



**FAMILY OUTREACH, INC.**

**FIELD-BASED STAFF**

**PERSONNEL  
POLICY  
HANDBOOK**

2008  
(rev 11/09)



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# SECTION B FIELD-BASED EMPLOYEES

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<b>A. INTRODUCTION</b>	<b>5</b>
GENERAL	5
MANAGEMENT RIGHTS	5
EMPLOYEE NOTIFICATION OF PERSONNEL POLICY AND CHANGES	6
FIELD-BASED STAFF EMPLOYMENT AND PERSONAL INFORMATION FILES	7
<b>B. EMPLOYEE CONDUCT</b>	<b>8</b>
GUIDELINES FOR APPROPRIATE CONDUCT	8
SEXUAL HARASSMENT POLICY	10
CONFLICT OF INTEREST POLICY	13
DRESS CODE	16
DRUG- AND ALCOHOL-FREE WORKPLACE	17
SMOKE-FREE AND TOBACCO-FREE ENVIRONMENT	18
BLOOD-BORNE PATHOGENS EXPOSURE CONTROL PLAN	19
COMMUNICABLE/CONTAGIOUS DISEASE POLICY	20
ELECTRONIC EQUIPMENT	21
E-MAIL AND INTERNET	23
VEHICLE USE	25
SAFETY	27
CONFIDENTIALITY	29
DOCUMENT DESTRUCTION AND RETENTION POLICY	30
<b>C. EMPLOYMENT AND SUPERVISION</b>	<b>33</b>
SUPERVISION	33
EQUAL OPPORTUNITY	34
FIELD-BASED STAFF HIRING	35
EMPLOYMENT OF RELATIVES	37
DUAL RELATIONSHIPS	38
FIELD-BASED STAFF TRAINING	39
FIELD-BASED STAFF NEW HIRE PROBATION	40
FIELD-BASED STAFF PERFORMANCE EVALUATION	42
RESIGNATION	43
FIELD-BASED STAFF EXIT INTERVIEW	44
DISCIPLINE	45
FIELD-BASED STAFF EMPLOYEE GRIEVANCE	47
EMPLOYEE PROTECTION (WHISTLEBLOWER) POLICY	50
<b>D. PAY AND BENEFITS</b>	<b>51</b>
DEFINITIONS	51
FIELD-BASED STAFF HOURS OF WORK	52
FIELD-BASED STAFF ABSENCES, TARDINESS AND UNEXCUSED ABSENCES	53
INCLEMENT WEATHER/STATE-DECLARED DISASTERS	54
FIELD-BASED STAFF PAY ADMINISTRATION	55
FIELD-BASED STAFF EMPLOYEE BENEFITS & LEAVE	57
EMPLOYEE CLASSIFICATION	64
<b>E. MISCELLANEOUS</b>	<b>67</b>
WORK-RELATED EXPENSE REIMBURSEMENT	67
<b>INDEX</b>	<b>69</b>
<b>APPENDICES</b>	<b>70</b>

**APPENDIX A: FBS GRIEVANCE RESOLUTION FORM ..... 71**  
**APPENDIX B: DRUG AND ALCOHOL-FREE WORKPLACE ACKNOWLEDGEMENT FORM ..... 73**  
**APPENDIX C: BLOODBORNE PATHOGEN EXPOSURE CONTROL TRAINING CERTIFICATION FORM..... 74**  
**CONFLICT OF INTEREST STATEMENT.....75**

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# **A. Introduction**

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## **General**

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The Director, Family Outreach, Inc. is responsible to the Board of Directors, Family Outreach, Inc. for administration of agency personnel policies. A Management Team consisting of Program Managers and a Business Manager will be responsible for the direct implementation of personnel policies and procedures for his/her local area of operation. Decisions involving hiring, performance evaluation, promotion, demotion, assigning of tasks and termination shall be made by the appropriate supervisor with the Director, Family Outreach, Inc. having final review and determination.

All employees will perform their job as stated in their job description, in individual objectives, in accordance with directions from their supervisor, and according to the specifications of applicable contracts.

