harasser prior to making a formal complaint, or to contact his or her manager or supervisor prior to making a formal complaint. Any employee may and is encouraged to contact Human Resources in the event they believe their manager or supervisor is engaging in conduct inconsistent with this policy.
* An employee’s complaint should be as detailed as possible and include:

1. The name, department, and position of the person(s) allegedly causing the harassment
2. An incident description, including the date(s), location(s), and presence of any witnesses
3. The alleged affect of the incident(s) on the complainant’s position, salary, benefits, promotional opportunities, or other terms or conditions of employment
4. The names of other employees who might have been subjected to or similar harassment
5. The steps the complainant has taken to try to stop the harassment
6. Any other information the complainant believes is relevant to the complaint.

* Supervisors and managers are responsible for assuring that no employee is subjected to conduct that constitutes harassment. Supervisors and managers who receive notification of a complaint, should immediately contact Corporate HR Department.

1. Sexual Harassment Investigation

* Upon receiving notification of a complaint, it will be the responsibility of the HR Department, in conjunction with management, to ensure that the offensive behavior stops immediately.
* The HR Department (or its designee) will conduct a prompt and thorough investigation of the complaint in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. However, the need to adequately investigate and take appropriate corrective action may require the disclosure of the complainant’s identity.
* The investigation may include confidential interviews with any appropriate persons and a private interview with the person filing the complaint.
* Under no circumstances will the individual named in the complaint be involved in conducting or supervising the investigation. When the investigation is completed, the HR Department will, to the extent appropriate, inform the person filing the complaint and the person alleged to have engaged in the conduct, of the results of the investigation.
* Supervisors may not accede to requests to keep a complaint “off the record.” All incidents of reported harassment must be investigated.

1. Disciplinary Action

* If it is determined that inappropriate conduct has been engaged in by one or more of HomeCentris’ employees, HomeCentris will take action that is appropriate under the circumstances. Actions may range from counseling to termination of employment, and may include such remedies as verbal warning, probation, suspension with or without pay, mandatory training, mandatory counseling, and/or termination of employment.
* HomeCentris will not tolerate any retaliatory action against an employee who reports harassment or cooperates in the investigation of a complaint or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency.
* Violations of this policy by non-HomeCentris personnel such as vendors, temporary agency employees, clients, customers, or couriers will result in appropriate measures, up to and including termination of services.

| **POLICY NAME:** | OTHER WORKPLACE ACCOMODATIONS | | **POLICY NO:** | HR - 68 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** | 05/01/2021 |
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**Policy**

HomeCentris will provide other workplace accommodations beyond the requirements of the Americans with Disabilities Act and the Pregnancy Discrimination Act, in accordance with applicable federal, state and local laws.

Accommodations for Disabilities Due to Pregnancy

1. Pregnant employees are asked to provide notice to the Company of a temporary disability, even if the accommodation removes essential functions of the position. In particular, the Company will consider the following accommodations for a pregnant employee:

* Changing the employee's job duties;
* Changing the employee's work hours;
* Relocating the employee's work area;
* Providing mechanical or electrical aids;
* Transferring the employee to a less strenuous or less hazardous position; or providing leave.
* If an employee requests a transfer to a less strenuous or less hazardous position as a reasonable accommodation, the Company will honor the request if the employee's health care provider advises the transfer and the Company can transfer the employee without (a) creating an additional position; (b) discharging the employee; (c) transferring any employee with more seniority than the employee requesting the accommodation; or (d) promoting any employee who is not qualified to perform the job.
* To enact this policy, HomeCentris has designated Human Resources with the administrative responsibility for the program. Employees needing an accommodation should contact their immediate supervisor/manager or Human Resources for assistance. If you are not comfortable approaching management or human resources, call the Compliance Hotline at 888-739-0965.

1. Lactation Accommodation

* HomeCentris will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee’s infant child. Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees.
* Non-exempt employees will be relieved of all work-related duties during any unpaid break. Where unpaid breaks or additional time are required, non-exempt employees should work with their supervisor or insert name/contact details for appropriate company representative or department regarding scheduling and reporting the extra break time. Where state or local law imposes more specific requirements regarding the break time or lactation accommodation, the Company will comply with those requirements.
* Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as “unpaid.”
* The Company will provide employees with the use of a room or a private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The Company will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk. This location may be the employee’s private office, if applicable.
* The Company will otherwise treat lactation as a pregnancy-related medical condition and address lactation-related needs in the same manner that it addresses other non-incapacitating medical conditions, including requested time off for medical appointments, requested changes in schedules and other requested accommodations.
* Employees should discuss with [insert name/contact details for appropriate company representative or department] the location for storage of expressed milk. In addition, employees should contact [insert name/contact details for appropriate company representative or department] during their pregnancy or before their return to work to identify the need for a lactation area.

Employees who wish to request a reasonable accommodation under this policy should contact their supervisor or Human Resources. Human resources will promptly communicate with the employee and engage in an interactive process to determine the employee’s needs and explore possible ways of accommodating the employee. In some cases, this interactive process may be triggered without a request from the employee, such as when the Company receives notice from its own observation or another source that the pregnancy, childbirth or pregnancy-related condition of the employee or the employee’s partner may be impacting the employee’s work performance or conduct. At the conclusion of the interactive process, the Company will inform the employee in writing if a reasonable accommodation has been granted or deemed impossible. Employees can make additional requests for accommodation if their condition changes. The Company may require that employees provide medical documentation when requesting certain accommodations, such as working from home or time off from work.

The Company will not retaliate or tolerate retaliation against an employee because the employee requests accommodation under this policy, makes a complaint of discrimination, files a complaint alleging unlawful discrimination or expresses an intent to file such a complaint, or participates in an investigation or proceeding related to a compliant of discrimination. Employees who believe they have been subjected to retaliation should promptly report such concerns to their supervisor, any management team member or to Human Resources [or insert name/contact details for appropriate company representative or department]. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.

1. Religious Accommodation

* HomeCentris will provide reasonable accommodation for employees’ religious beliefs, observances, and practices when a need for such accommodation is identified and reasonable accommodation is possible. A reasonable accommodation is one that eliminates the conflict between an employee’s religious beliefs, observances, or practices and the employee’s job requirements, without causing undue hardship to the Company.
* The Company has developed an accommodation process to assist employees, management, and Human Resources. Through this process, the Company establishes a system of open communication between employees and the Company to discuss conflicts between religion and work and to take action to provide reasonable accommodation for employees’ needs. The intent of this process is to ensure a consistent approach when addressing religious accommodation requests. Any employee who perceives a conflict between job requirements and religious belief, observance, or practice should bring the conflict and his or her request for accommodation to the attention of his supervisor or Human Resources to initiate the accommodation process. The Company requests that accommodation requests be made in writing, and in the case of schedule adjustments, as far in advance as possible.

| **POLICY NAME:** | OTHER WORKPLACE ACCOMODATIONS – PENNSYLVANIA SPECIFIC PROVISIONS | | **POLICY NO:** | HR – 68pa |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 05/01/2021 |
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The following provisions apply to employees performing work in Pennsylvania or any of the listed jurisdictions below.

1. Pregnancy Accommodation (Philadelphia)

Pregnant employees, working in Philadelphia, with needs related to pregnancy, childbirth or a related medical condition, may request a reasonable accommodation to enable them to perform the essential functions of their job. A reasonable accommodation may include, but is not limited to, the following: (1) restroom breaks; (2) periodic rest for those who stand for long periods of time; (3) assistance with manual labor; (4) leave for a period of disability arising from childbirth; (5) reassignment to a vacant position; and (6) job restructuring. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related condition so long as the requested accommodation does not impose an undue hardship.

If leave is an accommodation, to the extent leave under this policy also qualifies as leave under the Family and Medical Leave Act, the two leaves will run concurrently.

Employees who wish to request an accommodation under this policy should contact Human Resources.

1. Accommodations for Pregnancy and Pregnancy-Related Events (Pittsburgh)

Employees working in Pittsburgh who are pregnant; experience pregnancy-related conditions and events (including seeking to become pregnant or any condition or event related to or caused by pregnancy or childbirth); and partners (i.e., someone who has a relationship of mutual emotional and/or physical support) of a person who is pregnant or affected by such an event, have the right to request one or more reasonable accommodations for their pregnancy, childbirth or related medical condition or when they are the partner of a person who is pregnant or affected by a related medical condition. The Company will provide a reasonable accommodation that enables the employee to perform the essential duties of the employee’s job. A reasonable accommodation for purposes of this policy is one that can be made without causing an undue hardship on the Company’s business.

| **POLICY NAME:** | OTHER WORKPLACE ACCOMODATIONS – VIRGINIA SPECIFIC PROVISIONS | | **POLICY NO:** | HR – 68Va |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 05/01/2021 |
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| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

The following provisions apply to employees performing work in Virginia.

* The Company will make reasonable accommodations for an employee’s known limitations related to pregnancy, childbirth, or related medical conditions, including lactation. A reasonable accommodation may include: (1) more frequent or longer restroom breaks, (2) breaks to express breastmilk, (3) access to a private location other than a bathroom for the expression of breast milk; (4) acquisition or modification of equipment or access to or modification of employee seating, (5) a temporary transfer to a less strenuous or hazardous position, (6) assistance with manual labor, (7) job restructuring, (8) a modified work schedule, (9) light duty assignments, (10) and leave to recover from childbirth. The Company will provide a reasonable accommodation for needs related to pregnancy, childbirth or a related condition so long as the requested accommodation does not impose an undue hardship.
* The Company will seek to engage in a timely, good faith interactive process with an employee who has requested an accommodation to determine if the accommodation is reasonable, and if such accommodation is determined not to be reasonable, discuss alternative accommodations that may be provided.
* The Company will not require the employee to take leave as an accommodation if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions of such employee. If leave is an accommodation, to the extent leave under this policy also qualifies as leave under the Family and Medical Leave Act, the two leaves will run concurrently.
* The Company will not retaliate or tolerate retaliation against an employee because the employee requests accommodation under this policy, makes a complaint of discrimination, files a complaint alleging unlawful discrimination or expresses an intent to file such a complaint, or participates in an investigation or proceeding related to a compliant of discrimination. Employees who believe they have been subjected to retaliation should promptly report such concerns to their supervisor, any management team member or to Human Resources [or insert name/contact details for appropriate company representative or department]. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken.
* Employees who wish to request an accommodation under this policy should contact Human Resources.

| **POLICY NAME:** | AMERICANS WITH DISABILITIES ACT (“ADA”) | | **POLICY NO:** | HR - 48 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
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| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris complies with the American with Disabilities Act (“ADA”) as amended and applicable state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. HomeCentris also provides reasonable accommodation for such individuals in accordance with these laws. It is HomeCentris’ policy to:

* Ensure we treat qualified individuals with disabilities in a nondiscriminatory manner in the pre-employment process and that we treat employees with disabilities in a nondiscriminatory manner in all terms, conditions, and privileges of employment.
* Keep all medical-related information confidential in accordance with the requirements of the ADA and retain such information in separate confidential files.
* Provide applicants and employees with disabilities with reasonable accommodation if the individual is otherwise qualified to safely perform the essential duties and assignments of the job and if any accommodation does not impose an undue hardship on HomeCentris.
* Notify individuals with disabilities that HomeCentris provides reasonable accommodation to qualified individuals with disabilities, by including this policy in HomeCentris’ employee handbook and in its corporate policies and procedures manual and by posting the Equal Employment Opportunity Commission’s poster on not discriminating against individuals with disabilities and other protected groups conspicuously throughout facilities managed by HomeCentris as required by law.

**PROCEDURE**

1. Qualified individuals with disabilities may make requests for reasonable accommodation to their supervisor or during the application process. On receipt of an accommodation request, the supervisor or hiring manager will discuss with the requesting individual the identification of the precise limitations resulting from the disability and the potential accommodation that HomeCentris might make to help overcome those limitations.
2. Human Resources will administer the request and will contact an appropriate management representative identified as having a need to know (e.g., the individual’s supervisor/department head), to determine the feasibility of the requested accommodation, considering various factors, including, but not limited to, the nature and cost of the accommodation, the agency’s overall financial resources and organization, and the accommodation’s impact on the operation of the agency, including its impact on the ability of other employees to perform their duties and on the agency’s ability to conduct business and any alternatives to the requested accommodation as necessary.
3. Human Resources will inform the employee of HomeCentris’ response to the accommodation request.

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# GENERAL EMPLOYMENT PRACTICES

| **POLICY NAME**: | AT-WILL EMPLOYMENT | | **POLICY NO:** | HR - 58 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
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**Policy**

* Employment with HomeCentris is at-will unless state law provides otherwise. This means that employment may be terminated for any or no reason, with or without cause or notice at any time by the employee or by the Company.
* Nothing in these policies, our Employee Handbook, or any oral statement shall limit the right to terminate at-will.
* This at-will employment policy is the sole and entire agreement between the employee and HomeCentris as to the duration of employment and the circumstances under which employment may be terminated.
* No manager or supervisor has any authority to enter into a contract of employment express or implied that changes or alters the at-will employment relationship. Only the CEO of the Company or his or her authorized representative has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing signed by the CEO of the Company or his or her authorized representative.

| **POLICY NAME:** | CLASSIFICATIONS OF EMPLOYMENT | | **POLICY NO:** | HR - 02 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
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**Policy**

Employees of the Company are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes

Full-time Employees: Those hired as employees to work a minimum of thirty (30) hours per week on a regular basis. Full-time regular employees are eligible for all HomeCentris sponsored benefits. Such employees may be “exempt” or “nonexempt” as defined below.

Part-time Employees: Those hired as employees to work fewer than thirty (30) hours per week on a regular basis. Employees working less than a thirty (30) hour workweek on a regular basis are not eligible for HomeCentris sponsored benefits. Such employees may be “exempt” or “nonexempt” as defined below.

Per diem or PRN employees: Those hired as employees and working on an as-needed basis, either by their own requirement or by HomeCentris’ requirement. Per Diem and PRN employees are not eligible for benefits.

Temporary employees: Those hired as employees to work full time or part time with the understanding their employment will be terminated upon completion of a specific assignment. (Note: A temporary employee may be offered and may accept a new temporary assignment with HomeCentris and thus still retain temporary status). Such employees may be “exempt” or “nonexempt” as defined below. (Note: Contractors hired from employment agencies for specific assignments are employees of the respective agency and not of HomeCentris.)

Leased workers and/or agency employees: Those assigned to work at HomeCentris through a leasing organization or professional agency. These workers are similar to temporary employees assigned to work at HomeCentris through temporary employment agencies. Leased workers differ from temporaries, however, in that leased workers are normally engaged for extended periods of time as opposed to the brief periods for which temporary agency workers are engaged. Leased workers may be “exempt” or “nonexempt” as defined below. Leased workers are employees of the leasing organization/agency and not of HomeCentris.

Nonexempt: Non-exempt Employees are employees whose job positions do not meet federal Fair Labor Standards Act (FLSA) or applicable state exemption tests, and who are not exempt from minimum wage and overtime pay requirements. Nonexempt employees are eligible to receive overtime pay for hours worked in excess of 40 hours in a given week, or as otherwise required by applicable state or local law. Employees will be informed whether their status is exempt or non-exempt and should consult their supervisor or HR with any questions or concerns regarding this status.

Exempt: Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and overtime pay requirements. Exempt employees are compensated on a salary basis. Employees will be informed whether their status is exempt or non-exempt and should consult their supervisor or HR with any questions or concerns regarding this status.

All position descriptions will contain the employment classification. If the duties of a position change, a new position description will be implemented and the affected employee(s) will be presented the new position requirements the employees’ manager(s).

Managers should not discuss or present any changes in duties or title to employees without express authorization from the CEO. Doing so may result in disciplinary action, up to and including termination.

Refer to the federal guidelines to exempt/ non-exempt classification included in this policy. See the Fair Labor Standards Act policy in this manual for more information on exemption status.

| **POLICY NAME:** | FAIR LABOR STANDARDS ACT (“FLSA”) | | **POLICY NO:** | HR - 43 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Policy**

1. Under the Fair Labor Standards Act (FLSA), employees are classified as either exempt or nonexempt.
2. Employees in nonexempt positions must report and be paid for each hour worked. In addition, nonexempt employees will be paid overtime at the rate of time and one-half (1.5 times) their regular rate of pay for all hours worked over forty (40) hours in a workweek, and otherwise required by applicable federal and state wage and hour laws. Non-exempt employees are responsible for accurately reporting all time worked, including overtime hours.
3. Exempt employees are not entitled to overtime for worked performed beyond forty (40) hours in a workweek, in accordance with applicable federal wage and hour laws. Executives, professional employees and certain employees in administrative positions are typically exempt as well as outside sales positions, as long as the meet the salary and duties provisions of the applicable law. In the event of a partial day absence, benefited exempt employees may be required to use accrued Paid Time Off (PTO) as a replacement for salary.
4. As always, time off from work must be coordinated with a direct supervisor.

**Procedure**

1. Exempt / Non-Exempt Guidelines:

* The Fair Labor Standards Act stipulates specific tests to determine whether a job is nonexempt or exempt from its provisions.
* With few exceptions, to be exempt an employee must (a) be paid at least $35,568 per year ($684 per week), (b) be paid on a salary basis, and (c) perform the duties of a bona fide exempt executive, administrative, professional, or outside sales employee. These requirements are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor).
* Employees must meet all three “tests” to be exempt. An employee will be considered paid on a “salary basis” within the meaning of the regulations if the employee regularly receives each pay period a predetermined amount of compensation which is not subject to reduction based on variations in the quality or quantity of work performed.
* Subject to certain limited exceptions, an exempt employee must receive the full salary for any week in which the employee performs any work without regard to the number or hours or days worked.
* Exempt employees need not be paid for any workweek in which they perform no work. The particular requirements for the executive, administrative, professional and outside sales exemptions are listed below.
* Also included are the requirements for the computer employee exemption, and exemption for highly compensated employees.

1. Executive Employee Exemption

* To qualify for the executive employee exemption, all of the following requirements must be met:
* The employee must be compensated on a salary basis at a rate not less than $684 per week,
* The employee’s primary duty must be management of the enterprise or managing a customarily recognized department or subdivision thereof,
* The employee must customarily and regularly direct the work of at least two or more full-time employees or their equivalent,
* The employee must have the authority to hire or fire other employees or the employee’s suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

1. Administrative Employee Exemption

* To qualify for the administrative employee exemption, all of the following requirements must be met:
* The employee must be compensated on a salary basis at a rate not less than $684 per week,
* The employee’s primary function must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer’s customers,
* The employee’s primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

1. Professional Employee Exemption

* To qualify for the professional exemption, all of the following requirements must be met:
* The employee must be compensated on a salary at a rate not less than $684 per week,
* The employee’s primary duty must be the performance of work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction or must require invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

1. Computer Employee Exemption

* To qualify for the computer employee exemption, all of the following requirements must be met:
* The employee must be compensated either on a salary or fee basis (as defined in the regulations) at a rate not less than $684 per week, or, if compensated on an hourly basis, at a rate not less than $27.63 an hour,
* The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below:
* The employee’s primary duty must consist of:
* The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications,
* The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications,
* The design, documentation, testing, creation or modification or computer programs related to machine operating systems,
* A combination of the aforementioned duties, the performance of which requires the same level of skills.

1. Outside Salesperson Exemption

* To qualify for the outside sales employee exemption, all of the following requirements must be met:
* There is no minimum compensation required,
* The employee must customarily and primarily engage in obtaining orders or contracts for services for which a consideration will be paid by the client or customer. These employees must be customarily and regularly engaged away from the employer’s place or places of business in performing this primary duty.

1. Exempt / Non-Exempt Status by Position:

* The HomeCentris job descriptions describe whether positions are classified as Exempt/Salaried.
* The exemption status of each position is determined case by case based upon the specific duties and nature of the position being evaluated. A job title alone is insufficient to establish the exempt status of an employee.
* Non-Exempt Positions
* All other positions that are not specifically listed above are generally classified as nonexempt/hourly positions. FLSA guidelines for calculating overtime apply to all nonexempt positions.

| **POLICY NAME:** | EMPLOYEE FILES & PERSONAL DATA CHANGES | | **POLICY NO:** | HR - 44 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
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**POLICY**

It is our policy to maintain employee files that:

1. Are current with the most up to date employee data,
2. Are legally compliant with all known employee eligibility and healthcare laws and regulations,
3. Help maintain a safe and productive working environment,
4. Aid in the continued development of our employees including performance improvement, periodic performance reviews and disciplinary action.

**PROCEDURE**

1. The HR Designee shall maintain a personnel file for every employee with the following documents. Some items may not be applicable to employees not involved in patient care.
2. [In-person Interview](#interviewingpolicy)
3. [Employment Application](#employmentapplication) and/or resume’
4. [Criminal History / Background Check](#backgroundinvestigations)
5. [Verification of employment eligibility](#employmenteligibility) and identity
6. [Verification of references including employment history](#referencechecking)
7. Signed job description
8. Training, in-service and competency records (as applicable)
9. Minor’s work permit (if applicable)
10. Disciplinary Action forms, Corrective Action forms and/or Performance Improvement Plans
11. Performance evaluations and commendations
12. Wage or salary information
13. Authorizations for deductions or withholdings from wages
14. Leave records
15. Employment history, including wage information, job titles, and dates of changes
16. Attendance records
17. Benefits Continuation form (if applicable) and other documents relating to fringe benefits received by the employee
18. Records of employee retirement
19. Employee Handbook acknowledgement
20. Verification of professional license and/or certification (healthcare professionals and certified caregivers only)
21. Basic health screening including, but not limited to, Tuberculosis and Hepatitis B (healthcare professionals and caregivers only)
22. Skills assessment and demonstrations (healthcare professionals and caregivers only)
23. CPR certificate (healthcare professionals and caregivers only) (if required by state regulations)
24. First Aid certificate (caregivers only) (if required by state regulations).
25. Proof of state residency (PA only)
26. Any other documentation maintained by the Company with respect to an employee is not part of the employee’s personnel file.
27. The HR Designee shall audit employee files, certifications and other expiring items in order to keep files current and compliant at all times. In accordance with this step, the HR Designee shall report such compliance to the CEO on a regular basis.
28. Employee files may be stored in paper or electronic versions in accordance with the [Storage / Use of Employee Files](#storageusepersonnelrecords) policy.
29. The employee personnel file, and other documents maintained with respect to the Company’s employees, shall be subject to the retention requirements in the [Federal Employment Records Retention](#_FEDERAL_EMPLOYMENT_RECORDS) policy.
30. Employees may inspect their own personnel file, as defined above, in the presence of a representative of HomeCentris. Employees may also designate another individual in writing as the employee’s agent to inspect the employee’s personnel file. Employees should contact Human Resources to schedule a time. Employees may not be allowed to view investigation records, documents developed or prepared for use in civil, criminal, or grievance procedures, or any letters of reference that have been prepared or collected by management. Employees will be provided access to personnel records in accordance with applicable state law.
31. Only authorized members of management and Human Resources have access to an employee's personnel file and other documents maintained with respect to an employee. However, the Company will cooperate with—and provide access to an employee's personnel file and documents to—law enforcement officials or local, state or federal agencies in accordance with applicable law, or in response to a subpoena, in accordance with applicable law.

**PERSONAL DATA CHANGES**

1. To better assist employees and/or their families in the event of personal emergencies, HomeCentris needs to maintain up-to-date contact information. Maintaining accurate information in our files also is important for recordkeeping, payroll and benefits related purposes.
2. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to Human Resources promptly or may be done self-service on the Company’s website on the Careers tab.

| **POLICY NAME:** | EMPLOYEE FILES & PERSONAL DATA CHANGES – VIRGINIA SPECIFIC PROVISIONS | | **POLICY NO:** | HR – 44va |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 05/01/2021 |
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In addition to all other employee records required to be kept under the Company’s policies, personnel files for employees performing work in Virginia shall include:

* Education and training history
* A record of adverse action by licensing bodies or organizations, if any
* A record of participation in staff development activities, including orientation
* The employee’s criminal record check and sworn disclosure statement regarding their criminal history.

The following provisions apply to access to personnel files for employees performing work in Virginia.

* Upon the written request of a current or former employee, or the employee’s attorney, the Company will furnish a copy of all records or papers in any format reflecting:
  1. The employee’s dates of employment with the Company;
  2. The employee’s wages or salary during the employment;
  3. The employee’s job description(s) and job title(s) during the employment; and
  4. Any injuries sustained by the employee during the course of employment.
* The request for these personnel records must be in writing, addressed to the Human Resources Department. The Company will generally provide the records within thirty (30) days of receipt of the written request. If the Company is unable to provide the records within thirty (30) days, the Company will notify the requestor in writing of the reason for the delay and will fulfill the request within an additional thirty (30) days of providing such notice.
* For records maintained by the Company in paper or hardcopy format, the Company reserves the right to charge the employee or requestor a reasonable fee per page for copying. For records maintained by the Company in electronic format, the Company reserves the right to charge the employee or requestor a reasonable fee for the electronic records.
* If an employee’s records include a written statement from the employee’s treating physician or clinical psychologist that the employee’s receipt or review of the records, or any part, would be reasonably likely to endanger the life or physical safety of another person, or that the records reference another person and the requested access would be reasonably likely to cause substantial harm to such person, the Company will make such records available only to the employee’s attorney or authorized insurer, rather than to the employee.
* Employees are also entitled to access the job description for their current position.

| **POLICY NAME:** | STORAGE / USE OF EMPLOYEE FILES | | **POLICY NO:** | HR - 73 |
| --- | --- | --- | --- | --- |
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**policy**

Security and Storage of Employee Records and Medical Information.

* All documents relating to HomeCentris’ personnel record system must be kept in secure, locked, fireproof filing cabinets, or other designated locked office, in electronic HR files, at all times. These files should be accessible only to authorized executives, managers, and supervisors who have a valid, demonstrable need to obtain specific information from an employee’s employment record.
* Payroll records and files are to remain in either the Payroll Department or in Human Resources.
* If an individual with an authorized need to know requires copies of the information in an employee’s personnel file, Human Resources or HR designee may make copies available upon written request.
* All medical or benefits information relating to an employee is kept in separate or inaccessible electronic files maintained by Human Resources or HR designee. Access to these medical files is also controlled. Ordinarily, medical information about an employee is supplied only to the employee’s designated physician in accordance with the employee’s written specific request. (Refer to the [HIPAA Compliance Policy](#hipaa) in this manual for additional information regarding safety and security of personal medical information.)
* Questions or issues about the application or enforcement of these security measures should be addressed to the Compliance Officer.
* Employee information contained on computer systems or other non paper-based systems shall be secured by restricted access with user names and passwords to the computer system drives, folders and/or files containing such information.

Internal Disclosures and Uses of Employee File Information.

* Any authorized review of records requires a log entry to be maintained by the HR Designee.
* On occasion, HomeCentris must provide information and data from its employment records and files to federal, state, and local government agencies or other third parties as required by law.
* HomeCentris ordinarily honors subpoenas demanding production of information with respect to any employee, but usually advises an employee of the subpoena and nature of the information requested, unless otherwise prohibited by law.

Disclosure of Release of Employee Information to Non-Governmental Entities.

* In response to an information request from an outside organization, individual, or other nongovernmental entity, HomeCentris normally verifies only the employment status and dates of employment for former or present employees. HomeCentris does not provide any other information unless and until it has received from the employee or former employee a written request that it disclose or confirm additional specific information unless otherwise required by law.

Employee Access Rights to their File Information.

* All employees can review the information contained in their own personnel file by giving reasonable notice in writing to the HR Designee. To prevent abuses of this access privilege, HomeCentris also reserves the right to limit the number of times an employee can access his or her file during a 12-month period.
* Records subject to inspection include the following (to the extent maintained by the Company): applications for employment, wage or salary information, notices of commendation, warnings or disciplinary information, authorizations for deductions or withholding of pay, fringe benefit information, leave records, employment history with the Company including salary information, job title, dates of changes, retirement records, attendance records and performance evaluations.
* Records not subject to inspection are records relating to the investigation of a possible criminal offense, letters of reference, documents that are being developed or prepared for use in civil, criminal or grievance procedures, medical records and information used by the Company to plan for future operations.

Accuracy of Basic Employee Information.

* To ensure that HomeCentris’ personnel files are up-to-date and contain accurate, complete information, employees are asked to notify their supervisor or Human Resources designee of any changes that need to be made in the following categories:

1. Name
2. Telephone number (home and mobile)
3. Home address
4. Email address
5. Marital status
6. Number of dependents
7. Beneficiary designations
8. Scholastic achievements
9. Individual to notify in case of an emergency

| **POLICY NAME:** | JOB POSTING | | **POLICY NO:** | HR - 07 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Job Posting Application](#_JOB_POSTING_APPLICATION); [Notification Form](#_JOB__POSTING) | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris strives to fill each of its job openings with the best qualified applicants it can recruit. Many times, applicants can be found among the current employees.
2. To give employees the opportunity to apply for job openings, HomeCentris endeavors to post certain vacant non-manager positions. Employees who are interested in promotion opportunities are responsible for monitoring job postings.
3. Vacancies for non-management positions should normally be posted at the worksite where the opening exists. Positions that are already occupied but are being redefined or re-evaluated for a change in compensation, classification and/or job title are not considered available position vacancies and will not be posted.

**PROCEDURE**

1. To apply for a posted position, employees must complete and submit a [Job Posting Form](#formjobpostingapp) available from their supervisor within any prescribed posting period.
2. To be considered for a posted position, employees must meet the minimum requirements for the position, be capable of performing the essential functions of the position (with or without reasonable accommodation) and be an employee in a good standing in terms of their overall work record. In general, an employee is not in good standing if he or she has (within the last six months) received a written warning, been on probation, received a Performance Improvement Plan, or been suspended with or without pay. An employee is also not in good standing if he/ she has been rated as “Does Not Meet Expectations” on his/her last performance evaluation.
3. To be considered for a posted position, employees should have been in their current position for at least six (6) months. The six (6) month requirement applies to employees in positions acquired through the posting system, to employees who have promoted, and to new hires.
4. Employees should check with their supervisor to determine their eligibility to be considered for a posted position.
5. Employees are required to notify their current supervisor when they apply for a posted position and obtain his or her signature on the Job Posting Application Form.
6. Applicants not selected for the position should receive notification of the decision from their supervisor.
7. Promotions to Supervisory Positions:

* Promotions to supervisory positions are made by department heads. In addition to education, experience, and positive work histories, department heads should consider employees who have demonstrated leadership and management potential.
* If the employee is returned to his or her old job during the first thirty (30) days of the new position, whether voluntarily or involuntarily, the employee resumes the rate of pay he or she had before the promotion, plus any annual increase that would have occurred had the employee remained continuously in the old position.
* When an employee is promoted to a supervisory position and receives a pay increase, he/she will be ineligible for another pay increase on their next annual review date if the review date is within four (4) months of the promotion.

### 

JOB POSTING APPLICATION FORM

**Job Posting Number:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Last Name: First Name: Middle Initial:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_**

**Current Job Title: Date of Hire: Current Dept:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_**

**­­­**

**Length of Service in Current Position: Supervisor Name:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Staff Member Signature: Supervisor Signature:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Qualifications Statement:** (Why are you interested in this position? Include any qualifications relevant to the position and attach relevant documentation, as appropriate.)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**INSTRUCTIONS FOR ALL APPLICANTS**

* + - Discuss your interest in the position with your current supervisor. Obtain his/her signature on this form.
    - Complete one Job Posting Application for each position posted in which you are interested.
    - Write Job Posting Number on the upper right corner of this Application Form where indicated.
    - Complete the Qualifications Statement, indicating why you are interested in the position and your qualification for the position.

***Submit this completed Job Posting Application Form to Human Resources.***

HomeCentris is an equal opportunity employer and complies with all applicable federal and state laws regarding nondiscrimination and equal employment. HomeCentris is committed to a policy of nondiscrimination and equal opportunity for all persons regardless of race, sex, color, religion, creed, national origin or ancestry, age, marital status, sexual orientation or preference, disability, or Vietnam-era veteran status in determining employment eligibility and suitability.

|  |
| --- |
| **Maintain in employee’s HR file.** |

JOB POSTING APPLICATION NOTIFICATION STATUS

**Job Posting Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**POSITION/TITLE BID ON:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dear\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

Thank you for applying for the position listed above. HomeCentris encourages staff members to apply their skills, knowledge and experience to other available opportunities within the company. It is through this commitment by our dedicated staff that we are able to continue to provide the highest quality service and care to our patients.

At this time, we are evaluating all candidates for the position and should you be selected for an interview, you will be notified.

Sincerely,

Human Resources

Cc: Staff member employment file

|  |
| --- |
| **Maintain in staff member’s HR file.** |

| **POLICY NAME:** | JOB DESCRIPTIONS | | **POLICY NO:** | HR - 08 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**STANDARD**

HomeCentris views the job descriptions prepared and maintained for every position in the organization as one of the most important documents in ensuring effective hiring practices and providing equal employment opportunity to all qualified individuals.

**POLICY**

HomeCentris will have a job description for each full time and part time position.

**PROCEDURE**

The following provisions are designed to ensure the accuracy, completeness, timeliness, and fairness of HomeCentris’ job description procedures.

* + - 1. Basic Responsibilities and Requirements:
* All job descriptions will be developed, managed and maintained at the corporate level to ensure consistency with state and federal wage and hour laws, EEOC classifications, and other state and federal relevant requirements.
* As part of the organization’s ongoing review process, corporate Human Resources may periodically request a manager’s assistance in reviewing their department’s or unit’s job descriptions to ensure they are accurate, complete, and current. Whenever possible, corporate Human Resources will seek the input of a position’s incumbent in reviewing the description’s accuracy and completeness.
  + - 1. Identification of Essential Functions and Competencies:
* Department heads will be asked to identify all of a position’s essential functions, educational qualifications, and competencies if requesting revisions to existing job descriptions or adding anew. In identifying a position’s essential functions, it is important to focus on both the purpose of the position and the importance or significance of a particular function in achieving that purpose. No function will be listed as essential if incumbent employees do not perform the function either as a regular part of the job or on an occasional, critical-need basis. If doubt exists as to whether or not a function is essential, Human Resources will make the determination as to the essential nature of a particular function.
  + - 1. Periodic Review of Descriptions:
* To ensure all position descriptions are accurate and current, Human Resources conducts periodic reviews of all job descriptions. Both managers and employees may be expected to contribute to and cooperate with this review effort. Generally, this ongoing review is designed to ensure that the organization’s job descriptions contain information that accurately reflects each position’s functions, duties, responsibilities, purpose, working conditions, and reporting relationships as well as the knowledge, competencies, skills, and abilities required of incumbent employees.

| **POLICY NAME:** | EMPLOYMENT APPLICATION | | **POLICY NO:** | HR - 09 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Employment Application](#_EMPLOYMENT_APPLICATION_1) | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris requires that all applicants for positions complete an employment application as part of the application process.
2. While a resume containing previous employment details and qualifications may be presented and attached to the application, it is still required that the applicant complete, read, sign and date all required sections of the application.
3. Only the Equal Employment Opportunity page of the application is voluntary.

**PROCEDURE**

1. Provide all applicants with a HomeCentris New Hire Package that contains the application for employment.
2. Remove the Equal Employment Opportunity page from the rest of the application. The Human Representative or designee must maintain this information separate from completed applications and/or employee files as required by law.
3. All applications for employment must contain the applicant’s signature on the appropriate pages, including signature date.
4. Employees, including hiring managers and reception employees, are to only thank applicants for submission of their application and if necessary, inform applicants that all applications will be reviewed for further action. When reviewing an application in front of a candidate the Manager or employee should not provide commentary such as, “your qualifications are excellent,” or similar comments which could be interpreted as potential reasons for hiring or denying employment to an applicant.

**HOMECENTRIS HEALTHCARE**

**EMPLOYMENT APPLICATION**

***Please read carefully and complete ALL information.***

We appreciate your interest in HomeCentris Healthcare. HomeCentris Healthcare (and its subsidiaries) is an equal employment opportunity employer. Our policy is not to discriminate against any applicant or employee based on race, color, sex, religion, national origin, age (40 and over), disability, marital status, military and veteran status, disability, sexual orientation, gender identity, genetic information, disability or any other basis protected by applicable federal, state, or local laws. We also prohibit harassment of applicants or employees based on any of these protected categories. It is also our policy to comply with all applicable federal, state and local laws respecting consideration of unemployment status in making hiring decisions.

