

# PERSONNEL POLICIES MANUAL

v1.0

UPDATE: APRIL 2017

## **WELCOME STATEMENT**

Welcome! In order to ensure that all employees are aware of the established basic policies and procedures, we have developed this Personnel Policies Manual, which states the terms and conditions of employment

The Clinic's policies, whether verbal or written, do not create a contract between the Clinic and employees. The Clinic reserves the right to make final decisions regarding the interpretation and application of its policies, practices, and procedures, whether or not identified in this Manual, and may change or discontinue them at any time, with or without advance notice. If there is ever any conflict between the policies and any law, the applicable law will apply.

## **INTRODUCTION**

In an organization such as ours, there is little necessity for rigid rules governing working time and personal conduct. For best results we depend more upon the loyalty of the employees and their interest in, and devotion to, their jobs rather than the strict discipline that prevails in many organizations. We like to foster a spirit of friendliness and develop comfortable and enjoyable working conditions.

However, in order to avoid misunderstandings, it is advisable to set forth statements of policies as to wages, benefits, work schedules, and hours.

## **WHY YOU ARE HERE**

The ultimate purpose of all work in this office can be summed up in three words: to help people. Our patients ask for our help and we must provide service to them when it is needed. This office must have operating rules and policies to aid in reaching that objective. But every staff member must understand that the objective is more important than the rules themselves. If a rule interferes with the goal of helping people, then it must be questioned. Perhaps an exception should be made; perhaps the rule should be changed. These changes and exceptions are matters that should be brought to the attention of the primary physician.

Many of the policies of this office are intended to build the confidence the patient feels in the doctors and the other personnel who work in this office. A strong doctor-patient relationship is a must if the patient is to receive full benefit from the doctor's services. Patients must feel sure that they can talk freely with the doctor, the doctor is knowledgeable and conscientious, and the office is well managed. Only if these attitudes prevail will patients be likely to take the doctor's advice, and do their part in following through with the treatment plan. You play an important part in building this confidence by being cheerful, friendly, tactful, neat, and professional.

An extremely important principle governing the policies of this office is that the doctor's time is the most valuable resource in this office. This resource must be used carefully if sufficient health care is to be made available to all who need it. For this reason, an employee's failings, which are among the most serious, are those that waste the doctor's time. Regular attendance and punctuality, therefore, are absolutely necessary in this office. You must do everything possible to help the doctor use their time effectively.

Working together as a team, we can provide the ultimate in service to the patient and have an efficient and cheerful place to work. We hope you are ready to make your contribution to this worthwhile goal.

## **CONFIDENTIALITY**

The medical care we provide to our patients is personal and highly confidential. Employees are never to disclose or distribute any information or documents regarding the practice including, but not limited to, policies, practices and fees, its patients (including the patient's name, diagnosis, treatment, or any other information relating to the patient), the doctors, or co-workers to anyone for whom the information is unauthorized or unnecessary. This includes non-custodial parents of minors.

Collectively, this information is referred to as "Confidential Information." Confidential Information may not be discussed in hallways, stairways, or other public places either within or outside of the practice. All Confidential Information must be properly secured at the end of each day. Absolutely no information may be released to any unauthorized person, either orally or in writing, except in accordance with a written authorization signed by a person with legal authority to do so according to the regulations set forth in the offices' HIPPA Manual.

In addition, an employee may only refer to a patient's chart when it is essential to his or her work responsibilities. Referring to medical information for other purposes or otherwise breaching this duty of confidentiality may be a cause for immediate dismissal.

Upon termination of employment/assignment/affiliation, obligations regarding Patient Information will continue.

## **FUNCTIONS OF THE MANUAL**

The Personnel Policy Manual embodies a compilation of policies, practices, and procedures developed over time by the Practice. It is designed as a communication tool, offering a standardized approach for administration of personnel policies, thereby intending to reduce difficulties that might arise.

No representative of the Practice, other than the primary physician has the authority to modify the terms of this Manual either orally or in writing, or to make any promises contrary to the policies contained herein.

Employees will receive a copy of the Personnel Policies Manual on his/her first day of employment or as new policies or revisions are issued.

All manuals are the property of the Practice and are assigned to the job position, not to the individual. Upon termination of employment it is the responsibility of the employee to return the assigned manual to the office.