## **Management Rights**

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In order for Family Outreach, Inc. to achieve our mission, we retain the exclusive right to exercise the customary functions of management. These include, but are not limited to, the rights to manage and control the premises and equipment; to contract work out; to select, hire, promote, assign, layoff and discipline employees; to determine and change starting times and quitting times; to transfer employees within programs to other departments and other classifications; to train employees; to determine and change the size, composition, and qualification of the work force; to establish and adopt new policies, rules and regulations; to determine and modify job descriptions and classifications; to establish or change criteria for performance appraisals according to the performance appraisal policy; and to carry out all ordinary functions of management. If any part of the Policy and Procedure Manual is found to be unenforceable or to conflict with the law, the other provisions of this manual are still applicable and valid.

# Employee Notification of Personnel Policy and Changes

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## **Policy**

All Family Outreach, Inc. employees will be provided information regarding employee benefits and established personnel policies and procedures through the issue of this policy book upon hire. Each employee will acknowledge receipt of the policy book by reading and signing a statement. They will be notified of benefit and policy/ procedure changes as they occur. If any part of the Policy and Procedure Manual is found to be unenforceable or to conflict with the law, the other provisions of this manual are still applicable and valid.

## **Procedures**

Family Outreach, Inc. reserves the right to modify or supersede any policy, or benefits provided by Family Outreach, Inc. to employees. Employees will be notified of changes in one of the following manners:

- 1) An updated policy book or inserts will be distributed or made available to each current employee (policies may be distributed or made available electronically).
- 2) A communication will be sent to the employee's home address or included with paychecks notifying employees that new policies are available.
- 3) The employee's manager or supervisor will make an announcement to staff in documented staff meetings.
- 4) The new or updated policy or procedure will be posted on the employee bulletin board and/or Family Outreach, Inc. website for two weeks.

# **Field-Based Staff Employment and Personal Information Files**

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## **Policy**

Family Outreach, Inc. maintains an employment file, and a personal information file on each employee. Family Outreach, Inc., recognizing its responsibility to protect employees from unnecessary invasion of privacy, controls access to these employee records. Individuals with access to employee information are expected to preserve the confidentiality of this information.

The Local Employment Coordinator maintains individual employment files on each field-based employee. These files contain official records of each individual's employment and salary history, career progression, performance evaluations, disciplinary actions (if applicable) and termination of employment.

The Local Employment Coordinator maintains separate, confidential personal information files on each field-based employee. These files contain information of a personal nature such as medical histories, beneficiary designations, insurance coverage elections, worker's compensation histories, etc. (i.e., necessary information not directly related to the individual's employment).

## **Procedures**

- (1) The access to employment and personal information records is controlled by the Local Employment Coordinator (LEC) or designee (e.g., Management or Administrative Staff). Access is limited to those who have a legitimate need to use the materials. A staff member also has the right to review his or her files. Authorization from the LEC or designee is required in either case, and a convenient time is then scheduled. If a field-based employee requests information from their employment or personal information files, the Local Employment Coordinator will handle the request. Employees must fill out a release and the LEC will copy the information requested and send it to the individual indicated on the release. If the LEC is going to be out of the office, they will designate someone to handle this responsibility during their absence. The employee may not alter the information in their employment or personal information file, and must review the file in the presence of the LEC or a supervisor/manager. If errors and/or information with which the individual wishes to take issue have been included in the file, the individual will be given the opportunity to correct these errors or formally record disagreement.
- (2) To ensure that an employee's personnel or medical files are up to date, the employee must notify the LEC of any changes in status including (but not limited to) number of dependants, beneficiary designations, scholastic achievements, and the individuals to notify in case of an emergency.
- 3) The LEC will review all information placed in an employee's employment or personal information file.
- 4) The LEC or other designated manager verifies factual reference data in response to requests, preferably when accompanied by a written authorization. With written authorization from the individual, the LEC or other designated manager verifies earnings for credit checks. If an employee or former employee wants an evaluative reference to be given, he or she must submit a signed release to the individual being asked to respond or to the LEC.