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PERSONAL INFORMATION** | | | | | | | | | | | |
| Current Last NameFirst Name Middle | | | | | | | | | (All other last names, if applicable) | | |
| Street Address Apt. # | | | | City | | | | | | State | Zip |
| Home Phone Number | | | Cell Phone Number | | | | | E-mail Address | | | |
| **ADDRESS HISTORY: Please provide address history for previous seven (7) years**   |  |  |  |  | | --- | --- | --- | --- | | **Street Address** | **City** | **State** | **Years at Address** | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  |   **POSITION INFORMATION/REQUESTS REFERRAL INFORMATION** | | | | | | | | | | | |
| Position(s) Applying For | | Salary Requested | | |  | **Referral Source**  □ Advertisement □ Friend □ Other  □ Employment Agency □ Walk In □ Relative | | | | | |
| **Shift(s) Request**  □ Morning  □ Afternoon  □ Evening | **Status Request**  □ Full-Time  □ Part-Time  □ PRN | | | |
| **If referred by current HomeCentris employee, please list name:** | | | | | |
| **QUESTIONS** | | | | | | | | | | | |
| Have you completed an application for employment here before? ----à  Have you been employed by our company before? ----à  Are you currently employed? ----à  May we contact your current employer? ----à  What date are you available for work? ----à  If you are under 18 years of age, do you have a work permit? ---à  Upon employment, can you furnish proof of your legal authorization to work in the USA? ---à | | | | | | | □ Yes □ No If yes, when? \_\_\_ /\_\_\_ /\_\_\_\_\_  □ Yes □ No If yes - From \_\_\_ /\_\_\_ /\_\_\_\_\_ To \_\_\_ /\_\_\_ /\_\_\_\_\_  □ Yes □ No If yes - Where? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  □ Yes □ No  \_\_\_ / \_\_\_ / \_\_\_\_\_  □ Yes □ No □ Not Applicable  □ Yes □ No | | | | |

**EDUCATION**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Education Level** | **Name/Location of School** | **Major** | **Graduated** | **GPA** |
| High School |  |  | □ Yes  □ No (date degree expected:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) |  |
| College |  |  | □ Yes  □ No (date degree expected:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) |  |
| Graduate School |  |  | □ Yes  □ No (date degree expected:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) |  |
| Trade/Other Training: |  |  | □ Yes  □ No (date degree expected:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) |  |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **EMPLOYMENT HISTORY – Begin with current or most recent position** | | | | | | | | | | | |
|  | **Employer’s Name/Address** | | | **Position (s)** | **Employment Dates** | | **Supervisor Name/Title** | | **Reason for Leaving** | | |
| **1.** |  | | |  |  | |  | |  | | |
| **2.** |  | | |  |  | |  | |  | | |
| **3.** |  | | |  |  | |  | |  | | |
| **4.** |  | | |  |  | |  | |  | | |
| **5.** |  | | |  |  | |  | |  | | |
| **6.** |  | | |  |  | |  | |  | | |
| **7.** |  | | |  |  | |  | |  | | |
| **PROFESSIONAL LICENSES/CERTIFICATES** | | | | | | | | | | | |
|  | **Type** | | **License Number** | | | **Presently Valid? (Y/N)** | | **Issued by Organization/State** | | | **Expiration Date** |
| **1.** |  | |  | | |  | |  | | |  |
| **2.** |  | |  | | |  | |  | | |  |
| **3.** |  | |  | | |  | |  | | |  |
| **4.** |  | |  | | |  | |  | | |  |
| **PROFESSIONAL REFERENCES** | | | | | | | | | | | |
| **Name** | | **Professional Relationship** | | | | **Company Address** | | | | **Telephone** | |
|  | | □ Supervisor □ Colleague □ Other | | | |  | | | |  | |
|  | | □ Supervisor □ Colleague □ Other | | | |  | | | |  | |
|  | | □ Supervisor □ Colleague □ Other | | | |  | | | |  | |

**BACKGROUND INFORMATION** ***A conviction, plea, or discharge will not necessarily be a bar to employment.***

|  |  |  |
| --- | --- | --- |
| Have you ever been discharged, suspended or asked to resign from any position? | □ Yes □ No  □ N/A | If “Yes”, please describe in full detail: |

**APPLICANT’S CERTIFICATION – Please read carefully before signing.**

I hereby certify all answers on this application are true and correct to the best of my knowledge and belief. I understand that any misrepresentation will be considered cause for rejection of this application or dismissal from employment. I understand and agree that, if employed, such employment may be terminated at any time, without prior notice, and that my employment will not be governed by any expressed or implied contract, but is at-will.

I authorize my current and former employers, educational institutions, governmental agencies, references and others named in this application and accompanying documents to disclose all information and opinions about me that may be lawfully disclosed.

I acknowledge that Personal Home Care maintains a drug free workplace and may require applicants to undergo urinalysis screening for drug or alcohol use as part of a pre-placement physical examination. I authorize the test results to be released to the Human Resources designee or designated supervisor/manager on a need-to-know basis. I acknowledge that refusing to submit to such screening will cause my application for employment to be rejected.

If employed, I agree to comply with all company policies, practices, and safety guidelines. I will report all suspected violations related thereto, and will conduct the Company’s business in a strictly ethical, professional, and legal manner. I understand and agree that all programs, benefits, policies and practices of the Company may be subject to exceptions or change at any time, with or without notice, as determined by the Company.

APPLICANT’S SIGNATURE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**MARYLAND APPLICANTS ONLY - POLYGRAPH PROTECTION NOTICE**

**I UNDERSTAND THAT UNDER MARYLAND LAW, AN EMPLOYER MAY NOT REQUIRE OR DEMAND, AS A CONDITION OF EMPLOYMENT, PROSPECTIVE EMPLOYMENT OR CONTINUED EMPLOYMENT, THAT ANY INDIVIDUAL SUBMIT TO OR TAKE A POLYGRAPH OR SIMILAR TEST. AN EMPLOYER WHO VIOLATES THIS LAW IS GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE NOT EXCEEDING $100.**

Applicant’s Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant’s Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CERTIFICATION OF ELIGIBILITY TO PARTICIPATE IN FEDERAL HEALTH CARE PROGRAMS**

The Office of the Inspector General (“OIG”) may impose financial penalties against health care providers that employ or enter into contracts with excluded individuals or entities to provide items or services to federal program beneficiaries (section 1128(a)(6) of the Act; 42 CFR 1003.102(a)(2). Providers such as hospitals, nursing homes, home health agencies, and hospices may face exposure if they submit claims to a federal health care program for health care items or services provided, directly or indirectly, by excluded individuals or entities.

Individuals may be excluded from participation in federal health care programs for a number of reasons, including a Medicare/Medicaid fraud or abuse conviction, license revocation, or failure to repay a federal student loan.

If a health care provider arranges or contracts (by employment or otherwise) with an individual or entity who is excluded by the OIG from program participation for the provision of items or services reimbursable under such a federal program, the provider may be subject to fines up to $10,000 for each item or service furnished by the excluded individual or entity, as well as an assessment of up to three times the amount claimed and program exclusion may be imposed.

Furthermore, if an individual seeks employment with a Medicare/Medicaid participating provider, it could affect his/her opportunity for reinstatement at the conclusion of the exclusion period.

***I certify I am not subject to exclusion or debarment under federal law or designated in a nurse aid or other professional registry as having a finding concerning abuse, neglect, or mistreatment of a patient or misappropriation of a patient’s property.***

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EQUAL EMPLOYMENT OPPORTUNITY DATA**

*PERSONAL HOME CARE PROVIDES EQUAL OPPORTUNITY TO ALL QUALIFIED INDIVIDUALS, WITHOUT REGARD TO RACE, COLOR, ETHNICITY, RELIGION, AGE (40 or over), SEX, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY, ANCESTRY, MARITAL STATUS, FAMILIAL STATUS, GENETIC INFORMATION, DOMESTIC OR SEXUAL VIOLENCE VICTIM STATUS, VETERAN STATUS, DISABILITY OR OTHER LEGALLY PROTECTED STATUS, IN CONFORMITY WITH ALL FEDERAL AND STATE LAWS.*

Employers collect data to provide periodic reports to the United States government regarding the sex, ethnicity, disability or other protected status of employees and applicants. In order for Personal Home Care to comply with government record keeping, reporting, and other legal requirements, we ask you to voluntarily provide the information requested below. Please be aware that you are not obligated to complete this form, and that any information you do provide voluntarily will be treated strictly confidentially and kept separate from the Application for Employment. Inclusion or exclusion of requested information will have no effect on further employment consideration or hiring decisions.

□ I elect to voluntarily provide the information requested below

□ I decline to provide the information requested below.

**POSITION APPLIED FOR:**

**CHECK ONE:** □ MALE □ FEMALE

**CHECK ONE:** □ AFRICAN AMERICAN / BLACK □ HISPANIC □ ASIAN/PACIFIC ISLANDER □ NATIVE AMERICAN □ CAUCASIAN □ OTHER \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CHECK ANY OF THE FOLLOWING WHICH ARE APPLICABLE:**

□ VIETNAM VETERAN □ DISABLED INDIVIDUAL □ DISABLED VETERAN

Print Name (Optional): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| **POLICY NAME:** | INTERVIEWING | | **POLICY NO:** | HR - 10 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Applicant Evaluation](#_HOMECENTRIS_APPLICANT_EVALUATION) | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris endeavors to hire the most qualified employees without regard to race, ethnicity, color, age (40 or over), religion, national origin, sex (including pregnancy, childbirth, lactation, and related medical conditions), sexual orientation, gender identity, ancestry, disability, marital status, familial status, genetic information, domestic or sexual violence victim status, and all other statuses of individuals protected by federal, state or local law.
2. All candidates for employment shall have a face-to-face interview with a HomeCentris hiring manager.
3. Managers, supervisors, contract recruiters, and any other employees involved in interviewing or communicating with job applicants must follow these interviewing procedures and avoid any form of discrimination, intentional or unintentional.

**INTERVIEW PROCEDURES**:

1. HR designee or department manager generally conducts an initial review of all applications and, if necessary, initial screening interviews on site or over the telephone. The purpose of this initial screening is to select individuals with at least the minimum qualifications for the job.
2. The resumes/applications of those individuals are forwarded to the hiring supervisor who selects individuals for interviews.
3. The hiring manager or designee contacts the applicants and schedules face-to-face interviews at a mutually convenient time. *Never ask applicants to provide photographs and never take photographs of applicants.*
4. In preparation for an interview, the hiring manager should assemble:
5. The candidate’s application and any references the candidate has provided,
6. The current job description for the position being filled (NOTE: Job descriptions must be the approved description from corporate Human Resources),
7. A list of job-related and behavioral based interview questions that all applicants are asked.
8. Accommodating Disabilities:
9. HomeCentris provides individuals with disabilities the reasonable accommodations they need to interview. Reasonable accommodations might include a sign language interpreter, written rather than oral responses, large print or Braille material, or an accessible location. Hold interviews in offices or conference rooms that are private and easily accessible to individuals with disabilities.
10. Conducting the Interview:
11. An HR representative will have the applicant complete an employment application and will then escort the applicant to the hiring supervisor’s office or the conference room for the interview.
12. The hiring supervisor should observe the following guidelines when conducting an interview:
13. Welcome the applicant. Put the applicant at ease. While some interviews might begin with small talk—for example, the weather or traffic—supervisors must avoid straying into subjects such as marital or family status, religion, or the state of the applicant’s health.
14. Outline the interview. Let the applicant know how the interview will be structured and any time limits.
15. Describe the job clearly. Go over the job description. Give details about job duties, required skills, working conditions, hours, and compensation and benefits. Do not hesitate to politely bring the interview to a close if the applicant is not willing to accept the salary or if he or she clearly and admittedly does not have the minimum qualifications needed to perform the job.
16. During the initial interview the applicant is advised of a requirement to submit to the criminal background check, basic health assessment (including TB status), verification of the identity and employment eligibility status, and references. The applicant must be advised that any criminal background check will occur only after the company makes a conditional offer of employment and that any consideration of the background check’s requirements will be done on an individualized basis tailored to the requirements of the position, and federal, state, and local laws and regulations.
17. Ask questions. All questions asked during the interview must be relevant to the performance of the job. Keep questions focused on the job description and the skill sets necessary to perform essential job functions.
18. Listen. A common mistake made by interviewers is to dominate the discussion. Let the applicant talk.
19. Answer the applicant’s questions. Invite the applicants to ask any questions they have about the position or HomeCentris.
20. Give the applicant a realistic job preview. This preview lets the applicant know about the positives and negative aspects of the job (i.e. – this position will be scheduled to work every other weekend). In general, this informs the applicant about the culture of the company and what is expected of them.
21. Close the interview properly. Thank the applicant. Do not make any representations or promises other than that you will notify both successful and unsuccessful applicants. Give a conservative estimate as to when a hiring decision will be made, since hiring decisions sometimes take longer than initially anticipated.
22. Record information as you proceed. Write down the specific facts learned about the applicant’s qualifications. For each applicant, complete an [Applicant Evaluation Form](#_HOMECENTRIS_APPLICANT_EVALUATION), included as part of this policy, attach it to the individual’s application.
23. Prohibited Questions:
24. Personal questions usually are inappropriate and are the ones most likely to indicate potential bias. Even the most basic personal questions, such as asking about an applicant’s name, can lead to bias charges. For instance, asking for a maiden name, whether an applicant has legally changed his or her name or the history of a name might imply gender, marital or familial status, and national origin bias.
25. Questions about a job applicant’s age, birthplace, height, weight, marital status, child care arrangements, citizenship, religion, financial status, salary history, and the like almost never have a specific bearing on the individual’s ability to perform a job and should be strictly avoided. Interviewers also must avoid asking questions about health, medical conditions, workers’ compensation claims, and military discharge.
26. Indirect questions about personal characteristics are just as improper as direct ones. “What religious holidays do you observe?” is no better than directly asking a candidate to identify his or her religion. “How many years before you plan to retire?” is no different than asking the candidate’s age.
27. Appropriate Questions:
28. Work Eligibility - With careful wording, the following questions can be asked:

* Are you eligible to work in the United States?
* Can you submit a birth certificate or other proof of age if hired? Are you over 18?
* Reasonable Accommodations - Interviewers cannot directly or indirectly ask questions related to an individual’s disabilities. If an applicant’s disability is evident, the interviewer can ask whether the candidate will need a reasonable accommodation to perform essential job functions. If the answer is yes, the interviewer can ask about the type of accommodation that the individual would need. A carefully worded question, such as the one below, focusing on the individual’s ability to perform essential job functions also is permissible.
* Do you know of anything that would limit your ability to perform the essential functions of the job as described to you? If so, what accommodation can be made that would enable you to perform those functions?
* Qualification Questions - The best questions to ask are those directly related to job qualifications and competencies. The following are examples:
* Do you have a current state nursing license? (Ask only if the license is relevant to the position in question.)
* What projects did you work on during your last job?
* What tools did you use to complete those projects?
* Tell me about a time when you handled a disagreement or conflict well.\*
* Tell me about a time when you did something extra for a customer.\*
* Tell me about a time when you publicly admitted a mistake or failure.\*
* Tell me about a time when you just had to give up and move on to something else.\*
* What computer software have you used?
* Did you have supervisory responsibilities in your last job? If yes, how many employees did you supervise?
* Personality Questions - Hiring decisions are based not only on specific job skills, but on personality attributes that are required for success in the particular job. Interviewers must be careful to keep personality questions job related and free of bias. The following are examples of these types of questions:
* What did you enjoy most about your last job?
* What did you enjoy least?
* What were the circumstances surrounding your leaving your last job?
* What would your last supervisor say your three weaknesses are?
* What are your major strengths?
* What are your career goals?
* What are some of the things about what you and your supervisor disagreed?
* Do you prefer working alone or as part of a team?
* NOTE: Open-ended questions—that is, questions requiring more than a yes or no answer generally elicit the most useful information.
* Examples of Inappropriate Questions - The following are all examples of inappropriate questions. *Interviewers must never ask these types of questions:*
* What is your maiden name? Have you ever legally changed your name?
* How old are you? How many years before you plan to retire?
* Where were you born? Where were your parents born?
* Do you hold citizenship in any country other than the United States?
* How tall are you? How much do you weigh? What color are your eyes or hair? What is your race?
* What is your medical history?
* Do you have any disabilities?
* What are your disabilities? How will your disabilities affect your performance?
* Have you ever filed a workers’ compensation claim against a former employer?
* Are you married, single, divorced, separated, widowed? Are you living with anyone?
* Where does your spouse work?
* Are you the primary wage earner for your family?
* Do you have children? What are your child care arrangements?
* What are the names of your closest relatives or friends?
* What is your lineage, ancestry, national origin, descent, parentage, nationality, or the nationality of your parents or spouse?
* What is your religious affiliation? What holidays do you observe?
* What is your native language? What language do you speak at home?
* Was your military discharge honorable or dishonorable? Why did you serve with a foreign military?
* Are you a member of any social clubs, fraternities, sororities, lodges, teams, or religious organizations?
* Have you ever been arrested, charged or convicted of a crime?
* Do you have a history of alcohol or drug addiction?
* What medications are you taking?
* What is the name of your pastor or religious leader?

HOMECENTRIS APPLICANT EVALUATION FORM

**Part I: Applicant Information**

Complete this form, attach it to the job candidate’s application, and return both to the HR Department. This information is entered into HomeCentris’ applicant tracking system. Individuals not selected for employment receive a standardized letter notifying them that they were not selected.

Applicant’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Job Posting No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Hiring Supervisor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Applicant Was Interviewed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part II: Applicant Ratings**

**Instructions:** Fill out this part of the form only for applicants who interviewed for the job. Evaluate each applicant with respect to the requirements advertised for the job and included in the job description. Check “Unrated” if the factor is not relevant to the advertised job or insufficient information was obtained on which to base a rating. Use the “Comments” area to explain and substantiate your ratings with specific information from the interview.

**A. Job Knowledge and Skills: (including skills tests given)**

\_\_\_\_\_\_ Exceeds Job Requirements

\_\_\_\_\_\_ Meets Job Requirements

\_\_\_\_\_\_ Fails to Meet Job Requirements

**Comments:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**B. Experience:**

\_\_\_\_\_\_ Exceeds Job Requirements

\_\_\_\_\_\_ Meets Job Requirements

\_\_\_\_\_\_ Fails to Meet Job Requirements

**Comments:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**C. Communication/ Interpersonal Skills:**

\_\_\_\_\_\_\_ Exceeds Job Requirements

\_\_\_\_\_\_\_ Meets Job Requirements

\_\_\_\_\_\_\_ Fails to Meet Job Requirements

**Comments:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**D. Accomplishments and Achievements:**

Note any prior accomplishments or achievements that might be relevant to the individual’s ability to perform the advertised position.

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**E. Strengths:**

Identify professional strengths relevant to the individual’s ability to perform the advertised position:

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**F. Weaknesses:**

Identify professional weaknesses relevant to the individual’s ability to perform the advertised position:

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**G. Assessment of Other Job-Related Factors:**

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| **Maintain in staff member’s HR file if hired.** |

**Supervisor’s signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_

| **POLICY NAME:** | EMPLOYMENT ELIGIBILITY | | **POLICY NO:** | HR - 03 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Fill-able I9 Form](http://www.uscis.gov/sites/default/files/files/form/i-9.pdf) | | **3rd Revision Date:** |  |

**POLICY**

1. It is our policy to comply with United States immigration law. Accordingly, we neither hire nor continue to employ an individual who is not legally authorized to work in the United States. Moreover, we do not discriminate on the basis of citizenship status or national origin in recruitment, hiring, or discharge or other terms and conditions of employment.
2. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States within 72 hours of commencing employment. If the employee cannot verify his or her right to work in the United States within 72 hours of employment, the Company will be required to terminate his/her employment immediately.

**PROCEDURE**

1. Employment Eligibility Verification Procedures

* Human Resources designee is responsible for implementing, administering, and reviewing procedures necessary to comply with the employment eligibility verification and nondiscrimination requirements of the Immigration Reform and Control Act (“IRCA”), as amended. HR designee must ensure that all new employees:

Complete and sign the employee’s portion of Form I-9, Employment Eligibility Verification.

Present original documentation supporting the employee’s identity and employment eligibility to work in the United States.

Complete online E-Verify process. HomeCentris staff shall record the e-Verify case number in the employee’s employment record.

* Employees must complete the employee Section 1 of Form I-9 on the day they begin work and provide the required supporting documentation. HR designee must complete Section 2 of Form I-9 by examining the document within three (3) business days of the date employment begins.
* If an employee is authorized to work, but is unable to provide the required document(s), the employee can, under certain circumstances, present the HR designee with a receipt for an application for the necessary document(s):

1. If the document was lost, stolen or damaged, the individual must present a receipt for a replacement within three business days of hire and present the actual replacement document within 90 days of hire or, in the case of re-verification, by the date that the employment authorization expires.
2. The applicant can present Form I-9, Arrival portion of the form I-94 or I-94A Record, with an unexpired Temporary I-551 stamp and the individual’s photograph. Receipt valid until expiration date, one year from date of issue, or, in the case of re-verification, by the expiration date of the Temporary I-551.
3. If the applicant has refugee status, he or she can present the departure portion of the I-94 or I-94A with an unexpired refugee admission stamp. Within ninety (90) days of hire or the date that the employment or, for re-verification, the date employment authorization expires. At the end of receipt validity period, the individual must present an unexpired EAD Form I-766, or the combination of a valid List B document and an unrestricted Social Security card.

* An employee’s failure to produce required documentation within allotted time periods is grounds for immediate separation from employment. Employment can be resumed only when the required documentation is furnished.
* Human Resources arranges for a periodic audit of I-9’s on file to ensure that the facility management employees is complying with employment eligibility verification requirements.
  + - 1. Expiration of Work Authorization
* ([See I-9 Re-verification Procedures Policy](#employmentreverifications))
  + - 1. Nondiscrimination
* Supervisors, HR employees, hiring personnel, and other employees and agents of HomeCentris are prohibited from discriminating against an applicant or employee based on ancestry, national origin or status as a legal immigrant.
* Hiring personnel should never infer from an individual’s appearance or accent that he or she is unauthorized to work.
* Employees and applicants choose which document(s) they want to present from the lists of acceptable documents. HR representatives and any other employees involved in the hiring process may not specify which document(s) an employee/applicant may present or ask employee/applicant for any document not specifically designated on Form I-9 as acceptable for purposes of verifying an employee’s identity and employment eligibility.
* HR representatives and any other hiring personnel cannot refuse to honor tendered documents that, on their face, reasonably appear to be genuine and relate to the employee in question.
* Any hiring or HR employee found to have engaged in illegal discrimination is subject to discipline, up to and including termination of employment.
  + - 1. Recordkeeping
* A copy of each employee’s I-9 form is retained by Human Resources designee until three years after the employee’s hiring date or one year after the employee’s separation, whichever is later.
* When an employee transfers within HomeCentris to another physically separate location, the employee’s I-9 form and copies of supporting documentation must stay in Human Resources.
  + - 1. Re-employment
* If a terminated employee is re-employed within three years of initially completing an I-9 form, Human Resources designee is responsible for updating and verifying the information on the form.
  + - 1. Employment Eligibility Documentation Guidelines
* These guidelines are provided for HR designee employees and other personnel with hiring duties to use in determining whether the documents that new hires present to prove their identity and employment eligibility to work in the United States are acceptable. In verifying an employee’s eligibility for employment, keep the following points in mind:

1. Give employees guidance on the type of documents that are acceptable—for example, refer them to the list of acceptable documents of the I-9 form—but never require them to provide a specific type of document or documents to prove their identity eligibility for employment.
2. Ensure employees know that they must present original documents. Photocopies are not acceptable, unless they are officially certified copies.
3. Accept documents that appear to be genuine as long as they relate to the employee and not someone else.
4. An employee can be authorized to work, but might have lost or otherwise be unable to produce documentation to prove his or her employment eligibility. In such cases, the employee must present, within three business days of hire, a receipt for submission of an application for the replacement document or documents and, within 90 calendar days of the hire, must present the required document or documents.

* If you are unsure whether the documents an employee/applicant has presented are genuine or acceptable, consult your supervisor for review.
  + - 1. Acceptable Documentation
* All new hires must present within three working days of their start date:

1. A document from List A proving both identity and employment eligibility; or
2. A document from List B establishing identity together with a document from List C establishing employment eligibility.

* See “Lists of Acceptable Documents” Form I-9 for a complete list of acceptable documents a new hire may present.

| **POLICY NAME:** | EMPLOYMENT ELIGIBILITY: Reverifications | | **POLICY NO:** | HR - 04 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HR designees who verify work eligibility of employees upon commencement of employment are expected to maintain a notification system to alert the HR designee when an employee’s eligibility to work in the U.S. is expected to expire. (*Note: Review Section 1 and Section 2 of the Form I-9 form for expiration dates of documents that establish employment eligibility; expiration dates on List B documents never trigger the need for re-verification).*
2. The HR designee is required to notify the employee in writing of his or her impending expiration date. The notification should take place ninety (90) days prior to expiration.
3. The HR designee must impress upon the employee that employment will cease on the expiration date should the employee fail to take the proper steps to extend his or her employment authorization. Except in instances where the employee has an employer-sponsored visa, the renewal, update and/or extension of the work authorization, as well as all related expenses, rest solely upon the employee.
4. For employer-sponsored visas, the employer is responsible only for fees that are mandated to be paid by the employer.
5. When the employee brings in documentation of the extension of the work authorization, the HR representative must complete Section 3 of the I-9 form. If the employee’s original I-9 form does not contain Section 3, the HR representative may complete a new I-9 form and attach it to the original I-9 form. Both forms must be retained together.

**PROCEDURE**

1. For non-United States citizens, review all I-9 forms on current employees at least quarterly.
2. Identify which I-9 forms contain documentation that will expire within 90 days.
3. Provide the employee with a written notice to inform them which of their documents will soon expire, the date of expiration, and that they are required to provide an updated document or other eligible document indicating their continued eligibility to work (Refer to Notice of Expiration of Work Authorization).
4. Transfer the updated or new information onto the I-9 form where appropriate, or complete a new I-9 form and attach the old one to it.

| **POLICY NAME:** | EMPLOYMENT OF MINORS | | **POLICY NO:** | HR - 05 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**INTRODUCTION**

Minors are defined as any person under the age of eighteen (18) years. Minors are subject to federal and state regulations regarding the hours they may work and the equipment they may operate. State regulations also often require certain meal and rest breaks for minors. Work permits must be provided to a Human Resources representative before a minor will be permitted to work.

**POLICY**

1. It is our policy not to hire individuals under the age of sixteen (16) years and to discourage hiring sixteen (16) and seventeen (17) year old minors.
2. A copy of the minor’s work permit must be verified and kept in the employee’s personnel file.
3. All minors and managers must follow federal and state laws regarding child labor.
4. Questions regarding such laws may be directed to Corporate Human Resources.

| **POLICY NAME:** | EMPLOYMENT OF MINORS - PENNSYLVANIA | | **POLICY NO:** | HR – 05PA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

It is our policy (HR – 05) not to hire individuals under the age of sixteen (16) years and to discourage hiring sixteen (16) and seventeen (17) year old minors.

Notwithstanding the above policy, under Pennsylvania law, minors may not be employed for more than eight (8) hours per day or 28 hours per week while school is in session or ten (10) hours per week or 48 hours per week during school vacations, and any hours in excess of 44 per week must be voluntarily agreed to by the minor. Minors may not work before 6:00 AM or after 12:00 AM, except that during vacation periods minors may work until 1:00 AM. Minors may not work more than six (6) consecutive days. Minors must be provided a rest break of at least thirty (30) minutes or longer for every five (5) hours of consecutive work.

| **POLICY NAME:** | EMPLOYMENT OF MINORS - VIRGINIA | | **POLICY NO:** | HR – 05VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

It is our policy (HR – 05) not to hire individuals under the age of sixteen (16) years and to discourage hiring sixteen (16) and seventeen (17) year old minors.

Notwithstanding the above policy, under Virginia law,

* Minors may not be employed for more than five (5) hours continuously without a 30 minute lunch break.
* Minors may not work during any time when the minor’s school attendance is required.
* Minors under the age of 17 may not drive as part of their work. Minors who are at least 17 may drive, provided that: (1) the automobile does not exceed 6,000 pounds gross vehicle weight, is equipped with seatbelts, and seatbelt use is required; (2) driving is restricted to daylight hours; (3) the minor has a valid driver’s license and no moving violations at the time of hire; (4) the minor has completed a state-approved driver’s education course; (5) the driving does not include towing vehicles, route deliveries or sales, transporting property, goods, or passengers for hire, urgent or time-sensitive deliveries, or transporting more than three (3) passengers at any time; (6) the minor does not drive more than two (2) trips away from the primary place of employment in any day for the purpose of delivering goods or transporting passengers; (7) the driving takes place within a 30-mile radius of the minor’s place of employment; and (8) the driving is no more than one-third (1/3) of the minor’s work time in any workday and 20% work time in any workweek.

| **POLICY NAME:** | EMPLOYMENT OF RELATIVES | | **POLICY NO:** | HR - 06 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. Relatives of a currently employed employee generally are considered for employment on the basis of their qualifications.
2. However, where the hiring or employment of an employee’s relative would result in the types of prohibited employment relationships identified below, the company will not consider or accept such applications for employment or for continued employment.
3. For the purposes of this policy “relative” also includes close personal and/or extended familial relationships.

**PROCEDURE**

1. Prohibited Employment Relationships: The hiring of relatives is prohibited if the employment of such an individual would result in the creation of:

* A supervisor/subordinate relationship between a relative and an employee. If a direct supervisory or managerial relationship would be established, relatives of a currently employed employee cannot be considered as applicants for an open position.
* An actual conflict of interest or the appearance of a conflict of interest. Generally, this bars the hiring or employment of an employee’s relatives in any position that has a manager-employee or direct-reporting relationship to the employee’s job or one which may entail purchasing or procurement of goods and services between the relatives.

1. Definition of Relatives

* For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage (e.g., domestic partnership or civil union status).

1. Marriage or Relationships between Employees

* Employees who enter into an intimate relationship with another employee must disclose the relationship to Human Resources. We will not take any adverse employment action against any employee for engaging in romantic relationships during nonworking hours away from Company premises. However, we will consider such relationships when they affect an employee's job performance, occur during working time or on Company premises, or pose a danger of a conflict of interest.
* A familial or intimate relationship among employees can create an actual or at least potential or perceived conflict of interest in the employment setting, especially where one relative, spouse, partner, or member of such a relationship supervises another relative, spouse, partner, or member. To avoid this problem, we may refuse to hire or place a relative or other intimately associated individual in a position where the potential for favoritism or a conflict exists.
* If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. In other cases where a conflict or the danger of a conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of the Company.

1. Covered Employment Classifications

* This policy applies to hiring and employment decisions affecting all job classifications, including regular, temporary, part-time, and seasonal positions. These restrictions also are applicable when assigning, transferring, or promoting an employee.

1. Enforcement of Policy

* All questions and issues relating to an employment-of-relative’s situation or concern should be addressed to Human Resources. Employees who become subject to this policy’s provisions due to marriage or commencement of a close personal relationship must inform their supervisor in a reasonable timeframe. All decisions and employment actions taken as a result of this policy must be reviewed and approved by the CEO.

| **POLICY NAME:** | BACKGROUND INVESTIGATIONS | | **POLICY NO:** | HR - 11 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**STANDARD**

1. HomeCentris believes that hiring qualified individuals to fill positions contributes to the overall strategic success of HomeCentris. Background checks serve as an important part of the selection process at HomeCentris and are required for certain employees by the state regulations applicable to home care agencies.
2. This type of information is collected as a means of promoting a safe work environment for current and future employees.
3. Background checks also help HomeCentris obtain additional applicant related information that helps determine the applicant’s overall employability, ensuring the protection of the current people, property, and information of the organization.

**POLICY**

1. HomeCentris requires reference and background checks on all job applicants. HomeCentris will use a third party or utilize federal or state reporting agencies to conduct the background checks. The type of information that can be collected includes, but is not limited to, that pertaining to an individual’s past employment, licensure, education, etc. This process is conducted to verify the accuracy of the information provided by the applicant. See the supplements to this policy for other state specific requirements.
2. All employees must undergo fingerprinting and obtain a criminal federal or state history record, unless prohibited by applicable law. All employees who are subject to criminal background checks are considered to have a contingent offer of employment. If the background report indicates a disqualifying offense in the prospective employee’s criminal background, as set forth below, the employee’s offer of employment will be immediately rescinded.
3. HomeCentris will ensure that all background checks are held in compliance with all federal and state statutes, such as the Fair Credit Reporting Act. HomeCentris can make inquiries regarding criminal convictions only after extending a conditional offer of employment. This information will not be used as a basis for denying employment, unless it is determined to be due to job-related issues or business necessity and consistent with applicable law.
4. The Human Resources designee must approve non-standard reference and/or background check results. The following information may be sought as part of the background investigation:

* Verify all post-secondary degrees or high school diploma, if there is no post-secondary degree. Verification may include requiring proof of education by the applicant, i.e., copy of diploma, degree, transcripts.
* Document seven (7) years of prior employment and verify all prior employment within the past five (5) years. Verify all gaps in employment within the past five (5) yeas that are greater than twelve (12) months in length by contacting professional references.
* Conduct an OIG records search in all federal, state, and local jurisdictions where the person has resided for the past five (5) years. Any incidents of fraudulent activity are reported.
* E-Verify search to determine legal eligibility to work in the U.S.
* Conduct a criminal records search at the highest court in all counties (or as required by state regulation) where the person has resided, worked, or attended school in the past seven (7) years. Any misdemeanor convictions, felony convictions, open arrest warrants, and/or related activities are reported.
* Conduct a search of an individual’s connection to his or her social security number to determine if there is any background information that was not reported by that individual.
* Applicants who have falsified or withheld material information on the application or whose background check is not satisfactory will be ineligible for employment or subject to discharge if falsification or a disqualifying criminal background is discovered during employment.
* HomeCentris reserves the right to conduct random/periodic background checks on existing employees with notification, where permitted or required by law.
* Pennsylvania ONLY: Exclusion checks (OIG, Medicheck, and Federal SAM checks shall be performed upon hire and monthly thereafter).

1. All information attained from the reference and background check process will only be used as part of the employment process and must be kept strictly confidential. Only appropriate Human Resources employees and Executives will have access to this information. If a copy of the criminal background check is requested, an authorized staff member will verify the requestor identity and, if eligible to receive this information, the requestor will receive a copy of the record stamped “COPY.” This transaction will also be entered into the Company’s HRIS.
2. Different states and jurisdictions maintain different lists of offenses which may make health care workers ineligible for employment. Please see the list of state specific offenses below:
   1. [Maryland](#MarylandOffenses)
   2. [Pennsylvania](#PennsylvaniaOffenses)
   3. [Virginia](#VirginiaOffenses)

No written policy can be all-inclusive and cover all situations. In the event that an applicant is convicted of a serious crime not listed above, the decision will rest with the CEO.

**PENNSYLVANIA SPECIFIC BACKGROUND CHECK REQUIREMENTS**

Criminal Background Check Requirements for Homecare, Home Health and Hospice

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Scenario** | **PA State Police (PATCH)** | **FBI Fingerprinting (with IdentoGO Service Code)** | **ChildLine Verification** | **Other Considerations** |
| New employee who has lived in PA for at least 2 years |  |  |  | Document residency in personnel file: Driver’s license, State ID, Mortgage/Ret receipts, Utility bills, tax records, tax return, employment record (§611.52) |
| New employee who has not lived in PA for at least 2 years |  | Aging: 1KG8RJ |  | Document residency in personnel file |
| Employee who will be caring for a child directly\* |  | DHS: 1KG756 |  |  |
| Employee who will be caring for a client in a home where a child resides\* |  | DHS: 1KG756 |  | This category only applies to Medicaid-enrolled agencies |
| New employee who has not lived in PA for at least 2 years and will be caring for a child\* |  | DHS: 1KG756  Aging: 1KG8RJ |  | Must register under **BOTH** DHS and Aging for IdentoGO; Document residency in personnel file |
| New employee who has not lived in PA for at least 2 years and will be caring for a client in a home where a child resides\* |  | DHS: 1KG756  Aging: 1KG8RJ |  | Must register under **BOTH** DHS and Aging for IdentoGO; Document residency in personnel file; This category only applied to Medicaid-enrolled agencies |

### Maryland No HIRE offenses

Level 1 (Employees who have been convicted of any of the following will not be hired or employed.)

* Crimes against children
* Armed robbery
* Bank robbery
* Arson
* Conspiracy to commit arson
* Credit card theft or fraud
* Welfare fraud
* Insurance fraud
* Fraud of any nature
* Unemployment Compensation fraud
* Grand larceny
* Elder abuse
* Kidnapping
* Murder or manslaughter
* Rape
* Terrorist threat
* Forgery
* Felony crimes of violence
* Theft/Shoplifting
* Selling, manufacturing, trafficking, distributing a controlled substance
* Aggravated assault
* Unlawful restraint
* Sexual assault
* Involuntary deviate sexual intercourse
* Burglary
* Robbery
* Tampering with records or identification
* Incest
* Securing execution of documents by deception
* Intimidation or retaliation of witnesses or victims
* Prostitution
* Felony controlled substance convictions

Any convictions or offenses not listed in Level 1 require consultation with Human Resources before denying employment. Any denial of employment, or other adverse employment action, based on an individual’s prior criminal conviction must be made pursuant to an individualized assessment of the risk presented by the conviction, including: (1) the nature of the offense, (2) the time that has passed since the offense, (3) the individual’s employment history before and after the offense and any period of incarceration, (4) the duties of the job being sought, (5) any character or employment references provided, and (6) any other evidence of the individual’s rehabilitation since the conviction.

No written policy cannot be all-inclusive and cover all situations. In the event that an applicant is convicted of a serious crime not listed above, the decision will rest with the CEO.

### PENNSYLVANIA NO HIRE OFFENSES

* 1. Level 1 (Employees who have been convicted of any of the following will not be hired or employed pursuant to Pennsylvania Department of Health regulations)
* Crimes against children (concealing death of a child, endangering welfare of a child, dealing in infant children, corruption of minors, sexual abuse of children)
* Arson
* Kidnapping
* Murder or manslaughter
* Rape
* Felony Theft, or two or more misdemeanors
* Aggravated assault
* Unlawful restraint
* Sexual assault
* Involuntary deviate sexual intercourse
* Indecent assault
* Indecent exposure
* Burglary
* Robbery
* Tampering with records or identification
* Incest
* Securing execution of documents by deception
* Intimidation or retaliation of witnesses or victims
* Prostitution
* Felony controlled substance convictions

1. Any convictions or offenses not listed in Level 1 require consultation with Human Resources before denying employment. Any denial of employment, or other adverse employment action, based on an individual’s prior criminal conviction must be made pursuant to an individualized assessment of the risk presented by the conviction, including: (1) the nature of the offense, (2) the time that has passed since the offense, (3) the individual’s employment history before and after the offense and any period of incarceration, (4) the duties of the job being sought, (5) any character or employment references provided, and (6) any other evidence of the individual’s rehabilitation since the conviction.

No written policy cannot be all-inclusive and cover all situations. In the event that an applicant is convicted of a serious crime not listed above, the decision will rest with the CEO.

### VIRGINIA NO HIRE OFFENSES

Level 1 (Employees who have been convicted of any of the following will not be hired or employed.)