If there is a question concerning a policy contained in the Manual, the supervisor will show the employee the written policy involved and attempt to answer questions, as necessary. Matters involving policy interpretation will be referred to the primary physician for further investigation as appropriate. Such final decisions regarding the interpretations, application or revision of any Practice policy remain exclusively with the Practice.

## **HIRING AND OTHER EMPLOYMENT DECISIONS**

### **Policy**

It is the equal employment opportunity policy of the Practice to hire and determine other employment decisions irrespective of the race, religion, age, color, sex, national origin, marital status, veteran status, genetic information, or disability of any employee or applicant. Such decisions are based on job-related qualifications and other legitimate business needs. In no event will the employment of an individual be considered as creating a contractual relationship between the employee and the Practice; and unless otherwise provided in writing, such relationship will be defined as “employment at will,” where either the employer or employee may dissolve the relationship at any time, with or without notice or cause.

### **Procedure**

1. The Practice will employ a relative or cohabitant of an employee provided the individual possesses the required qualifications for employment. However, those persons will not be assigned work requiring one to direct the other, review or process the work of the other, or permit one to have access to the personnel records of the other.
2. Employees who leave the Practice in good standing may be considered for reemployment. A rehired employee is considered a new employee from the date of reemployment, unless the break in service is less than six months, in which case the employee will retain accumulated seniority and other applicable benefits, unless prohibited by law.
3. To qualify for employment, an individual must be able to prove his/her eligibility to work in the United States as required by the Immigration Reform and Control Act of 1986. This is handled by the doctors.

## **WORKING HOURS AND OFFICE HOURS**

Normal office hours are from 8:00 A.M. to 5:00 P.M. Monday, Tuesday, Wednesday, and Thursday and Friday. Each employee has a specific work schedule, which may vary from time to time to meet the needs of the practice. In addition, our patient treatment hours may differ from our normal office hours. There may be times when employees are required to work past their normal working hours. Office hours are subject to change.

Hourly employees are expected to work up to 40 hours per week and are to make all reasonable attempts to avoid incurring overtime. The normal lunch break is 30-60 minutes depending on patient volume. All employees are expected to clock out for lunch - lunch breaks are not counted as paid time.

The office is not available for employee use after hours without advance express and specific approval.

### **MAKE-UP TIME**

Frequently, employees who have had to take time off for some reason have asked if they could stay some evening to make it up. The option to allow make-up time will be at the discretion of the immediate supervisor dependent on current business needs. Since Wage and Hour Law mandates that all time worked over forty hours per week must be paid at overtime rates, time must be made up during the same work week the absence occurred. The law also states that compensatory time cannot be taken by hourly employees in a subsequent or preceding work week in lieu of overtime pay.

## **OVERTIME WORK**

In compliance with provisions of the Fair Labor Standards Act, employees are paid overtime for actual time worked in excess of 40 hours per week. All overtime must be authorized.

Overtime rates of time and a half are paid for all time worked in excess of forty hours per week.

Overtime pay for hourly/non-exempt employees applies only to actual time worked; therefore, absences due to illness or other reasons do not count as time worked. For example, a person is scheduled to work Monday through Friday. If the employee is ill on Thursday, he/she is entitled to regular pay for that day (provided employee is eligible for paid absences).

### ***Exempt/Salaried Employees***

Exempt/ Salaried employees are “exempt” from the Fair Labor Standards Act of 1938 (FLSA) overtime and pay regulations. Therefore, Exempt or Salaried employees are typically not eligible for overtime pay. Salaried employees have the privilege of standard pay even if some working hours are missed due to individual situations. Likewise, salaried employees may need to work overtime and accommodate unexpected scheduling changes. Salaried Employees may at times need to take less than a full hour for lunch according to scheduling needs of the day.

## **EMPLOYEE CLASSIFICATION**

Full time -- An employee who is scheduled and works 35 or more hours per week.

Part time -- An employee who regularly is scheduled to work less than 35 hours per week.

Temporary -- An employee hired to work for a limited time.

Due to the small nature of this office, none of the position responsibilities are mutually exclusive. In order to function smoothly and efficiently some responsibilities will be delegated.

## **TERMINATION OF EMPLOYMENT**

If dismissal is necessary after the initial 90 days of employment, be it for gross or ordinary violation of rules, severance pay will not be paid. Gross violation of rules or dishonesty could cause immediate discharge without notice.