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## **B. EMPLOYEE CONDUCT**

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### **Guidelines for Appropriate Conduct**

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#### **Policy**

Employees of Family Outreach, Inc. are expected to accept certain responsibilities, protect consumers from harm, adhere to acceptable principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

#### **Procedure**

- 1) In accepting employment with Family Outreach, Inc., the employee assumes certain duties, responsibilities and relationships, which are to be observed during his/her tenure of employment. Upon hiring, all employees will agree and accept the following responsibilities and work rules as a condition of continued employment. The employee agrees to:
  - a) Work conscientiously toward achieving the objectives of Family Outreach, Inc. in compliance with its philosophy, policies, rules, procedures, and performance standards.
  - b) Perform assigned duties in a satisfactory manner and within specified guidelines.
  - c) Immediately report in writing to Family Outreach, Inc. and the Department of Public Health and Human Service (Adult or Child Protective Services) when you know or have reasonable cause to suspect that a consumer has been subjected to sexual abuse, neglect or exploitation according to the Supported Living Manual and MCA52-3-811 (for suspected adult abuse), and the abuse policy (Section 53-5-5502) and MCA 41-3-201 (for suspected child abuse).
  - d) Work with other staff members in a sincere, tactful, and positive manner.
  - e) Be punctual and utilize working hours in their most effective and productive way; notify his/her supervisor, in accordance with applicable policy, when the employee is unable to show up for work; refrain from excessive tardiness or absences; and refrain from leaving the work station early without prior approval.
  - f) Respect the privacy of people served by Family Outreach, Inc., use information from relationships with them in a responsible manner, and not disclose confidential information and/or administrative matters.
  - g) Immediately report in writing any accident occurring at work, whether or not there is immediate evidence of personal injury.
  - h) Immediately report any unsafe condition observed at the work site.
  - i) Use Family Outreach, Inc.'s property in a responsible and appropriate manner. Employees will not provide unauthorized access to Family Outreach, Inc.'s facilities to any individual; will protect Family Outreach, Inc.'s property from damage and refrain from taking or using Family

Outreach, Inc.'s property for personal use unless specifically authorized by the Director, Family Outreach, Inc.

- j) Be constantly mindful that Family Outreach, Inc. and its staff have an obligation for the welfare and well being of clients served through its programs.
  - k) Respect consumers' and their families' homes and property. Under no circumstances may consumer property, equipment (including telephone and computers), or vehicles be used for personal purposes.
  - l) Maintain clear, appropriate, and culturally sensitive boundaries with consumers and families at all times. This includes avoiding dual or multiple relationships with consumers and their families wherever possible (e.g., avoiding friendships or romantic relationships) as these may adversely affect the treatment plan, consumer, family, or employee. In instances where dual or multiple relationships are unavoidable, Family Outreach, Inc. employees are responsible for setting and maintaining clear and appropriate boundaries. Dual or multiple relationships can occur when Family Outreach, Inc., employees relate to consumers/families in more than one relationship, whether professional, social, or business.
- 2) Respect co-workers' and Family Outreach time by limiting personal calls and visits in the workplace. Cell phones shall be turned off or silenced during meetings, conferences and in the office, consumer homes, or other locations where incoming calls may disrupt normal workflow. If employee personal visits, phone calls, or use of a personal cell phone causes disruptions or loss in productivity, the employee will become subject to disciplinary action per company policy.
  - 3) Embezzlement; theft; insubordination; unsatisfactory work performance; falsifying or using falsified records, materials, requisitions, passes, time sheets, or other documents used by Family Outreach, Inc.; violation of Family Outreach, Inc. policies and procedures; and misuse or neglect of benefits or property of Family Outreach, Inc., co-workers or clients is cause for disciplinary action, up to and including dismissal.
  - 4) Employees will not engage in conduct which may endanger the safety of others or which is disruptive of Family Outreach, Inc.'s operation or impairs the ability of others to accomplish their work.
  - 5) Suspected or alleged violations of any work rules, procedures, or policies may require investigation by or on behalf of management. Should the need for investigation arise, employees are expected to be open and cooperative in assisting the investigator. Employees must not interfere with, or obstruct, an investigation.