* A felony violation of a protective order
* Aggravated murder
* First or second degree murder
* Murder of a pregnant woman
* Killing a fetus
* Felony homicide
* Voluntary manslaughter
* Involuntary manslaughter
* Shooting, stabbing, or wounding with intent to main, disable, disfigure, or kill
* Assault or battery by mob
* A felony violation of participation in criminal street gang activity
* A felony violation of recruitment of persons for a criminal street gang
* A felony violation having a sentencing enhancement for gang activity in a gang-free zone
* Committing, conspiring, and aiding and abetting acts of terrorism
* Possession, manufacture, or distribution of weapons of terrorism or hoax device
* Acts of bioterrorism against agricultural crops or animals
* Abduction or kidnapping
* Abduction with intent to extort money or for immoral purpose
* Threatening, attempting, or assisting in abduction
* Enticing another into a dwelling with the intent to commit a felony
* Malicious bodily injury to law enforcement, firefighters, search and rescue, or emergency medical services personnel
* Aggravated malicious wounding
* Reckless endangerment
* Driving or operating a watercraft while intoxicated in a manner showing a reckless disregard for human life and causing serious bodily injury
* Strangulation of another
* Malicious bodily injury by fire or caustic substance
* Possession of infectious biological substance or radiological agents
* Shooting, stabbing, cutting, or wounding in committing or attempting a felony
* Use or display of a firearm in committing a felony
* Attempted poisoning
* Adulteration of food, drink, cosmetics, or medicine with intent to injure or kill
* Bodily injury caused by a prisoner, probationer, or parolee
* Hazing
* Reckless handling of firearms
* Allowing access to firearms by children
* Assault and battery
* Pointing lasers at law enforcement personnel
* Disarming law enforcement or correctional personnel
* Robbery
* Carjacking
* Extortion
* Threats of death or bodily injury
* A felony violation of stalking
* Rape
* Carnal knowledge of a child or minor
* Forcible sodomy
* Object sexual penetration
* Aggravated sexual battery
* Sexual battery
* Infected sexual battery
* Sexual abuse of a child under 15
* Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery, or sexual battery
* Arson
* Threats to bomb or damage buildings or means of transportation
* Manufacture, possession, or use of a fire bomb or explosive materials or devices
* A felony violation of discharging firearms within or at a building or dwelling house
* A felony violation of willfully discharging firearms in public places
* A felony violation of setting a spring gun or other deadly weapon
* A felony violation of pointing, holding, or brandishing a firearm, air or gas operated weapon, or object similar in appearance
* A felony violation of brandishing a machete or bladed weapon with intent to intimidate
* A felony violation of shooting from a vehicle to endanger persons
* A felony violation of wearing body armor while committing a crime
* Use of machine gun for a crime of violence or aggressive purpose,
* Possession or use of a sawed-off shotgun or rifle
* Possession of a firearm while in possession of controlled substance
* Failing to secure medical attention for an injured child
* Taking, encouraging, or detaining a person for prostitution or human trafficking
* Receiving money for procuring persons or from prostitution
* Commercial sex trafficking
* Incest
* Abuse and neglect of incapacitated adults
* Indecent liberties with children
* Sex offenses prohibiting proximity to children or entering or working on school property
* Abuse and neglect of children
* Child pornography
* Unlawful creation, dissemination, or sale of an obscene image of another
* A felony violation of rioting
* A felony violation of unlawful assembly
* Conspiracy or incitement to riot
* Injury to persons or property by persons unlawfully or riotously assembled
* Burning cross or object with intent to intimidate
* Placing swatstika with intent to intimidate
* Displaying noose with intent to intimidate
* Paramilitary activity
* Failing to register as a sex offender or providing false information
* Delivery of drugs or firearms to prisoners
* Escape from jail, custody, or juvenile facility
* Certain crimes committed while in jail, custody, or juvenile facility
* Treason
* Advocacy of change in government by force, violence, or unlawful means
* Conspiring to incite race insurrection
* Any felony violation of burglary
* Any felony violation of entering a dwelling with intent to commit murder, rape, robbery, or arson
* Any felony violation of entering a dwelling with intent to commit larceny, assault and battery, or another felony
* Any felony violation of entering a dwelling with intent to commit a misdemeanor
* Any felony violation of entering a bank armed with intent to commit larceny
* Any felony violation of possession of burglar’s tools
* Any felony violation of possession of controlled substances
* Any offense requiring registration with the Sex Offender and Crimes Against Minors Registry

A Level 1 offense does not necessarily bar hiring or employment if the offense was (1) punishable as a misdemeanor, (2) does not involve abuse or neglect, and (3) five (5) years or more have elapsed since the conviction. In such cases, the offense must be assessed as set forth below.

Any convictions or offenses not listed in Level 1 require consultation with Human Resources before denying employment. Any denial of employment, or other adverse employment action, based on an individual’s prior criminal conviction must be made pursuant to an individualized assessment of the risk presented by the conviction, including: (1) the nature of the offense, (2) the time that has passed since the offense, (3) the individual’s employment history before and after the offense and any period of incarceration, (4) the duties of the job being sought, (5) any character or employment references provided, and (6) any other evidence of the individual’s rehabilitation since the conviction.

No written policy cannot be all-inclusive and cover all situations. In the event that an applicant is convicted of a serious crime not listed above, the decision will rest with the CEO.

Any applicant denied employment because of convictions appearing on the applicant’s criminal record report shall be provided a copy of the report. Criminal record reports shall be maintained as confidential in a locked file, with no further dissemination other than as may be required to comply with an express requirement of law for such dissemination.

A criminal record report is valid so long as an employee remains in continuous service with the Company. If an employee transfers to another organization under common control with the Company and any break in the employee’s services for each entity does not exceed 30 days, a new criminal record report is not required. If an employee takes a leave of absence exceeding six (6) months, a new criminal record report and sworn disclosure of convictions is required.

| **POLICY NAME:** | REFERENCE CHECKING UPON HIRE | | **POLICY NO:** | HR - 12 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | Phone [Reference Check Form](#_Telephone_Reference_Check); [Written Reference Check](#_Written_Employer_Reference) | | **3rd Revision Date:** |  |

**POLICY**

1. Business and personal reference checks are to be conducted on every job applicant prior to making an offer of employment.
2. Conditional verbal and written offers may be made pending completion of reference checks. However, caregivers may not be formally hired until the company obtains two satisfactory references.
3. In rare situations when an immediate written offer must be made, it is imperative that references be completed and documented in writing in arrears.
4. Unless otherwise required or designated, the department manager or HR designee normally conducts reference checks.

**PROCEDURE**

1. Ensure the candidate has signed the Application for Employment.
2. Conduct reference checks on the applicant after conducting a successful personal interview and before a final offer is made.
3. Keep reference checks confidential. Remove reference check information from employment files before inspection by the employee.
4. Complete a minimum of two (2) business reference checks for applicants with previous work experience. Complete a minimum of two (2) personal reference checks for applicants with no previous work experience. For caregivers, a reference satisfies the requirements of this policy if it is a positive, verifiable reference, either verbal or written, from a former employer or other person not related to the applicant, that affirms the ability of the applicant to provide home care services.
5. Conduct reference checking via telephone whenever possible to obtain an immediate response.
6. Document all information provided, refusals to provide information, and all attempts to obtain information.
7. Use the provided forms when documenting reference checks.
8. See the Background Investigations Policy in this Manual for more information.

### 

**Telepho****ne Reference Check Form**

*Conduct a minimum of the most recent two (2) employers indicated by the applicant on their employment application.*

**Name of Applicant**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date:**\_\_\_\_\_\_\_\_\_\_\_\_

Company called: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone # : \_\_\_\_\_\_\_\_\_\_\_\_

Spoke with (name): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Was the applicant employed by your company? \_\_\_ Yes \_\_\_ No

Was applicant employed from \_\_\_\_\_\_\_\_\_\_\_\_\_ (date) to \_\_\_\_\_\_\_\_\_\_\_\_\_ (date)? \_\_\_ Yes \_\_\_ No

What was the applicant’s last title when employed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Would you rehire the applicant? \_\_\_ Yes \_\_\_ No

Company called: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone # : \_\_\_\_\_\_\_\_\_\_\_\_

Spoke with (name): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Was the applicant employed by your company? \_\_\_ Yes \_\_\_ No

Was applicant employed from \_\_\_\_\_\_\_\_\_\_\_\_\_ (date) to \_\_\_\_\_\_\_\_\_\_\_\_\_ (date)? \_\_\_ Yes \_\_\_ No

What was the applicant’s last title when employed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Would you rehire the applicant? \_\_\_ Yes \_\_\_ No

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of person conducting reference check(s) Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| **Maintain in staff member’s HR file.** |

Printed name of person conducting reference check(s)

### 

**Written Employer Reference Check Form**

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Re: Employment reference check on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (applicant name)

**AUTHORIZATION OF APPLICANT:**

By my signature herein, I authorize the recipient of this Written Reference Check Form to provide the requested information. I release and hold harmless any provider of the requested information, as well as the seeker of this information, from liability, regardless of whether I am offered and/or accept employment with the requesting employer.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ***Applicant’s Signature***

Dear Human Resources:

The individual listed above has applied for employment with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The applicant has listed your company as a previous employer.

Please aid us in verifying the applicant’s employment by providing the following information. A self-addressed stamped envelope has been included for your convenience in returning this entire form to our attention.

Thank you in advance for your cooperation.

Sincerely,

Human Resources

Dates of Employment: \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_. Last Position Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

from to

Is Individual Eligible for Re-Hire? \_\_\_\_ Yes \_\_\_ No

Did Individual Receive Any Negative Performance Incidents While Employed with Your Company?

\_\_\_\_ Yes \_\_\_ No If Yes, please explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| **Maintain in staff member’s HR file.** |

| **POLICY NAME:** | RESPONSE TO REQUESTS FOR EMPLOYMENT VERIFICATIONS | | **POLICY NO:** | HR - 47 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

HomeCentris will release employment information to other employers as requested and only upon written authorization of the current or ex-employee concerned. The only information that will be released is the dates of employment and job title or position held during employment.

**PROCEDURE**

1. If contacted by another employer for a reference check, request the reference check in writing.
2. Notify the requesting employer that HomeCentris’ policy is to release this information only upon the written consent of the employee in question.
3. Ask the requesting employer to obtain this consent from the employee and send to HomeCentris for its records. File this consent with the employee’s personnel file.
4. Once the documentation of the request is complete, you may contact the employer and release the dates of employment and job title in writing as requested by the employer.

| **POLICY NAME:** | FEDERAL EMPLOYMENT RECORDS RETENTION | | **POLICY NO:** | HR - 46 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. Federal Tax and Compensation Records

* A number of federal laws, including the Federal Insurance Contribution Act (“FICA”), the Federal Unemployment Tax (“FUTA”) and Federal Income Tax Withholding regulations, require that employees records related to mandatory federal taxes be retained for at least four (4) years. These records include basic employee demographic records (such as name, address, social security number, gender, date of birth, occupation and job classification) along with records of total compensation, tax forms, records of hours worked (straight time and overtime), and payments to annuity, pension, accident, health, or other fringe benefit plans, as well as all wages subject to withholding and the actual taxes withheld from wages.
* The Equal Pay Act and the Fair Labor Standards Act both require retention of payroll record information for three years.

1. Employment Actions

* Under the Civil Rights Act of 1964, Title VII and the Americans with Disabilities Act (“ADA”), employers with at least fifteen employees must retain applications and other personnel records relating to hires, rehires, tests used in employment, promotion, transfers, demotions, selection for training, layoff, recall, terminations or discharge for one year from making the record or taking the personnel action. The Age Discrimination in Employment Act (“ADEA”) requires the same length of retention for the same employment related records for employers with twenty or more employees. In addition, Title VII and the ADA require that basic employee demographic data, pay rates and weekly compensation records be retained for at least one year. ADEA requires the same information to be retained for at least three years.
* The Immigration Reform and Control Act (“IRCA”) requires that the Employment Eligibility Verification Form (INS Form I-9) be maintained for three (3) years after date of hire or one (1) year after date of termination, whichever is later. Since they must be available for inspection during an audit from either the Department of Homeland Security or the Department of Labor, it is advisable to keep I-9 forms separate from the employee’s personnel file.
* The Employee Polygraph Protection Act requires polygraph test results and records be retained for at least three years under the Employee Polygraph Protection Act.
* The Uniform Guidelines on Employee Selection Procedures (“UGESP”) provide guidance for employers subject to Title VII. These guidelines require the collection of data regarding applicants’ and employees’ race and sex. Information regarding an employee’s race and sex as well as veteran and disabled status should be maintained separate from the employee’s personnel file to avoid personnel decisions being made on the basis of these factors.
* In addition, the UGESP requires records showing the impact of employment selection processes on minorities and females. Information with respect to employment transactions (records with respect to applicants, offers, hires, rehires, tests used in employment, promotions, transfers, demotions, selection for training, layoff, recall, terminations or discharge) MUST be retained.

**Benefits, Health & Safety and Related Matters**

* The Employee Retirement Income Security Act (“ERISA”) requires that employers maintain related records including summary plan descriptions, annual reports and reports of plan termination for a minimum of six years.
* The Family and Medical Leave Act (“FMLA”) requires the retention of certain records with respect to payroll and demographic information as well as information related to the individual employee’s leave for a period of three (3) years. Please refer to the chart included.
* The Occupational Safety and Health Act (“OSHA”) requires that records of job-related injuries and illnesses be kept for five years. Employers are also required to fill out and post an annual summary (OSHA No. 300-A). In addition, records related to medical exams along with toxic substances and blood-borne pathogen exposure must be retained for thirty (30) years after termination of employment.

**State-Specific Requirements**

* Many states have laws that parallel the federal statutes. Many states have laws regulating employee access to their personnel files. Where state-specific requirements and federal requirements are in conflict, the more stringent requirements apply.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Law | Records/Reports | | | | Retention Requirements | | | | |
| Age Discrimination in Employment Act (ADEA)  Applies to employers with at least 20 employees. | Payroll or other records, including those for temporary positions showing employees’ names, addresses, dates of birth, occupations, rates of pay and weekly compensation.  Applicants (including those for temporary employment), personnel records relating to promotion, demotion, transfer, selection for training, layoff, recall, or discharge; job advertisements and postings; copies of employee benefit plans, seniority system and merit systems. | | | | Three (3) years for payroll or other records showing basic employee information.  One (1) year for applications and other personnel records.  Where a change or lawsuit is filed, all relevant records must be kept until “final disposition” of the charge or lawsuit. | | | | |
| Americans with Disabilities Act (ADA)  Applies to employers with at least 15 employees. | Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations) requests for reasonable accommodation. | | | | One (1) year form making the personnel action.  Where a charge or lawsuit is filed, all relevant records must be kept until “final disposition.” | | | | |
| Law | | | Records/Reports | | | | Retention Requirements | | | |
| Civil Rights Act of 1964, Title VII  Applies to employers with at least 15 employees. | Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations), including records for temporary or seasonal positions.  Requires the filing of an annual EEO-1 Report (for employers with 100 or more employees). | | | | One (1) year form making the record or taking the personnel action.  Where a charge or lawsuit is filed, all relevant records must be kept until “final disposition.”  A copy of the current EEO-1 Report must be retained. | | | | |
| Consolidated Omnibus Budget Reconciliation Act (COBRA) | Provide written notice to employees and their dependents of their option to continue group health plan coverage following certain “qualifying events,” such as the employee’s termination, layoff or reduction in working hours, entitlement to Medicare and the death or divorce of the employee (that would cause dependents to lost coverage under the employer’s plan). | | | |  | | | | |
| Employee Retirement Income Security Act (ERISA) | Maintain, disclose to participants and beneficiaries and report to the Department of Labor, IRS and the Pension Benefit Guaranty Corporation (“PGBC”) certain reports, documents, information and materials. Except for specific exemptions, ERISA’s reporting and disclosure requirements apply to all pension and welfare plans, including:  Summary plan description (updated with changes and modifications).  Annual reports.  Notice or reportable events (such as plan amendments that may decrease benefits, a substantial decrease in the number of plan participants, etc.)  Plan termination | | | | Employers must maintain ERISA-related records for a minimum of six (6) years. | | | | |
| Employee Polygraphs Protection Act | Polygraph test results and the reasons for administering | | | | Three (3) years. | | | | |
| Equal Pay Act | Payroll records including time cards, wage rates, additions to and deductions from wages paid and record explaining sexually based wage differentials. | | | | Three (3) years. | | | | |
| Law | Records/Reports | | | | Retention Requirements | | | | |
| Fair Labor Standards Act (FLSA) | Payroll or other records containing the following information for each employee:  Employee’s name, home address, date of birth (if under 19 years of age), gender, and occupation  Time & day for beginning of workweek  Regular hourly rate of pay or other basis of payment (hourly, daily, weekly, piece rate, commission, etc.)  Daily hours worked and total hours for each workweek  Total daily or weekly straight-time earnings (exclusive of overtime premiums)  Total additions to and deductions from wages for each pay period  Total wages per paid period  Date of each payment of wages and the period covered by the payment  For executive, administrative, and professional employees, or those employed in outside sales, employers must maintain records that reflect the basis on which wages are paid in sufficient detail to permit calculations of the employee’s total remuneration, perquisites, including fringe benefits. | | | | For at least three (3) years. | | | | |
| Law | | | Records/Reports | | | | Retention Requirements | | | |
| Family & Medical Leave Act (“FMLA”) | Records containing the following information:  Basic employee data to include name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation.  Dates of leave taken by eligible employees. Leave must be designated as FMLA leave.  For intermittent leave taken, the hours of leave.  Copies of employee notices and documents describing employee benefits or policies and practices regarding paid and unpaid leave.  Records of premium payments of employee benefits.  Records of any dispute regarding the designation of leave. | | | | Three (3) years. | | | | |
| Law | | Records/Reports | | | | Retention Requirements | | |
| Federal Unemployment Tax Act  Federal Income Tax Withholding | Records containing the following information for each employee:  Basic employee data to include name, address, social security number, gender, date of birth, occupation, and job classification.  Compensation records to include:  -Amounts & dates of actual payment.  -Period of service covered.  -Daily and weekly hours.  -Straight time and overtime hours/pay.  -Annuity and pension payments.  -Fringe benefits paid.  -Tips.  -Deductions and additions.  Tax records to include:  -Amounts of wages subject to withholding.  -Agreements with employee to withhold additional tax  -Actual taxes withheld and dates withheld.  -Reason for any difference between total tax payments and actual tax payments.  -Withholding forms (W-4, W4-E). | | | Four (4) years from the date tax is due or tax is paid. | | | |
| Immigration Reform & Control Act (IRCA) | Form 1-9 (Employment Eligibility Verification Form) signed by each newly-hired employee and the employer. | | | Three (3) years after date of hire or one (1) year after date of termination, whichever is later. | | | |
| Occupational Safety & Health Act (OSHA)  Applies to employers with at least 10 employees. | A log of occupational injuries and illnesses.  A supplementary record of injuries and illnesses.  Post a completed annual summary of injuries and illnesses.  Maintain medical exam records and records of exposure to toxic substances for each employee. | | | Five (5) years.  Employee’s job tenure plus thirty (30) years. | | | |

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| --- | --- | --- | --- | --- |
| Law | | Records/Reports | | Retention Requirements |
| Uniform Guidelines on Employee Selection Procedures | For employers with 100 or more employees, records showing the impact of the selection process for each job, maintained by sex for each racial or ethnic group that constitutes at least 2 percent of the labor force in the relevant labor area or 2 percent of the applicable workforce.  For employers with less than 100 employees, records showing for each year the number of persons hired, promoted, terminated, applicants hired for each job by sex and where appropriate by race and national origin.  Records include applications, tests, and other types of selection procedures used as a basis for employment decisions, such as hiring, promotion, transfer, demotion, training and termination.  Adverse impact analysis of selection process must be conducted annually. | | Where adverse impact is found in the selection process, records must be maintained for two (2) years after the adverse impact is eliminated. | |

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# WORKPLACE CONDUCT POLICIES

| **POLICY NAME:** | PERFORMANCE MANAGEMENT | | **POLICY NO:** | HR - 19 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**STANDARD**

To ensure that employees perform their jobs to the best of their abilities, it is important that employees be recognized for good performance and that they receive appropriate suggestions for improvement when necessary.

**POLICY**

* 1. Consistent with our Standard, performance will be evaluated by an employee’s supervisor on an ongoing basis. Employees will also receive periodic verbal evaluations of their performance.
  2. If the employee is a nonexempt employee (as defined under [Classifications of Employment](#classificationsofemployment) earlier in this Manual), formal written evaluations will normally occur after they have been employed for three (3) months, and annually in accordance with the Company’s fiscal year end. In addition, if the employee is promoted or transferred to a new position, the employee’s performance will normally be evaluated in writing after having been in the new job for three (3) months.
  3. If an employee has not received a performance review in accordance with the above time frames, it is their responsibility to notify their supervisor and human resources in writing about this matter. This will help HomeCentris ensure that the appraisal process is administered in a timely manner.
  4. All written performance reviews will be based on the employee’s overall performance in relation to the job responsibilities and will also take into account the employee’s conduct, demeanor, and record of attendance and tardiness.
  5. In addition to the regular performance evaluations described above, special written performance evaluations may be conducted by the supervisor at any time to advise the employee of the existence of performance or disciplinary problems.
  6. Nothing in this policy may be construed to alter the “at will” employment relationship between HomeCentris and any employee or require HomeCentris to engage in any particular steps prior to issuing disciplinary action, including termination of employment, relating to performance.

| **POLICY NAME**: | CODE OF CONDUCT - COMPLIANCE WITH LAWS AND REGULATIONS | | **POLICY NO:** | HR - 41 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Note:** This policy is written as a general guideline and it supports the Homecentris healthcare, llc compliance Plan, Available to all employees on the HomeCentris Sharepoint site, Compliance folder. IF this policy conflicts with the compliance plan, the compliance plan will govern.

**policy**

1. As a health care company, we have significant legal and ethical responsibilities and high standards in following these obligations. As such, we shall comply with all relevant laws, rules and regulations and adhere to the highest ethical standard in the conduct of our business.
2. The Company relies on the ability and professionalism of its employees and representatives to communicate effectively the merits of their services to the patient, physician and consumer, and expects them to use only legitimate competitive practices.

**PROCEDURE**

The Company strives to deliver quality health care at prices that are reasonable and competitive.

1. In general:

* We shall operate in accordance with all applicable laws and regulations at all levels of government.
* We shall not pursue any business opportunity that requires engaging in illegal or unethical activity. We shall promptly report violations of laws, regulations, standards, and Company policies and procedures.

1. Employee Conduct:

* We shall attempt to perform our responsibilities in good faith, in a manner that is in the best interests of the Company and with the due care that a reasonable prudent person in the same position would use under similar circumstances.
* We shall attempt to avoid all illegal conduct, both in business and personal matters.
* We shall attempt to avoid efforts to circumvent the law by devious means or questionable interpretations.
* We shall attempt to comply with all laws, rules and regulations at all levels of government.
* We shall attempt to be open and honest in our business relationships with other employees of the Company.

1. Ethical Practices:

* We shall attempt to maintain a high level of integrity in business conduct and avoid any conduct that could reasonably be expected to reflect adversely upon the integrity of the Company, its officers, directors or other employees.
* We shall attempt to demonstrate honestly, integrity and excellence in performing our duties.

1. Environmental Laws:

* We shall attempt to promote sound corporate environmental and safety practices that will prevent and eliminate damage to the environment and enhance human and community resources.
* We shall attempt to comply with all applicable laws and regulations relating to the handling and disposal of hazardous substances and infectious waste while ensuring that contractors hired to dispose of such materials do so in an appropriate manner.

1. Anti-Trust Laws:

* We shall not attempt to engage in agreements or understandings with any competitor with regard to our prices or other terms and conditions, or with regard to product, service, territory or customer allocation that may constitute price-fixing or collusion of any type within our respective industry.

1. Political Contributions:

* We shall ensure our personal political activities are lawful and separated from those of the Company.
* We shall ensure that any political contributions are in accordance with the HomeCentris Compliance Plan and all federal and state laws and regulations.

1. Integrity of Financial Reporting:

* We shall attempt to account for assets and liabilities properly and in compliance with applicable laws, regulations, standards, company policies and Generally Accepted Accounting Principles.
* We shall attempt to submit all reports to governmental authorities accurately, timely and in compliance with applicable laws and regulations governing such reports.
* We shall attempt to execute all transitions in accordance with management authorization and access to assets shall be permitted in accordance with such authorization.
* We shall attempt to report any financial transaction that may violate law, rule, regulation, company policy or the Standards of Conduct to the Company’s Chief Financial Officer.

**Health Insurance Portability and Accountability Act (“HIPAA”)**

HIPAA establishes standards for the protection of privacy regarding Protected Health Information (“PHI”) and electronic Protected Health Information (“ePHI”). Government regulations define how this information may be used or disclosed to others. HomeCentris is required by law to maintain the privacy of protected health information for our patients/patients and employees.

As an employee, make sure you discuss a patient’s health information privately, respectfully, and only with those who need to know in order to provide health care. Only disclose information necessary to provide patient care or to assist other employees in providing appropriate care. Protect all information that pertains to patients or other employees, and do not leave this information in public view, on a computer screen, on a desk, or any unsecured area.

Please refer any questions you may have regarding HIPAA to your manager, the Compliance Officer or the CEO.

| **POLICY NAME:** | SOLICITATION / DISTRIBUTION | | **POLICY NO:** | HR - 18 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris expressly prohibits employees from engaging in solicitation during the work time of either the employee engaging in solicitation or the employee being solicited. HomeCentris also expressly prohibits the distribution of non-HomeCentris services, goods or materials by employees during the employee’s work time or in work areas.
2. Solicitation or distribution is prohibited at all times by non-employees on HomeCentris premises. All individuals who are not authorized to be in HomeCentris offices are considered to be trespassing.
3. Solicitation or distribution by employees is prohibited at all times in patient care areas including patient homes. Solicitation of patients is not allowed under any circumstances.

“Distribution” refers to the handling out of materials, goods, services, supplies, leaflets, etc.

“Solicitation” refers to employees and/or non-employees approaching any and all employees, patients, visitors, or families, etc. for the purpose of influencing or attempting to influence them to take a specific course of action (other than regular work duties) or make purchases of products or services or offering services or products of any nature. Solicitation includes such things as requests for charitable contributions not sponsored by the company, sale of goods like Girl Scouts cookies or personal items such as cosmetics, kitchen products, etc. It can also include solicitation by insurance representatives not authorized or sponsored by the company.

1. “Work time” includes all time for which an employee is paid and/or is scheduled to be performing services for the Company; however, it does not include break periods, meal periods, or periods in which an employee is not performing and is not scheduled to be performing services or work for the Company.
2. The Company’s electronic resources must not be used for solicitation purposes during working time. The Company’s no solicitation rule applies to the use of electronic resources.

| **POLICY NAME:** | PROBLEM RESOLUTION | | **POLICY NO:** | HR - 21 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

* + - 1. HomeCentris encourages employees to take steps to resolve problems and address concerns that are affecting them or their job performance.
      2. To resolve an issue, it is often most effective to start by discussing the matter with the immediate supervisor or manager. However, employees always have the option of addressing an issue with management.
      3. For assistance, employees can also review the appropriate policies on Equal Employment Opportunity, Harassment, or other policies of HomeCentris.
      4. If the employee feels he or she needs an additional review of any problem, the next step can be to discuss the problem or concern with the next level of management such as a Department Head.
      5. For HomeCentris, it is very important that an employee’s problem or concern is addressed in a fair and timely manner by management and/ or Human Resources.

**PROBLEM RESOLUTION PROCEDURES**

STEP 1. Attempt to resolve the concern by discussing the matter with the immediate supervisor. The concern may also be presented in writing if the employee does not want to discuss it with his/her supervisor.

STEP 2. If Step 1 is unsuccessful or the issue is with the immediate supervisor and/or if the employee feels that the resolution is not satisfactory, he/she may present the concern to their respective Department Head.

STEP 3. If Step 2 is unsuccessful or if the employee feels that the resolution is not satisfactory, he/she may present the concern to the CEO.

NOTE: Employees are expected to comply with the disputed policy or practice until the problem resolution procedure is completed. Concerns should be presented on a reasonable and timely basis. For current employees, the concern should be presented within two weeks of occurrence. Terminated employees must submit their concern within one week of termination or two weeks of occurrence, whichever occurs first.

| **POLICY NAME:** | CONFIDENTIAL COMPANY INFORMATION | | **POLICY NO:** | HR - 70 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Photograph Consent Form](#form_photograph_consent) | | **3rd Revision Date:** |  |

**POLICY**

* + - 1. The Company’s confidential and proprietary information is vital to its current operations and future success. Each employee should use all reasonable care to protect or otherwise prevent the unauthorized disclosure of such information.
      2. In no event should employees disclose or reveal confidential information within or outside the Company without proper authorization or purpose.

**PROCEDURES**

1. “Confidential Information” refers to a piece of information, or a compilation of information, in any form (on paper, in an electronic file, or otherwise), related to the Company’s business that the Company has not made public or authorized to be made public, and that is not generally known to the public through proper means.

By way of example, confidential or proprietary information includes: All ideas, information and materials, tangible or intangible, not generally known to the public, relating in any manner to the business of the Company, its products and services (including all trade secrets), its officers, directors, and contractors, its actual and prospective customers, vendors and suppliers, and all others with whom it does business, its trade secrets, and financial information, including, without limitation, revenue sources, profit margins, pricing data, sales information, commissionable amounts payable with respect to sales revenue, individual facilities’ profitability, operating income, operating expenses, gross profit charts, and profit-loss statements, project bid methods, price and cost data, pending projects and proposals, marketing or corporate strategies that Employee learns or acquires during Employee’s employment with the Company;

1. Confidential Information does not include information lawfully acquired by non-management employees about wages, hours or other terms and conditions of employment, if used by them for purposes protected by §7 of the National Labor Relations Act such as joining or forming a union, engaging in collective bargaining, or engaging in other concerted activity for their mutual aid or protection. Nothing in this Employee Handbook prohibits an employee from communicating with any governmental authority or making a report in good faith and with a reasonable belief of any violations of law or regulation to a governmental authority, or disclosing Confidential Information which the employee acquired through lawful means in the course of his or her employment to a governmental authority in connection with any communication or report, or from filing, testifying or participating in a legal proceeding relating to any violations, including making other disclosures protected or required by any whistleblower law or regulation to the Securities and Exchange Commission, the Department of Labor, or any other appropriate government authority.
2. Further , employees are hereby notified that under the 2016 Defend Trade Secrets Act (DTSA): (1) no individual will be held criminally or civilly liable under Federal or State trade secret law for the disclosure of a trade secret (as defined in the Economic Espionage Act) that: (A) is made in confidence to a Federal, State, or local government official, either directly or indirectly, or to an attorney; and made solely for the purpose of reporting or investigating a suspected violation of law; or, (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal so that it is not made public; and, (2) an individual who pursues a lawsuit for retaliation by an employer for reporting a suspected violation of the law may disclose the trade secret to the attorney of the individual and use the trade secret information in the proceeding, if the individual files any document contain the trade secret under seal, and does not disclose the trade secret, except as permitted by order in that proceeding.

| **POLICY NAME:** | PERSONAL APPEARANCE | | **POLICY NO:** | HR - 24 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

Appropriate dress and hygiene are important in promoting a positive company image to our customers and patients both internally and externally.

All employees should be well-groomed, neat, and dressed appropriately for their job. HomeCentris has a “business-casual” dress code but some positions and situations may call for more formal attire.

Certain standards of dress, jewelry, and appearance must be followed that is appropriate to our work environment. This includes refraining from inappropriate attire such as revealing or provocative clothing whether at work or work-related functions directly or indirectly related to the business.

The Company will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, medical condition or disability. Employees who need such an accommodation should contact their supervisor or Human Resources. Supervisors have responsibility for making judgment regarding appropriate work attire. If a supervisor believes and employee’s dress is a safety concern or is inappropriate for a professional setting, the supervision may require the employee to address the issue on either an immediate or “next time” basis.

The HomeCentris Safety Policy has further guidelines regarding clothing that poses an injury risk to our nursing, therapy and caregiving staff.

HomeCentris management may require a uniform for its nursing, therapy and caregiving staff. This is addressed in a separate policy.

Business casual dress policy is a benefit to all employees. Repeated deviations from the may require disciplinary actions, up to and including termination of employment.

| **POLICY NAME:** | PERSONAL APPEARANCE – CLINICAL STAFF | | **POLICY NO:** | HR – 25 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

HomeCentris strives to present a professional, safe working environment to its clients and patients. Because we are providing health care services in a client’s home, we should always present our company and ourselves in the most professional manner possible. Therefore, in addition to the policies stated in Policy HR-24, HomeCentris clinical employees (nurses, therapists and primary care clinicians) will adhere to HomeCentris’ Personal Appearance policy.

**POLICY:**

Nurses: All nursing employees including RNs, LPNs, CNAs, HHAs and any other nursing staff making a home visit will wear appropriately fitting, HomeCentris-approved scrubs, both tops and bottoms.

Therapists: All therapists and therapy assistants will wear appropriately fitting, HomeCentris-approved polo shirts and khaki pants.

Primary Care Staff: All primary care staff including MDs, Nurse Practitioners, Physicians Assistants and any other treating primary care practitioners shall wear the HomeCentris approved lab coats when making office visits or home visits.

In addition to the above uniform standards, safety and productivity dictates clinical staff shall not wear:

* Flip flops,
* Hiking shoes,
* Open-toe shoes,
* Open-heel shoes not having a strap around the heel,
* Shoes not having a non-slip sole,
* Crocs with holes in the toe area,
* Spiked jewelry or hairstyles,
* Dangling jewelry or earring “hoops” larger than the size of a quarter in diameter,
* Hair longer than shoulder-length that is not pulled up and/ or away from face and securely fastened,
* Fingernails longer than ¼” from fingertip.

The Agency Administrator/CEO has responsibility for making judgment concerning questions or issues on appropriate work attire.

The Company will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, medical condition or disability. Employees who need such an accommodation should contact their supervisor or Human Resources. Deviations from HomeCentris’ Personal Appearance Policy may impose disciplinary actions, up to and including termination of employment.

# PAY PRACTICES

| **POLICY NAME:** | REGULAR PAY | | **POLICY NO:** | HR - 30 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/03/2017 |
| **2nd Revision Date:** | 07/01/2018 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** | 05/01/2021 |

**POLICY**

1. We will make every effort to ensure all employees are paid on time, accurately, and with the appropriate federal, state, local and employee authorized deductions as described below.
2. Employees are required to record accurate and timely report hours worked.
3. Employees will not be subject to any form of retaliation for raising an issue about the accuracy of their paycheck or for filing a formal complaint.

**PROCEDURE**

1. All employees are paid bi-weekly. If the regular payday falls on a company-recognized holiday, then employees will be paid on the work day before the regular payday unless applicable law requires otherwise. Employees who elect to use electronic direct deposit or pay cards will receive deposit advice on each payday.
2. For security and convenience, we encourage employees to arrange for direct deposit of their paychecks.
3. In the event that a paycheck is lost or stolen, the employee must contact Payroll immediately.
4. Payroll will attempt to put a stop-payment notice on the check. Once confirmation is received that the stop payment was successful, a new check will be issued.  The stop payment could take up to 3 days to be processed/confirmed.
5. Payroll Deductions:

* HomeCentris is required by law to make certain deductions from employees’ paychecks each time they are prepared, including but not limited to, federal, state, and local income taxes, state disability insurance, and contributions to Social Security and Medicare.
* The deductions for taxes will depend on an employee’s earnings and on information furnished by employees on W-4 forms and State withholding forms regarding the number of dependents/ exemptions claimed.
* As mandated by law, if an employee fails to submit a W-4 form, HomeCentris will assign the employee as single with zero exemptions until the time the form is provided.
* There may also be additional deductions from employees’ paychecks for contributions to available benefits programs as authorized by you such as insurance premiums, 401(k) plan contributions, or any other voluntary benefits.
* Unless required by law, HomeCentris will make no other deductions from pay without appropriate written authorization from the employee.
* Most states have strict laws enumerating when deductions can be made and HomeCentris must take care not run afoul of these laws.
* Any questions an employee has about their paycheck should be directed to Payroll.

1. Correcting Payroll Errors:

* HomeCentris is committed to ensuring that all employees are fully paid in accordance with the wage arrangements which have been established between them and the Company and to fully comply with federal, state and local law.
* The Company does not condone improper deductions from employees’ salaries and endeavors to ensure that improper docking of employees’ salaries, unauthorized salary deductions, payroll errors and the like do not occur.
* Employees, who believe they have been subject to improper pay or salary deductions (either in favor of Company or employee) for any payroll period, should notify the Payroll Department immediately upon discovering such discrepancy. Failure to report an overpayment of wages may result in disciplinary and/or legal action to recover overpayment.
* If it is determined that a salary deduction was improper or that the employee did not receive full compensation for any payroll period, the employee will be reimbursed for any improper deduction or paid any previously unpaid wages in the next payroll period following the determination.
* Employees shall record all time worked in the manner required by HomeCentris. Off-the-clock work is prohibited. It is a violation of the Company’s policy for anyone to instruct or encourage another employee to work “off-the-clock,” to incorrectly report hours worked, or to alter another employee’s time records. Any changes to a nonexempt employee’s reported time must be discussed with the employee and documented. If the employee does not agree with the change, the manager must notify Payroll. Nonexempt employees will be paid for all time worked, whether or not authorized, and whether or not the time worked falls within the employee’s scheduled shift. Nonexempt employees’ reported time worked records must be accurate, in accordance with company policy and recorded and reported timely. Failure to submit accurate or timely time and attendance records, or inappropriate edits to time and attendance records, shall result in disciplinary action, including termination.

| **POLICY NAME:** | PER UNIT PAY | | **POLICY NO:** | HR - 57 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 12/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. To match our employees’ compensation with the requirements of serving our clients, some HomeCentris employees will be paid for each unit of work completed such as a patient visit, attending an in-service or training, or certain other administrative functions (the “Per Unit Model”).
2. The Per Unit Model shall comply with all state and federal Labor, Wage and Hour, and other requirements and regulations.
3. Only non-exempt and PRN employees may participate in the Per Unit Model.