In the event of voluntary resignation, two weeks' written notice is requested if at all possible. If proper notification is given, unused vacation time up to one week will be paid at the time of leaving, however, any unused Sick/Personal leave will not be paid.

## **BENEFITS**

### **Paid Time Off**

Paid Time Off (PTO) is designed to provide you with time for vacation, periods of illness, appointments, etc.

**PLEASE NOTE THAT PTO IS ONLY OFFERED TO FULL TIME EMPLOYEES.** PTO compensation enables eligible employees with accrued PTO hours to be paid their base rate for scheduled time off that has

been approved by their supervisor.

### Accrual of PTO

PTO accrual rules are:

- Full time employees are eligible to accrue PTO during the first pay period of their employment (or the first pay period in which an employee moves to full time status).
- **PTO hours may not be utilized until after the 91st day of employment - unless approved by a supervisor.**
- Employees will be required to use any earned PTO prior to taking unpaid leave.
- Part time and PRN employees do not accrue PTO.
- PTO accruals accumulate in the employee's PTO bank on a per day period basis.
- Employees accrue PTO hours when actively at work or when using PTO.
- Employees will not accrue PTO during unpaid leaves of absence or Worker's Compensation.
- Any amount over the maximum accrual will be permanently forfeited.
- PTO used during the year reduces the employee's PTO balance.

PTO Hours accumulate for **full-time employees** as follows:

	0-1 Years of Service	1-5 Years of Service	5+ Years of Service
PTO accrual rate each pay period	1.67	3.33	5.00
<b>ACCRUAL LIMIT</b> Maximum # of hours	n/a	120	150

All full time employees are eligible for PTO on a pro-rated calendar year basis. PTO is earned January 1 through December 31 each calendar year. Existing balances **DO NOT** reset at the beginning of the year.

### Submitting PTO

- Except for emergencies and illness, PTO requests should be submitted in advance to direct supervisors.
- Negative PTO accrual is not permitted.
- In the event of conflicting PTO requests within a department, priority will be determined on the basis of receipt of request, length of service, and fairness.
- Employees should record their PTO time in measurements to the hour (i.e., 1 hours).
- The company reserves the right to rescind approved PTO requests based on urgent business needs.

### Effect of PTO Due to Status Change

- If an employee changes employment status to a non-PTO eligible status (e.g. PRN), the employee will be paid the balance (not to exceed the accrual limit) at the time of the status change.

### Payout of PTO Upon Separation from Employment

- **Any accrued, unused PTO hours will be paid out to an employee upon separation of employment**

**only if the employee has voluntarily terminated AND provided weeks written notice AND works the entire notice period.**

- Regardless of an employee's tenure, any employee who is discharged for misconduct will forfeit payment of all accrued, unused PTO hours.
- No PTO balances will be paid to any terminating employee who has not completed at least 90 days of employment.

### **Restrictions on the Use of PTO**

- A non-exempt (hourly) employee cannot use PTO if his/her worked hours equals or exceeds 80 hours in a pay period.

### **Short-Term Absences - Unpaid Leave (Sick/Personal Time)**

Should an employee exhaust their Paid Time Off (PTO), a maximum of THREE days per calendar year are allowed for regular full time employees. An employee becomes eligible for this benefit after six months of employment. Sick/Personal time is not to be used in conjunction with vacation time. Sick/Personal time is intended purely for illness and intended to provide the employee the liberty to expend PTO for purposes such as vacations. Unpaid leave does not carry over annually and resets on January 1st each year.

Temporary employees are not entitled to paid Sick/Personal days.

### **Long Term Absences**

A leave of absence due to illness may be granted to an employee, however, the doctors reserve the right to request such leave be authorized by a doctor, and a written statement from the doctor will be required. Upon return to work, a doctor's statement will be required stating the employee is able to return to work. Vacation time and sick/personal days may be used during a leave of absence (absence beyond this would be uncompensated).

### **Maternity Leave**

A maternity leave of absence will be granted when the employee's physician certifies by statement that she is no longer able to perform her work safely and efficiently or until time of delivery. Employee must submit the statement prior to commencement of leave. Maternity leave will continue six (6) weeks from date of delivery (eight (8) if C-Section). An employee on maternity leave of absence is required to contact the Clinic to report her return to work status within ten (10) working days after the child's birth or termination of pregnancy. A doctor's statement will be required stating the employee is able to return to work upon the day of return. Compensation during maternity leave of absence is the same as stated in above paragraph. No Sick/Personal days will be accumulated while an employee is on a long-term absence, but will resume upon return to work.