Failure to abide by or comply with any of the above-mentioned rules is cause for disciplinary action up to and including termination.

# Sexual Harassment Policy

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## Policy

It is the policy of Family Outreach, Inc., that all employees have a right to work in an environment free from sexual harassment and illegal discrimination. Sexual harassment and discrimination are against the law, and Family Outreach, Inc. is committed to the prevention of all forms of discrimination and harassment in the workplace. Family Outreach, Inc. also prohibits retaliation against any employee because he or she has made a report of alleged sexual harassment or against any employee who has testified, assisted, or participated in any manner in an investigation of a report. Discrimination in any form is a violation of civil rights law, and is a prohibited practice subject to disciplinary and civil action.

## Procedure

### A. Conduct:

#### 1) *Employees*

Family Outreach, Inc. will not tolerate a hostile working environment, sexual harassment, or discrimination of any kind. All employees are responsible for managing their behavior and reporting any such misconduct or violation to their supervisors or Director immediately. Employees who are responsible for harassment or discrimination will be subject to disciplinary action, up to and including termination, and may be subject to civil liability.

#### 2) *Management*

All supervisors and managers are charged with establishing and maintaining a safe and productive workplace free of discrimination and harassment. The Management Team and the Director will promptly and thoroughly review any report or complaint of harassment or discrimination. Managers who participate in harassment or discrimination, fail to take appropriate action on reported incidents, or retaliate against employees who report such incidents may be subject to disciplinary action.

### B. Individuals and Conduct Covered

These procedures apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Family Outreach, Inc. (e.g., an outside vendor, consultant, family member, or client). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during home visits or during respite or rehabilitation service provision.

### C. What constitutes harassment?

1) **Sexual harassment** constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

- b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- c. that conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

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

2) Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- a. has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b. has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c. otherwise adversely affects an individual's employment opportunities.

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

#### D. Reporting Procedure:

##### 1) Employee's responsibility

- a. An employee who believes he or she has been the victim of harassment or discrimination is encouraged to report the incident(s) or action(s) as soon as possible after the alleged harassment occurs. Early reporting is encouraged, because management's ability to investigate and act on reports diminishes with time. Employees may bring reports to the attention of any or all of the following:
  - 1. the harasser and request that the action stop immediately;
  - 2. the immediate supervisor or the Director.

The employee will cooperate with the Director or other designated management representative in investigating and verifying the report.

2) Management's responsibility

- a. When management receives a report of harassment or discrimination, management will promptly inform the Director of the report. The Director will initiate an investigation or recommend another appropriate management representative to initiate the investigation. The investigation will include verification of the report, a course of action, and written documentation of implementation of the action. Management will assist the Director, as requested.
- b. A report of harassment or discrimination, its investigation, the outcome of the investigation, and any action(s) taken relating to a specific employee or group of employees is confidential. Dissemination of confidential information will be limited to persons with a need to know to conduct an investigation.

# Conflict of Interest Policy

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## Policy

It is the policy of Family Outreach, Inc., to protect its interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an Employee, Director, Officer, Board member, Committee member, Volunteer, or Contractor of Family Outreach, Inc., or might result in a possible excess benefit transaction. Family Outreach, Inc. requires its employees to devote their loyalties to the interests of Family Outreach, Inc. and to keep themselves free of influences that might conflict or appear to conflict with Family Outreach, Inc.'s interests. It is the responsibility of each Employee, Director, Officer, Board member, Committee member, Volunteer or Contractor to notify the Director or Board of Family Outreach, Inc. of any potential conflict of interest. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit organizations.

## Definitions

**Interested Person:** Any Employee, Director, Officer, Board member, Committee member, Volunteer or Contractor of Family Outreach, Inc., who has a direct or indirect financial interest, as defined below, is an interested person.