**PROCEDURE**

1. Participating employees will be paid an agreed-upon dollar rate for all units accumulated during a pay period. This rate may vary across all job titles or inside the same job title.
2. Employees paid on the Per Unit Model will be paid a pre-determined amount for each visit. HomeCentris recognizes that some types of activities necessarily take longer than other activities. For example, a home health start of care visit generally takes longer than a normal nurse visit. As a result, HomeCentris companies using the Per Unit Model shall maintain and publish a grid of activities along with the units assigned to each activity.
3. Payment for each unit of work (“Unit”) related to a patient visit is a lump sum payment in compensation for all time involved in completing the Unit. For this purpose, a Unit will include at least all of the following:
4. preparation time,
5. participation in developing a plan of treatment,
6. travel to the patient’s home or place of residence and return,
7. the actual contact with or treatment of the patient,
8. completion of all charting and related paperwork,
9. completing of an employee’s timesheet,
10. telephone time and conferences with the patient’s family or other individuals concerning the patient, and
11. turning in properly completed information and paperwork.
12. Employees will also earn Units for participating in administrative functions like clinical meetings or in-services.
13. Full time employees may be guaranteed a minimum number of Units per pay period regardless of activity. Management will discuss and communicate these minimums to the effected employee and to the payroll department. If an employee’s actual Units regularly fall below a minimum threshold, the Company reserves the right to convert an employee to part time status without a minimum guarantee of points.
14. Notwithstanding the Per Unit Model of compensation, employees are still required to track record and report their Work Hours each week in conjunction with HomeCentris’ Recording Work Hours policy. The payroll department shall use these hours worked for the purposes of calculating overtime pay.

The agency Administrator shall retain these timesheets for auditing purposes in accordance with the Company’s document retention policy.

“Work Hours” are defined as time spent on the activities performed in the definition of Unit above. It does not include unproductive time such as a lunch break or personal activities between visits (unless otherwise required to be paid by applicable law). Work Hours does include all travel time to and from a client’s home or the office with the following exception: Work Hours does not start until an employee arrives at its first appointment (whether a client’s home or the office) as part of your normal commute. Work Hours end when your last unit is complete, not when you arrive at home as part of your normal commute. The Department of Labor regulations state Work Hours do not include travel time to and from work.

1. Participating non-exempt employees shall be eligible for overtime pay pursuant to HomeCentris’ overtime policy. All overtime shall be pre-approved by the workers’ supervisor before incurring the overtime.
2. Participating full time employees will be eligible for Paid Time Off in conjunction with that policy.
3. Participating full time employees will be eligible for company health benefits in conjunction with that policy.

| **POLICY NAME:** | SALARY ADMINISTRATION | | **POLICY NO:** | HR - 34 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
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**POLICY**

1. To attract and retain the best employees, HomeCentris endeavors to pay competitive wages with those paid by other employers in our industry and in the applicable labor markets in which we operate. In line with this objective, HomeCentris monitors its wage scales to help ensure that they are kept in line with local as well as national economic conditions.
2. Each position at HomeCentris has been studied and assigned a corresponding wage range. Periodically, HomeCentris may revise its job descriptions, evaluate individual jobs to ensure that they are rated and paid appropriately, and review job specifications to ensure that they are directly job related.
3. HomeCentris’ policy is to evaluate employees’ pay rates upon the annual Performance Evaluation in accordance with the Company’s fiscal year end. If a position or individual employee is granted a salary increase, it will normally be effective on the next regular pay period following the employee’s performance review.
4. Total compensation consists not only of the salary or wage an employee is paid but also of the various benefits offered, such as Paid Time Off, group health and life insurance and retirement.
5. To control increasing expenses, HomeCentris must be aware of wage increases above standard levels. Managers should consciously strive to control their labor costs.

**PROCEDURE**

1. The maximum wage increase allowable, if any, per twelve (12) months is established during budgeting season each year.
2. Managers are encouraged to base increases upon merit, job responsibilities and the quality and quantity of work and not simply apply the inflationary increase to all employees equally.
3. If an employee is not meeting expectations, managers should consider foregoing an increase or giving minimum increases. These merit increases will:

* mitigate “wage creep”
* help reward, motivate and retain good employees
* help avoid future wage freezes affecting all employees equally.

1. Please note that good job performance does not guarantee an increase in pay, a promotion, or even continued employment.
2. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the sole discretion of HomeCentris.
3. Managers must receive written approval from the CEO for the following:

* Salary or wage increases exceeding the annual budgeted amount in any 12-month period.
* Any increases for wage rates over $20.00 per hour.
* Any bonuses or incentives.
* Email approval is acceptable. A copy of the approval must be kept in the employee’s employment folder.

| **POLICY NAME:** | OVERTIME PAY | | **POLICY NO:** | HR - 31 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
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**POLICY**

Employees classified as non-exempt (see the classifications of employment policy section for the definition of nonexempt employee) are eligible for overtime pay as follows:

* Employees will be paid at straight time (i.e., regular hourly rate of pay) for all hours worked up to and including the fortieth (40th) hour worked in any given work week.
* Employees will be paid one and one-half (1 ½) times his/her regular rate of pay for all hours worked in excess of the fortieth (40th) hour in any given work week.
* Paid Time Off and other circumstances in which employees receive payment other than for the actual performance of work are excluded in the calculation of overtime hours and pay.
  + - * 1. Exempt employees are not eligible for overtime pay. Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to exempt employees.

**PROCEDURES**

1. For purposes of determining whether non-exempt employees are entitled to overtime pay, only hours actually worked during a work week will be counted. Paid time off, holidays, jury and other civic duty, bereavement or annual military leave, even if paid, will not be counted as hours worked for the purpose of overtime calculations, with the exception of periods of time during these categories of time when the non-exempt employee performed actual work on behalf of the Company.
2. For overtime pay calculation purposes, the work week begins at 12am midnight on the first day of a workweek and ends at 11:59pm on the last day of the work week.
   1. Maryland – Workweek is Thursday to Wednesday
   2. Pennsylvania – Workweek is Sunday to Saturday
   3. Pennsylvania – Workweek is Sunday to Saturday
3. Supervisors should attempt to provide employees with reasonable notice when the need for overtime work arises. However, advance notice may not always be possible.
4. All overtime worked must be approved in advance by a supervisor. Employees must inform their supervisor as soon as they realize they may work over the forty (40) hours for that work week. Employees will be paid for unapproved overtime work, but working overtime without the approval of a supervisor may be grounds for disciplinary action up to and including termination of employment.
5. Employees will normally receive payment for overtime in the pay period in which such overtime is worked, provided that the time record form has been properly prepared, approved by their supervisor, and forwarded to payroll for processing in a timely manner.
6. Please note that state laws may vary in defining how overtime is calculated. To the extent that this Manual is inconsistent with applicable state or federal law, the more stringent requirement will prevail.

| **POLICY NAME:** | WORK SCHEDULES | | **POLICY NO:** | HR - 28 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
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**POLICY**

1. The regular workweek for all full-time regular administrative employees is forty hours, divided into five days, Monday through Friday, with full-time employees regularly scheduled to work eight hours per day, not including an unpaid meal break of at least 30 minutes. The actual start and end to the work day shall be defined by on-site management based on patient requirements or other business issues.
2. Part-time employees’ working hours and schedules should be arranged by supervisors.
3. Employees who are classified as hourly and/or nonexempt, and who are required to work overtime, are eligible to receive overtime compensation for hours worked over forty (40) in a given workweek.
4. All overtime hours worked must be approved in advance by the employee’s direct supervisor or the agency Administrator or General Manager. Nonexempt employees will be paid for unapproved overtime work but working overtime without the approval of a supervisor may be grounds for disciplinary action up to and including termination of employment.
5. Daily and weekly work schedules may be changed from time to time at the discretion of management to meet the varying condition of our business and in accordance with patient requirements.
6. Changes in employee work schedules will be announced as far in advance as practicable.
7. Based on patient needs/requests, other urgent needs of the business, or employee personal business, employees may occasionally have variations in starting and ending times as well as variations in total daily hours. Examples include:
8. Working beyond HomeCentris normal business hours to meet a client,
9. Arriving at work early or staying late to meet a production deadline,
10. Leaving work during the workday for personal business.
11. In these cases, you may be required to compensate for this non-standard work schedule by adjusting your schedule on another workday in the same workweek to arrive at your normal weekly hour expectation. This situation must be approved by your supervisor in advance and must be made up within the same calendar week. In any event, nonexempt employees must report and will be paid for all work in excess of a non-exempt employees’ scheduled shift and/or assignment.

| **POLICY NAME:** | RECORDING WORK HOURS | | **POLICY NO:** | HR - 33 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
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**Policy**

1. The Company shall ensure its non-exempt employees are compensated in accordance with all applicable state and federal laws.
2. Non-exempt employees are responsible for recording all time worked. Because employees in non-exempt positions must be paid based on all time worked, it is essential that all time worked be accurately and timely recorded and reported for payroll processing. Non-exempt employees must also record time taken for meal periods, if applicable.

**PROCEDURE**

Non-exempt office employees

1. All hours non-exempt office employees work must always be accurately and timely recorded and reported for payroll processing. Time recording for non-exempt office employees shall be accomplished by paper time sheet or online recording, depending on the business unit.
2. Non-exempt office employees are compensated for travel time to and from clients and HomeCentris agencies. Time is recorded automatically using company software and Google maps or may be recorded manually using the Company’s “Time and Mileage Sheet and Time Certification for Non-Visit Time”.

Caregivers and Clinicians

1. All hours non-exempt caregiver or clinician employees have worked must always be accurately and timely recorded and reported for payroll processing and billing. The Company primarily uses electronic time keeping technology for most assignments. Caregiver and Clinicians will be trained on the appropriate electronic time and attendance system prior to being assigned.
2. Non-exempt caregivers and clinicians must clock-in time before performing any work-related activity at their assignment and must complete all work-related activities at the assignment before clocking out. HomeCentris’ electronic technology mostly eliminates time-slips for timekeeping and allows the office to know when the caregiver and clinicians arrive at and leaves a client’s home.
3. If the caregiver cannot use HomeCentris’ electronic time recording system from the client’s home because a phone is in use, there is poor cellular coverage, etc. nonexempt employees much call as soon as the situation is resolved, and then call the supervisor who will speak with the client to verify the actual arrival time. It is important that caregivers and clinicians timely report any working time not otherwise captured via electronic methods on the Time Certification for Non-Visit Time worksheet.
4. All compensable travel time will be calculated by Company software using Google Maps to calculate the distance and time between clients. This time will be included on your pay stub. It is your responsibility to track your travel time, reconcile it against the Travel Time on your pay stub, and notify the payroll department if it is incorrect. If you do not notify payroll of any travel time discrepancies within 30 days of the date worked, the time will be considered accurate and final.
5. Any working time that is not reported via electronic methods must be accurately recorded on a paper time sheet called a Time Certification for Non-Visit Time and timely submitted to the Company for processing. This may include but is not limited to compensable travel time, time working in the Company office, time working at the employee’s own home, time spent on training, orientation, and staff meetings, and all hours of work not otherwise reported electronically.
6. If a caregiver is working on a live-in, a shift of 24-hours or more, interruptions to the caregiver’s sleeping period must be reported to HomeCentris.

All Employees Covered By This Timekeeping Policy

1. If a paper record is required due to the unavailability of electronic methods, the completed Time and Mileage Sheet and Time Certification for Non-Visit Time must be submitted no later than the pay period following the time worked. Because non-exempt employees’ timecards are very important, print legibly and ensure accuracy and completeness. Use a pen, pressing firmly to ensure all copies are legible.
2. No employee is authorized to sign in/out or clock in/out on behalf of another employee. Any employee who engages in this practice will be subject to disciplinary action, up to and including termination. Non-exempt employees must record their start time contemporaneously with the time they actually start working and record their end time contemporaneously with the time they actually stop working. No non-exempt employee is authorized to record a start or stop time before beginning or completing work (i.e., pre-filling out a timesheet). Non-exempt employees are not allowed to report more or less time than they actually worked, and may not round up or down any start or stop times. Time worked must be reported the workday on which it was actually performed.
3. It is a violation of Company policy for any employee to falsify a time record. Non-exempt employees are responsible for ensuring their reported time is correct. Non-exempt employees who under-report or over-report hours worked are subject to disciplinary action, up to and including termination and referral to appropriate state agencies if violations are intentional and put HomeCentris in a false billing situation.
4. It is a violation of Company policy for anyone to alter an employee’s reported time. Any changes to a non-exempt employee’s reported time must be discussed with the employee and documented. If the employee does not agree with the change, the manager must notify Human Resources. Employees must always be paid for all time worked, whether or not authorized, and whether or not the time worked falls within the employee’s scheduled shift.
5. It is a violation of Company policy for anyone to instruct or encourage another employee to work off-the-clock, to incorrectly report hours worked, or to alter another employee’s time records. If anyone instructs or encourages an employee to incorrectly report hours worked, work off-the-clock, or to alter another employee’s time records, or if an employee is aware of these violations, that employee shall immediately report such violations to their supervisor or Human Resources. Any failure to report such misconduct in accordance with this policy is a violation of this policy. The Company will investigate promptly and thoroughly any report of a possible violation of this policy. Employees who violate this policy will be subject to discipline, up to and including termination of employment.
6. If employees have questions or concerns related to pay, hours, or similar issues, employees must follow the procedure set forth in the section titled “Reviewing Your Pay Stub, Reporting Errors, and Obtaining More Information.”
7. The Company will not tolerate any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

| **POLICY NAME:** | LIVE-IN AND TWENTY-FOUR-HOUR SHIFTS | | **POLICY NO:** | HR - 72 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
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**POLICY**

Employees Working Twenty-Four Hour Shifts

Unless applicable state law requires otherwise, if a non-exempt employee works a shift of twenty-four (24) hours or longer, up to eight (8) hours of sleeping time may be excluded from compensable working time if all the following apply:

* 1. A voluntary agreement excluding sleeping time exists between the Company and the employee;
  2. Adequate sleeping facilities for an uninterrupted night’s sleep are provided;
  3. At least five (5) hours of uninterrupted sleep is possible during a scheduled sleeping period; and
  4. Interruptions to perform duties are considered hours worked.

**PROCEDURES**

In addition, the following will be adhered to:

1. Even if the sleeping period is longer than eight hours, only eight hours will be excluded from compensable working time.
2. The five (5) hours of sleep time do not have to be consecutive; however, if the sleep period is interrupted to such an extent that the employee cannot get a reasonable night’s sleep, the entire period must be counted as working time.
3. Sleep time does not necessarily have to be at night.
4. The deduction of sleep time is prohibited where the demands of the job have seriously interfered with the employee’s ability to sleep, or the sleeping facilities have been minimal.

Live-In Care

Employees are not permitted to reside permanently on a client’s premises. Employees who work for 5 days and nights (and 120 hours or more) or for 5 consecutive days (regardless of the number of hours) are considered live-in staff. Unless applicable state law requires otherwise, employees who qualify as live-in staff or employees who work shifts that last longer than 24 hours but do not qualify as live-in staff may agree to exclude bona fide sleep time (pursuant to the same rules expressed in the Employees Working Twenty-Four Hour Shifts Policy), bona fide meal time [if allowed by voluntary agreement], and other off-duty time. Such exclusions from compensable working time will be set forth in a written agreement. Any agreement for the treatment of compensable time for live-in employees must meet the requirements of federal and applicable state law and be an employer-employee agreement, not a unilateral decision by the employer. This agreement must be in writing.

PHILADELPHIA STAFF ONLY: Live-in staff in Philadelphia may not work more than six (6) days in a row; after six (6) consecutive days of work, Philadelphia live-in staff shall receive an unpaid 24-hour rest period during which they are relieved of all duties.

| **POLICY NAME:** | “OFF THE CLOCK” WORK | | **POLICY NO:** | HR - 62 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** | 05/01/2021 |
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**POLICY**

1. The Company is committed to compensating every employee for all work performed in accordance with all applicable local, state and federal laws.
2. HomeCentris prohibits employees from working “off the clock.” “Off-the-clock” work means work a non-exempt employee performs but fails to report to the Company. Non-exempt employees may not perform any work without compensation.

**PROCEDURES**

1. Examples of prohibited off-the-clock work include but are not limited to:
2. Performing work-related activities before a non-exempt employee has started recording work time or after he or she has stopped recording work time;
3. Working overtime hours (whether pre-approved by a supervisor or not) and failing to record those hours;
4. Failing to report accurate travel times in accordance with the Company’s Travel Time policy;
5. Working on-call and not recording or reporting the hours of work;
6. Completing work-related paperwork at home without recording or reporting the time; and
7. Sending or responding to work-related e-mails or making or responding to phone calls without reporting the time worked.
8. Non-exempt employees who perform work while not clocked/signed in, must keep track of all time worked and immediately report that time to the employee’s manager. The Company pays non-exempt employees for all working time, even if the work performed was not initially reported in the Company’s timekeeping system or on a timesheet. Therefore, if a non-exempt employee determines he or she is not paid for work, he or she must follow the reporting procedure set forth in the section titled “Reviewing Your Pay Stub, Reporting Errors, and Obtaining More Information.”
9. It is a violation of the Company’s policy for any employee to falsify a time record, or to alter another employee’s time record. Non-exempt employees are responsible for ensuring that the time stated on their time card(s)/time record(s) and/or in their telephony time records is correct. Any non-exempt employee who under-reports or over-reports hours worked is subject to disciplinary action, up to and including termination of employment.
10. You must certify that your reported hours of work accurately reflect the total amount of time worked for each work day your weekly time sheet(s). This is accomplished by reviewing the hours you recorded for each day of the workweek on your time sheet(s) and acknowledging that all of your actual time worked for the pay period is accurately recorded. You must not falsely certify the accuracy of your reported time, and you must notify the Company of any inaccuracies with respect to reported working time.
11. It is a violation of HomeCentris policy for anyone to instruct or encourage another employee to work off-the-clock, to incorrectly report hours worked or to alter another employee’s time records. If anyone instructs or encourages an employee to incorrectly report hours worked, work off-the-clock, or to alter another employee’s time records, or if an employee is aware of any other possible deviations from this policy, that employee is required to immediately report such violations to his or her manager, Payroll, or Human Resources. Any failure to report such misconduct in accordance with this procedure is a violation of this policy. HomeCentris will investigate promptly and thoroughly any report of a possible violation of this policy. Employees who violate this policy will be subject to discipline, up to and including termination of employment.

HomeCentris will not tolerate any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

| **POLICY NAME:** | WORKING WITH CLIENTS IN FIXED AUTHORIZATION PROGRAMS | | **POLICY NO:** | HR - 71 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2020 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** | 02/01/2022 |
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**Purpose**

Many caregivers work with clients who are participating in a commercial, governmental, or institutional fixed-authorization program (“FAP”), including but not limited to Medicaid Waiver Programs.

The reason for this policy is that FAPs authorize only a certain number of caregiver hours per work week per client and will not, under any circumstances, pay the Company for any hours in excess of those authorized hours. The Company does not receive any benefit, financial or otherwise, for any time a caregiver spends with a FAP client beyond the authorized weekly hours, and does not authorize or permit any caregiver to perform any work for a FAP client beyond the authorized weekly hours. In addition, the company does not receive any benefit, financial or otherwise, for repeated time and attendance recordation errors or omissions and FAPs will reduce the Company’s reimbursement for what they consider repeated, systemic, and suspicious time and attendance errors.

This policy addresses situations in which a caregiver (1) spends time with a client beyond the hours specifically authorized by the applicable FAP, (2) may incorrectly clock in or out in excess of the authorized hours, or (3) repeatedly makes mistakes clocking in or out of the Company’s time and attendance software.

**policy**

1. During any work week (as defined by your local Agency), caregivers shall not spend any work time with Company clients in excess of authorized hours without prior permission from the Company.
2. Any time that a caregiver chooses to spend with a client in excess of those hours authorized by a FAP is completely voluntary on the caregiver’s part and is not authorized, required, or directed by the Company.
3. If a caregiver records work hours for such a FAP client(s) in excess of the authorized weekly hours for any work week, the Company may adjust the caregiver’s time to the authorized hours unless the caregiver contacts the Company and explains why any excess hours were required and necessary.
4. Caregivers shall record their time worked accurately, on time, and in the specified time and attendance system. Repeated mistakes or omissions beyond FAP limits will result in disciplinary action and possible adjustments to a caregiver’s time to match FAP reimbursed time.

**procedure**

1. For any caregiver working with a FAP client, the Company will provide written notice (by email or other writing) of the number of caregiver hours per work week that he or she is authorized by the FAP to work for each such client.
2. From time to time, the number of authorized weekly hours may change. If the authorized hours change, the Company will provide the caregiver with written notice of any such changes.
3. From time to time, the number of permitted time and attendance mistakes may change. The Company will provide caregivers written notice of the number of permitted mistakes per FAP.
4. Caregiver shall contact the Company during any work week in which excess hours were considered necessary and explain the variance from authorized hours. To the greatest extent possible, caregivers should attempt to contact the Company before working any excess hours in order to obtain guidance regarding the status of those excess hours. The Company shall credit such excess hours to caregivers only if, in its sole discretion, the excess time was warranted for issues including, but not limited to, health emergencies, safety issues, weather conditions, and temporary FAP authorizations.
5. Except as provided in Paragraph 4 above, the Company shall adjust any work hours recorded during a work week that exceed the authorized hours to the number of hours then authorized.
6. Caregivers shall record their time accurately and on time in the Company’s designated time and attendance system and shall minimize mistakes and omissions. For any missed punches or inaccurate punches that result in non-payment of the shift by the FAP, the Company shall adjust employees time to match the hours reimbursed by the FAP which may exclude excess errors.
7. Caregivers who continually violate the company’s time and attendance policies will be subject to disciplinary action, up to and including termination.

| **POLICY NAME:** | ON CALL PAY | | **POLICY NO:** | HR - 63 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
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To ensure employees will be available to address and resolve issues that may arise, the Company has instituted this on-call compensation policy to cover those nonexempt employees who may be required to be on-call and/or come back into work following their regularly scheduled shift.

**POLICY**

HomeCentris will compensate employees for the on-call time.

**PROCEDURE**

1. During the on-call period, employees will not be required to report to work and may perform on-call work remotely. Employees are free and encouraged to engage in personal activities during the on-call period. However, the Company asks that the employee refrain from the use of alcohol and illegal drugs to ensure soundness of judgment.
2. Employees will be compensated for their on-call/call-in time.
3. Nonexempt on-call employees shall be paid at their normal rate of pay for any time actually worked while on-call, as specified in this policy. Employees will be paid any applicable overtime rate if the time actually spent carrying out assigned duties during the call-in time qualifies as overtime hours.
4. Employees who are not required to perform any work during their on-call shift will be paid [insert Company on-call-pay rate, if employees will be compensated for “uncontrolled” on-call time that an employee can spend primarily for his or her own benefit]. On-call pay is included in the employee’s regular rate of pay for purposes of calculating the employee’s overtime hours for the week in question. Because this premium payment is not for work actually performed, the on-call hours will not count as hours worked for the purpose of determining overtime pay. On-call hours will only count as hours worked to the extent that the employee is required to actually work while on-call.
5. This policy will be applied and interpreted in accordance with applicable municipal, state and federal legal requirements.
6. Exempt employees are not eligible for "on-call" pay.

| **POLICY NAME:** | REVIEWING YOUR PAY STUB, REPORTING ERRORS, AND OBTAINING MORE INFORMATION. | | **POLICY NO:** | HR - 65 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
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**POLICY**

1. HomeCentris works hard to ensure that all employees are paid correctly, but mistakes can happen. When mistakes do occur, and are brought to the Company’s attention, HomeCentris will promptly make any corrections necessary.
2. Employees shall review each paycheck and pay stub when you receive it to make sure pay and reported hours are correct.

**PROCEDURE:**

1. If an employee believes an error has occurred or has any questions about the paycheck, pay stub, deductions from pay, if he/she believes they have been subject to any improper deductions, or if pay does not accurately reflect hours worked, the employee should promptly report the matter to your supervisor or manager at your worksite or the payroll representative. If the supervisor or manager or the payroll representative is unavailable, if the employee believes it would be inappropriate to contact those persons, or if he/she has not received a prompt and acceptable reply from them, the employee should contact the CFO. Every report will be fully investigated, and HomeCentris will make every effort to ensure that employees receive the pay to which they are entitled.
2. HomeCentris will not allow any form of retaliation against individuals who make good faith reports of alleged violations of this policy, or who cooperate in the Company’s investigation of such reports, even if the reports do not reveal any errors or wrongdoing. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge. Any employee who believes he or she has been subjected to retaliation should contact a supervisor or manager, or Human Resources. The Company will investigate all claims of retaliation promptly and, to the extent reasonably possible consistent with a thorough investigation, on a confidential basis.
3. If the Company concludes that an employee has violated this policy, corrective action will be taken, where appropriate, up to and including termination of employment.

| **POLICY NAME:** | TRAVEL TIME | | **POLICY NO:** | HR - 64 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
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**POLICY**

1. The Company will compensate non-exempt hourly employees for time spent traveling for purposes of conducting the Company’s business in compliance with applicable state and federal law. This compensation is for the time the non-exempt employee spends traveling and does not include mileage.
2. Travel between Work Sites: All compensable travel time will be calculated by Company software using Google Maps to calculate the distance and time between clients and paid at an agreed-upon rate, not less than the applicable minimum wage. This time will be included on your pay stub. It is your responsibility to track your travel time, reconcile it against the Travel Time on your pay stub, and notify the payroll department if it is incorrect.

**PROCEDURE**

1. Compensable travel time includes a non-exempt employee’s business travel between work sites during the workday, but does not apply to time spent in the employee’s regular commute to work, which includes travel from home to the first work site at the beginning of the workday and travel from the last work site to home at the end of the workday, unless applicable law requires otherwise.
2. Non-exempt employees are not expected or authorized to accept or make calls, complete any paperwork, or perform any other work before they begin their commute or after they finish their commute. Any work that is approved for non-exempt employees to do at home can be done on their own schedule and must be recorded as time worked in accordance with the Company’s Recording Work Hours and Off the Clock Work policies. There is no work that non-exempt employees will be asked to do immediately before or immediately after their commute.
3. For non-exempt employees, time spent traveling between work sites during the workday is counted as hours worked for purposes of calculating hours of work and overtime premiums and eligible non-exempt employees will be paid overtime in accordance with applicable federal and state law.
4. Special Commute to Work Sites: If traveling to a particular work site at the start of the workday or from a work site at the end of the workday extends a non-exempt employee’s day past the employee’s normal commute time, the additional travel time above and beyond the employee’s ordinary commute will be compensated. On these occasions, employees must report the extraordinary commuting time to their manager and record as time worked the extra time spent commuting to and from a client site that exceeds their regular commute time.
5. Failure to adhere to this policy, including failure to record all compensable travel time and failure to record all work will be addressed as a performance issue and the employee will be subject to discipline, up to and including termination from employment.
6. Any questions about this policy, or any associated procedures, should be directed to your manager or Human Resources.

| **POLICY NAME:** | EXEMPT EMPLOYEES | | **POLICY NO:** | HR - 60 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee’s work.

**POLICY**

1. It is company policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. The Company prohibits any deductions from pay that violate the FLSA or applicable state law.
2. In general, an exempt employee will receive his or her salary for any week in which the employee performs any work, regardless of the number of days or hours worked.

**PROCEDURE**

1. An exempt employee will not be paid salary for time not worked only in the following circumstances:

* When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available paid time off (PTO) to make up for the reduction in salary;
* When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available PTO to make up for the reduction in salary;
* Penalties imposed in good faith for infractions of safety rules of major significance;
* Unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace safety or conduct rules;
* When an exempt employee works only part of the week during his or her first and last week with the Company, the employee will be paid only for the days actually worked; and
* When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, the Company will not pay for such days/hours of absence.

1. The Company may require an exempt employee to use available PTO, as a replacement for salary, when the employee takes less than a full day off from work.
2. An exempt employee who works part of a week and misses part of a week due to service as a juror, witness or in the military or for lack of work will be compensated as described in the Jury Duty Policy.
3. If an exempt employee believes that an improper deduction has been made to his or her salary, the employee should immediately report this information to the payroll representative. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made. If the employee is not satisfied with the response or still has concerns, the employee should report the matter to the CFO.

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## STATE SPECIFIC PAY PRACTICE POLICIES

| **POLICY NAME:** | Philadelphia Wage Theft Notice | | **POLICY NO:** | HR – 73PA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PHILADELPHIA, PENNSYLVANIA AGENCIES ONLY]**

**Policy**

1. The Company is committed to paying employees all wages to which they may be entitled by applicable law.

**PROCEDURE**

1. Employees working in Philadelphia or who entered into an employment contract in Philadelphia who believe they have not received timely payment of all wages earned may file a complaint for unpaid wages under the Philadelphia Wage Theft Ordinance, Phil. Code § 9-4301, et seq., with the Philadelphia Wage Theft Coordinator, or bring a civil action for unpaid wages. Employees also have the right to bring a civil action if the employer fails to pay all wages earned by the employee.
2. HomeCentris will not tolerate any form of retaliation against individuals who report in good faith alleged violations of this policy or issues regarding the non-payment of wages to which they may be entitled under applicable law, cooperate in the investigation of such reports, or exercise any rights or remedies regarding the non-payment of wages. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

| **POLICY NAME:** | PHILADELPHIA MEAL AND REST BREAKS | | **POLICY NO:** | HR – 73PA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PHILADELPHIA, PENNSYLVANIA AGENCIES ONLY]**

**Policy**

1. The Company complies with the Philadelphia Domestic Worker Bill of Rights with respect to all work performed by caregivers in the City of Philadelphia. This policy is applicable only to caregiver shifts worked in the geographical boundaries of the City of Philadelphia.

**PROCEDURE**

1. Caregivers working in Philadelphia are entitled to an uninterrupted, paid 10-minute rest break during every four (4) consecutive hours of work. In addition, caregivers working in Philadelphia are entitled to an uninterrupted, unpaid thirty (30) minute meal break after each five (5) consecutive hours of work.
2. Caregivers are relieved of all duties and not expected or required to perform any work during these breaks. If a caregiver’s break is interrupted by work, the caregiver is required to contact the Company as soon as possible to report the interrupted break. In the event that a caregiver does not receive the breaks required by this policy, the caregiver must report the same and will be paid an additional one (1) hour of pay at the caregiver’s regular rate of pay for each workday that the caregiver misses the meal or rest break. Any additional pay received for missed meal and/or rest breaks does not count as hours worked or factor into the calculation of the employee’s regular rate of pay for purposes of overtime compensation.
3. The Company and a caregiver may agree that the caregiver will take “on duty” meal and rest breaks because the nature of the caregiver’s responsibilities do not permit the caregiver to be relieved of all duties for the required break periods. On duty break agreements must be documented in writing, and may be revoked by the caregiver at any time. If a caregiver is subject to an on duty break agreement, then both the caregiver’s rest and meal breaks are paid breaks.

HomeCentris will not tolerate any form of retaliation against individuals who report alleged violations of this policy, including but not limited to by reporting missed rest or meal breaks, or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination of employment.

# BENEFITS

| **POLICY NAME:** | HEALTH BENEFITS | | **POLICY NO:** | HR - 35 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Benefits Continuation Acknowledgement](#_Agreement_to_Continue) | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris offers all full-time, regular employees with a choice of health benefits. One of the major advantages of the HomeCentris Health Care Benefits Program is that employees can design a benefits program to meet their individual needs.
2. Employees can select from medical, dental, and vision care options, employee and dependent supplemental life insurance, accidental death and dismemberment (“AD&D”) insurance, short-term disability coverage, and long-term disability coverage.
3. HomeCentris presently shares in the cost of employee medical (including prescription drugs), dental, vision, basic life and long-term disability insurance. These plans are also offered to employee’s family members, at the employee’s expense. Voluntary short-term disability and supplemental life insurance are offered to eligible employees at the employee’s expense.
4. Payroll deductions for medical (including prescription drugs), dental, and vision benefits are taken on a pre-tax basis, decreasing the amount employees pay in income taxes. All other benefits elected will be deducted on a post-tax basis.
5. Employees who receive company paid life insurance amounts in excess of $50,000 are taxed as imputed income in compliance with state and federal regulations.
6. HomeCentris reserves the right to amend or terminate any of its benefit programs or to require or increase employee premium contributions toward any benefits at any time, with or without advance notice, at its discretion. This reserved right may be exercised in the absence of financial necessity.
7. Whenever an amendment is made to any of HomeCentris’ benefits programs, the respective plan administrator will draft and submit the amendment to HomeCentris’ board for review and approval.
8. The respective plan administrator will notify plan participants of all approved amendments or plan terminations, in accordance with the requirements of applicable federal law.

**HEALTH BENEFIT ELIGIBILITY**

1. Subject to the eligibility requirements of each benefit plan, employees are eligible to participate in the HomeCentris Health Care Benefits Program if they are a regular, full-time employee with standard hours of at least thirty (30) hours per week.
2. Employees become eligible the first of the month after sixty (60) days of continuous, successful employment from their date of hire.
3. Employees who do not enroll within forty-five (45) days of becoming eligible, must wait until the annual open enrollment window that occurs at the end of each calendar year, unless a qualifying life event occurs during the year that make them eligible. Qualifying life events include:

* If you initially declined coverage because you had other healthcare coverage you now have lost
* Since declining coverage initially, you have acquired a new dependent (through marriage, birth or adoption) and wish to cover that dependent

1. Qualifying Life Status Change: You must enroll yourself and eligible dependents within thirty (30) days of having a life status change, or wait until the next open enrollment period.

**SUPPLEMENTAL LIFE INSURANCE**

HomeCentris provides supplemental life insurance options for eligible employees and their dependents. Supplemental life insurance is offered as a post-tax benefit. Supplemental life insurance is subject to imputed income if it meets the following criteria:

* Employer paid or employee paid with pre-tax dollars.
* The amount exceeds $50,000 (the amount subject to imputed income does not include the initial $50,000.)

**BENEFIT CONTINUATION DURING APPROVED LEAVES OF ABSENCES**

During any approved leave of absence (FMLA, Workers Compensation, Short-Term Disability, Long-Term Disability, other approved unpaid leave), employees are required to continue making their normal benefits contributions in order to maintain their benefits. If PTO or other paid leave is substituted for FMLA leave, HomeCentris will continue to pay the employee’s contribution towards group health benefits through a payroll deduction, assuming sufficient funds are available.

Contribution payments must be made in the form of personal check, certified check or money order and sent to:

HomeCentris HealthCare LLC

ATTN: (Corporate Payroll)

10 Crossroads Drive, Suite 110

Owings Mills, MD 21117

Payments should be made by the first day of each month. Payments may be made in advance if the employee knows that he/she will be unable to return to work for an extended period of time.

In the event that an employee does not remit the total of their benefits contribution amount by the last day of the current month of which they are on approved leave, their benefits will be terminated in accordance with applicable law and the terms of the applicable benefit plan. Once benefits terminate, the employee will have to wait until the next open enrollment period unless they have a qualifying life event as defined in the benefits program manual.

For additional information on the HomeCentris Health Care Benefits Program, employees should refer to the Employee Benefits Guide for the current plan year.

**Agreement to Continue Benefits Contributions While on Approved Leave**

This form outline HomeCentris’ policy on continuation of benefits and staff member contributions during approved leaves of absences. Please read carefully, sign the form and return to your Human Resources representative prior to taking approved leave.

I understand that during any approved leave of absence, (FMLA, Workers Compensation, Short-Term Disability, Long-Term Disability, or other approved unpaid leave), I am required to continue making my normal benefits contributions in order to maintain my benefits. Contribution payments must be made in the form of personal check, certified check or money order and sent to:

HomeCentris Healthcare, LLC

ATTN: Corporate Payroll

1700 Reisterstown Road, Suite 109

Pikesville, MD 21208

I agree to submit payment in full for my normal benefits contribution amount to HomeCentris corporate by Friday of my regular payday. I understand that I may make advance payments if I know that I will be unable to return to work for an extended period of time.

I understand that in the event that I do not remit the total amount of my benefits contribution amount by the last day of the current month which I am on approved leave, that my benefits will be terminated in accordance with applicable law and the terms of the applicable benefit plan. I also understand that once my benefits terminate, that I will have to wait until the next open enrollment period to enroll for benefits coverage.

Staff Member Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| --- |
| **NOTICE**: If you fail to remit the full amount of your benefits contribution amounts by the last day of each month that you are on approved leave, your benefits may be terminated and you will have to wait until the next open enrollment period to re-enroll for benefits coverage. |

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| --- |
| **Maintain in staff member’s HR file.** |

| **POLICY NAME:** | WORKERS COMPENSATION | | **POLICY NO:** | HR - 66 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Accident Investigation Form](#form_accident_Investigation_staff) | | **3rd Revision Date:** |  |

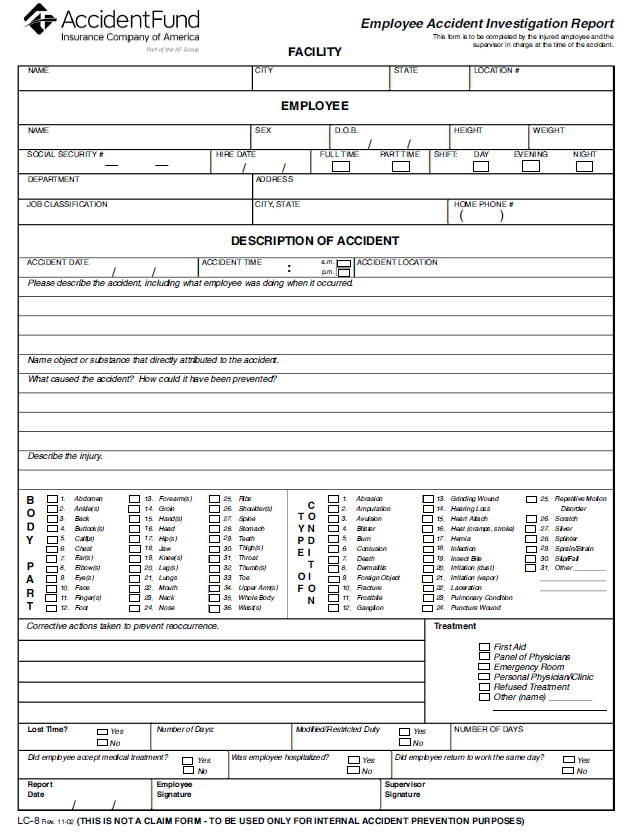
When work-related accidents, injuries or illnesses occur, employees may be eligible for workers’ compensation insurance benefits.