Part-time and temporary employees are not eligible for benefits under this section.

### **Educational Expenses**

Employees who attend meetings or seminars required to maintain licensures will be reimbursed up to the amount incurred. Attendance at such meetings will require prior approval.

## **Holidays**

Full time employees will be given a day off with pay for each observed holiday. The paid holidays are:

New Year's Day	January 1
Memorial Day	Fourth Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Friday following Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25

Part time employees will receive holiday pay prorated in accordance with their assigned hours.

A holiday that occurs on Saturday or Sunday will be observed the following Monday, or occasionally on the prior Friday.

To receive holiday pay, an eligible employee must be at work, or on authorized absence, on the work days immediately preceding and following the day on which the holiday is observed. If an employee is absent on these days, the office reserves the right to request a doctor's verification of such illness or injury.

## **Civic Responsibilities**

When an employee is called for Jury duty, his/her full salary will be paid during the time of jury service for up to one week. An amount will be subtracted, however, for all fees received from the government for jury duty. All payments received for transportation in connection with jury duty are the employee's to keep. On Election Day, employees are expected to make arrangements to vote prior to or after normal working hours.

## **Bereavement**

See Short Term Absences –Sick/Personal Time.

## **ATTENDANCE & PUNCTUALITY**

We encourage all employees to form good attendance and punctuality habits. We recognize that occasionally circumstances beyond an employee's control may cause him/her to be absent from work all or part of a day; however, unauthorized excessive or habitual absences or tardiness will not be tolerated and may result in disciplinary action, up to and including discharge.

Whenever an employee is unable to report to work they should notify as much in advance as possible to permit work coverage to be arranged. Failure to notify the office of an unanticipated absence or delay may result in loss of compensation during the absence as well as disciplinary action.

Employees must be at his/her work station ready to work at the starting hour or 30 minutes prior to the start of business hours and after lunch breaks.



Employees will not be compensated for tardiness due to weather conditions. Employees are expected to make arrangements to leave home earlier than normal when weather conditions warrant.

### **BEHAVIOR OF EMPLOYEES**

All employees are expected to behave in a manner conducive to the efficient operation of the office and for the benefit and protection of all employees. Conduct that interferes with operations, brings discredit to the office, or is offensive to patients or fellow employees will not be tolerated.

Based on the circumstances as determined by the Practice, the following conduct is prohibited and will be subject to individual disciplinary action up to and including immediate termination, and prosecution to the fullest extent of the law, if applicable, (this list is not all-inclusive):

1. Embezzlement.
2. Use, possession or sale of alcoholic beverages or controlled substances on Company property, or reporting for work while under the influence of same. See ALCOHOL AND CONTROLLED SUBSTANCES.
3. Possession of firearms or other weapons on Practice property.
4. Assault of, or threatening, a fellow employee, supervisor, manager, patient, or Vendor.
5. Unauthorized possession, destruction or misuse of Practice property or of another employee's property.
6. Falsifying any Practice or Patient record or report.

### **PERSONAL APPEARANCE AND CLEANLINESS**

Cleanliness and good personal hygiene are extremely important in this office. Good grooming and a professional appearance are likewise important. Employees must dress appropriately. If an employee is unsure of the appropriate dress, the doctor will be able to guide in this regard.

### **DRESS CODES**

As a professional medical office, the clinic chooses to employ a strict dress code that is applicable to all employees within the organization.

#### **Clinical Staff**

Clinical staff should dress in short sleeve, solid, dark blue (navy) scrubs at all times. Scrubs must be kept neat and cleaned regularly. Visible undershirts of a solid color are permissible in short and long sleeve varieties so long as they white, gray, or black in color. Jackets are permitted over scrubs so long as they are soft shell type jackets and solid gray or black in color. Closed toed athletic or medical-styled clogs are permitted of reasonable color and design and are subject to the discretion of the doctor.

The above guidelines on dress are intended as strict guidelines on appropriate dress during employment and open to minimal interpretation. All questions on garments that do and do not meet this strict criteria should be directed to the primary physician prior to purchase.

#### **Administrative Staff**

The Clinic employs a 'business casual' dress code for administrative staff. It is important that employees use their best judgment in dressing appropriately.