**Financial Interest:** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family: an ownership or investment interest in any entity with which Family Outreach, Inc., has a transaction or arrangement; a compensation arrangement with any entity or individual with which Family Outreach, Inc. has a transaction or arrangement; or a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which Family Outreach, Inc. is negotiating a transaction or arrangement.

**Compensation:** Direct and indirect remuneration as well as gifts or favors that are not insubstantial (e.g., worth more than \$50). A financial interest is not necessarily a conflict of interest. As specified in the procedures below, a person who has a financial interest may have a conflict of interest only if the Management Team, Executive Director, or Board decides that a conflict of interest exists.

## Procedure

1. An Employee, Director, Officer, Board member, Committee member, Volunteer, or Contractor of Family Outreach, Inc., must disclose the existence of any actual or possible conflict of interest and be given the opportunity to disclose all material facts to the Management Team, Executive Director, and Board. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the Management Team, Executive Director and/or Board (whoever is considering the proposed transaction or arrangement) shall make a determination as to the conflict of interest.
2. The types of activities, interests, and relationships that typically create or appear to create a conflict of interest are set forth below. This list is intended for guidance purposes only and does not specify every situation that should be disclosed:
  - a) To accept, directly or through any member of his or her immediate family, any gift of more than \$50.00 in value of any goods, services, money, entertainment, or promotional favors from any person or entity that is a competitor of, or is doing or seeking to do business with, Family Outreach, Inc.

- b) To perform any services, either as an officer, director, employee, or consultant for another person or entity that is a competitor of, or is doing or seeking to do business with, Family Outreach, Inc., except with the knowledge and consent of Family Outreach, Inc., in written form signed by the Director, Family Outreach, Inc.
  - c) To perform any services, either as an officer, director, employee, or consultant that would conflict with your professional capacity at Family Outreach, Inc. This includes participating in activities or working for entities that are affected by decisions made in your capacity at Family Outreach, Inc., or by Family Outreach, Inc.; or engaging in activities that conflict with the philosophy, policies, rules, and standards of Family Outreach, Inc.
  - d) To accept any donations to Family Outreach, Inc. of money, goods, or services worth \$50 or more without making the required notifications to the Director, Family Outreach, Inc., and processing them through the Business Office.
  - e) To use Family Outreach, Inc.'s property for personal use unless specifically authorized by the Director, Family Outreach, Inc.
  - f) To accept any honorarium or payment for sharing of expertise, seminars, speeches, papers, etc., which are:
    - I. specifically ordered by Family Outreach, Inc.;
    - II. required by the duties of Family Outreach, Inc. employment; or
    - III. prepared by the employee making significant use of information obtained or produced by the employee as a result of employment by Family Outreach, Inc. or its resources.
  - g) To purchase or lease goods or services on behalf of Family Outreach, Inc. from persons or entities with whom he/she is related or in which he/she has an interest, or to make any such purchase or lease otherwise than on the basis of price, quality, and service.
  - h) To compete with Family Outreach, Inc.
3. If the conflict of interest relates to the Executive Director, a member of the Management Team, or a Board officer, the Board will make the determination regarding the conflict of interest. If the conflict of interest relates to a staff member, volunteer, or contractor, the Management Team and Executive Director will make the determination and the Executive Director will inform the Board. The Executive Director or Management team will refer, at their discretion, other conflict of interest issues to the Board as deemed appropriate.
  4. An interested person may make a presentation at a Management Team or Board meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest. The Executive Director or Board Chair shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement. After exercising due diligence, management shall determine whether Family Outreach, Inc. can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If a more

advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, management (i.e., the Board or Management Team, depending on which is making the determination as specified in section 3 above) shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in Family Outreach Inc.'s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