POLICY

The Company provides a comprehensive workers’ compensation insurance program at no cost to employees and in accordance with applicable state law. This program covers most injuries or illnesses, sustained in the course of employment, that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers’ compensation insurance provides benefits or, if the employee is hospitalized, treatment immediately.

PROCEDURES

1. Reporting: Employees who sustain a work-related injury or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage. This reporting requirement applies to any work-related injuries, regardless of where they may occur.
2. Leaves of Absence/Accommodation Employees who need to take time off from work due to a workers’ compensation illness or injury may also be eligible for a leave of absence under the Company’s leaves of absence or reasonable accommodation policies. Employees should consult with [insert name/contact details for appropriate company representative or department] for additional information.
3. Return to Work. Employees who are ready to return to work following a workers’ compensation-related leave of absence must supply a certification from a health care provider confirming the employee’s ability to return to work and comply with the Transitional Return to Work policy.
4. Workers Compensation Fraud. The Company will notify the workers’ compensation insurance company if we have reason to believe an employee has supplied false or misleading information in connection with a claim and/or has filed a fraudulent claim. Workers’ compensation fraud is a crime and may also be grounds for disciplinary action, up to and including termination of employment.
5. Retaliation Prohibited. HomeCentris prohibits any and all retaliation against an employee for reporting a work-related injury, requesting worker’s compensation benefits, or submitting a worker’s compensation claim. Any manager or employee who retaliates against an employee for such activity will be disciplined, up to and including discharge from employment.



| **POLICY NAME:** | TRANSITIONAL RETURN TO WORK | | **POLICY NO:** | HR - 29 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. To reduce the economic and emotional impact of a work-related injury on our employees, it is important to provide a uniform approach to transitional return to work. It is HomeCentris’ policy to make transitional work available for all employees who are injured on the job.
2. Our transitional duty return to work program facilitates the earliest possible return of an employee injured in the workplace so that he or she may perform meaningful, productive work within their physical capabilities.
3. The transitional duty return to work program is a mandatory program for all work-related injuries, it is temporary, and is an alternative to full duty. An employee, who fails to report to work when released for full, partial or transitional duty by an attending physician, has voluntarily resigned and may lose workers’ compensation benefits as a result.
4. In accordance with applicable federal and state laws, employees who are offered transitional work will continue to be paid for hours worked at their current level of pay.
5. Should the employee be incapable of working the average number of hours worked prior to the injury as a result of restrictions imposed by the treating physician, the difference in those hours will be reported to HomeCentris’ Workers Compensation management carrier on a weekly basis in order to have appropriate wages paid.
6. Further, an employee shall remain entitled to receive benefits for as long as they remain on payroll and until the time that their employment relationship with HomeCentris ceases.
7. Employees who are entitled to remain on HomeCentris’ benefits plans must continue to make their normal contributions.
8. HomeCentris’ “Transitional Duty” program applies exclusively to work-related injury. HomeCentris does not make accommodation for employees who become temporarily disabled due to a non-work-related injury, illness or medical condition. Exceptions may be made, however, where a temporarily disabled employee can perform the essential functions of their job with or without reasonable accommodations and without creating an undue hardship or direct threat to the safety and health of coworkers, patients or themselves. Where exceptions are made – the temporarily disabled employee will provide documentation from their primary care physician upon request indicating that they are able to perform the essential functions of their job.
9. Refer to the subsection titled “Benefit Continuation during Leaves of Absences” in the Benefits Policy section of this Manual.

| **POLICY NAME:** | WORKING FROM HOME BENEFIT | | **POLICY NO:** | HR - 75 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2022 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Purpose**

HomeCentris offers an optional Work from Home (“WFH”) Benefit to its full-time office workers. The goal of this voluntary program is to acknowledge the changing, competitive workforce environment and provide its staff with the flexibility and convenience to work from home. Because HomeCentris is a service business, the work from home benefit is designed to provide the same level of support to our clients, patients, referral sources, and field staff and allow the company to function at the same level as an in-office model. In addition, HomeCentris must ensure it complies with health care regulations requiring physically staffed office hours. Finally, to ensure equity among its staff, the policy is designed to not place any excess burden on staff physically in the office, to be uniform and evenly enforced throughout the company, and to be fair and equitable to all office staff.

**Policy**

1. Full Time (as defined in Policy HR -02) office staff may elect the WFH benefit during the annual open enrollment period or upon the completion of their 90-day probationary period.
2. The WFH benefit will be one day per week.
3. WFH is not designed to be an as-needed or for-convenience program each week. Managers and employees shall pre-agree on a set WFH day for each employee.
4. There is no difference in base compensation for electing to WFH.
5. The WFH policy will be enforced equally in all divisions, departments, and locations.

**Procedures**

1. WFH is a voluntary benefit. Like all benefits, there is a cost to both the employer and employee. Employee contributions will follow the following two categories.
   * Electing Work From Home = Loss of Floating Holiday
   * Electing Work From Office = Addition of one (1) Floating Holiday
   * Floating Holiday Contributions will take effect during the calendar year.
   * For eligible new hires joining HomeCentris after annual enrollment (October 1), the floating holiday contribution will be:
     + administered for employees joining HomeCentris between January 1 and June 30,
     + not administered for employees joining HomeCentris between July 1 and December 31.
     + Employees may still elect to participate in the WFH program, but the floating holidays will not be prorated and will be administered according to the schedule above.
2. A WFH employee remains subject to all policies and procedures of HomeCentris Healthcare.
3. To ensure HomeCentris complies with federal, state, and local laws and regulations, neither agencies nor departments shall ever be without at least one staff member in the office. When designing the WFH schedule, managers will stagger WFH days within their departments to comply with these procedures.
4. WFH schedules will be published so co-workers know staff locations at all times.
5. Supervisors should not schedule calls and meetings around employees’ WFH schedules. Company business will proceed as usual and WFH employees shall attend meetings as if they are in the office.
6. Teams Meetings will require cameras to be on and a private location free from background noise and distraction to ensure confidentiality and participation.
7. If a supervisor designates a meeting as mandatory in-person, he/she shall give enough notice to WFH staff, when possible. WFH employees are responsible for attending mandatory in-person meetings. Travel time and mileage will not be reimbursed for coming into the office during a scheduled WFH day.
8. WFH employees shall maintain all productivity and quality standards while working remotely. Failure to maintain standards may result in disciplinary action, up to and including termination of the WFH benefit, and/or termination of employment.
9. Employees shall have their work phone app active on their mobile devices, logged into all call queues, and launch Microsoft Teams Messenger at all times during working hours when working from home.
10. Hourly employees will continue to clock in and clock out via the current time keeping system and will only record working time (1) during their normal, in-office, agreed upon schedule and (2) only if actively working. All other HomeCentris time and attendance policies will continue to apply to WFH situations. Violations of this procedure will result in disciplinary action and loss of WFH privileges.
11. If an emergency arises in the office on a WFH day, employees must be available to come to the office as required. Supervisors and managers must be available to report the office at any time (within an hour) to support the needs of the agency (i.e., a state surveyor arrives at the office).
12. Department Managers will create transparent, measurable standards and are expected to enforce them equitably.
13. If an employee’s WFH day falls on a holiday, inclement weather or other emergency when the office is otherwise closed, no makeup days are allowed.
14. If employees are home in excess of the current WFH limit, employees will use accrued Paid Time Off per the regular PTO policy or take an unpaid day if PTO is not available.
15. Exceptions for special circumstances are available but must be approved by a VP or above.
16. Staff working in their homes must protect patient confidentiality as if they were in the office.
17. For home internet or equipment failures longer than 30 minutes, employees shall:
    * For HomeCentris equipment failure, call CCIO #443-283-0666 Option:1
    * Contact their direct supervisor/manager immediately.
    * Report to their normal office or alternate HomeCentris Health Care location if systems are not functioning properly at their home site.
    * The associate may be required to clock out of Paylocity if there is no work that can be performed during the down time.
18. WFH employees will be personally liable for injuries to third persons and/or members of employee’s family on employee’s premises. WFH employees will defend, indemnify and hold harmless HomeCentris, its affiliates, employees, contractors and agents, from and against any and all claims, demands or liability (including any related losses, costs, expenses, and attorney fees) resulting from, or arising in connection with, any injury to persons (including death) or damage to property caused, directly or indirectly, by the services provided herein by Employee or by Employee’s willful misconduct, negligent acts or omissions in the performance of the Employee’s duties and obligations under this Agreement, except where such claims, demands, or liability arise solely from the gross negligence or willful misconduct of the Employer.

Technology Requirements:

1. WFH employees will use the company’s encrypted workstations and transport them home on WFH days. Employees may not use unencrypted home computers under any circumstances.
2. All ancillary devices for home use such as monitors, keyboards, cameras, mice, etc. including the purchase and maintenance thereof, will be at employee’s expense.
3. Due to HIPAA regulations, employees will not print anything or possess any paper records at home.
4. Due to HIPAA regulations, employees will not download any protected health information to an unencrypted device.
5. To ensure high quality calls and video conferencing, WFH employees are required to use a high-speed internet service when working at home and are responsible for all costs associated with installing and maintaining the service.

**EXHIBIT A: WORKING FROM HOME AGREEMENT**

This Working From Home (“WFH”) Agreement (“Agreement”) is a legal document identifying the responsibilities of both the employee and the employer.

1. **Eligibility**. Employees are eligible to work from home if they have elected the WFH benefit during the company’s open enrollment period and successfully completed the 90-day probationary period.
2. **Compensation and Benefits**. There is no difference in compensation when electing to WFH except for the Floating Holiday contribution.
3. **Policies**. A WFH employee is subject to all policies and procedures of HomeCentris Healthcare. A violation of these policies may result in disciplinary action, up to and including termination of this Agreement or termination of employment. In addition, it may also result in terminating this remote working arrangement and instead requiring the associate to work in their traditional office setting.
4. **Productivity/Quality**. WFH employees shall maintain all productivity and quality standards while working remotely. Failure to maintain standards may result in disciplinary action, including up to termination, and/or the termination of the WFH benefit. The expectation of each WFH employee is to respond to calls and emails as they come in and attend all scheduled meetings along with their other job duties. Remote work arrangements will be based on meeting the job requirements without disruption to the flow of work and communication and will be determined by the leadership team. Employees may be required to come into the office on their WFH day, at the discretion of their manager. Managers are not required to reschedule a remote workday.
5. **Holidays and Other Emergencies**. If a scheduled WFH day falls on a company holiday or any other emergency day with an office closure, there will be no make-up WFH days scheduled.
6. **Use of PTO**. If you are home for more than the company’s then current WFH limit, employees will use accrued Paid Time Off per the regular PTO policy or take an unpaid day if PTO is not available.
7. **Equipment**. WFH employee must use a company supplied, encrypted computer processor at all times. WFH employees must purchase all ancillary equipment required for WFH such as a keyboard, mouse, camera, etc. WFH employees are responsible for the HomeCentris equipment in their homes, and for protecting the equipment from misuse. Use of the equipment by any non-employee is strictly prohibited and may result in disciplinary action and/or termination of employment or this Agreement. The employee shall continue to follow all other IT Security Policies and Procedures. WFH employees are responsible for the replacement of HomeCentris equipment lost or damaged by fire, water, theft, or other causes in the home workspace.
8. **Travel time and Mileage**. Travel time and mileage will not be reimbursed when required to come into the office during a schedule WFH day.
9. **System Downtime**. For home internet or equipment failures longer than 30 minutes, employees shall:
   1. For HomeCentris equipment failure, call CCIO #443-283-0666 Option:1
   2. Contact their direct supervisor/manager immediately.
   3. Report to their normal office or alternate HomeCentris Health Care location if systems are not functioning properly at their home site.
   4. The associate may be required to clock out of Paylocity if there is no work that can be performed during the down time.
10. **Work Hours and Time Keeping**. Hourly employees will continue to clock in and clock out via the current time and attendance system and will adhere to the same work schedule as if working in the office. All normal time and attendance policies will continue to apply to WFH situations. Exact time worked, i.e. all start and stop times, must be entered and reflect the exact times worked. If hours cannot be entered into Paylocity, hours must be emailed to the associate's direct supervisor/manager at the end of each shift worked.
11. **Liability for Injuries**. WFH employees remain personally liable for injuries to third persons and/or members of employee’s family on employee’s premises. Employee agrees to defend, indemnify and hold harmless employer, its affiliates, employees, contractors and agents, from and against any and all claims, demands or liability (including any related losses, costs, expenses, and attorney fees) resulting from, or arising in connection with, any injury to persons (including death) or damage to property caused, directly or indirectly, by the services provided herein by Employee or by Employee’s willful misconduct, negligent acts or omissions in the performance of the Employee’s duties and obligations under this Agreement, except where such claims, demands, or liability arise solely from the gross negligence or willful misconduct of the Employer.
12. **Termination of Agreement**. Either party may terminate participation in the WFH program, with or without cause, upon reasonable notice, in writing. Employer will not be held responsible for costs, damages or losses resulting from cessation of participation in the WFH program. This Agreement is not a contract of employment and may not be construed as such.

**ACKNOWLEDGEMENT**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have read and understand the Working From Home Agreement, and agree to the duties, obligations, responsibilities and conditions for the home-based working environment described in this document. I agree that, among other things, I am responsible for maintaining specific work hours under production and quality standards I am responsible for furnishing and maintaining my workspace in a safe manner, employing appropriate security measures, and protecting the confidentiality of the information I work with and to which I have access.

I understand that HomeCentris Healthcare may terminate Agreement at any time with or without notice and may also at any time change any or all the conditions under which I telecommute.

Employee Signature Date

Employer Signature Date

| **POLICY NAME:** | WAGE GARNISHMENTS | | **POLICY NO:** | HR - 45 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. A wage garnishment is any legal or equitable procedure through which some portion of an employee’s earnings is required to be withheld by an employer for the payment of a debt. Most garnishments are made by court order.
2. Other types of legal or equitable procedures include IRS or state tax collection agency levies for unpaid taxes and federal agency administrative garnishments for non-tax debts owed the federal government.
3. Wage garnishments do not include voluntary wage assignments—that is, situations in which employees voluntarily agree that their employers may turn over some specified amount of their earnings to a creditor or creditors.
4. Title III of the Consumer Credit Protection Act (“CCPA”) limits the amount of an employee’s earnings that may be garnished and protects an employee from being fired if pay is garnished for only one debt. The CCPA prohibits an employer from firing an employee whose earnings are subject to garnishment for any one debt, regardless of the number of levies made or proceedings brought to collect that debt, because of the single garnishment. The Act does not prohibit discharge because an employee’s earnings are separately garnished for two or more debts.
5. Demands for payment to creditors from an employee’s pay are honored to the extent required by state and federal law.
6. The amount of pay subject to garnishment is based on an employee’s “disposable earnings,” which is the amount left after legally required deductions are made. Examples of such deductions include federal, state, and local taxes, the employee’s share of State Unemployment Insurance and Social Security. It also includes withholdings for employee retirement systems required by law.
7. Deductions not required by law—such as those for voluntary wage assignments, union dues, health and life insurance, contributions to charitable causes, purchases of savings bonds, retirement plan contributions (except those required by law) and payment to employers for payroll advances or purchases of merchandise—usually may not be subtracted from gross earnings when calculating disposable earnings under the CCPA.
8. The law sets the maximum amount that may be garnished in any workweek or pay period, regardless of the number of garnishment orders received by the employer. For ordinary garnishments (i.e., those not for support, bankruptcy, or any state or federal tax), the weekly amount may not exceed the lesser of two figures: twenty-five (25) percent of the employee’s disposable earnings, or the amount by which an employee’s disposable earnings are greater than 30 times the federal minimum wage.
9. Send all notice of wage demands to the CFO. The employee is also advised of the demand through mail to his or her home by certified mail, usually from the court where the order was granted. The form states the name of the creditor, the amount claimed and whether the demand is based on a wage deduction or a wage assignment. In the case of an IRS levy, the employee is notified immediately by telephone. If asked, supervisors should refer employee questions to corporate Human Resources. State law prohibits an employer from taking any adverse action against an employee whose wages are subject to a court-order demand.
10. If a state wage garnishment law differs from CCPA, HomeCentris must observe the law resulting in the smaller garnishment, or prohibiting the discharge of an employee because his or her earnings have been subject to garnishment for more than one debt.
11. Wage Deductions:

* This demand is issued pursuant to a court order after a judgment has been entered by the court against the debtor. It is almost always honored since there are no defenses to enforcement other than a bankruptcy action. Withholding is limited by law; please see court order for amount.

1. Wage Assignments:

* This demand is based on a wage assignment executed by the employee to secure a debt. To be honored, a wage assignment must comply with several requirements of the law.

1. Child Support:

* When severed with a certified order for withholding, payment is withheld pursuant to the court order. This order takes priority over all other wage actions except tax levies. Specific restrictions apply to court orders for child support or alimony. The garnishment law allows up to fifty (50) percent of a worker’s disposable earnings to be garnished for these purposes if the worker is supporting another spouse or child or up to sixty (60) percent if the worker is not. An additional five (5) percent may be garnished for support payments more than twelve (12) weeks in arrears.

1. Internal Revenue Service Levies:

* This demand is always honored, and the employee is allowed to retain a minimum amount of earnings per applicable federal law. The Debt Collection Improvement Act authorizes federal agencies or collection agencies under contract with them to garnish up to fifteen percent (15%) of disposable earnings to repay defaulted debts owed the U.S. government. The Higher Education Act authorizes the Department of Education’s guaranty agencies to garnish up to ten percent (10 %) of disposable earnings to repay defaulted federal student loans. Such withholding is also subject to the provisions of the federal wage garnishment law, but not state garnishment laws. Unless the total of all garnishments exceeds twenty-five percent (25%) of disposable earnings, questions regarding such garnishments should be referred to the agency initiating the withholding action.
* Human Resources may refer the employee to the IRS to inquire about a payment schedule

1. State Tax Levies

* This demand is similar to the IRS levy and is processed in accordance with state law.

**Procedure**

1. Wage garnishment orders (start, stop or revised) must be sent to the CFO as soon as received. There are usually penalties to HomeCentris for not responding to the order in a specific amount of time, so it is critical that the order be sent to Payroll immediately.
2. Payroll will notify the employee whose wages are to be garnished and the amount of the garnishment per pay.
3. Payroll will process the garnishment and deduct the requisite and allowed amount from the employee’s pays.
4. Payroll will monitor the total garnishment amounts and will stop the deductions when the requisite total of the garnishment is met.
5. HomeCentris will receive a notice that the garnishment order has been fulfilled.
6. Payroll will notify the employee when the garnishment order of fulfillment is received and that deductions will cease for that garnishment order.
7. Payroll submits the garnished waged to the relevant party according to required timeframes and laws.

| **POLICY NAME:** | WAGE GARNISHMENTS – VIRGINIA SPECIFIC PROVISIONS | | **POLICY NO:** | HR – 45VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

Under Virginia law, the maximum part of an employee’s disposable earnings (*i.e.*, the part of the employee’s earnings remaining after legally-required deductions) that may be subject to garnishment to satisfy an ordinary debt is the lesser of:

* Twenty-five (25) percent of the employee’s disposable earnings for the week; or
* The amount by which the employee’s disposable earnings exceed 40 times the federal or Virginia minimum wage, whichever is higher.

An ordinary debt is defined as any debt other than one for the support of a person, a debt for taxes, or an order from a bankruptcy court.

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# TIME OFF AND LEAVES OF ABSENCE

| **POLICY NAME:** | PAID TIME OFF | | **POLICY NO:** | HR - 32 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 02/18/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** | 6/302023 |

This policy does not apply to non-exempt caregiver positions including caregiver, certified medication technicians, certified nursing assistants and geriatric nursing assistants.

**POLICY**

HomeCentris will provide Paid Time Off (“PTO”) to eligible employees. PTO is a comprehensive paid-leave program and combines traditional vacation and sick time into a single benefit.

**PROVISIONS**

1. Eligibility. All full-time employees consistently working 30 or more hours per week are eligible for PTO. All new employees will begin to accrue PTO on the first day following the successful completion of 60 days of continued employment. All employees who are assumed or hired as part of a merger or acquisition will retain their original hire date and will begin accruing PTO following the successful completion of 60 days of combined employment with both the predecessor company and HomeCentris.
2. Change in Status. An employee who has completed 60 days of continued employment and then later changes status (e.g., full-time, part-time or PRN) resulting in him/her becoming eligible or ineligible for PTO will begin accruing or stop accruing PTO on the effective date of the status change.

In the event of a change in status resulting in an employee becoming ineligible for PTO, and at HomeCentris’ sole discretion, any amount of accrued PTO may be paid out to the employee in accordance with Section 10 of this Policy.

1. Inter-Company Transfer. If an employee transfers to another HomeCentris-owned company, HomeCentris will transfer the unused accrued PTO to the new company and continue accrual of PTO according to the applicable PTO plan.
2. Benefit Year. The PTO year will begin January 1 and will end on December 31. PTO accrual will start over on January 1.
3. Carry Over. HomeCentris provides PTO because it believes all employees should take time off and we encourage employees to use their PTO. However, employees may carry over a maximum of sixty-four (64) hours of PTO, or 40 service units of PTO for those clinicians paid by the visit, into the following year. There will be no accommodations given to staff if year-end PTO requests are denied pursuant to Section 11. Both employees and managers are responsible for monitoring accrued PTO balances and using it before year end. Lost accrued PTO is not a HomeCentris obligation.
4. Accrual Rates. The PTO employees accrue is based upon the employee’s job title and length of service. Eligible employees will accrue PTO based upon months of service completed from their hire date. Accrual rates for PTO are based on regular hours paid, which includes PTO hours taken in any given pay period. All employees who are assumed or hired as part of any merger or acquisition will retain their original date of hire in the predecessor company. PTO Levels are specified in employee job descriptions.

|  |  |  |  |
| --- | --- | --- | --- |
| **Level** | **Length of Service** | **PTO Earned Per Hour Worked** | **Annual PTO Days Equivalent** |
| Level 1 | 0-36 Months | .05769 | 15 |
| Level 2 | 37-72 Months | .06538 | 17 |
| Level 3 | 72+ Months | .07692 | 20 |

1. Accrual of PTO during Inactive Status/Leave of Absence. An employee who is on inactive status or an unpaid leave of absence will not accrue PTO while on leave. For absences under FMLA’s 12-week provision, USERRA-qualified military leave or other unpaid leave less than three months in duration, HomeCentris will reinstate the employee’s PTO accrual when he or she returns from leave or returns to active status at the same level that was in effect at the beginning of the unpaid leave. Employees taking leaves of absences, paid or unpaid, including under FMLA, will be required to use accrued PTO at the start of the absence until the employee’s accrued PTO balance is exhausted. All PTO must be used before any paid benefits, such as Short-Term or Long-Term Disability can begin.
2. Exclusion of Differentials, Premiums and Bonuses. PTO pay for employees is based upon each employee’s straight-time hourly-equivalent rate of pay, exclusive of any differentials, overtime rates, premiums, or bonuses.
3. PTO Not Included in Overtime. PTO use is not included as “time worked” for purposes of calculating overtime. Overtime hours worked are considered regular, straight time hours for purposes of calculating PTO earned. Employees will not accrue PTO at 150% of regular accrual rates during overtime situations.
4. Employment Status Changes.
5. Upon voluntary separation from employment (resignation, retirement), HomeCentris will pay the employee any accrued PTO if the employee gives and honors the appropriate amount of separation notice. For the purpose of this policy, HomeCentris defines appropriate notice as 30 days for Clinical Professionals, Paraprofessionals, Supervisory/Management level employees and 14 days for all other employees. If the separating employee does not honor these standards, he/she will forfeit all accrued, unused PTO. Once an employee gives appropriate notice, no PTO can be taken as part of the fulfillment of the required notice.
6. If an employee is laid off or part of a reduction in force, all accrued PTO will be paid out.
7. If any employee is terminated other than as part of a lay off or reduction in force, or resigns without giving and honoring appropriate notice under this Section, no PTO payout will be given.
8. In the event that an employee either voluntarily or involuntarily terminates employment with a negative PTO balance, HomeCentris will withhold the dollar amount associated with the PTO from the employee’s final paycheck.
9. Other than the above-stated circumstances, PTO has no cash value.
10. Approval of PTO Requests. Employees must request PTO from their supervisor as far in advance as possible. Requests for consecutive PTO days shall require a minimum of two weeks’ notice. Approval of PTO requests, regardless of the advance notice given, is within the sole discretion of the supervisor and will be granted as the schedule permits. This sole discretion to deny PTO requests includes any year-end PTO days requested simply to use excess accrued PTO.
11. Leaves of Absence. PTO days must be used concurrently with all unpaid leaves of absence, including but not limited to, a personal leave of absence or a leave under the Family and Medical Leave Act. PTO cannot be used concurrently with other paid leaves of absence, including but not limited to, short-term or long-term disability. PTO cannot be used to extend a leave beyond the applicable time limits. (Example: Employee has a serious illness that qualifies him for up to 12 weeks of leave under the FMLA. At the time of qualifying for an FMLA leave of absence, the employee has accrued five days of PTO. The employee is required to use all five days of PTO during the first five days of his FMLA leave. The remainder of the employee’s FMLA leave will be unpaid.)

| **POLICY NAME:** | CORPORATE HOLIDAYS | | **POLICY NO:** | HR - 37 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 02/18/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

Employees who are office-based workers primarily performing their work duties at HomeCentris’ corporate headquarters, a central billing office, or from a home-based office, or professional clinicians with the following titles: RN, LPN, PT, PTA, OT, COTA, ST will observe the following paid holiday schedule.

* New Year’s Day
* Presidents’ Day
* Memorial Day
* Independence Day
* Labor Day
* Thanksgiving Day
* Christmas Day
* Floating Holiday

Holiday pay for nonexempt employees is calculated based on the employee’s straight time pay rate (as of the date of the holiday) multiplied by the number of hours the employee would have otherwise worked on that day. Holiday pay is not counted for the purpose of calculating an employee's overtime hours of work or overtime premiums and future holidays will not be paid upon separation of employment.

Floating Holidays:

Floating holidays are not PTO. They are for the observance of a holiday not included above or a special event. As such, you must request, in writing, your floating holiday at least 30 days in advance and your supervisor must approve your request so they can cover your absence. An unused Floating Holiday may not be carried to the following calendar year and will not be paid upon separation of employment.

**NOTE**: For holidays falling on Saturday, the corporate office will be closed the preceding Friday. For holidays falling on Sunday, the corporate office will be closed the following Monday.

* To be eligible to receive holiday pay, employees must be full-time (30 hours or more/week).
* To be eligible to receive holiday pay, employees are required to work their regularly scheduled hours the workday preceding and the workday following the holiday, unless PTO is used. Pursuant to the PTO policy, such PTO shall be requested in advance and at the discretion of your supervisor.
* In the event that a HomeCentris observed holiday occurs during an employee’s PTO leave, the PTO day falling on the corporate holiday will be counted as the holiday rather than PTO.
* To provide treatment continuity to our clients and patients, and at the discretion of an employee’s supervisor, employees may be asked to work on the above holidays. In these cases, employees will be granted a compensatory floating holiday.

| **POLICY NAME:** | FAMILY MEDICAL LEAVE ACT (“FMLA”) | | **POLICY NO:** | HR - 49 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

Employees may be entitled to a leave of absence under FMLA. This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact Human Resources.

**policy**

1. Eligibility. FMLA leave is available to “eligible employees.” To be an “eligible employee,” an employee must: (1) have been employed by HomeCentris for at least 12 months (which need not be consecutive); (2) have been employed by HomeCentris for at least 1250 hours of service during the 12-month period immediately preceding the commencement of the leave; and (3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.
2. Employee Entitlements. As described below, FMLA provides eligible employees with a right to leave, health insurance benefits and, with some exceptions, job restoration. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave.
3. **Basic FMLA Leave Entitlement.** The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined on a rolling 12-month basis. Leave may be taken for any one, or for a combination, of the following reasons:
   * 1. To care for the employee’s child after birth, or placement for adoption or foster care
     2. To care for the employee’s spouse, son, daughter or parent (but not in-law) who has a “**serious health condition”**
     3. For the employee’s own “**serious health condition”** (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee’s job
     4. Because of any “**qualifying exigency”** arising out of the fact that an employee’s spouse, son, daughter or parent is a covered military member who is a member of a regular component of the Armed Forces on active duty or has been notified of an impending call or order to active duty status for deployment to any foreign country in the regular or reserve components of the Armed Forces, including the National Guard or Reserves

If HomeCentris employs both an employee and their spouse, they are together entitled to a total of 12 workweeks in 12 months for any leave taken for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition. In the same context, they are together entitled to a total of 26 workweeks during the single 12-month period mentioned above for any leave taken to care for a covered service member.

**“Serious health condition”** is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**“Qualifying exigencies”** may include attending certain military events, arranging for alternative childcare, arranging for alternative parental care for the parent of a covered service member, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Additional Military Family Leave Entitlement (Injured Service Member Leave). In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to take up 26 weeks of leave during a single 12-month period to care for the service member with a serious injury or illness. Leave to care for a service member shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service member.

“**Covered service member**” means a member of the Armed Forces, including a member of the National Guard or Reserves, and/or a veteran of the Armed Forces, including a veteran of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. Such veteran is considered a covered service member if he/she was a member of the Armed Forces, including the National Guard and Reserves, at any time during the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation or therapy. A covered service member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces or if he/she has an injury or illness that was incurred before the covered service member’s active duty and was aggravated by service in the line of duty while on activity duty; provided that the injury or illness may render the service member medically unfit to perform duties of the member’s office, grade, rank, or rating. A serious injury or illness of a veteran is further defined to encompass an injury or illness incurred in the line of duty while on active duty, or which existed prior to active duty but was aggravated by service in the line of duty while on active duty, and that manifested itself either before or after the covered service member became a veteran.

1. Intermittent Leave and Reduced Leave Schedules
2. FMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered service member. Employees may not take FMLA leave on an intermittent or reduced schedule basis for the birth, adoption, or placement for foster care of a child.
3. Leave taken intermittently may be taken in increments of no less than one hour. Employees who take leave intermittently or on a reduced work schedule basis for a planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the Company’s operations. Please contact Human Resources prior to scheduling planned medical treatment. If FMLA Leave is taken intermittently or on a reduced schedule basis due to foreseeable planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.
4. Protection of Group Health Insurance Benefits.

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work. To the extent that FMLA leave is unpaid because an employee has no accrued PTO, the employee must make arrangements for the payment of any employee contribution toward such benefits pursuant to the Health Benefits policy.

1. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of “key employees” will cause HomeCentris substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. HomeCentris will notify employees if they qualify as “key employees”, if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee’s FMLA leave.

1. Notice of Eligibility for, and Designation of, FMLA Leave
2. Employees requesting FMLA leave are entitled to receive written notice from HomeCentris telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) HomeCentris’ designation of leave as FMLA-qualifying or non-qualifying, if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee’s leave entitlement.
3. HomeCentris may retroactively designate leave as FMLA leave with appropriate written notice to employees provided HomeCentris’ failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, HomeCentris and employee can mutually agree that leave be retroactively designated as FMLA leave.
4. Employee FMLA Leave Obligations
5. Employees who take FMLA leave must timely notify HomeCentris of their need for FMLA leave. The following describes the content and timing of such employee notices.
6. To trigger FMLA leave protections, employees must inform HomeCentris of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow HomeCentris to determine that the leave is FMLA-qualifying. For example, employees might explain:
7. A medical condition renders them unable to perform the functions of their job
8. They are pregnant or have been hospitalized overnight
9. They or a covered family member are under the continuing care of a health care provider
10. The leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty status
11. The leave is for a family member, the condition renders the family member unable to perform daily activities or the family member is a covered service member with a serious injury or illness
12. Calling in “sick,” without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to HomeCentris’ questions to determine if absences are potentially FMLA-qualifying.
13. If employees fail to explain the reasons for FMLA leave, the leave may be delayed or denied. When employees seek leave due to FMLA-qualifying reasons for which HomeCentris has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.
14. Timing of Employee Notice

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide HomeCentris notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees, who fail to give a 30-day notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

1. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules
2. When planning medical treatment, employees must consult with HomeCentris and make a reasonable effort to schedule treatment so as not to unduly disrupt HomeCentris’ operations, subject to the approval of an employee’s health care provider. Employees must consult with HomeCentris prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both HomeCentris and the employees, subject to the approval of an employee’s health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, HomeCentris may require employees to attempt to make such arrangements, subject to the approval of the employee’s health care provider.
3. When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service member, HomeCentris may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.
4. When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise HomeCentris of the reason why such leave is medically necessary. In such instances, HomeCentris and employee shall attempt to work out a leave schedule that meets the employee’s needs without unduly disrupting HomeCentris’ operations, subject to the approval of the employee’s health care provider.
5. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)
6. Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.
7. It is the employee’s responsibility to provide HomeCentris with timely, complete and sufficient medical certifications. Whenever HomeCentris requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after HomeCentris’ request, unless it is not practicable to do so despite an employee’s diligent, good faith efforts. HomeCentris shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. HomeCentris will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.
8. With the employee’s permission, HomeCentris (through individuals other than an employee’s direct supervisor/manager) may contact the employee’s health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide HomeCentris with authorization allowing it to clarify or authenticate certifications with health care providers, HomeCentris may deny FMLA leave if certifications are unclear.
9. Whenever HomeCentris deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.
10. Initial Medical Certifications
11. Employees requesting leave for their own, or a covered relation’s, serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days’ notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.
12. If HomeCentris has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at HomeCentris’ expense. If the opinions of the initial and second health care providers differ, HomeCentris may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by HomeCentris and the employee.
13. Medical Recertification

Depending on the circumstances and duration of FMLA leave, HomeCentris may require employees to provide recertification of medical conditions giving rise to the need for leave. HomeCentris will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

1. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken for their own serious health conditions that made them unable to perform their jobs must provide HomeCentris medical certification confirming they are able to return to work and the employees’ ability to perform the essential functions of the employees’ position, with or without reasonable accommodation. HomeCentris may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

1. Submit Certifications Supporting Need for Military Family Leave
2. Upon request, when employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of covered military members, HomeCentris may require employees to provide: 1) a copy of the covered military member’s active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member’s active duty service or a copy of the covered service member’s rest and recuperation leave orders; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.
3. When leave is taken to care for a covered service member with a serious injury or illness, HomeCentris may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, and in accordance with the FMLA regulations, HomeCentris may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave. Further, if the healthcare provider is one other than those listed below, an employer may request second and third opinions from that healthcare provider.
4. Substitute Paid Leave for Unpaid FMLA Leave
5. Employees must use any accrued paid time while taking unpaid FMLA leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leaves and the paid time will run concurrently with an employee’s FMLA entitlement until the employee’s accrued paid leave is exhausted.
6. Leaves of absence taken in connection with a disability leave plan or workers’ compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon request, HomeCentris will allow employees to use accrued paid time to supplement any paid disability benefits.
7. Pay Employee’s Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work, including the same employer and employee contributions towards premiums. Unless HomeCentris notifies employees of other arrangements, whenever employees are receiving pay from HomeCentris during FMLA leave, HomeCentris will deduct the employee portion of the group health plan premium from the employee’s paycheck in the same manner as if the employee was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium pursuant to the Health Benefits policy.

1. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult HomeCentris’ other leave policies or contact Human Resources.

1. Questions and/or Complaints about FMLA Leave
2. If employees have questions regarding this FMLA policy, please contact Human Resources. HomeCentris is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.
3. The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) terminate or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. HomeCentris will not retaliate against any employee who exercises his/her rights under the FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resources immediately. HomeCentris will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.
4. Confidentiality

Documents relating to medical certifications, re-certifications or medical histories of employees or employees' family members will be maintained separately and treated by the Company as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

1. Fraudulent Use of FMLA Prohibited

An employee who fraudulently obtains Family and Medical Leave from the Company is not protected by FMLA’s job restoration or maintenance of health benefits provisions. In addition, the Company will take all available appropriate disciplinary action against such employee due to such fraud.

### Sample FMLA Approval Letter

[Date: September 27, 2023]

[Employee Name]

[Employee Address]

[City, State, ZIP Code]

Dear [Employee Name],

Re: Approval of Family and Medical Leave Act (FMLA) Request

I hope this letter finds you well. We acknowledge receipt of your request for Family and Medical Leave Act (FMLA) leave, which was submitted on [Date of Request]. After careful review and consideration, I am pleased to inform you that your request has been approved, and you will be granted FMLA leave for the following reasons:

[Specify the reason(s) for FMLA leave, such as the birth of a child, your own serious health condition, or the serious health condition of a family member.]

Your FMLA leave is scheduled to begin on [Start Date] and is expected to conclude on [End Date], with a total duration of [Number of Weeks/Months] weeks.

During your FMLA leave, you are entitled to the following:

* + - 1. Job Protection: You have job protection under the FMLA, and upon your return, you will be reinstated to your previous position or an equivalent one with equivalent pay and benefits.
      2. Benefits: You will continue to receive your current health insurance benefits during your FMLA leave, and you will be responsible for making any required premium payments. Please contact our HR department for additional information regarding premium payments and coverage during your leave.
      3. Paid Time Off (PTO): If applicable, any accrued Paid Time Off (PTO) or vacation days will be used concurrently with your FMLA leave, as per our company's policy. Please reach out to our HR department to discuss your PTO balance and how it will be applied.
      4. Communication: While you are on leave, it is essential to communicate with your supervisor and HR department. Please inform us immediately of any changes to your circumstances or any updates related to your leave.

If your circumstances change, and you need to extend your FMLA leave, please notify us as soon as possible. We will work with you to accommodate any necessary changes to your leave schedule. We understand that this may be a challenging time for you and your family, and we are committed to providing you with the support and assistance you may need during your FMLA leave.

If you have any questions or require further clarification regarding your FMLA leave, please do not hesitate to contact our HR department at [HR Contact Information].

We wish you the best during your FMLA leave, and we look forward to your return on [Expected Return Date].