Listed below is an overview of acceptable business casual wear, as well as a list of some of the more common items that are not appropriate for our office environment. Obviously, this list is not intended to be all-inclusive. Rather, these items should help set the general parameters for proper business casual wear and allow you to make intelligent judgments about items that are not specifically addressed. A good rule of thumb is that if you are not sure if something is acceptable, choose something else or inquire first. Also, it is generally better to be overdressed than underdressed.

The primary physicians should be consulted if questions arise regarding the appropriate attire.

- Slacks/pants – Wool and cotton slacks are acceptable, provided they are clean and wrinkle free. Inappropriate items include jeans, sweat pants, shorts, bib overalls, spandex and other form-fitting pants, and pants that are excessively worn or faded. Loose fitting stirrup pants accompanied by a long top or jacket are acceptable.
- Shirts – Casual shirts with collars (for men), polo shirts, sweaters, and turtlenecks are acceptable. Avoid tee shirts, sweatshirts, tank tops, halter tops, shirts with large lettering or logos, and any tops with bare shoulders unless worn under another blouse or jacket. Avoid clothes that are distracting and revealing.
- Dresses/skirts – Casual dresses and skirts with modest hemlines are acceptable. Dresses that are sleeveless but do not leave the shoulders bare are acceptable. Mini-skirts and spaghetti strap dresses are considered inappropriate.
- Footwear – Items such as loafers, boots, flats, and leather casual shoes are acceptable. Athletic shoes, sneakers, thongs, sandals, and slippers are considered unacceptable.
- Personal Hygiene – Maintaining well-kept hair, good personal hygiene, and general neat grooming is expected. Cologne and perfume should not be used in excess.
- Accessories – Jewelry tends to work best when it is simple and classic. Also, shoes, belts, and socks in complementing colors are necessary for completing a professional look.

### **Professional Environment**

The staff is responsible for maintaining a professional environment within this office. This includes weekly spot cleaning, and daily pick-up and removal of waste. We expect ‘team-first’ and ‘team player’ attitudes out of it’s employees. As such, additional responsibilities within reason may be required of employees.

### **PERSONAL ACTIVITIES POLICY**

The standards of efficiency are very high for this office. There is seldom a moment when all the work is done. Employees, therefore, are expected to postpone personal tasks until after work or during lunch period.

### **Cell Phone Policy**

While at work employees are expected to exercise the same discretion in using personal cellular phones/smart phones as is expected for the use any land phones or computers belonging to the Practice. Personal activities during the work hours, regardless of the communication device used can interfere with employee productivity and be distracting to others.

**Cell phones/Smart Phones are not allowed on the job.** This means that employees are expected to keep cell phones put up and kept amongst their personal belongings at all times are not allowed to be kept on or near employees during personal hours.

With rare permission and for very specific instances, cell phones/smart phones may be allowed. Permission is at the sole discretion of physician. Employees will inform physician of the need to carry a cell phone/smart phone, who in turn will set up a meeting with the employee a need to have a cell phone/ smart phone on the job. Specific permission for use will be granted/denied on a case-by-case basis.

### **Computer Policy**

Computers should only be used for work-related purposes while on company time or while using company time and resources such as WIFI.

**A basic guidelines for appropriate browsing is as follows: if an employee would not use their computer in the manner with a supervisor standing behind him, then it is not work-related and probably not permissible.**

Strictly prohibited activities include:

- Checking personal Facebook/Twitter/other social media profiles
- Using Netflix, Hulu, or YouTube.
- Any other non-work-related Internet activity

Employees are asked to complete personal activities during breaks and lunch period and to ensure that friends and family members are aware of the Practice's policy. The Practice will not be liable for the loss of personal cellular phones brought into the workplace.

### **Policy Specific to Texting**

While texting is an accepted and commonly utilized form of communication in today's society, practice related matters should not be texted (between staff/staff, staff/doctor or doctor/staff). If a sensitive subject needs to be discussed it should communicated via email (as long as no patient information is included – unless sent through a secure email address/server or discussed in person with doctor/manager/staff member (individuals involved).

Matters such as an employee communicating the need to arrive late to work or take a sick day should be handled via phone call (chain of command phone numbers shall be provided for all employees at the time of hire).

Employees who utilize texting as a source of communicating this type of information shall be subject to written warning (with very few exceptions).