Sincerely,

[Your Name]

[Your Title]

| **POLICY NAME:** | BEREAVEMENT LEAVE | | **POLICY NO:** | HR - 38 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 5/10/2020 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** | 7/20/2021 |

**POLICY**

Eligible employees may take up to three consecutive days of accrued paid time off (“PTO”) to attend the funeral and make any necessary arrangements due to the death of an immediate family member, except where allowed additional time off for bereavement under applicable state law.

**ELIGIBILITY**

* All full-time, active employees working a minimum of 30 hours per week are eligible for benefits under this policy with the following exceptions:
* Maryland caregivers covered by the Maryland Healthy Working Families Act (“HWFA”) are not eligible for this benefit.
* Pennsylvania and Virginia caregivers are not eligible for this benefit.

**PROCEDURE**

1. An eligible employee who wishes to utilize accrued PTO due to the death of an immediate family member should notify his or her supervisor immediately.
2. Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. An employee may, with his or her supervisor’s approval, use any additional available accrued PTO beyond the amounts granted in this policy as necessary.
3. Bereavement pay utilizes accrued PTO. Accrual amounts and pay rates are calculated according to the applicable “PAID TIME OFF” policy.
4. In the event that sufficient PTO is not available, the employee may take unpaid time off upon approval of their supervisor.
5. Paid bereavement leave will be granted according to the following schedule:
   * + 1. Employees are granted up to three consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee’s spouse, child, father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter. To be eligible for paid bereavement leave, the employee generally must attend the funeral of the deceased relative.
       2. Employees are granted one day off from regular scheduled duty with regular pay in the event of death of the employee’s brother-in-law, sister-in-law, aunt, uncle, grandparent, grandchild or spouse’s grandparent. To be eligible for paid bereavement leave, the employee generally must attend the funeral of the deceased relative.
       3. Employees are granted up to four hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the company, provided such absence from duty will not interfere with normal operations of the company.

| **POLICY NAME:** | WITNESS DUTY / DEPOSITIONS | | **POLICY NO:** | HR - 27 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

All employees are allowed unpaid time off if summoned to appear in court or for a deposition as a witness in any court action unrelated to HomeCentris.

Non-exempt employees may use accrued PTO or take the time off without pay.

Exempt employees will be paid their normal salary during any workweek in which they appear as witness and also perform services for HomeCentris, regardless of the amount of time spent performing those services.

If an employee is required to provide a deposition or act as a witness in court on behalf of HomeCentris, or industry-related for other healthcare providers, the time spent for the deposition will be paid by HomeCentris as regular work hours.

Pay for, and attendance at, a deposition does not count toward the calculation of overtime, PTO or premium pay.

Employees should submit a copy of the summons to his/her supervisor as soon as received. Advance notice of fourteen (14) days is mandatory as the courts provide advance notice.

## STATE-SPECIFIC TIME OFF AND LEAVES OF ABSENCE POLICIES

| **POLICY NAME:** | Healthy Working Families Act (Maryland) | | **POLICY NO:** | HR - 61 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** | 02/18/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[maryland agencies only]**

This policy applies to non-exempt unskilled caregiver positions including caregiver, certified medication technician, certified nursing assistants, and geriatric nursing assistants.

**POLICY**

HomeCentris will comply with the Maryland Healthy Working Families Act (“HWFA”)

**PROCEDURES**

1. This policy complies with the Maryland Healthy Working Families Act (“HWFA”). Accordingly, paid leave time accrued under this policy may be used for the following reasons (“sick and safe leave”):
   1. an employee’s own mental or physical illness, injury or health condition including diagnosis, treatment, care and preventative medical care.
   2. To care for a family member’s mental or physical illness, injury, or health condition including diagnosis, treatment, care, and preventative medical care.
   3. Maternity or paternity leave.
   4. For qualified absences necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee’s family member – including medical or mental health care, services from a victim services organization, legal services or proceedings, or temporary relocation.
2. The PTO under this policy will be paid at the employee’s regular rate of pay.
3. Full-time, part-time and temporary non-exempt employees with the titles above are entitled to accrue paid leave under this policy at a rate of 1 hour for every 30 hours an employee works, up to a maximum of 40 hours per year.
4. A part-time employee, for purposes of this policy only, is defined as an employee who worked a combined total of 24 hours in the current and the immediately preceding pay period. If a part-time employee works fewer than 24 hours during the two-week period, he or she will not accrue earned PTO during that period.
5. If an employee covered by this policy has unused earned HWFA hours at the end of the year, the employee may carry over a maximum of 40 hours to the following year. However, an employee covered by this policy may never accumulate more than 64 hours.
6. For foreseeable “sick and safe leave,” employees must request time off at least 7 days in advance. For unforeseeable “sick and safe leave,” employees must provide notice as soon as practicable.
7. Employees will also be required to provide verification that HWFA paid leave was used appropriately for “sick and safe leave” if paid leave was used for more than two (2) consecutive scheduled shifts. In the case of sick time, verification may include documentation from a medical provider (identifying the nature of the health condition is not required). In the case of safe time, verification may include a police report, a court order, other evidence from the court or the prosecuting attorney regarding the team member’s court appearance(s) related to domestic violence, documentation that the employee or employee’s family member is a victim from persons from whom the team member or team member’s family member sought assistance in addressing the domestic violence, sexual assault, or stalking, or an employee’s written statement that the team member or family member is a victim and that “sick and safe leave” was taken for one of the activities covered by law.
8. If an employee fails or refuses to provide verification required under the law, the Company may deny a subsequent request to take earned HWFA paid leave for the same reason.
9. Leave accrued under the HWFA has no cash value and will not be paid out upon an employee’s separation with the company.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, reports an alleged violation of the HWFA or otherwise exercises his or her rights under the HWFA. Employees are, however, prohibited from making complaints, bringing an action or testifying in an action related to the HWFA in bad faith.

| **POLICY NAME:** | Deployment of Family Member in the Armed Services (MARyland) | | **POLICY NO:** | HR - 67 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[maryland agencies only]**

**POLICY**

* + - 1. Employees who have worked for the Company for one year and at least 1,250 hours during the previous 12 months may take unpaid leave to spend time with their immediate family member (i.e., spouse (including same-sex spouses), parent, stepparent, child, stepchild or sibling) on the day the family member leaves for, or returns from, active military duty outside the United States.

The Company will not require employees to use sick, vacation or other paid leave when taking leave. Employees must submit proof verifying that the leave is being taken for this purpose.

| **POLICY NAME:** | Leave to Care for Immediate Family Members (maryland) | | **POLICY NO:** | HR - 69 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[maryland agencies only]**

**POLICY**

1. Employees may use available accrued PTO to take time off to care for an immediate family member (including a child, parent or spouse) who is sick.
2. To the extent that an employee has more than one form of available, the employee has the right to elect the type and amount of paid leave to be used. However, for purposes of this policy, paid leave does not include short-term disability leave, other disability benefits, workers’ compensation or similar benefits.
3. The Company will not discriminate against employees because they take leave under this policy.

**PROCEDURE**

1. Parental Leave
2. The Company will permit eligible employees to take up to six workweeks of unpaid leave in a 12-month period for the birth of the employee’s child or for the placement of a child with the associate for adoption or foster care.
3. The Company may deny any leave request if the denial is necessary to prevent substantial and grievous economic injury to the Company’s business operations and the Company notifies the employee of the denial before the employee starts their leave.
4. To the extent leave under this policy also qualifies as leave under the Family and Medical Leave Act and the employee is eligible for such leave, the two leaves will run concurrently.
5. Leave Eligibility

To be eligible for parental leave, as of the date leave begins, employees must be employed with the Company for at least 12 months and for 1,250 hours during the previous 12 months. Additionally, employees must work at a worksite where the Company employs at least 15 employees within a 75-mile radius.

1. Notice Requirements

Before using parental leave time, employees must provide the Company with at least 30 days’ written notice of their intent to take parental leave, except that no prior notice is required following a premature birth or the unexpected placement of an adopted or foster child. In the case of a premature birth or unexpected placement, the employee should provide as much notice as is practicable under the circumstances.

1. Compensation and Benefits
2. While parental leave is unpaid, employees may substitute any accrued paid time off, if applicable, for any part or all of the parental leave period.
3. The Company will maintain employees’ group health insurance coverage during the leave period under the same terms and conditions that would have applied had the leave not been taken. If employees fail to return to work after leave, the Company may seek to recover any premiums paid for maintaining coverage by deducting the amount from the employee’s final wages, unless the employee’s failure to return to work was due to circumstances beyond his or her control. If the leave is unpaid, employees must pay their portion of the group health premium pursuant to the Health Benefits policy.
4. Reinstatement
5. Employees who return to work after taking parental leave will be restored to the job they held at the time the leave began or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. The Company may deny reinstatement if the denial is necessary to prevent substantial and grievous economic injury to the Company’s business operations. If the Company determines that it must deny reinstatement for this reason, it will notify the employee.
6. Additionally, the Company will, during the parental leave period, terminate an eligible employee’s employment only for cause or for reasons that would have affected the employee if the employee was not on leave (for example, and not limitation, the elimination of the employee’s position).
7. No Retaliation

The Company will not terminate or otherwise discriminate against employees for requesting or taking parental leave, making a complaint to the Company, Secretary of Labor or another person or for bringing or participating in an action relating to a violation of this policy.

| **POLICY NAME:** | Jury Duty leave (Maryland) | | **POLICY NO:** | HR - 26 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 02/13/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[maryland agencies only]**

HomeCentris recognizes the civic responsibility of jury duty service in the federal and state court systems by permitting time off from work when an employee is summoned to jury duty. Employees are encouraged to serve on jury duty when summoned and will not be penalized, terminated, or disciplined due to their jury or witness duty service.

**POLICY**

1. The Company will comply with all laws regarding pay for jury leave.
2. If you are a full-time, non-exempt, administrative or office employee and are called for jury duty during your regularly scheduled work hours, you will receive your normal wages for up to three (3) days of served jury duty. Normal wages for these non-exempt employees will be based on their regular workday.
3. In addition, these non-exempt employees may retain (without credit against any payments made to employee) any stipend payments from the court. If the term of jury duty exceeds three (3) days, these non-exempt employees may utilize accrued PTO if they so choose. Exempt, administrative or office employees will not incur any reduction in pay for a partial week of absence due to jury or witness duty.
4. Employees excused from jury or witness duty before the halfway point of their scheduled workday are required to contact their supervisor to find out if they should report for work.
5. All employees are allowed unpaid time off if summoned to appear in court or for a deposition unrelated to HomeCentris. Non-exempt employees may use accrued PTO or take time off without pay. Exempt employees will be paid their normal salary during any workweek in which they appear as a witness and also perform services for HomeCentris, regardless of the amount of time performing services.
6. If you are required to provide a deposition on behalf of HomeCentris, or industry-related for other healthcare providers, the time spent for the deposition will be paid by HomeCentris as regular work hours. Pay for, and attendance at, a deposition does not count toward calculation for overtime, PTO or premium pay.

**PROCEDURE**

To qualify for jury duty leave, an employee must submit a copy of the summons to serve to his/her manager and to Human Resources/Payroll as soon as it is received.

HomeCentris requires advanced notice of fourteen (14) days as courts always provide notice. In addition, employees must also submit court-issued attendance records to verify their presence.

HomeCentris will make no attempt to have an employee’s service on a jury postponed, except where business conditions necessitate such action.

* Employees on leave for jury duty are expected to report for work whenever the court does not require their presence. If an employee is finished with jury duty for the day and still has half of his/her work schedule for that day free, he/she is required to contact his/ her supervisor to determine if he/ she is to report to work for the remainder of the day.
* Employees serving on jury duty must contact their supervisor at least once every day to report on the status of their jury duty.
* Pay for, and attendance at, jury duty does not count toward calculation for overtime, PTO or premium pay.
* Normally, employees will not be required to serve on jury duty and work a combined total of more than forty (40) hours per week.

| **POLICY NAME:** | TIME OFF TO VOTE (Maryland) | | **POLICY NO:** | HR - 59 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 07/01/2018 |
| **1st Revision Date:** | 05/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[maryland agencies only]**

**POLICY:**

HomeCentris encourages all employees to exercise their voting privileges in local, state, and national elections.

**PROCEDURE**

Since the polls are open for long periods, employees are encouraged to vote before or after regular working hours.

If employees have less than two consecutive hours before or after work to vote, he/she may take up to two (2) hours paid time off from work to vote, unless applicable state or local law requires otherwise. Any additional time off will be without pay for nonexempt employees.

Exempt employees will be paid as necessary to comply with federal and state wage and hour laws; therefore, exempt employee’s salary will not be reduced by the number of hours or days they are absent unless they perform no work during a given week.

The Company asks that employees request time off to vote from their supervisor at least one day prior to Election Day so that the time off can be scheduled to minimize disruption to normal work schedules. Proof of having voted may be required.

| **POLICY NAME:** | PROMOTING HEALTHY FAMILIES AND WORKPLACES ACT (PHILADELPHIA) | | **POLICY NO:** | HR - 74 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PHILADELPHIA, PENNSYLVANIA AGENCIES ONLY]**

This policy applies to non-exempt unskilled caregiver positions including caregiver, certified medication technician, certified nursing assistants, and geriatric nursing assistants, and other non-exempt positions not eligible to accrue or use PTO under the Company’s Paid Time Off policy, employed by HomeCentris and performing work in the City of Philadelphia.

**POLICY**

HomeCentris will comply with the Philadelphia Promoting Healthy Families and Workplaces Act (“HFWA”)

**PROCEDURES**

1. This policy complies with the Philadelphia Promoting Healthy Families and Workplaces Act (“HFWA”). Accordingly, paid leave time accrued under this policy may be used for the following reasons (“sick and safe leave”):
   1. an employee’s own mental or physical illness, injury or health condition including diagnosis, treatment, care and preventative medical care.
   2. To care for a family member’s mental or physical illness, injury, or health condition including diagnosis, treatment, care, and preventative medical care.
   3. Maternity or paternity leave.
   4. For absences necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee’s family member – including medical or mental health care, services from a victim services organization, psychological or other counseling, legal services or proceedings, or temporary relocation.
2. The PTO under this policy will be paid at the employee’s regular rate of pay.
3. Full-time, part-time and temporary non-exempt employees with the titles above are entitled to accrue paid leave under this policy at a rate of 1 hour for every 40 hours an employee works, up to a maximum of 40 hours per year.
4. For purposes of this policy, employees are eligible to accrue leave if they are employed by HomeCentris in the City of Philadelphia for at least 40 hours per year.
5. Employees shall accrue paid leave as of the first day of employment but may not use paid leave until the employee has been employed for 90 days.
6. If an employee covered by this policy has unused earned HWFA hours at the end of the year, the employee may carry over a maximum of 40 hours to the following year. However, an employee covered by this policy may not use more than 40 hours in a calendar year.
7. For foreseeable “sick and safe leave,” employees must provide advance notice of the need for leave and make a reasonable effort to schedule the use of leave in a manner that does not unduly disrupt operations. For unforeseeable “sick and safe leave,” employees must provide notice before the start of the employee’s scheduled work hours or as soon as practicable.
8. Employees will also be required to provide verification that HFWA paid leave was used appropriately for “sick and safe leave” if paid leave was used for more than two (2) consecutive scheduled shifts. In the case of sick time, verification may include documentation from a medical provider (identifying the nature of the health condition is not required). In the case of safe time, verification may include a police report, a court order, other evidence from the court or the prosecuting attorney regarding the team member’s court appearance(s) related to domestic violence, documentation that the employee or employee’s family member is a victim from persons from whom the team member or team member’s family member sought assistance in addressing the domestic violence, sexual assault, or stalking, or an employee’s written statement that the team member or family member is a victim and that “sick and safe leave” was taken for one of the activities covered by law.
9. The Company shall treat all information received from an employee under this Policy as confidential.
10. If an employee fails or refuses to provide verification required under the law, the Company may deny a subsequent request to take earned HFWA paid leave for the same reason.
11. Upon the termination of an employee’s employment, the employee shall not be entitled to any payment for the employee’s balance of accrued but unused leave under this policy or HFWA, regardless of the reason or circumstances of the termination.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, reports an alleged violation of the HFWA or otherwise exercises his or her rights under the HFWA. Employees are, however, prohibited from making complaints, bringing an action or testifying in an action related to the HFWA in bad faith.

| **POLICY NAME:** | MILITARY LEAVE (PENNSYLVANIA) | | **POLICY NO:** | HR – 75 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
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| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PENNSYLVANIA AGENCIES ONLY]**

**POLICY**

In addition to the military leave rights under federal law, Pennsylvania employees who serve in the military are entitled to the protections of the Pennsylvania Military Leave of Absence Act (PAMLAA).

The Company will grant an unpaid leave of absence to any employee who is: (1) drafted into or enlists in active military service at the time of war, armed conflict or emergency proclaimed by the governor or the President of the United States; (2) a member of the reserve components of the armed forces who is called to active duty by the United States, or (3) a member of the Pennsylvania National Guard who is called to active duty by the governor or the governor’s designee.

A military leave granted under this policy will generally expire 90 days after expiration of the period of military duty unless federal law provides for a longer period of leave. However, a military leave granted to an employee ordered to active state duty or special state duty as a member of the Pennsylvania National Guard will expire 30 days after the expiration of the period of state duty. Employees may return to employment prior to the expiration of a leave upon notifying the Company of their desire and availability to return.

The Company will continue health insurance and other benefits during the first 30 days of military duty served by a member of the Pennsylvania National Guard, or a member of any reserve component called or ordered into active duty, other than active duty for training. At the end of the first 30 days, employees will be given the option of continuing health insurance and other benefits at their own expense at the rate paid by the Company.

Upon return from leave, employees will be restored to their prior position, or a position of like seniority, status and pay. If, however, an employee is not qualified to perform such positions due to disability sustained during duty, the Company will restore the employee to another position that the employee is qualified to perform, if any, that will provide him or her with like seniority, status and pay, or nearest approximation therefore, unless the Company’s circumstances have changed which make it impossible or unreasonable to do so.

Any employee who is separated from service due to an undesirable, bad conduct or dishonorable discharge generally will not be entitled to benefits under PAMLAA.

| **POLICY NAME:** | VOLUNTEER EMERGENCY WORKER LEAVE (PENNSYLVANIA) | | **POLICY NO:** | HR – 76 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PENNSYLVANIA AGENCIES ONLY]**

**POLICY**

Employees who are active volunteer firefighters, fire police or members of a volunteer ambulance service or rescue squad will be provided with time off from work or excused for being late to work when late or absent for the purpose of responding to a fire or ambulance call prior to regular hours of employment.

Employees must make every effort to notify their supervisors that they may report to work late or be absent from work in order to respond to an emergency call prior to the employee’s regular hours of employment.

The Company may require an employee to submit a written statement from the chief executive officer of the volunteer fire company, ambulance service, or rescue squad, documenting the time of the call and the employee's presence at the scene.

The Company will not discriminate or retaliate against any employee who has been injured in the line of duty as a volunteer firefighter, fire police officer, or member of a volunteer ambulance service or rescue squad or who has received workers’ compensation benefits as a result of such an injury.

| **POLICY NAME:** | DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING LEAVE (PHILADELPHIA) | | **POLICY NO:** | HR – 77 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[PHILADELPHIA, PENNSYLVANIA AGENCIES ONLY]**

This policy applies to any employee who has been employed by HomeCentris in the City of Philadelphia.

**POLICY**

HomeCentris will comply with the Philadelphia domestic violence, sexual assault, and stalking leave requirement.

**PROCEDURES**

1. This policy complies with the Philadelphia domestic violence, sexual assault, and stalking leave requirement. Accordingly, an employee working in Philadelphia who is a victim of domestic violence, sexual assault, or stalking, or has a family member who is a victim of domestic violence, sexual assault, or stalking whose interests are not adverse to those of the employee, may take unpaid leave for any of the following reasons:
   1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual assault, or stalking, to the employee or the employee’s family or household member.
   2. Obtaining services from a victim services organization for the employee’s family or household member.
   3. Obtaining psychological or other counseling for the employee or the employee’s family or household member.
   4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee’s family or household member from future domestic violence, sexual assault, or stalking or ensure economic security.
   5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee’s family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking.
2. Leave under this policy is unpaid.
3. Employees may take up to eight (8) workweeks of leave in any 12-month period. Leave may be taken on an intermittent or reduced schedule basis.
4. Upon return from leave, an employee who takes leave under this policy shall be entitled to be restored to the same or an equivalent position to the position the employee held prior to taking leave without loss of accrued benefits. During any period of leave, the Company shall maintain any benefits to which the employee was entitled prior to taking leave under the same conditions, including employee contribution requirements. To the extent any leave taken under this policy is unpaid, the employee must make arrangements for payment of any employee contributions.
5. Employees must provide notice of the need for leave under this policy at least 48 hours in advance, unless providing such notice is not practicable
6. Employees taking leave under this policy may be required to provide a sworn statement of the employee’s eligibility for leave and corroborating documentation. All information received by the Company pursuant to this policy shall be maintained as confidential.
7. To the extent an employee is entitled to take any other paid or unpaid leave to which the employee may be entitled by law or the Company’s policies in connection with an absence that qualifies for leave under this policy, the employee may substitute such leave for leave under this policy. If the employee substitutes other paid or unpaid leave for leave under this policy, the amount of substituted leave shall be subtracted from the leave time the employee is entitled to take under this policy.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, reports an alleged violation of the Philadelphia domestic violence, sexual assault, and stalking leave requirement or otherwise exercises his or her rights under the Philadelphia domestic violence, sexual assault, and stalking leave requirement. Employees are, however, prohibited from making complaints, bringing an action or testifying in an action related to the Philadelphia domestic violence, sexual assault, and stalking leave requirement in bad faith.

| **POLICY NAME:** | PAID SICK DAYS ACT (PITTSBURGH) | | **POLICY NO:** | HR – 78 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Pittsburgh, PENNSYLVANIA AGENCIES ONLY]**

This policy applies to non-exempt unskilled caregiver positions including caregiver, certified medication technician, certified nursing assistants, and geriatric nursing assistants, and other non-exempt positions not eligible to accrue or use PTO under the Company’s Paid Time Off policy, employed by HomeCentris in the City of Pittsburgh.

**POLICY**

HomeCentris will comply with the Pittsburgh Paid Sick Days Act (“PSDA”).

**PROCEDURES**

1. This policy complies with the Pittsburgh Paid Sick Days Act (“PSDA”). Accordingly, paid leave time accrued under this policy may be used for the following reasons (“sick and safe leave”):
   1. an employee’s own mental or physical illness, injury or health condition including diagnosis, treatment, care and preventative medical care.
   2. To care for a family member’s mental or physical illness, injury, or health condition including diagnosis, treatment, care, and preventative medical care.
   3. Closure of the employee’s place of business by order of a public health official due to a public health emergency, an employee’s need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for a family member when it has been determined by the health authorities having jurisdiction or a health care provider that the family member’s presence in the community would jeopardize the health of others because of the family member’s exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.
2. The PTO under this policy will be paid at the employee’s regular rate of pay.
3. Full-time, part-time and temporary non-exempt employees with the titles above are entitled to accrue paid leave under this policy at a rate of 1 hour for every 35 hours an employee works, up to a maximum of 40 hours per year.
4. Employees shall accrue paid leave as of the first day of employment, but may not use paid leave until the employee has been employed for 90 days.
5. If an employee covered by this policy has unused earned PSDA hours at the end of the year, the employee may carry any unused PSDA leave balance. However, any employee’s accrual of leave under this policy is capped at a maximum of 40 hours at any given time.
6. For foreseeable “sick and safe leave,” employees must provide seven (7) days’ advance notice of the need for leave. Employees should make a reasonable effort to schedule the use of leave in a manner that does not unduly disrupt operations. For unforeseeable “sick and safe leave,” employees must provide notice before the start of the employee’s scheduled work hours or as soon as practicable.
7. Employees will also be required to provide verification that PSDA paid leave was used appropriately for “sick and safe leave” if paid leave was used for more than three (3) consecutive scheduled shifts. In the case of sick time, verification may include documentation from a medical provider (identifying the nature of the health condition is not required).
8. The Company shall treat all information received from an employee under this Policy as confidential.
9. If an employee fails or refuses to provide verification required under the law, the Company may deny a subsequent request to take earned PSDA paid leave for the same reason.
10. Upon the termination of an employee’s employment, the employee shall not be entitled to any payment for the employee’s balance of accrued but unused leave under this policy or PSDA, regardless of the reason or circumstances of the termination.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, reports an alleged violation of the PSDA or otherwise exercises his or her rights under the PSDA. Employees are, however, prohibited from making complaints, bringing an action or testifying in an action related to the PSDA in bad faith.

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| **POLICY NAME:** | 2021 PUBLIC HEALTH EMERGENCY LEAVE (PHILADELPHIA) | | **POLICY NO:** | HR – 79PA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

This policy applies to any employee who has been employed by HomeCentris for 90 or more days and is employed by HomeCentris in the City of Philadelphia or who works for HomeCentris from multiple locations and spends 51% or more of the employee’s work time in the City of Philadelphia.

**POLICY**

HomeCentris will comply with the Philadelphia Public Health Emergency Leave requirement (“PHEL”)

**PROCEDURES**

1. This policy complies with the Philadelphia Public Health Emergency Leave requirement (“PHEL”). Accordingly, paid leave time under this policy may be used for the following reasons:
   1. A determination by a public health authority having jurisdiction, a health care provider, or HomeCentris that the employee’s presence on the job or in the community would jeopardize the health of others because of the employee’s exposure to COVID-19 or because the employee is exhibiting symptoms that might jeopardize the health of others, regardless of whether the employee has been diagnosed with COVID-19.
   2. To care for a family member of the employee due to a determination by a public official or health authority having jurisdiction, a health care provider, or the family member's employer that the presence of the family member on the job or in the community would jeopardize the health of others because of the family member's exposure to COVID-19 or a determination by the employer that the employee is a danger to the health of others because they are exhibiting symptoms that might jeopardize the health of others, regardless of whether the family member has been diagnosed with COVID-19.
   3. An employee’s need to self-isolate and care for him or herself because the employee is diagnosed with COVID-19, self-isolate and care for him or herself because the employee is experiencing symptoms of COVID-19, or seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of an illness relating to COVID-19.
   4. To care for a family member who is self-isolating due to being diagnosed with COVID-19, self-isolating due to experiencing symptoms of COVID-19, or needs medical diagnosis, care, or treatment if experiencing symptoms of an illness relating to COVID-19.
   5. To care for a child if the school or place of care of the child is closed, or the childcare provider of the child is unavailable, due to precautions taken in accordance with the public health emergency response.
   6. To obtain immunization or vaccination related to COVID-19.
   7. To recover from any injury, disability, illness, or condition relating to the COVID-19 vaccination
2. The PTO under this policy will be paid at the employee’s regular rate of pay.
3. Employees who work 40 or more hours per week shall be entitled to use up to 80 hours of leave under this policy. Employees working fewer than 40 hours per week shall be entitled to use leave in an amount equal to the number of hours the employee is scheduled to work or actually works in a 14 day period, whichever is greater. If the employee’s schedule varies from week to week, the employee’s leave entitlement shall be determined by the employee’s average number of daily hours worked over the past 90 work days multiplied by 14.
4. Upon return from leave, an employee who takes leave under this policy shall be entitled to be restored to the same or an equivalent position to the position the employee held prior to taking leave.
5. Employees must provide notice of the need for leave under this policy as soon as practicable and feasible under the circumstances.
6. Leave under this policy is in addition to all other paid leave benefits to which an employee might be entitled under the Company’s policies or applicable law. Employees are not required to use any other type of leave prior to using leave under this policy. However, leave under this policy must be used concurrently with any other paid leave time relating to COVID-19 to which an employee may be entitled under applicable law.
7. Upon the termination of an employee’s employment, the employee shall not be entitled to any payment for the employee’s balance of unused leave under this policy, regardless of the reason or circumstances of the termination.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, reports an alleged violation of the PHEL or otherwise exercises his or her rights under the PHEL. Employees are, however, prohibited from making complaints, bringing an action or testifying in an action related to the PHEL in bad faith.

| **POLICY NAME:** | JURY DUTY AND COURT APPEARANCE LEAVE (VIRGINIA) | | **POLICY NO:** | HR – 80VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
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| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia AGENCIES ONLY]**

Any employee summoned to serve on jury duty or summoned or subpoenaed to appear in a court of law or equity shall not be discharged from employment or have any adverse action taken by reason of the employee’s absence from work for such purposes, provided that reasonable advance notice of the absence is provided to the Company. Employees are not required to use any available paid leave balance as a result of the absence. Employees will be expected to report or return to work for the remainder of the work schedule on any day they are dismissed from jury duty. However, employees who serve as jurors for four or more hours, including travel time, on the day of the appearance are not required to return to work to start any shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. on the day following the day of service.

Time spent engaged in attending court for prospective jury service or for serving as a juror is not compensable except that exempt employees will not incur any reduction in pay for a partial week’s absence due to jury duty. Employees will not be required to use sick leave or vacation for time spent responding to a summons and/or subpoena, for participating in the jury selection process, or for serving on a jury.

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| **POLICY NAME:** | ELECTION OFFICIALS LEAVE (VIRGINIA) | | **POLICY NO:** | HR – 81VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia AGENCIES ONLY]**

Virginia employees will be allowed time off from work to serve as an election officer, a member of a local electoral board or an assistant general registrar. Employees must provide their supervisor with reasonable notice of the need for leave.

Employees who serve for four or more hours, including travel time, on the day of election service are not required to return to work to start any shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. the following day.

Time off for election officer leave will be unpaid except that exempt employees may receive pay, as required by applicable law. Employees will not be required to use sick leave or vacation time for an absence that is due to service at a polling place on Election Day or a meeting to determine election results.

| **POLICY NAME:** | CIVIL AIR PATROL LEAVE (VIRGINIA) | | **POLICY NO:** | HR – 82VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia AGENCIES ONLY]**

Any employee who is a volunteer member of the Virginia Civil Air Patrol shall be entitled to take up to ten (10) days of leave per federal fiscal year for training for emergency missions with the Civil Air Patrol and up to thirty (30) days of leave per federal fiscal year for responding to an emergency mission as a Civil Air Patrol volunteer. All leave under this policy shall be unpaid. Employees may, but are not required to, choose to use any accrued paid leave concurrently with the leave available under this policy, but an employee’s use of paid leave will not increase the total amount of available Civil Air Patrol leave.

An employee requesting leave under this policy (whether or not taken concurrently with paid leave) shall provide (1) a certification that the employee has been authorized by the United States Air Force, the Governor, or a department, division, agency, or political subdivision of the state to respond to or train for an emergency mission and (2) a verification from the Civil Air Patrol of the emergency need for the employee’s volunteer service.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, requests or takes Civil Air Patrol leave.

| **POLICY NAME:** | CRIME VICTIM LEAVE (VIRGINIA) | | **POLICY NO:** | HR – 83VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia AGENCIES ONLY]**

Any employee who is the victim of a crime may take leave to be present at any criminal proceedings relating to a crime against the employee, provided that the employee provides the Company with a copy of the crime victim rights form received from law enforcement with respect to the proceedings and, if applicable, the notice of each scheduled criminal proceeding that is provided to the employee as the crime victim. All leave under this policy shall be unpaid, except that exempt employees will not incur any reduction in pay for a partial week’s absence to appear as a witness.

Employees are eligible for leave under this policy if:

* The employee has suffered physical, psychological or economic harm as a direct result of the commission of a felony, assault and battery, maiming or driving while intoxicated;
* The employee is the a spouse or child of the victim;
* The victim is a minor and the employee is the victim’s parent or legal guardian; or
* The victim is physically or mentally incapacitated or was a homicide victim and the employee is the victim’s spouse, parent, sibling or legal guardian.

Employees who are accountable for the crime or who are the relative or guardian of an individual who committed the crime are not eligible for leave under this policy. The Company reserves the right to deny leave under this policy to the extent that the leave creates an undue hardship to the Company’s business.

The Company will not retaliate or tolerate retaliation against any employee who, in good faith, requests or takes crime victim leave.

| **POLICY NAME:** | MILITARY LEAVE (VIRGINIA) | | **POLICY NO:** | HR – 84VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 5/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia AGENCIES ONLY]**

Any employee who is a member of the Virginia National Guard, Virginia Defense Force, or the National Guard of any other state, and is called to state active duty or military duty shall be entitled to unpaid leave during the period of qualifying service. The employee may, but is not required to, choose to use any accrued paid leave balance concurrently with the leave provided by this policy.

Upon honorable release from qualifying service, the employee shall make a written application to the Company for reemployment within (1) 14 days of the employee’s release from duty or from hospitalization following release if the length of the employee’s leave does not exceed 180 days, or (2) 90 days of the employee’s release from duty or from hospitalization following release if the length of the employee’s leave exceeds 180 days. Upon application, the Company shall restore the employee to the position held by the employee when ordered to duty. If the employee’s position ceases to exist during the period of leave, the Company will restore the employee to a position of like seniority, status, and pay if such a position exists, or to a comparable vacant position for which the employee is qualified, unless such restoration would be unreasonable. Employees shall not be entitled to automatic reemployment in the event that the cumulative length of the leave and all previous leaves by reason of service in the armed forces exceeds five (5) years.

The Company will not deny initial employment, reemployment, retention of employment, or any benefit of employment to any person due to their membership of the Virginia National Guard, Virginia Defense Force, or the National Guard of any other state, or performance, application to perform, or obligation to perform state active duty or military duty.

# WORKPLACE HEALTH AND SAFETY

| **POLICY NAME:** | AGENCY EMERGENCY MANAGEMENT | | **POLICY NO:** | HR - 40 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 01/01/2021 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. In cases of emergency, HomeCentris agency office employees (non-nursing, non-therapy, non-caregiver staff) should adhere to the emergency preparedness or disaster plan in effect at their agency office.
2. For weather-related emergencies, HomeCentris agencies will abide by their local county government declarations for inclement weather guidelines. If the local county government where the HomeCentris office is located is officially closed due to weather or emergency conditions, the HomeCentris office will also be officially closed. If the local county government announces a late opening due to weather, the HomeCentris office will open at the corresponding late time.
3. Local Agency Directors and/or Administrators are responsible for monitoring their county government’s announcement and communicating the announcement to their staff via email, text, phone calls, SharePoint, and/or web site postings.
4. If the HomeCentris office is closed or delayed due to weather, employees are expected to work from home, pursuant to their normal work schedule, during the closed days or delayed hours in order to ensure adequate coverage of customer and patient needs. The time spent out of the agency office for these emergencies will normally be paid as if employees were onsite as long as the employee is working from home.
5. While working remotely, employees should notify relevant customers or vendors, as necessary, including a contact telephone number where they can be reached while outside of the office. Employees should be as available and productive at home as they are in the corporate office.
6. If the local county office is not closed and an employee still wishes to remain home due to inclement weather, the employee may either, (1) use accrued PTO or (2) remain home without pay. Exempt employees may be required to use accrued PTO time with respect to any absences. When using PTO for inclement weather, all employees are required to telephone their immediate supervisor prior to their normal start time in order to be eligible for PTO and must inform their supervisor whether they will take PTO or unpaid time.
7. If employees timely notify their supervisor, office employees who do not report to work pursuant to this policy will not be penalized for an unapproved absence.
8. Employees may not use PTO in excess of their available balance during periods inclement weather. Time away from work in excess of available balance must be taken as unpaid leave.
9. Employees who violate the call-off policy may be subject to further disciplinary action, up to and including termination from employment (refer to Disciplinary Action Policy in this Manual).

| **POLICY NAME:** | DIRECT CARE STAFF - EMERGENCY MANAGEMENT | | **POLICY NO:** | HR - 39 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 01/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. In cases of emergency, direct care employees should adhere to the emergency preparedness or disaster plan in effect at their location. Additional information can be obtained through the Agency Director or Administrator.
2. For non-fire related emergencies (hurricane, tornado, flood, etc.) employees will follow the Emergency Management Plan (“EMP”) specific to their agency.
3. HomeCentris does not offer childcare services, babysitting services, or any type of daycare facilities or services for minor children or wards of employees.

**NOTE**: Include a copy of your facility’s disaster plan or emergency operations plan in the Appendix of this Manual.

| **POLICY NAME:** | CORRECTIVE ACTION / PERFORMANCE IMPROVEMENT | | **POLICY NO:** | HR - 20 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Disciplinary Action Form](#_Disciplinary_Action_Report:); [Disciplinary Action Term Notice](#formpip); [Performance Improvement Form](#formpip); [PIP Improvement Form](#_Performance_Improvement_Plan_2) | | **3rd Revision Date:** |  |

**POLICY**

* + 1. Whenever an employee violates a policy or procedure, violates the Company’s Compliance Plan, performs unsatisfactorily, or does not meet the expectations established by the supervisor, the supervisor shall take appropriate corrective action. Disciplinary action should be proportionate to the seriousness of the violation. However, when an infraction necessitates immediate action, the supervisor must respond appropriately. The goal of appropriate discipline does not establish any actual or implied contract of employment with HomeCentris. All employment is at-will. Each disciplinary circumstance is unique, and the Company will make decisions as to the appropriate disciplinary action, if any, based on its assessment of the totality of the circumstances of each situation.
    2. The supervisor is encouraged to meet privately and confidentially with an employee informally to discuss the employee’s performance, need for improvement and corrective action. To ensure that the employee has been given an opportunity to correct a deficiency the following procedures should be followed for all employees, regardless of seniority or employees level.
    3. Supervisors should document any disciplinary action taken in an employee’s personnel file. This documentation is invaluable should the employee file charges with state or federal agencies as a result of any workplace incident. The documentation process, used in conjunction with progressive discipline, substantiates employee deficiencies, notifies the employee of those deficiencies, and defines future expectations for performance. It also provides employers with credible evidence when defending against unemployment claims, wage and hour claims, discrimination claims, or wrongful termination claims. Supervisors should inform the employee when a policy has been violated, describe the corrective action that must be taken, and provide the time frame for its correction.
    4. Prior to disciplining an employee, supervisors should have all the facts and be willing and available to listen to the employee’s version of the offense. Consider the following questions before imposing corrective action:
* Is this an infraction of a written policy or rule? Was the policy communicated to the employee?
* Has the incident been fully investigated?
* Has the employee been counseled previously?
* Has the employee received proper training?
* Is the proposed discipline consistent with past practice for similar offenses?
* Is documentation for discipline given to other employees in the past available?
* Does the employee have any other warnings in his/her personnel file for the same infraction?
* Has too much time elapsed between incidents to warrant a warning?
  + 1. Job Abandonment
* An employee who fails to report to work and fails to notify his/her supervisor of the reason for absence from work for three (3) consecutive workdays or shifts will be considered to have abandoned his/her job without notice effective at the end of their normal shift on the third day or at the conclusion of the third shift scheduled to work. The employee is deemed to have quit and will be terminated immediately and the supervisor should initiate paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.

**PROCEDURE**

* + - 1. The normal sequence of corrective action progresses as follows:
* First Notice: This is an initial documented verbal counseling outlining the improper conduct and its consequence(s). Place the [Disciplinary Action Report](#_Disciplinary_Action_Report:) in the employee’s employment file.
* Second Notice: This is the first written warning against a work-rule violation (except for specific Class II offenses, where the second notice also serves as a final written warning and includes a suspension). Place this notice in the employee’s employment file. A second and final notice may also be given along with an unpaid suspension (as noted in the Class Offenses below) and/ or a Performance Improvement Plan, included in this Policy.
* Third Notice: More serious, this is the last warning against a work-rule violation and includes a suspension. Document this notice and retain in employment file.
* Suspension: An employee may be suspended for not adhering to existing rules or policies up to three days without pay. An employee may also be suspended up to five days without pay for investigation of a rule violation. If, based on the results of the investigation, the employee is reinstated; the employee will receive pay for those scheduled lost days. A suspension may also be used while awaiting the outcome of an external matter (e.g., pending action by a court). In such instances, this type of suspension might be for a considerable length of time for a court to act on a matter. Employees on suspension for pending external matters will not be compensated for lost workdays, and may be replaced by a new employee due to the needs of the job. Maintain a copy of the notice in the employee’s employment file.
* Termination of Employment: The employee is released from employment without further verbal or written warnings or work suspension.

HomeCentris reserves the right to deviate from this sequence of corrective action in its sole discretion dependent upon the individual circumstances of a situation. This policy does not promise or guarantee that HomeCentris will follow any particular series of steps prior to imposing any disciplinary measure, including termination of employment.

* + - 1. Duration and Timing between Offenses
* Breaches of policy will not be regarded as continuation of the same offense after twelve (12) full months have passed since the offense. However, further incidents or breaches of policy may be considered if the previous offenses indicate a history of recurring offenses.
  + - 1. Categories of Offenses and Associated Disciplinary Measures
* Work rules, and the penalties associated with their violations, are grouped into three (3) categories, as follows:

1. Class I Offenses (minor but important)
2. Class II Offenses (serious and important)
3. Class III Offenses (serious and urgent)

**CLASS I OFFENSES**

* + - 1. These include lesser breaches of policy, procedure and/or established work rules which can be corrected without serious corrective measures. Supervisors will ordinarily issue a written notice to the employee for minor violations and a requirement of the employee to correct the behavior or performance within the timeline and recommendations outlined.
      2. Examples include, but are not limited to, the following:
* For nursing/therapy staff or caregivers, three (3) or more failures to comply with uniform or name tag policy.
* Disruptive or unruly behavior or unreasonable noise at work or in patient homes, whether on duty or not.
* Failure to attend mandatory in-services or to complete scheduled training.
* Creating or contributing to unsanitary conditions.
* Improper or wasteful use of equipment and/or supplies.
* Disrespect to any patient, employee, supervisor, visitor, or vendor.
* Failure to follow proper no-show notification or call-off procedures.
* Working unauthorized overtime and/or working off-the-clock.
* Repeated failure to properly use time recording system, if applicable.
* Making or receiving personal phone calls of a non-emergency nature while on paid work time.
* Smoking, eating or lounging in unauthorized areas or during unauthorized times.
* Improper or missing documentation in patient medical records.

**Violation of Class I Offense**

First Offense: Documented verbal counseling.

Second Offense: First written warning.

Third Offense: Final written warning and suspension.

Fourth Offense: Termination from employment.

**CLASS II OFFENSES**

* + - 1. These include violations which necessitate immediate corrective action in the form of a first written notice for the first offense. Because Class II offenses are more serious, the documented verbal counseling is skipped.
      2. Examples include, but are not limited to, the following:
* Horseplay or misconduct which does, or could potentially, result in damage to property or injury to any person.
* Creating or contributing to unsafe conditions.
* Discourtesy or disrespect to an employee, supervisor, patient, visitors or vendors, whether direct or indirect. (Class II or III Offense depending on scope and severity)
* Unintentional violation of HIPAA Policy – depending on scope and severity may be a Class III Offense.
* Improper computer usage including but not limited to email, internet, social networking sites, any non-work use or any unauthorized use of computer software and/or network.
* Failure to disclose arrest or pending charges after hire.
* Failure to report an on-the-job accident or injury to a supervisor.
* Inconsiderate care of a patient that is not determined by management as an incident of abuse.
* Violating the Solicitation/Distribution Policy.
* Interfering with, or purposeful distraction of, an employee in the performance of his/her work.
* Eating food prepared and intended for patients. (Consuming or taking specialty supplements that are intended for patients is a Class III offense and is grounds for immediate termination of employment.)
* Use of profane, obscene, vulgar, offensive, or abusive language. Including, but not limited to, such language used toward a patient’s family member or visitor, employee, supervisor, other visitor or vendor. (Such language used toward a patient is considered a Class III offense and is grounds for immediate termination of employment.)
* Unintentionally engaging in conduct or failing to report another employee’s conduct that breaches the Company Compliance Program or the Company Standards of Conduct. (Class II or III Offense depending on scope and severity.)
* Refusal to follow a direct order from a supervisor constituting insubordination, provided that the order does not conflict with company or facility policy, legal authority, or conflict with established plans of care or nursing/patient care standards.
* In the case of supervisory personnel, failure to exercise: adequate supervision of subordinate personnel where such failure leads, directly or indirectly, to a compliance incident.
* Failing to report an incident of abuse, neglect, or mistreatment witnessed by an employee or of which an employee has knowledge.
* Sleeping during working hours.
* One (1) absence without proper notification.
* Violation of a documented safety rule.
* Use of a patient’s personal property with or without permission, including but not limited to, radios, televisions, telephones, etc.
* Willful failure to perform job duties.

**Violation of Class II Offense**

First Offense: First written warning.

Second Offense: Final written warning and suspension.

Third Offense: Termination from employment.

**CLASS III OFFENSES**

* + - 1. These are serious violations of HomeCentris rules or employee misconduct which justify discharge from employment without regard to the employee’s length of service or prior record or conduct. Because Class III offenses are the most serious, immediate termination from employment is warranted.
      2. Examples include, but are not limited to, the following:
* Violation of HomeCentris’ Harassment policy.
* Verbal, mental, physical, or sexual abuse, or disrespect to a patient, patient’s family member, visitor, employee, or vendor, including neglect and/or mistreatment of a patient, whether direct or indirect.
* Theft, damage or destruction of property of HomeCentris, patient(s), patients’ family member or visitor, employee, vendor or other visitor, including misappropriation of HomeCentris property or funds.
* Falsification of any document, including but not limited to the employee’s employment application, falsification of time and attendance records for you or another employee, and/or falsification of patient records.
* Disorderly conduct resulting in injury to any individual, including verbal and/or physical fighting.
* Unauthorized and/or intentional removal of or access to records or disclosing of any confidential information relevant to patients, other employees, or HomeCentris corporate data. This includes, but is not limited to, discussing medical conditions, personal or financial statuses of and with patients, patients’ family members or visitors, employees, and/or HomeCentris.
* Drinking or possessing alcoholic beverages, use of or possessing illegal or illegally possessed drugs or drug paraphernalia, or being under the influence of drugs or alcohol while on company premises or in a patient’s home.
* Two (2) absences without proper notification, (no-call, no-show).
* Willful or intentional violation of HomeCentris’ policies or procedures, or state or federal regulations relating to HIPAA or the HITECH Act.
* Being in possession of, or bringing on company property or patient homes, weapons of any type, including but not limited to, guns, knives, clubs daggers, martial arts equipment constituting potential weaponry, and/or all other devices that could be used as weapons.
* Failure to disclose felony convictions after hire.
* Negligently or intentionally providing false or misleading information to the company, including the Company Compliance Office, a government agency, customer, insurer or the like.
* Negligent or intentional violation of any federal, state or local law or regulation including but not limited to medical record keeping and billing practices.
* Failure or refusal to cooperate with the Company in any compliance investigation.
* Intentional violation of HomeCentris’ Company Compliance Program (refer to Section 1 or the Standards of Conduct included in this Manual).
* Failure or refusal to cooperate with the company in any compliance investigation.
* Retaliation against any employee who in good faith reports a compliance incident.
* Engaging in any other conduct that fails to comply with the duties and prohibitions, expressed or implied, set forth in the Company Compliance Program, or the Company Standards of Conduct. (Class II or III Offense depending on scope and severity)
* Violation of patient rights.
* Serious medication error that could or does result in physical or emotional harm to a patient.
* Serious violation of a safety rule.
* Committing unlawful acts on company premises.
* Job abandonment or walking off the job during a work shift.
* Tape recording, videotaping, photographing with any device including but not limited to cameras, cell phones, PDA, etc., or in any other way recording without permission, written or oral permission between or among management, other employees, patients or patient family members.

**Violation of Class III Offense**

First Offense: Termination from employment.

The above lists of offenses are not all inclusive and represent only some of the types of behavior that HomeCentris considers inappropriate and that could lead to disciplinary action up to and including termination of employment without prior warning, at the sole discretion of HomeCentris. HomeCentris reserves the right to deviate from the sequence of corrective action described above, including the omission of one or more levels of discipline or termination of employment without prior warning for a first offense.

### 

**Disciplinary Action Report: Verbal or Written**

**EMPLOYEE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE OF WARNING: \_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUPERVISOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DEPARTMENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**LOCATION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*The purpose of this written warning is to bring to your attention deficiencies in your conduct and/or performance. The intent is to define for you the seriousness of the situation so that you may take immediate corrective action. This written warning will be placed in your personnel file.*

**WARNING TYPE: \_\_\_\_\_\_Counseling \_\_\_\_\_\_\_ Verbal \_\_\_\_\_\_ Written**

**WARNING NUMBER: \_\_\_\_\_ 1st \_\_\_\_\_\_\_ 2nd \_\_\_\_\_\_\_\_\_ Final**

**REASON FOR WARNING:** *(Be specific as to dates, occurrences, observations of behavior, etc.)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CORRECTIVE ACTION REQUIRED:** *(Be specific as to exact actions and timeline for improvement.)*

*\_\_\_\_\_\_\_\_*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***The above has been discussed with me by my supervisor and/or agency Administrator/General Manager. I understand the contents and acknowledge and understand the corrective action required. I also acknowledge and understand the potential consequences of non-compliance.***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**EMPLOYEE PRINTED NAME EMPLOYEE SIGNATURE**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUPERVISOR SIGNATURE DATE**

|  |
| --- |
| **Maintain in staff member’s HR file.** |

### 

**Disciplinary Action Report: Termination Notice**

**EMPLOYEE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE OF NOTICE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUPERVISOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DEPARTMENT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**FACILITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

The purpose of this notice is to inform you that due to deviation from HomeCentris policy and procedure, or violation of state or federal regulations as stated herein and as referenced by your previous actions or failure to act according to HomeCentris policy or procedure has resulted in the termination of your employment with HomeCentris. The intent of this notice is to define for you the seriousness of the situation and/ or the consequences of your failure to take the requested corrective actions previously provided to you through HomeCentris’ disciplinary action system. This notice will be retained in your personnel file.

**DATE(S) OF PREVIOUS WARNING(S)**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NATURE OF OFFENSE(S):** (List specific type(s) of offenses previously provided in written warnings, i.e., attendance issues, failure to comply with company policy, serious medication errors, abuse of patient)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The above has been discussed with me by my supervisor and/or the facility Administrator. I understand the contents and acknowledge and understand that my employment is being terminated as a result of my failure to heed the corrective actions required of me previously communicated to through HomeCentris’ disciplinary action system.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**EMPLOYEE PRINTED NAME EMPLOYEE SIGNATURE**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUPERVISOR SIGNATURE DATE**

|  |
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| **Maintain in staff member’s HR file.** |

### 

**Performance Improvement Plan – Guidelines**

HomeCentris’ Performance Improvement Plan – (“PIP”) is designed to facilitate constructive discussion between the staff member and supervisor and to clarify work performance to be improved. It is implemented at the discretion of the supervisor. Once the supervisor has outlined the steps to be taken to improve performance, the document is reviewed with the staff member to ensure that the staff member understands the steps to be taken, the timeline for attainment, and the consequences of non-attainment. The supervisor will monitor and provide feedback to the staff member regarding his/her performance and may take additional disciplinary action, if warranted, through HomeCentris’ Discipline Process and Procedures.

***The supervisor should review the following 6 items with the staff member when using the document.***

1. State performance to be improved *(be specific and cite examples).*
2. State the level of work performance expectation and that it must be performed on a consistent basis.
3. Specify the support/ resources you will provide to assist the staff member.
4. Communicate your plan for providing feedback to the staff member. Weekly progress reviews should be used, recording the progress notes on the Performance Improvement Plan Progress Notes form included in this policy.
5. Specify possible consequences if performance standards are not met.
6. Provide sources of additional information *(i.e. HomeCentris policy if applicable).*

**NOTE:** A PIP should not be written for a duration longer than thirty (30) days.

### 

**Performance Improvement Plan (“PIP”)**

Staff Member Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Department: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Performance Improvement(s) to be Made:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Target Date(s) of Attainment:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I understand that if I do not attain any of the listed performance improvement actions by the specified date(s), that I may be subject to further disciplinary actions, up to and including termination from employment. I also understand that I must maintain acceptable performance related to the listed performance improvement actions on an ongoing basis past the specified date(s), or I may be subject to further disciplinary actions, up to and including termination from employment.

Staff Member Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reviewer Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| **Maintain in staff member’s HR file.** |

### 

**Performance Improvement Plan – PIP Progress Notes**

Date of Progress Review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Reviewer Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reviewer Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Staff Member Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Progress Comments:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Next Action(s):**

\_\_\_ Performance improved

\_\_\_ Performance not improved- released from employment

|  |
| --- |
| **Maintain in staff member’s HR file.** |

| **POLICY NAME:** | VEHICLE POLICY (NON-DIRECT CARE STAFF) | | **POLICY NO:** | HR - 57 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 01/01/2018 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**PURPOSE**

The safety of HomeCentris’ employees and clients is of paramount importance. In addition, HomeCentris is concerned with the direct and indirect costs of bodily injury and property damage, and the consequences of these damages upon the company’s financial well-being and reputation. Therefore, it is necessary for HomeCentris to have a Company Vehicle policy that describes our guidelines for using company cars and personal cars used for work purposes. A “company car” is any type of vehicle that (1) HomeCentris assigns to employees or (2) employees sign out, to support their transportation needs for their jobs. Company cars belong to HomeCentris and we want to make sure our employees use them properly. This policy refers to all of our employees who are eligible to receive a company car, have access to a “fleet” car located at one of HomeCentris’ agencies, or use a personal vehicle for work purposes.

**Policy**

1. HomeCentris will determine which employees will be assigned company cars and may revoke or re-assign company vehicles at its discretion.
2. All HomeCentris employees who are assigned company vehicles shall be properly credentialed. Only credentialed drivers may drive a company-owned vehicle. Non-employees such as spouses, children, other relatives, or friends of credentialed drivers may not drive company vehicles at any time.
3. HomeCentris employees who drive for work purposes, whether in company-owned or personal cars, shall follow safe driving methods and follow the requirements of this policy.
4. Employees are permitted to drive their assigned company cars outside of working hours for personal use, but they must abide by this policy.

**procedures**

**Credentialing**

1. Before a HomeCentris staff member utilizes a vehicle for company business, whether company-owned or personally-owned, she/he must be properly credentialed as detailed below. Upon hire, or new assignment of a vehicle, and annually thereafter, Human Resources shall obtain, review, and file the following documentation prior to permitting an employee to drive for work purposes.
2. A valid driver’s license in good standing in the state where the vehicle is primarily located. Employees with out of state driver's licenses (compared to the vehicle’s primary location) must provide proof of primary residence of the address listed on the license.
3. Proof of automobile insurance.
   * 1. Company Vehicles. HomeCentris’ insurance policy will cover the employee’s use of the company-owned vehicle as described below, but as part of credentialing drivers, the company shall determine the driver is “insurable.”
     2. Personally-Owned Vehicles. Drivers of personal vehicles shall show proof of insurance to protect HomeCentris against uninsured driver liability. We require that all employees who drive personal vehicles on company business carry the greater of:
        1. $100,000 of liability protection and uninsured motorist coverage, or
        2. The state minimums for vehicle insurance coverage.

The purchase of “comprehensive” and collision insurance is at your discretion. In the event of an accident while you are driving on company business, the drivers’ personal insurance will be considered “primary” for you and your vehicle and any damage to other property.

1. A clean driving record for at least three years as evidenced by a Motor Vehicle Report (“MVR”). Acceptable MVRs are listed below.
2. Generally, violations are classified as Major, Minor, and Non-moving. Non-moving are typically not included in the evaluation process. Accidents are often classified as preventable or non-preventable. Very few accidents are considered non-preventable. Examples include being rear-ended or struck while parked. Non-preventable accidents are those in which the driver did everything possible to avoid being involved. All violations and accidents should be evaluated, not just those occurring on-the­ job.
   * 1. Examples of Major Violations:

* Leaving the scene of an accident
* Driving under the influence of drugs or alcohol
* Racing or excessive speed (>20 MPH over speed limit)
* Reckless, negligent or careless driving
* Felony, homicide, or manslaughter involving the use of a motor vehicle
* License suspension or revocation resulting from accidents or moving violations
* Following too closely or tailgating
* Erratic lane-changing
* Attempting to elude a police officer
  + 1. Examples of Minor Violations:
* Speeding < 20 MPH
* Failure to obey sign
* Failure to yield
* Illegal turn
  + 1. Examples of Non-Moving Violations:
       - Parking tickets
       - Motor vehicle equipment violations
       - Failure to have a valid operator's license available where one exists

1. To be a credentialed driver, a HomeCentris employee must have a safe driving record during the past three years, including:
2. No Major moving violations.
3. No more than three Minor moving violations.
4. No drug- or alcohol-related offenses.
5. No Major preventable accidents or multiple Minor preventable accidents.
6. No more than three Minor violations or minor accidents combined.
7. No more than three Minor violations or minor accidents combined.
8. No more than three points on their license.
9. Annually, each January 1st, HR shall:
   1. Obtain an updated MVR on each driver to maintain eligibility to operate vehicles for HomeCentris. HR shall review and file acceptable MVRs and immediately notify Operations Management for any unsatisfactory MVRs.
   2. Any employee who operates a vehicle, for Agency business, without proper certification, is subject to disciplinary action up to and including termination of employment from HomeCentris.

**Driver Obligations**

1. HomeCentris employees who drive for work shall follow this policy. Specifically, they should:
2. Drive safely and sober.
3. Respect traffic laws and fellow drivers.
4. If applicable, wear glasses or contacts when driving.
5. Document any driving-related expenses, like fuels and tolls.
6. Check their car regularly to ensure gas, tire pressure and all car fluids are at appropriate levels.
7. Report any damages or problems with their company cars to Operations Management ASAP.
8. Avoid traffic violations that may result in fines.
9. If employees have their driver’s licenses suspended or revoked, inform HR. HomeCentris will reassign the company car until they become eligible to drive in accordance with our policy.
10. Employees who are fatigued and/or sick should avoid driving if their driving ability is impaired.
11. Employees shall not:
12. Smoke inside a company car.
13. Lease, sell, or lend a company car.
14. Violate distracted driving laws by using a phone or other device, or texting while driving.
15. Use a company car to teach someone how to drive.
16. Leave the company car unlocked, unattended, or parked in dangerous areas.
17. Allow unauthorized people to drive a company car, except in emergency circumstances.

**Accidents:**

1. If an employee is involved in an accident, they should contact their supervisor immediately. Employees should not accept responsibility or guarantee payment without company authorization.
2. Employees should follow legal guidelines for exchanging information with other drivers.
3. The local police department must be notified for any accident involving another vehicle or a pedestrian.
4. The local police department must be called to document any damage to the vehicle caused by a non-moving accident (e.g., vandalism, damaged while parked, etc.)
5. Should an accident occur in an Agency vehicle, and for which the employee is considered liable, company insurance will cover damages as outlined in the insurance policy. HomeCentris’ General Liability insurance will cover any other expenses as outlined by the insurance policy.
6. When an accident occurs where the other driver is considered at fault, the insurer of the responsible other party will be considered responsible for coverage.
7. Should an accident or other damage to a personal vehicle occur while traveling on HomeCentris business, for which the employee is considered liable, the owner's insurer will be considered as primarily responsible.

**Violations**

Employees are responsible for operating the company or personal vehicles used for work in a responsible manner and in accordance with state and local laws and speed limits. HomeCentris shall not be responsible for:

1. Paying fines or tickets whether for moving violations or non-moving violations (i.e. parking fines.)
2. Bailing out employees arrested while driving company cars.
3. Towing charges, impound charges, etc.

**Care & Maintenance of Company Vehicles:**

1. It is the driver's responsibility to report any problems with the operation of an agency vehicle before utilizing the vehicle. All problems encountered while operating the vehicle will be immediately reported to the Operations Manager or/designee or to their immediate supervisor.
2. HomeCentris vehicles will be returned in good operating condition, free of debris with an adequate level of gasoline.
3. Employees with company vehicles will be responsible for performing routine maintenance (i.e. oil changes, etc.) in accordance with vehicles specifications and company maintenance schedules, if any.

**Personal Use of Company Vehicles**

1. Employees who are assigned company vehicles may use the vehicles for personal use, provided they record personal use miles. Employees are responsible for paying taxes on the imputed income derived from this personal use.
2. HomeCentris will use the Annual Lease Value method for calculating imputed income and will report such income on the employees’ W2. HomeCentris will not withhold any taxes for this purpose.
3. HomeCentris will record the miles driven during the year for each company owned vehicle.
4. Employees will record the personal miles used on the attached log form and submit this log each December 31st.

Imputed income will be calculated using the form attached.

Notification of Calculations of Income for Vehicle Use

January                    ,

|  |  |
| --- | --- |
| TO: |  |
| FROM: |  |
| RE: | CALCULATION OF PERSONAL USE VALUE OF COMPANY AUTO |

For the period from [Date] through [Date], a company vehicle was provided to you for use in the employer's business. The use of the auto in the employer's business is a tax-free working condition fringe benefit. Conversely, any personal use of the employer-provided auto is a taxable fringe benefit. The fair market value (FMV) of this personal use, to the extent not reimbursed, is included in your income, reported as compensation on your Form W-2, and subject to withholding and payment of employment taxes.

The $[Amount] of fringe benefit income reported on your [ Year]  Form W-2 (Boxes 1, 3, and 5) for personal use of the company-provided auto was determined using the following valuation method (check one):

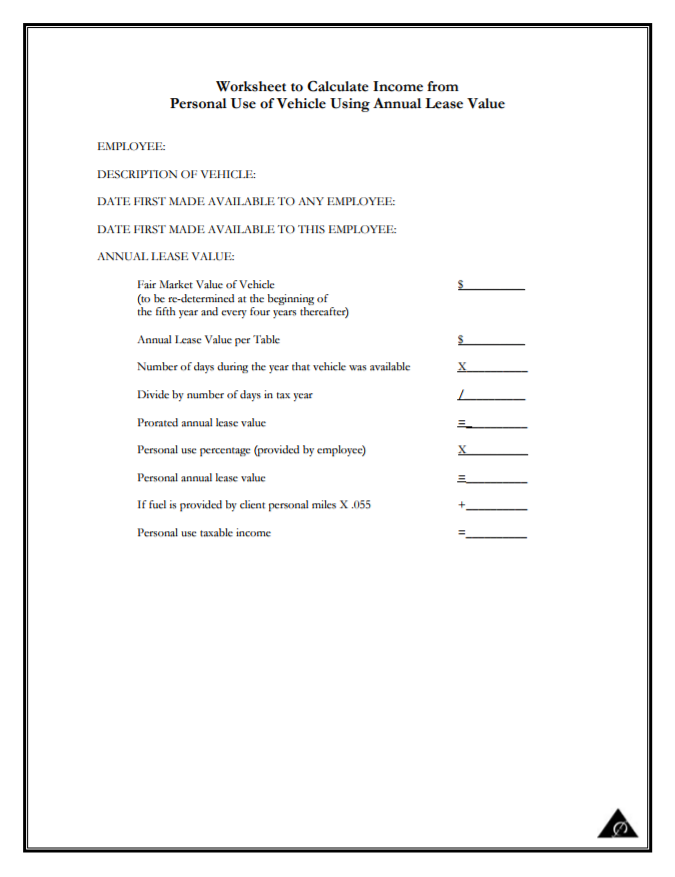
Automobile Annual Lease Valuation Rule. The company used the auto's annual lease value as the FMV of the total annual use of the company auto. The IRS bases the annual lease value of the use of an auto on a hypothetical four- year lease term. The IRS has developed a table of annual lease values for autos of varying FMVs. Based on the auto's estimated FMV of $  [Amount] , the total lease value of your company auto was $  [Amount]. As required by the IRS, company-provided fuel cost of $ [Amount] was added to the total lease value. Based on the mileage statement you submitted showing [Number] % nonbusiness use, the FMV of this personal use is $ [Amount]. The company was reimbursed $[Amount] for the value of this personal use.

Vehicle VIN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee Acknowledgement: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_





| **POLICY NAME:** | DRUG & ALCOHOL-FREE WORKPLACE | | **POLICY NO:** | HR - 17 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** | 05/01/2021 |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris’ is committed to providing a drug-free, alcohol-free, healthful, and safe workplace for its employees, workplace visitors, and customers. To promote this goal, employees are required to report to work, whether at a HomeCentris office or a patient/client residence, in appropriate mental and physical condition to perform their jobs in a satisfactory manner.
2. Because of the nature of our business, we will neither condone nor tolerate any substance possession, use or abuse which is, or may be detrimental to an employee’s job performance, the well-being of our patients, or the interests of the Company. Violation of this policy may result in immediate termination of employment.
3. Substance\* abuse is defined as the misuse or illegal use of any material or controlled substance, including prescription drugs and alcohol.
4. To this end, HomeCentris expressly prohibits the following conduct by any employees:

* The use, sale, possession, concealment, distribution, dispensing, transportation, or manufacture of any controlled substance at any time, either in or outside of the Workplace (except that drugs prescribed by a licensed patient care-giver may be taken in prescribed or authorized dosage, so long as the dosage is consistent with the safe performance of the employee’s duties and the employee’s work performance is not affected);
* The use, sale, possession, concealment, distribution, dispensing or transportation of any alcoholic beverage in the Workplace at any time; or
* The use or possession of any alcoholic beverage outside of the Workplace, including while on any break from work, during the work day; and the use of any alcoholic beverage outside of the workplace at any time, or if the employee shows any physical signs of such use while at work.
* Lawful off-duty alcohol use, while generally not prohibited by this policy, must not interfere with an employee's job performance.
* HomeCentris will make an exception to this policy for company-sponsored celebrations and parties so long as any alcohol consumption does not impact the employee’s work responsibilities.

1. The legal use of prescribed drugs is permitted on the job only if it is under the supervision of a physician and does not impair an employee’s ability to perform the essential functions of the job effectively and in a safe manner that does not endanger themselves or other individuals in the Workplace.  The same fundamental safe use protocols will apply to non-prescription drugs.
2. “Workplace” includes any of HomeCentris agency or location, parking lots adjacent to and/or surrounding HomeCentris locations, patient residence, any other place where HomeCentris employees are delivering community based healthcare, and any personal vehicle in which the employee may be driving or riding in connection with his/her work, and any vehicle owned by HomeCentris.
3. Employees with questions or concerns about substance dependency or abuse or this policy, are encouraged to discuss the matters with their supervisor or a human resources representative without fear of reprisal. If necessary, employees will receive assistance or referrals to appropriate resources in the community.
4. Employees must, as a condition of employment, adhere to this policy and to HomeCentris’ Drug and Alcohol Testing Policy, if applicable. Violation of these policies will result in disciplinary action, up to, and including termination of employment.

**PROCEDURE**

1. If a supervisor suspects any employee of substance abuse, he/she must report the matter to management immediately.
2. Management, along with legal counsel as needed will investigate and consider the facts surrounding the situation and determine a course of action. HomeCentris reserves the right to require drug tests whenever there is a reason to believe substance abuse may be adversely affecting job performance or corporate interests.
3. HomeCentris will make an earnest effort to help rehabilitate and cooperate with any employee who is making a good faith effort to overcome problems of addition or substance abuse. The conditions and provisions of the Company’s Group Insurance Plan and any other relevant leaves of absence policies apply.
4. Discharge from employment may become necessary if the individual’s work performance or behavior is significantly and adversely affected by substance abuse.
5. The possession of illegal drugs or the illegal distribution of drugs will be cause for immediate dismissal from employment.

**POLICY AWARENESS:**

1. To ensure that employees, including supervisors and managers, are made aware of and understand HomeCentris’ Drug-Free Workplace Policy, HomeCentris maintains the following awareness procedures:

* Placement of relevant posters in all employee break areas;
* Review this policy during all employee new hire orientation programs and ensure understanding of the policy; and
* Conduct voluntary awareness training prior to implementation of the Drug-Free Workplace Policy and conduct routine employees training annually, with appropriate record keeping of attendance.

1. Employee Training—HomeCentris will provide at least the minimum training to all employees relevant to this Drug-Free Workplace Policy and relevant to the requirements of each state in which HomeCentris operates, on an annual basis. This training will include, but is not limited to, the following components:

* Review of HomeCentris’ Drug-Free Workplace Policy and Drug and Alcohol Testing Policy
* Confidentiality of selection and testing processes and results
* Available resources for employees relevant to assistance programs

1. Supervisor Training—HomeCentris will provide at least the minimum training to all supervisors relevant to this Drug-Free Workplace Policy and relevant to the requirements of each state in which HomeCentris operates. This training will include, but is not limited to, the following components:

* Review of HomeCentris’ Drug-Free Workplace Policy
* Review the supervisors’ role in HomeCentris’ Drug-Free Workplace Policy and Drug Testing Policy
* Procedures for transporting employees to testing facilities
* Reinstatement of job duties for employee returning from counseling or treatment sessions or programs
* Maintaining records of who is selected for post-accident testing.

*\*Substance* means all alcohol and drugs whose use or possession is regulated or prohibited by federal, state or local law. These include prescription medication that is used in a manner inconsistent with the prescription or for which the individual does not have a valid prescription.

* Marijuana remains illegal as a matter of federal law and therefore its use or possession violates this policy. Notwithstanding the previous sentence, however, and unless otherwise required by federal, state, or local law, the Company will not discharge, threaten, refuse to hire or otherwise discriminate or retaliate against any employee based solely on such employee’s status as an individual who is properly certified to use medical marijuana under state law. Even if an employee is certified to use medical marijuana under state law, however, the employee may not at any time use or be under the influence of medical marijuana in any HomeCentris workplace, as defined above, or while performing any work for HomeCentris. HomeCentris reserves the right to discipline any employee whose conduct falls below HomeCentris’ generally-applicable standards for the employee’s position, even if the reason for the deficiency is, or is claimed to be, the employee’s medical marijuana use.

| **POLICY NAME:** | CANNABIS OIL – VIRGINIA SPECIFIC POLICY | | **POLICY NO:** | HR – 17VA |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/21/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**[Virginia Agencies Only]**

As required by Virginia law, the Company will not discharge, discipline, or discriminate against an employee based upon the employee’s lawful use of cannabis oil, as that term is defined by Virginia law, pursuant to a valid written certification issued by a practitioner for treatment or the eliminate the symptoms of the employee’s diagnosed condition or disease.

Nothing in this policy shall authorize any employee to work while impaired by the use of cannabis oil or to possess cannabis oil during work hours, and the Company reserves all rights to impose discipline, up to an including the termination of employment, against any employee who possesses or is impaired by cannabis oil while working. In addition, this policy shall not preclude the Company from taking any act required by any federal law, including as a condition of obtaining or maintaining any federal contract or grant, or to avoid violating federal law.

| **POLICY NAME:** | WORKPLACE VIOLENCE: NO TOLERANCE | | **POLICY NO:** | HR - 16 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

1. HomeCentris will not tolerate any acts of violence or threats of violence by an employee or former employee against any other employee in or about any HomeCentris’ premises or in a patient/client’s residence.
2. HomeCentris will not tolerate any acts or threats of violence against employees, contractors, vendors, or visitors on HomeCentris premises at any time or while they are engaged in business with or on behalf of HomeCentris, on or off HomeCentris premises. Threats or acts of violence against company property will also not be tolerated.
3. In furtherance of this policy, employees must advise their supervisors or Human Resource designee of any suspicious workplace activity or situations or incidents they observe that may involve other employees, former employees, contractors, vendors, visitors or the public. For example:

* threats or acts of violence
* aggressive behavior
* offensive acts
* threatening or offensive comments or remarks
* stalking and the like

Employee reports made pursuant to this policy will be held in confidence to the extent possible. HomeCentris will not tolerate any form of retaliation against any employee for making a report under this policy.

1. Firearms and other dangerous weapons are strictly prohibited on HomeCentris premises or patient/client residences at all times.

**PROCEDURE**

1. Upon receipt of an initial report of any threats or incidents of violent behavior, management will take steps to verify the information, make an initial assessment and document any decision involving further action. Where the incident involves stalking, management will also ensure that all employees with a need-to-know are informed to be attentive to the named person(s) identified as the stalker, and to be alert to situations in which the stalkee may be placed in harm’s way with the stalker or stalking behavior. Such information shall be considered to be HomeCentris private information and disseminated within the Company only on a need-to-know basis.
2. After initial assessment and verification of a threat or act of violence, management must advise the CEO of the incident. The CEO may engage outside consultants as required. It is the responsibility of the CEO to decide what further actions are to be taken. The supervisor will serve as the point of contact for any involved employee and for local management.

| **POLICY NAME:** | SMOKE FREE WORKPLACE POLICY | | **POLICY NO:** | HR – 85 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 05/01/2021 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

The Company prohibits smoking in the workplace and in company-owned vehicles occupied by more than one person. Employees wishing to smoke must do so outside company facilities during scheduled work breaks. Employees must be ten (10) feet or more from the entrance to the worksite while smoking. This policy applies to both traditional tobacco products and electronic smoking devices.

Employees that observe other individuals smoking in the workplace in violation of this policy have a right to object and should report the violation to their supervisor or another member of management **[or Human Resources**. Employees will not be disciplined or retaliated against for reporting smoking that violates state law or this policy.

Employees who violate this policy may be subject to disciplinary action up to and including termination of employment.

# QUALITY, COMPLIANCE, and FRAUD & ABUSE

| **POLICY NAME:** | QUALITY OF SERVICES | | **POLICY NO:** | HR - 54 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | New  Revised | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Policy**

We strive to consistently provide the highest level of service in the most cost-efficient manner.

This means attempting to meet the needs and surpassing the expectations of our patients, their family members, physicians, payors, employees and the communities we serve through teamwork and endeavoring to achieve continuous improvement.

1. The patients and communities we serve:

* We shall attempt to be responsible for understanding the needs of the patients we serve and fulfill this obligation by providing high quality, cost efficient care.
* We shall attempt to provide individualized treatment to our patients to best meet their particular needs.
* We shall attempt to demonstrate courtesy and respect towards our patients and comply with all laws and regulations regarding patient’s rights.
* We shall attempt to provide patients medical care without discrimination due to their race, color, ethnicity, religion, sex, gender identity, national origin, sexual orientation, age (40 or over), ancestry, marital status, familial status, domestic violence or sexual violence victim status, or disability status.

1. The responsibilities we share:

* It is our duty and affirmative responsibility to maintain the quality and integrity of our job performance at all times.
* We shall consider the safety and security of patients and employees in all our activities.
* We shall attempt to provide only services and products to patients that are safe and comply with all applicable laws, regulations and professional standards.
* We will attempt to achieve and maintain excellence and therefore shall employ only professionals with proper credentials, experience and expertise in meeting the needs of our patients.
* We shall attempt to never unreasonably ignore any deficiency or error, no matter how insignificant. Such matters will be reported to a manager or supervisor for resolution.
* We shall attempt to maintain complete and thorough patient records. Falsification of patient records will not be tolerated.
* We shall attempt to protect the confidentiality of patient information and records.
* Only properly licensed/credentialed individuals may perform clinical assessments of prospective patients.

| **POLICY NAME:** | FRAUD AND ABUSE CONCERNS | | **POLICY NO:** | HR - 50 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 07/01/2018 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**policy**

We believe physicians and other referral sources will refer their patients to HomeCentris because of the quality of our services, location, technological sophistication and the excellence of our employees.

**Procedure**

1. No Payments for Patient Referrals:

* Every agreement with a clinician or other referral source shall be in writing and approved by the Company to ensure compliance with applicable laws, regulations, agreements with lenders and Company policies.
* We shall not solicit nor receive, nor offer to pay in any form, physicians or other health care professionals or other referral sources for referrals of patients. Kickbacks, bribes, rebates or flow of any kind of benefits intended to induce referrals are strictly prohibited. We will not offer or give inducements to anyone in exchange for a decision or action that is favorable to HomeCentris. We will not give anything of value to anyone under circumstances that could create even an appearance that HomeCentris is seeking preferential treatment or is paying a reward for referrals. An improper reward includes anything of value, not just money.
* Contract payments or other benefits provided to clinicians and referral sources must be for the services and rates specified in the contract. Every payment must be supported by proper documentation that the services contracted for were provided.