**With the hopes of maintaining positive communication practices, we wish employees and doctors to abstain for utilizing texting when at all possible.**

## **Social Networking**

Although the Practice respects the privacy and personal time of its employees, the Practice's legal obligations require it to adopt certain guidelines for its employees' activities both in and outside of the workplace that could potentially affect their job performance, the performance of others, or the Practice's work environment and interests.

Online social media enables individuals to share their insights, express their opinions, and share information all over the world. Unfortunately, every online social tool and medium has both proper and improper uses, each of which has a potential impact on the Practice and its work environment, regardless of whether these communications occur at work or on the employee's' own time.

In short, employees must understand that the same principles and guidelines that apply to their activities in general also apply to their online activities. This includes all forms of social media, including, but not limited to, online publishing and discussion, such as blogs, wikis, file-sharing, user-generated video and audio, and social networks, such as Facebook, Twitter, YouTube, and Flickr, to mention a few.

Therefore, in order to honor its legal obligations, the following is the Practice's social media and networking policy. If this policy fails to address a certain situation, employees need to consult with physician if they are uncertain how to proceed.

1. Only Practice employees authorized by their supervisor or manager may use social networking websites during working hours or on Practice equipment, even if it is to conduct Practice business.
2. Many social networking sites collect profile information for advertising (SPAM) targeted at individuals with particular affiliations and interests. Use of the sites may increase SPAM to your e-mail account.
3. In addition, from the social networking sites or links on these sites, your equipment or network may be exposed to spyware and viruses that may damage your operating system, capture data, or otherwise compromise your privacy, your computer, and the campus network, as well as affect others with whom you communicate.
4. Employees should therefore not post or blog during business hours or on Practice equipment unless specifically authorized to do so for business purposes.
5. Regardless of whether employees are on their own time or not, only authorized employees may post on a social network profile a Practice e-mail address or Practice telephone numbers for contact purposes, or post any official Practice information, resources, calendars, or events.
6. Employees should never disclose any proprietary, trade secret, or confidential information relating to the Practice, its customers, its vendors, or its employees. Such information would typically include Practice trade secrets, customer identities, and information, Practice financial details and business performance, planned acquisitions, future product launches, etc.
7. Employees should ask permission to publish or report on conversations that are meant to be private or internal to the Practice.
8. Employees are to keep Practice logos or trademarks off their blogs and profiles and not mention the Practice in any commentary, unless authorized to do so for business purposes in accordance with this policy.

9. Social media should also not be used for internal communications among fellow employees, vendors, or competitors. Honest, respectful communication and disagreement can create a positive environment for change, but airing internal differences using the social media is inappropriate. Instead, employees should bring work-related complaints to physician rather than posting such complaints online.
10. Employees' social media activities should not interfere with their work commitments.
11. Employees must also use a disclaimer whenever they are expressing their views through social media that might in any way be viewed as relating to the Practice, its employees, its vendors, or its competitors. Employees must also appropriately identify themselves as an employee of the Practice in such situations. A typical disclaimer might read as follows:
  - a. "The views expressed herein are mine, \_\_\_\_\_ (Employee's name) alone and do not necessarily reflect the positions, strategies or opinions of \_\_\_\_\_ (Practice name), its employees or its vendors in any way."
12. Employees must at all times be respectful to the Practice, other employees, customers, partners, and competitors. Employees should never use any form of social media in a way that is disrespectful, inflammatory, offensive, dishonest, or damaging to the Practice's business interests, which includes having any content that contains protected class slurs, personal insults, obscenity, or anything likely to tarnish the image of the Practice, or engage in any conduct that would not be acceptable in the Practice's workplace.
13. Also, if employees ever speak about a competitor of the Practice, they must make sure what they say is factual and does not disparage the competitor. Employees should avoid unnecessary or unproductive arguments. Online "brawls" may increase traffic on your blog, but they will also show a great lack of respect in the end. Employees should not try to "settle scores" or "get even." Such tactics only end in inflammatory debates that reflect poorly on the Practice. Whenever using social media, stick to the facts. Clearly, employees should never publish false information about the Practice or its employees, customers, affiliates, vendors, or competitors.
14. Even when acting with the authorization of the Practice to use social media for business purposes, employees must identify themselves by name and, when relevant, by their role at the Practice whenever they discuss the Practice or any Practice-related matters, including the discussion of competitors. Employees must also write in the first person in order to further reinforce that the opinions they are expressing are their own. Employees must therefore make it clear that they are speaking for themselves and not on behalf of the Practice. Employees must be honest regarding their identity when using social media and refrain from the use of aliases and pseudonyms whenever any comments are made relating to the Practice or any of its employees, customers, vendors, or competitors.
15. When acting with the Practice's authorization, employees are still to never violate any applicable copyright or fair use laws while using social media without the written approval of the owner.
16. Employees should only use a Practice e-mail address to register for social media sites when they are expressly authorized to do so for business purposes by a supervisor or manager.