1. Arrangements with Physicians or Other Healthcare Professionals:

* To ensure that all financial arrangements between HomeCentris and physicians (or their immediate family members) comply with federal and applicable state law governing prohibitions on physician self-referrals, all arrangements involving physicians who may refer patients for any of the following services (which may vary by state) must be reviewed and approved by the Compliance Officer:

1. clinical laboratory services;
2. physical therapy services;
3. occupational therapy services;
4. speech-language pathology services;
5. radiology services, including positron emission tomography scans, nuclear imaging, magnetic resonance imaging, computerized axial tomography scans, and ultrasound services;
6. radiation therapy services and supplies;
7. durable medical equipment and supplies;
8. parenteral and enteral nutrients, equipment, and supplies;
9. prosthetics, orthotics, and prosthetic devices and supplies;
10. home health services;
11. outpatient prescription drugs; and
12. inpatient and outpatient hospital services.

* The Company must provide prior review and approval of any joint venture, partnership or other risk-sharing arrangement with any potential or actual referral source.

1. Billing:

* We will not tolerate the submission of any claim or request for reimbursement or payment that is false, fictitious or inaccurate.
* We shall only bill payors for those patients who meet all applicable requirements for the Company’s services.
* We shall submit claims for payment or reimbursement using only appropriate billing codes.
* We shall submit claims only for services actually rendered which have been appropriately documented in the medical record. The Company will not tolerate the submission of any data or document relating to a claim or request for reimbursement that is false, fictitious or inaccurate.
* If inaccuracies are discovered in claims already submitted for payment or reimbursement the payor shall be immediately notified and appropriate actions taken to remedy the matter.

1. Reporting. If you suspect or have witnessed a violation of this policy and are not comfortable discussing it with your supervisor, you may call the HomeCentris Compliance Hotline at (888) 739-0965. You may leave an anonymous message and will not face any retaliation for good faith reports.

| **POLICY NAME:** | REPORTING COMPLIANCE CONCERNS | | **POLICY NO:** | HR - 52 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**Policy**

1. We believe the Compliance Program can be effective only if there is active participation by all the Company employees and that mandatory reporting, thorough investigation, and uniform and fair remedial action is a necessary component of an effective program.
2. Any employee who has knowledge of an actual or potential violation of law, regulation, policy procedure and/or the Company Standards of Conduct or who has questions on these matters, should report the matter to a supervisor.
3. If the matter is not resolved in a timely manner or to an employee’s satisfaction, employees are encouraged to contact the Company’s Compliance Officer.
4. In addition, the Company has implemented two Compliance reporting tools for employees and patients who have questions, wish to anonymously report ethical violations, violations of law, or any other information the employee feels he/she cannot otherwise report to a supervisor.

* The Compliance Hotline number is 888-739-0965.
* The Compliance Hotline Email Box is [compliance@homecentris.com](mailto:compliance@homecentris.com).

1. When reporting, please provide as much detail as possible, including, but not limited to, names dates, times, location, and the specific conduct you feel may violate the law or the Company policy. Unless urgent, questions should be asked in writing. Please try to provide copies of all relevant documents, if applicable.
2. In investigating or researching questions, HomeCentris may contact legal counsel or regulatory authorities. When depending on this advice, the HomeCentris official shall obtain the advice in writing.
3. The Company will not retaliate against any employee making a good faith report of a suspected violation. However, any employee who knowingly makes false allegations may be subject to disciplinary action in accordance with Company policy.

|  |  |  |
| --- | --- | --- |
| **Hotline Name and Number** | HomeCentris Compliance Hotline: 888-739-0965 | |
| **Extension Number** | Extension 2 – Employee Concerns | Extension 1 – Patient Concerns |
| **What is its purpose?** | * Employees can ask employment-related questions anonymously. * Employees can report employment policy grievances and request an investigation. * Employees can report suspected breaches of HomeCentris policy, breaches of state or federal laws or ethical violations. * Employees can track open investigations | Patients, family members, legal representatives, healthcare professionals, etc. can safely report:   * Ethical concerns * Legal concerns * Care or service concerns. |
| **What are some examples of issues to be addressed?** | * Fair treatment (pay, hours, job duties * Healthy/safe workplace * Harassment-free and discrimination-free workplace | * Patient abuse * Fraud * Compliance violations (OSHA, HIPAA) |
| **Do callers have to give their names?** | We handle all calls with care and confidentiality. However, we may request personal information from you if you are asking us to take action on your behalf. Supervisors or other individuals receiving compliance reports or questions shall report any information received to the Compliance Officer. Supervisors or other individuals will otherwise keep such information confidential. The Compliance Officer will keep the identity of reporting employees and/or other personnel and the confidentiality of their reports confidential to the fullest extent permitted by law. However, confidentiality cannot be guaranteed in all situations. Under certain circumstances, the individual’s/entity’s identity may become apparent as HomeCentris’ investigation of the allegations progresses or may have to be revealed in the event governmental authorities become involved. HomeCentris will strive to maintain as much confidentiality as possible. | |
| **Who answers the Hotline?** | The Hotline will be answered by voice mail. After you leave a message, the hotline sends a transcript of the call to the Company’s Compliance Officer email. | |

1. Response: The Compliance Officer will assure that the following steps are taken, whenever possible, in response to each report:

* A written record of the report will be made using the appropriate form. The report must be as complete as possible.
* HomeCentris cannot make any promises to the party reporting a potential violation until an investigation is complete.
* The Compliance Officer, after completing the written record of the reported violation, will perform an investigation, as fully described in the HomeCentris Compliance Plan, to determine the truth and accuracy of the report and will contact Management and legal counsel as necessary to determine steps to be taken in response to the report.
* If the investigation reveals a violation has occurred, the Compliance Officer will proceed as specified in the HomeCentris Compliance plan with steps including:
  1. Correcting the violation,
  2. Amending policies and procedures,
  3. Training and education,
  4. Disciplinary action of the employees involved, up to and including termination,
  5. Notifying the appropriate authorities, and
  6. Ensuring any overbilled amounts are paid back.
* The Compliance Officer’s periodic reports to Management will include a report on all allegations of violations, including the results of investigations and any subsequent enforcement or remedial actions taken. The Compliance Officer will periodically report the status of compliance activities to the Board.

1. All records related to reports of suspected violations will be preserved in accordance with the Provider’s document management policies.

| **POLICY NAME:** | FALSE CLAIMS ACT / WHISTLE BLOWING ACT | | **POLICY NO:** | HR - 51 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**policy**

Below is the policy of the Company for its employees, contractors and agents regarding the federal and state false claims acts and the remedies available under these acts including whistleblower protections.

1. The Federal False Claims Act:

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

1. Knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval to any federal employee;
2. Knowingly makes, uses or causes to be made or used a false record or statement to get a false or fraudulent claim paid; or
3. Conspires to defraud the government by getting a false or fraudulent claim allowed or paid (31 USC sec. 3729(a)).
4. Remedies:

* A federal false claims action may be brought by the U.S. Department of Justice Civil Division, the United States Attorney.
* An individual may bring a qui tam action; an individual files an action on behalf the government.
* Violation of the federal False Claims Act is punishable by a civil penalty of between $5,500 and $11,000 per false claim, plus three times the amount of damages.

1. Federal Program Fraud Civil Remedies Act:

* The Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et seq., provides that any person who submits a claim that the person “knows or has reason to know is false fictitious or fraudulent is subject to civil monetary penalties of up to $5,000 per false claim.

1. Federal Whistleblower Protections:

* Federal law prohibits an employer from discriminating against an employee in the terms or conditions of his or her employment because the employee initiated or otherwise assisted in a false claims action.
* The employee is entitled to all relief necessary to make the employee whole. 31 USC 3730 (h)

1. State False Claim Act:

* The state in which your agency is located may have a False Claims Act, and it may have criminal and civil laws that prohibit Medicaid fraud.
* State information is available from the agency Administrator, General Manager or Compliance Officer upon request.

1. State Whistleblower Protections:

* The state in which your agency is located may have regulations that prohibit retaliatory action by a company against an employee who in good faith brings evidence of unlawful practices, including, but not limited to reporting a false claim under a Federal Act listed above or a State False Claim Act, to the attention of the proper authority.
* Further, an employee who believes he or she is the victim of retaliation may file a complaint with their state’s Bureau of Labor and Industries or equivalent governing agency.

1. What you should do if you think the agency may have made a false claim:

* If you see something that may violate the laws above, the Company encourages you to report it to the Administrator, General Manager or Compliance Officer for further investigation.
* If you are not comfortable doing this or do not see action in response in your report, report it to the Company’s Regulatory Hotline at 888-739-0965.
* You are not required to report a possible false claims act violation to the facility first.
* You may report it directly to the appropriate governmental agency.
* HomeCentris prohibits any and all retaliation for good faith reporting of concerns regarding the violation of any law, and for cooperating in any investigation. Any manager or employee who retaliates against the accuser or those involved in the investigation will be disciplined, up to and including discharge from employment.

1. Training Policy:

* We will train all new members of our workforce, contractors and agents regarding federal and state false claims acts and also provide periodic updates for existing members of our workforce, contractors and agents.
* All members of our workforce are required to participate in training.
* All contractors and agents are required to accept educational information offered by the agency or to participate in scheduled training, as determined by the Company.

| **PO****LICY NAME:** | DISCRETION IN ASSIGNING POSITIONS OF RESPONSIBILITY | | **POLICY NO:** | HR - 42 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY:**

HomeCentris shall not put individuals who violate the law in positions of substantial discretionary authority within the Company. Persons with “substantial discretionary authority” are individuals who exercise a substantial measure of discretion in acting on behalf of the organization. This includes high-level personnel, individuals who exercise substantial supervisory authority, and any other individual who, although not a part of HomeCentris management, nevertheless exercises substantial discretion when acting within the scope of his or her authority including the authority to make substantive decisions on behalf of HomeCentris, and any activity that would impact HomeCentris’ participation in/with a governmental healthcare program.

**PROCEDURE:**

1. Individuals/Entities Under Investigation by Governmental Healthcare Programs

Any employee or other personnel who is under investigation for possible illegal activity or who is subject to a billing privilege revocation action, debarment, or exclusion proceedings under Medicare, Medicaid, or other governmental healthcare program, regardless of whether such activity occurred pre- or post-hiring, will be temporarily removed from direct responsibility or use of services may be temporarily suspended, at the discretion of the Compliance Officer in consultation with Human Resources and legal counsel. If resolution results in the individual’s/entity’s conviction, debarment, exclusion, or billing privilege revocation, the Provider will follow the following procedure:

* HomeCentris will conduct an investigation to determine the severity of the problem and the need for modifications to the Provider’s Medicare and/or Medicaid cost report (the “Cost Report”) and other forms of billings to the Medicare or Medicaid programs. Under the direction of the Compliance Officer, Management and Human Resources will determine if the employee is to be terminated, what accommodations may be made to place the employee in a position unrelated to federal healthcare program patients, and notify accounting personnel to adjust the Cost Report and other billings accordingly. If it is determined that retroactive adjustments are to be made to the Cost Report, billings, and/or there may be liability or risk management issues, the Compliance Officer and legal counsel will be notified immediately. The need for further reporting to state officials will be determined by Management, legal counsel, and/or the Compliance Officer. Service contracts will contain a provision allowing the Provider to terminate contracts immediately for such occurrences.

1. Compliance Plan Authority

HomeCentris shall not delegate responsibility or authority to an employee or other personnel who:

* is under indictment or similar charges for criminal activity;
* is subject to a debarment, exclusion, or billing privilege revocation proceeding under a governmental healthcare program;
* has been convicted of a criminal offense;
* is listed as debarred, excluded, or otherwise ineligible for participation in governmental healthcare programs;
* has had a professional license or certification suspended or revoked; or
* is subject to disciplinary action or investigation by a state licensure or certification Principals.

1. Reporting Certain Offenses

The Compliance Officer will investigate and resolve any offenses listed below in consultation with the Compliance Committee and Legal Counsel. The Compliance Officer and Compliance Committee will determine the appropriate steps to take for reported offenses. The list of offenses includes at least the following:

* any convictions, except minor traffic offenses;
* Medicare, Medicaid, or other federal healthcare program debarment, exclusion, or billing privilege revocation proceedings;
* any material offenses occurring on the Provider’s business premises; and
* offenses that would curtail an employee’s ability to perform his or her assigned duties (e.g., the compromising of a healthcare provider’s professional license or license to operate the Provider’s vehicle, or controlled substance or substance abuse violations that call into question the employee’s ability to perform his or her tasks).

1. Procedures for Reporting Employee/Other Personnel Convictions

Each employee and/or other personnel must report the offenses to his or her supervisor or the Compliance Officer immediately. Supervisors must report a notice of conviction to the Compliance Officer within one business day of receiving it. Any reported offenses will be reviewed by the supervisor, Compliance Officer, and/or legal counsel to determine whether and to what extent the unlawful conduct requires further action by HomeCentris. Failure by an employee to report his/her offense to HomeCentris or knowledge of another employee’s or contractor’s offense will be grounds for disciplinary action, including termination.

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# SEPARATION FROM EMPLOYMENT

| **POLICY NAME:** | SEPARATION FROM EMPLOYMENT | | **POLICY NO:** | HR - 22 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** | 8/15/2023 |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Exit Interview](#form_exitinterview) | | **3rd Revision Date:** |  |

**POLICY**

1. Resignation

* Resignation is a voluntary act initiated by the employee to end their employment. Employees are required to provide a minimum of two (2) weeks or 14 day notice prior to resignation. Managerial employees and Skilled Licensed Clinical staff are required to provide a minimum of thirty (30) days notice. If an employee does not provide advance notice or fails to actually work the remaining notice period, the employee will be ineligible for rehire and will not receive accrued PTO benefits as outlined in HomeCentris’ Paid Time Off policy or as stipulated in other HomeCentris policies. If the resignation date falls on the day after a holiday, the employee will be ineligible for holiday pay for that holiday.

1. Involuntary.

* Involuntary termination occurs if HomeCentris initiates an employee's termination. This can occur without advance notice, for any or no reason, in HomeCentris’ sole discretion.

1. Retirement

* Employees who wish to retire are required to notify their Department in writing at least one (1) month before the planned retirement date. If a minimum of one (1) month notice is not feasible, the employee is required to provide at least reasonable advanced notice.

1. Job Abandonment

* Aside from resignation, HomeCentris also considers employees who fail to report for work without any notification to their supervisor and whose absence continues for a period of three consecutive shifts (no call / no show), extended absence without proper notification, and failure to return to work after the conclusion of leave of absence, vacation, personal days, etc. as voluntary forms of termination. Employees who abandon their position will not be eligible for rehire or to be paid their accrued PTO balance.

1. Reduction in Workforce

* An employee may be laid off due to changes in duties, elimination of job class or category, organizational changes, lack of funds or lack or work. An employee that has been laid off due to reduction in force will be paid the value of their accrued PTO balance.

1. Automatic Termination of Employment

* If an employee has not returned to full-duty status from an authorized leave of absence(s) on the date provided by the employee or qualified medical service provider or physician, employment will be automatically terminated effective the date of documented return. An employee will be considered unable to return to work if he or she cannot perform the essential functions of the job in full capacity, with or without reasonable accommodation. Unless otherwise provided for under HomeCentris’ Workers’ Compensation plan, transitional return to work or “light duty” is mandatory for all work-related injuries.

1. Return of Property

* The separating employee must return all HomeCentris property at the time of separation, including but not limited to uniforms, cell phones, keys, computers and identification cards. Any unauthorized retention of any Company resources or property may be regarded as theft and may prompt various civil and/or criminal legal actions.

1. Exit Interview

* Prior to an employee’s departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. Departing employees should complete any forms necessary for the transfer or termination of benefit programs. All employees are required to return computers, cell phones, tools, manuals, training manuals, customer and pricing lists, files, keys, uniforms, sales office vehicles, supplies, or any other Company property.

Termination of Benefits

* An employee separating employment is eligible to receive benefits as long as the appropriate procedures are followed as stated above.

1. Paid Time off (PTO) Leave: Accrued PTO leave will be paid in the last paycheck and in accordance with the Paid Time off Policy, unless ineligible due to job abandonment or other reasons stipulated in the PTO policy.
2. Health Insurance: Health insurance terminates at midnight of the last day of the month of the employee’s separation from employment. Information for Consolidated Omnibus Budget Reconciliation (“COBRA”) continued health coverage will be provided according to required federal guidelines. Employees electing COBRA coverage will be invoiced by the insurance carrier and payments are to be made directly to the insurance carrier.
3. Rehire

* Former employees who leave HomeCentris in good standing and who were classified as eligible for rehire may be considered for re-employment. An application must be submitted, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.
* Previous tenure will only be considered in calculating longevity, PTO accruals or any other benefits, provided the employee is re-hired within ninety (90) days from terminating their employment.

1. Bar From Reemployment

* An applicant or employee who is terminated for cause or who resigned in lieu of termination will be ineligible for rehire. Licensed or certified employees who have their license/certification revoked or suspended before, during or after employment with HomeCentris are ineligible for continued employment, hire or rehire.

**SEPARATION PROCEDURE**

1. Employees are encouraged to provide notice in accordance with this Policy.
2. Employees must provide written notice of their resignation to their immediate supervisor, including the reason for leaving and the effective date.
3. If an employee provides more notice than requested, HomeCentris will evaluate whether the additional notice is necessary for effective business operations and will confirm the final date of employment with the employee.
4. If an employee provides less notice than requested, HomeCentris may deem the individual to be ineligible for rehire depending upon the circumstances regarding the notice given and the [PTO Policy](#paidtimeoff) payout provisions shall apply.
5. Management may provide an employee with up to two (2) weeks’ pay in lieu of working out the notice in situations where job or business needs or competitive factors warrant such action. This should not reflect negatively on the employee.
6. Employees who fail to report to work for three (3) consecutive days or three (3) consecutive shifts without properly communicating to their supervisor or manager the reasons for their absence will be viewed as voluntarily resigning their employment, effective immediately.
7. Employees who resign in good standing and whose documented performance is above average under the organization’s performance management system will be eligible for re-employment for a period of up to ninety (90) days from their last date of HomeCentris employment, with benefits tied to seniority reinstated in full. Former employees will be considered for open positions along with all other candidates. Former employees who apply for re-employment after 90 days will be treated as new employees.
8. Supervisors must report all departing employees to internal “need to know” departments (i.e. payroll, benefits, IT, etc.) within two (2) hours of the employee’s departure. Exceptions on this two (2) hour notice include, but are not limited to, situations in which an employee is released for a Class III violation, or for other serious offenses or for potential safety concerns. In these cases, separations must be reported to all need-to-know employees immediately, and access to facilities, computer systems and company information should be terminated immediately. Notification to disable computer access should be handled immediately.
9. Resigning employees will be scheduled for an exit meeting to ensure that all tools and equipment are returned and to provide an opportunity to discuss any questions or concerns related to employment with HomeCentris. Employees who fail to return any company property including, but not limited to, keys, uniforms, cellular phones, pagers, and other equipment will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of HomeCentris.
10. Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to the address provided as dictated by state law or local regulations. Accrued but unused PTO will be paid out consistent with HomeCentris [PTO policy](#paidtimeoff) and state law.



Exit Interview Questionnaire

Please take 10 minutes to answer the following questions as honestly as possible. We treat your individual responses as confidential information and will not become part of your personnel file.

We believe the information is of vital importance and will assist in analyzing our employee retention, turnover, and compliance issues. Thank you for your cooperation!

|  |  |
| --- | --- |
| Name | Employment Date |
| Department | Termination Date |
| Position | Manager |

1. What prompted you to seek alternative employment?

|  |  |
| --- | --- |
| [ ] Type of Work | [ ] Quality of Supervision |
| [ ] Compensation | [ ] Work Conditions |
| [ ] Lack of Recognition | [ ] Family Circumstances |
| [ ] Company Culture | [ ] Career Advancement Opportunity |
| [ ] Company compliance concerns | [ ] Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

1. Before making your decision, did you investigate other options enabling you to stay?

[  ] Yes  [  ] No If "yes", describe \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. What did you think of your supervision in regard to the following?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Almost always | Sometimes | Never | Comments |
| Demonstrated fair and equal treatment |  |  |  |  |
| Provided job recognition |  |  |  |  |
| Developed cooperation and teamwork |  |  |  |  |
| Encouraged/listened to suggestions |  |  |  |  |
| Resolved complaints and problems |  |  |  |  |
| Followed policies and practices |  |  |  |  |

1. How would you rate the following in relation to your job?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Excellent | Good | Fair | Poor | Comments |
| Communications in your department |  |  |  |  |  |
| Communications within the company as a whole |  |  |  |  |  |
| Communications between you and your manager |  |  |  |  |  |
| Morale in your department |  |  |  |  |  |
| Job Satisfaction |  |  |  |  |  |
| Training you received |  |  |  |  |  |
| Growth Potential |  |  |  |  |  |

1. Was your workload usually:

[  ] Too great  
[  ] Varied, but all right  
[  ] About right  
[  ] Too light

1. How did you feel about your salary and the employee benefits?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Excellent | Good | Fair | Poor | Comments |
| Base Salary |  |  |  |  |  |
| Medical Plan |  |  |  |  |  |
| Dental Plan |  |  |  |  |  |
| Vision Plan |  |  |  |  |  |
| 401K Plan |  |  |  |  |  |
| Life Insurance |  |  |  |  |  |
| Paid-time-off |  |  |  |  |  |
| STD/LTD Plan |  |  |  |  |  |

1. Are there any other benefits you feel should have been offered?

[  ] Yes  [  ] No  
If "Yes", what? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. How frequently did you get performance feedback? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. What were your feelings about the performance review process? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. How frequently did you have discussions with your manager about your career goals? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. What did you like most about your job and/or this company? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. What did you like least about your job and/or this company? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. What does your new job offer that your job with this company does not? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. Do you have any suggestions for improvement? Have you raised them in the past? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
8. Do you have any concerns about the Company’s compliance with laws and regulations? If yes, please describe.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Would you recommend this company to a friend as a place to work?   
   [  ] Yes, without reservations           [  ] Yes, with reservations    [  ] No

| **POLICY NAME:** | SEVERANCE | | **POLICY NO:** | HR – 23 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** |  | | **3rd Revision Date:** |  |

**POLICY**

It is not standard practice for HomeCentris to offer severance pay to employees who have either voluntarily terminated their employment, retired, or who have been terminated by HomeCentris.

All consideration for severance must first be discussed with and approved, in writing, by the CEO.

In the rare event severance is granted, an employee must sign a general release of claims in a form acceptable to HomeCentris to be eligible.

# HIPPA COMPLIANCE AND PRIVACY COMPLAINTS

| **POLICY NAME:** | EMPLOYEE HIPAA COMPLIANCE & PRIVACY POLICY | | **POLICY NO:** | HR - 53 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [HIPAA Acknowledgement](#_HIPPA_COMPLIANCE_AND) | | **3rd Revision Date:** |  |

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU CAN BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

* In the course of providing employee benefits services or products to you, it may occur that HomeCentris receives, or requests of you, personal medical or other relevant information about you.
* Government regulations define how this information may be used or disclosed to others.
* HomeCentris is required by law to maintain the privacy of protected health information and to provide individuals with notice of its legal duties and privacy practices with respect to protected health information.
* This notice describes how your personal medical information may be used. We are required to abide by the terms of this notice.
* HomeCentris reserves the right to change the terms of its notice and to make the new notice provisions effective for all protected health information that we request or receive. If there is a change in the way that your information will be used, we are responsible to notify you of the change. Such notification may be made by mail, electronic communication, or other form of communication directed to you.

**NOTICE OF PRIVACY POLICY AND PRACTICES**

1. HomeCentris must provide to you notice of our privacy practices to receive or disclose medical information. You will be asked to sign and date an acknowledgement of this notice.
2. You may request restrictions on how your medical information will be used or disclosed. HomeCentris may or may not agree with your requested restriction, but if we agree to your requested restriction, we must honor your request.

As required by law, your medical information will be placed in a separate, secure cabinet or drawer, away from your employee file and immigration form.

Upon providing Privacy Notice, HomeCentris is permitted to use and disclose your health information as summarized below:

* Your information may be disclosed to you, to your personal representative or to your parent or guardian if you are a minor.
* Your information may be used or disclosed for the purposes of ensuring you receive adequate medical treatment, coordinating payment for services provided and for administration of healthcare benefits related to your care.
* Information may be used or disclosed pursuant to an agreement with you in compliance with any current or prior written authorization.
* Your information may be used or disclosed without your consent if consent is not required. Examples of such instances include emergency treatment or instances when we are required by law to provide treatment or in situations where there is an inability to communicate, or where there is an indirect treatment relationship.
* Information may be used or disclosed in the reporting of a crime.

1. HomeCentris is required to disclose protected health information as summarized below:

* To you upon your request.
* To the Secretary of Health and Human Services when required to investigate compliance with government regulations.
* When required by law or legal process.
* If use or disclosure of protected health information is prohibited or materially limited by other applicable law.

1. When using or disclosing your medical information to others, we will try to de-identify personal information when possible, and we will make a reasonable effort to limit disclosure to the minimum degree necessary for the purpose of the disclosure.

**AUTHORIZATION FOR DISCLOSURE**

1. HomeCentris must obtain your written authorization to use or disclose medical information for any other use or disclosure not set forth in this notice. Written authorization is a separate form which you must sign and date. The authorization must identify the person or entity making the disclosure, identify the person or entity receiving the disclosure, describe the purpose for the disclosure, the nature of the information being disclosed, and the expiration date of the disclosure.
2. You have the right to refuse to sign the authorization and you have the right to revoke an authorization.
3. You may request to inspect or to copy the information being disclosed, and you may request to receive a copy of the authorization.
4. You must recognize that any information provided to others through the authorization may not be subject to privacy protections. When your authorization is provided, we must use or disclose your information in manner that complies with your authorization.
5. We may not condition the provision of treatment, products or services on your authorization. Upon receiving your authorization, HomeCentris is permitted to use and disclose your health information as summarized below:

* Your authorization is required for any non-medical use or disclosure of your health information or for reasons not related to carrying out treatment, payment or healthcare operations. An example of such disclosure is for obtaining insurance carrier price quotes.

**USE OR DISCLOSURE OF HEALTH INFORMATION**

1. HomeCentris may use or disclose your health information in the manner described:

* We may disclose information to the sponsor of a health plan, ancillary benefits plan, health insurance issuer or HMO in the event disclosure of such information is required to verify or ensure insurance coverage or eligibility.

1. HomeCentris may use or disclose certain information without consent or authorization or opportunity to agree or object, as described below:

* We may use or disclose information as required by law.
* We may include you in a listing of employees covered under a HomeCentris health plan, using information to show work location, birth date, age, marital status, and number of covered dependents that does not communicate specific medical information about you.
* We may use or disclose your information in acquiring emergency treatment or medical services for you when you do not have the capacity to make a sound decision, we may make a decision to use or disclose information which we feel is in your best interest to an authorized public or private entity, or when such disclosure is necessary in disaster relief situations.
* We may use or disclose information as required for public health purposes including disclosure subject to the following requirements:

1. Reports of child abuse, victims of abuse, or other violent acts incurred or caused by you;
2. By the jurisdiction of Food and Drug Administration;
3. Exposure to communicable disease;
4. To medical or treatment facilities or providers for a job-related accident report or exam, if you are covered under a health plan of which HomeCentris bears part of the cost;
5. In the course of judicial or administrative proceedings in response to a court order or subpoena or other lawful process;
6. To law enforcement officials for law enforcement purpose or for reporting a victim of crime;
7. When necessary to avert a serious threat to health or safety or
8. To military personnel in cases of national security.

**YOUR INDIVIDUAL PRIVACY RIGHTS**

You have the right to:

* Request restrictions on certain uses and disclosures of protected health information, but HomeCentris is not required to agree to a requested restriction.
* Grant and revoke authorization for certain non-medical uses and disclosures of protected health information.
* Receive confidential communications of protected health information.
* Inspect and copy protected health information.
* Amend protected health information.
* Receive a paper copy of this Privacy Notice, even if you have already agreed to receive this notice electronically.
* File a complaint with HomeCentris or the Secretary of the U.S. Department of Health and Human Services if you believe that your privacy rights were violated.

**HIPAA COMPLIANCE OR PRIVACY COMPLAINTS**

In the event that you have a complaint about our handling of your private information, you may:

1. Contact our Compliance Officer:

* Name: Paul Kim, Esq. (Cole Schotz, PA)
* Title: Outside Designated Compliance Officer
* Telephone: 410-486-5330

1. Call the HomeCentris Regulatory Compliance Hotline at 888-739-0965.
2. Contact the government:

* Secretary of the U.S. Department of Health and Human Services
* 200 Independence Avenue
* Washington, D.C. 20201

You will not be retaliated against any way as a result of filing a complaint.

#### **HIPAA Compliance Policy & Privacy Notice**

**Employee Authorization and Agreement**

I have received, read and understand HomeCentris Healthcare’s (“HomeCentris”) HIPAA Compliance Policy & Privacy Notice. I have had the opportunity to ask any questions or have any portions of the policy and notice clarified or additional details provided.

By my signature below, I am affirming the above, and agree to HomeCentris’ use or disclosure of my protected information under the HIPAA Privacy Act. I also understand that I have the right to review or request copies of any information protected under the HIPAA Privacy Act that HomeCentris obtains or discloses to others, with or without my consent.

I also understand that my refusal to sign this form does not constitute a revocation of my rights under the HIPAA Privacy Act. This authorization form will be kept in my personnel file according to legal requirements during and after my employment with HomeCentris.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

|  |
| --- |
| **Maintain this signed copy in staff member’s HR file.** |

| **POLICY NAME:** | CONFLICTS OF INTEREST | | **POLICY NO:** | HR - 55 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Conflict of Interest Disclosure](#_CONFLICT_OF_INTEREST) | | **3rd Revision Date:** |  |

**policy**

Employment with the Company involves a relationship of trust and loyalty and employees must be free from any influence that might interfere with the proper and efficient discharge of their duties or be inconsistent with their obligations of loyalty to the Company.

**procedure**

1. Definition:

* Conflicts of interest may exist where our actions or activities, on behalf of the Company or otherwise, result in improper personal gain or advantage, or an adverse affect upon the interest of the Company.

1. Personal Benefit:

* We shall attempt to avoid situations that would create an actual or apparent conflict of interest.
* We shall attempt to conduct the business of the Company to the best of our ability for the benefit and in the best interest of the Company.
* We shall attempt to not become involved, directly or indirectly, in outside commercial interests that could improperly influence our actions without seeking prior approval from a manager or supervisor. This would include being an officer, director, manager or consultant of a potential competitor, customer or supplier of the Company.
* Placing business with any firm in which there is a family relationship, or hiring or having a reporting relationship to relatives which may constitute a conflict of interest.
* We shall attempt to not use or share inside information which is not otherwise available to the general public for any manner of direct or indirect personal gain or other improper use.

1. Acceptance or Giving of Gifts and Entertainment:

* We shall attempt to avoid accepting or providing benefits that could be seen as creating a conflict of interest by resulting in improper personal gain or the appearance of improper personal gain.
* Specifically, we shall not make any direct or indirect payment to vendors and/or potential referral sources, other than appropriate accounts payable. Indirect payments would include the use of any property, services, or personnel of the Provider, as well as gifts or entertainment inconsistent with the guidelines of the OIG, the American Medical Association (“AMA”), the Pharmaceutical Research and Manufacturers of America (“PhRMA”), and the Advanced Medical Technology Association (“AdvaMed”). The Provider also prohibits its employees and other personnel from entertaining vendors or potential referral sources or being entertained by such parties in any way that might be viewed as an attempt to influence referrals or purchases. Employees should obtain approval from his or her supervisor before entertaining or giving gifts to a vendor or any potential referral source (including providing transportation or meals at business meetings) when the gift or service is valued at more than the limit set forth in policy and procedure.
* Neither we, nor any member of our immediate family, shall attempt to solicit or accept any personal gift or favor from any of the Company’s competitors, contractors, customers or suppliers, or anyone with whom we do business on behalf of the Company without express permission from the Company’s CEO or Compliance Officer
* Perishable gifts and other gifts of nominal value, such as meal and entertainment courtesies, may be accepted, but should comply with standard Company policy. If the gift does not meet these criteria, it must be expressly approved by the Company’s CEO or Compliance Officer.

1. Employing Government or Former Government Employees:

* HomeCentris recognizes that special restrictions may apply to recruiting former or current government personnel and may apply to the activities of former government employees retained by the Provider as employees or consultants. To avoid potential conflicts, clearance must be obtained from legal counsel before mentioning possible employment or engagement to a current government employee who has responsibility for regulation of the Provider’s activities. Clearance must also be obtained from legal counsel before offering employment or engaging the services of a former government employee who had responsibility for regulation of HomeCentris’ activities.

1. Outside Business Activities:

* We shall attempt to devote our entire working time to the performance of our duties for the Company. We shall attempt to not engage in any outside business or consulting activities that would interfere with this responsibility. Investment in any organization that is a potential competitor, supplier or customer of the Company requires prior written approval.
* An exception is granted for an investment in stock purchased on a public exchange that constitute less than 5 % of the total outstanding stock of the issuing corporation.

HOMECENTRIS HEALTHCARE, LLC and SUBSIDIARIES

#### CONFLICT OF INTEREST DISCLOSURE

(Please check the applicable paragraph and complete this statement as appropriate.)

1. I hereby affirm that I know of no issues that would present a conflict of interest arising from any situation related to my involvement/association with HomeCentris Healthcare, LLC or its subsidiaries, Personal Home Care, LLC, HomeCentris Home Health, LLC and/or HomeCentris Community Care, LLC.
2. I may have a conflict of interest arising from the following situation:

(Describe the potential conflict, including both the other entity in which you have an interest and the dealings it has with the HomeCentris Healthcare, LLC or its subsidiaries and the appropriate date(s) the conflict arose.)

I understand that the Conflict of Interest Policy prohibits my involvement in transactions in which I have a conflict. Therefore, in any instance in which I may be required to participate in a situation impacted by such conflict, I will notify the CEO of the conflict of interest and will abide by the resultant decision.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| **POLICY NAME:** | PHOTOGRAPHY & PUBLICATION | | **POLICY NO:** | HR - 56 |
| --- | --- | --- | --- | --- |
| **Department:** | Human Resources | **New**  **Revised** | **Original Approval Date:** | 09/01/2015 |
| **1st Revision Date:** |  |
| **2nd Revision Date:** |  |
| **RELATED FORMS:** | [Photograph Consent Form](#form_photograph_consent) | | **3rd Revision Date:** |  |

**POLICY**

1. It is the policy of the HomeCentris to only take photographs in an effort to assist educational, treatment, and documentation purposes for certain physical conditions when it may be of benefit to the patient's plan of care and treatment.
2. Photography to be used internally require consent of the patient or his/her authorized legal representative.
3. All photographs will be utilized only with the express permission and consent of the patient or his or her legally authorized representative and only by HomeCentris staff, physicians, healthcare professionals and authorized members of the public for the purposes listed above. A distinct and separate consent for photography for these reasons must be documented as obtained from the patient or his/her authorized legal representative.
4. HomeCentris will maintain the interrelated goals (as they relate to photographing of the patient’s healthcare process) of protection of patient privacy and informing the public to better understand healthcare, in the highest regard.

**PROCEDURE**

1. The patient, or his or her legal representative, shall sign an [Authorization and Consent Form - Photograph and Publication](#form_photograph_consent) for photography, filming or videotaping.
2. If conscious and mentally competent, the patient’s written consent is required for photography. In a situation where the patient is comatose or otherwise unable to give informed consent (lacking full mental capacity) the patient’s authorized legal representative (surrogate decision maker) is required to give consent for the patient to be photographed.
3. The consent will contain a description of the circumstances of the use of the photography.
4. The patient or his/her authorized legal representative may request cessation of photography at any time.
5. The patient or his/her authorized legal representative has the right to rescind consent for use any time before, or at a maximum a two (2) week time period (which this organization has deemed a reasonable period of time) before the photography is used.
6. Anyone (including employees of this organization and/or outside authorized contracted individuals) who perform photography must abide by HomeCentris confidentiality policies.
7. Photograph(s) will be placed in the patient’s medical record and remain under the confidentiality and security policies and procedures governing medical record security and confidentiality of this organization.
8. See HomeCentris Home Health Photography policy (Chapter 1) for more detailed clinical considerations.
9. If a lawyer or any person from any governmental agency requests photographs, video recordings, audio recordings and/or digital recordings of any patient please contact the CEO.

**HOMECENTRIS HEALTHCARE, LLC and SUBSIDIARIES**

**AUTHORIZATION AND CONSENT FOR PHOTOGRAPHY AND PUBLICATION**

The undersigned hereby authorizes HomeCentris Healthcare, LLC or its subsidiaries Personal Home Care, LLC, HomeCentris Home Health, LLC and/or HomeCentris Community Care, LLC (collectively “HomeCentris”) to photograph, video record, or use written patient testimonials or to permit other persons to photograph, video record, or use written patient testimonials regarding \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (patient’s name) while under the care of HomeCentris or after discharge. The undersigned agrees that HomeCentris may use and permit other persons to use the negatives, video, prints, or statements for such purposes and in such manner as may be deemed appropriate. The undersigned agrees the photographs or videos or statements may be used for purposes including, but not limited to, dissemination to HomeCentris staff, physicians, health professionals and members of the public for educational, case studies, treatment, research, scientific, public relations and charitable purposes. This photography/filming is intended for the following circumstances:

Dissemination of the photography/filming may be accomplished in any manner and that such use is subject only to the following limitations:

The undersigned has entered into this agreement in order to assist treatment, educational, public relations, and charitable goals and hereby waives any right to compensations for such uses by reasons of the foregoing authorization, and the undersigned and his/her successors or assignees hereby hold HomeCentris and the attending physician and their successors and assignees harmless from any or against any claim for injury or compensation resulting from the activities authorized by this agreement.

The term “photograph,” as used in the foregoing agreement, shall mean motion picture or still photography in any format, as well as videotape, video disc, electronic, audio media and any other mechanical means of recording and reproducing images or voice.

Date: Time: \_\_\_\_\_ AM/PM Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Patient/Parent/Conservator/Guardian

Signature of Witness If signed by other than Patient, indicate relationship