In summary, employees are expected to use good judgment and take personal and professional responsibility whenever they publish anything online when they are representing the Practice, which occurs every time they mention the Practice, any of its employees, vendors, or competitors. The Practice does not routinely monitor social networking sites. However, as with other electronic resources, the Practice's systems' administrators may perform activities necessary to ensure the integrity, functionality, and security of the Practice's electronic

resources. Again, if you have any confusion about whether to publish something online, please check with your physician.

Violations of this policy may subject employees to discipline under the Practice's 'Disciplinary Procedures', which are listed below.

## **DISCIPLINARY PROCEDURES**

It is the policy of this office that any employee who violates any of the office rules and regulations or standard of employee conduct and behavior will be subject to disciplinary action up to and including immediate discharge.

Generally, the Practice's disciplinary procedure will be administered in successive steps, with each step being more severe. However, the Practice does have the right, consistent with employment at will, to take any disciplinary action it deems necessary, including immediate termination of employment, depending on the circumstances as determined by the Practice.

### **Procedures**

1. On the occasion of the first violation, we will take the following action:
  - a. Meet with employee to discuss the matter;
  - b. Inform employee of the nature of the problem and action necessary to correct it; and,
  - c. Prepare a memorandum for the doctor's own records indicating that the meeting was held, the nature of the violation, and the action the employee was instructed to take to remedy the problem.
2. Should a second violation occur, we will hold a second meeting with the employee at which time the following action will be taken:
  - a. Issue a written reprimand to employee with a copy placed in the employee's file;
  - b. Warn the employee that a third violation will result in more severe disciplinary action; and,
  - c. Prepare a written report describing the first and second violations summarizing the action taken during the meetings with the employee.
3. Should additional violations occur, the manager will take progressive disciplinary action by using any or all procedures listed below:
  - a. Issue a warning or reprimand including signature of physician and employee with a copy forwarded to the employee's file;
  - b. Suspend the employee without pay for up to five (5) working days; or,
  - c. Recommend termination. All documentation leading up to the termination will be forwarded to the employee's personnel file.
4. In cases of serious misconduct, as determined at the sole discretion of the physician, employment may be immediately terminated.
5. Employees who believe they have been disciplined too severely should be encouraged to take the matter to physician for a hearing of the situation.
6. A period of one year during which an employee has no disciplinary problems may nullify any previous violations for purposes of implementing the disciplinary procedures contained in this policy.

## **ALCOHOL AND CONTROLLED SUBSTANCES ZERO TOLERANCE POLICY**

The use of illegal drugs and alcohol, and the abuse of legal prescription pharmaceuticals, account for tremendous losses in efficiency, attendance and costs of company-provided health care. These abuses also diminish the safety of all employees and visitors, impair our reputation, and violate state and federal laws. In addition, the use and abuse of drugs and alcohol can have severe health consequences and lead to the destruction of family unity. For these reasons, we have adopted a zero tolerance drug and alcohol policy. With this policy, it is the intention of the company to use every lawful means to establish and maintain a drug and alcohol free workplace.

Illegal drugs are substances that are controlled or outlawed, are not obtainable by lawful methods, or are legally obtainable but were not obtained in a lawful manner. This includes so called medical marijuana which is an illegal substance by federal law.

This policy prohibits the use, sale, manufacture, distribution or possession of alcohol or illegal drugs, drug paraphernalia or any combination thereof, on any company premises or at any location where the employee is performing his/her job duties. This includes company vehicles on or off company premises. Violation of this policy will subject the employee to disciplinary action up to and including immediate discharge, and may have legal consequences.

Clinic shall have the right to require any employee to submit to drug and/or alcohol testing under the following circumstances:

1. Pre-hire - As part of our post-offer, pre-hire screening procedures.
2. Post-Accident – Where the employee was involved in an accident that resulted in property damage or physical injury to any person.
3. Reasonable Suspicion – Upon the belief of physician that the employee may have alcohol or illegal drugs in his system while at work or while performing his job duties away from the workplace.
4. Post-Leave – As a matter of standard practice when the employee has been absent from the workplace on any form of leave for 60 or more days.

This list is not meant to limit the circumstances under which a drug or alcohol test may be required. We may exercise its right to test for the presence of alcohol or illegal drugs for other lawful purposes.

For purposes of this policy, a positive or failure of a drug test shall consist of the presence of any detectable amount of an illegal drug in the employee's system when tested. As alcohol is a legal drug, a positive test would be one in which the employee or applicant tested at a level of .04 percent blood alcohol or above. Similarly, refusal to submit to a drug or alcohol test when requested by the company, or any attempt to interfere with the test or alter the sample, will result in a candidate being removed from the applicant pool, and will make an employee subject to discipline up to and including discharge.

If an employee is using medication prescribed by a licensed physician, he is responsible for obtaining assurances from that physician that the medication will not impair the employee's judgment or ability to safely and efficiently perform his job duties.

Any employee who knows or believes that there is unlawful involvement by other employees, vendors or guests with illegal drugs or alcohol contrary to this policy, should immediately refer this information. We will utilize all lawful investigative techniques in response to this information. Evidence obtained by the company of the unlawful use, manufacture, trafficking, distribution or possession of illegal drugs or controlled substances will be provided to the appropriate law enforcement authorities.

We recognize that drug or alcohol abuse may, in some cases, be an illness or mental health problem. Employees who need help in dealing with these problems are encouraged to use our Employee Assistance Plan (substitute health insurance plan or other resource as appropriate) before the situation requires company intervention. Employees who come forward in this manner will be allowed to take unpaid leave as required to participate in such a program for up to 60 days. After satisfactorily completing the program and furnishing proof to that effect, the employee will be allowed to agree to and sign a conditional reinstatement document. Further involvement in the use of illegal drugs or alcohol will result in discharge.

All employees must, as a condition of employment, abide by the terms of this policy and must report any convictions under a criminal drug statute for violations occurring on or off company premises. This report must be made within five days of a conviction and is mandated by the Drug Free Workplace Act of 1988.

This policy is not meant to prohibit the consumption of alcohol when and where it is specifically authorized as part of a company function.

This policy does not limit the right of the company to invoke disciplinary action for any unauthorized activity not enumerated above.

### **NO HARASSMENT POLICY**

This Practice does not tolerate harassment of our employees. It is the Practice's policy that all employees are responsible for assuring that the workplace is free from all kinds of harassment, including harassment because of race, color, national origin, age, sex, religion, marital status, veteran status or physical or mental disability. All employees must avoid any action or conduct which could be viewed as harassment. Harassment includes, but is not limited to: slurs, jokes, and other verbal, graphic, or physical conduct. Unwelcome or inappropriate sexual advances, requests for sexual acts or favors, unwelcome or offensive touching, and other verbal, graphic or physical conduct of a sexual nature will not be tolerated.

### **VIOLATION OF THIS POLICY WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISCHARGE**

#### **Procedures**

1. If you feel that you are being harassed by another employee, patient or vendor, you should make your feelings known.
2. Your complaint will be kept as confidential as possible consistent with a thorough investigation.
3. Please do not assume that the Practice is aware of your problem. It is your responsibility to bring your complaints and concerns to our attention so that we can help resolve them. You will not be penalized in



any way for truthfully reporting such conduct.

4. Any employee who is made aware of harassment and fails to report it will be subject to disciplinary action up to and including termination

**EMPLOYEE'S RECEIPT AND ACKNOWLEDGMENT**

I hereby acknowledge that on the date indicated below, I have received the Personnel Policies Manual v \_\_\_\_\_. I understand this current version of the Manual replaces any earlier version I may have received and that I have the obligation as an employee of the Practice to read and adhere to the policies outlined in the Manual.

I acknowledge and understand that my employment with the Practice is and will remain employment at will under the laws of the state, which means my employment may be terminated at any time, with or without cause or notice, by me or by the Practice.

I further understand that the Manual is not intended to, and does not, constitute a contract of employment between the Practice and me, and may be revised at the Practice's sole discretion with or without advance notice.

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

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

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

Practice Representative: \_\_\_\_\_

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

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