5. If the Board or Executive Director have reasonable cause to believe a An Employee, Director, Officer, Board member, Committee member, Volunteer, or Contractor has failed to disclose actual or possible conflicts of interest, it shall inform the Employee, Director, Officer, Board member, Committee member, Volunteer, or Contractor of the basis for such belief and afford them an opportunity to explain the alleged failure to disclose. If, after hearing the response and after making further investigation as warranted by the circumstances, the Board or Executive Director determines the individual has failed to disclose an actual or possible conflict of interest, they may take appropriate disciplinary and corrective action as warranted by the circumstances.
6. Board or Management Team Meeting minutes shall contain: the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or management team's decision as to whether a conflict of interest in fact existed; and the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
7. Each Employee, Director, Officer, Board member, Committee member, Volunteer and Contractor shall annually sign a statement which affirms such person:
  - a. Has received a copy of the conflicts of interest policy,
  - b. Has read and understands the policy,
  - c. Has agreed to comply with the policy, and
  - d. Understands that Family Outreach, Inc. is tax-exempt and that in order to maintain its federal tax exemption it must engage primarily in disability service activities including providing family training, respite, materials and supplies, habilitation and therapies to children and their families; and to provide supportive living services to adults which enable them to live in communities and make their own lifestyle choices.
8. To ensure Family Outreach, Inc. operates in a manner consistent with its purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include: whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining; and whether partnerships, joint ventures, and arrangements with management organizations conform to Family Outreach's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further the provision of disability services, and do not result in impermissible private benefit or in an excess benefit transaction. Family Outreach, Inc., may, but need not, use outside advisors when conducting the periodic reviews. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

# Dress Code

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## **Policy**

Family Outreach, Inc. employees should be properly attired for the type of work and business that they are to conduct during the business day.

## **Procedures**

- 1) Clothing should be clean, neat, and free of tears or holes.
- 2) Clothing should be appropriate to the day's activities and should reflect the professional nature of the agency's services.
- 3) Skirts or shorts should be of an appropriate length.
- 4) All clothing should fit properly and provide proper coverage.

# Drug- and Alcohol-Free Workplace

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## Policy

It is the policy of Family Outreach, Inc. to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The illegal use of controlled substances is inconsistent with the behavior expected of our employees, subjects all employees, clients and visitors to unacceptable safety risks, and undermines Family Outreach, Inc.'s ability to operate effectively and efficiently. The purpose of this policy is to ensure worker fitness for duty, to protect our employees, consumers, and public from the risks posed by the use of illegal drugs, controlled substances, or alcohol, and to maintain a safe working atmosphere conducive to effect operations. Prohibited substances include illegal drugs and alcohol.

To ensure a safe and health work environment, it is Family Outreach, Inc.'s policy that: employees are not impaired in their ability to perform any tasks and or assigned duties while on any work-related premises (including Family Outreach, Inc facilities, consumers, homes, meetings, etc.), while operating any equipment or vehicles, or while conducting any activities or business with regards to Family Outreach, Inc. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance in the workplace or while engaged in Family Outreach, Inc. business off premises is strictly prohibited. Such conduct is also prohibited during non-working time to the extent that, in the opinion of Family Outreach, Inc., it impairs an employee's ability to perform on the job or threatens the reputation or integrity of Family Outreach, Inc. Employees are encouraged to voluntarily seek help with drug and alcohol problems.

## Procedures

- 1) Family Outreach, Inc. will provide to each staff member a statement notifying its employees that it is unlawful and prohibited by Family Outreach, Inc. to manufacture, distribute, dispense, have in their possession, or be under the influence of, a controlled substance during work time at any location or in any vehicle utilized as the workplace of Family Outreach, Inc. Any violation of this provision is subject to disciplinary action up to and including termination of employment.
- 2) As a condition of employment:
  - a) All employees will sign-off in agreement to abide by the terms of this policy. A copy of the Drug and Alcohol-Free Workplace Acknowledgement Form is provided as Appendix B to this manual.
  - b) Agree to notify their supervisor in writing of any criminal drug arrest and subsequent conviction for a violation occurring at the workplace no later than five calendar days after such event.
- 3) Should a criminal conviction result, the Director, Family Outreach, Inc. shall then notify the appropriate state DDP personnel within ten calendar days informing them of any of the following actions to be taken within thirty calendar days:
  - a) The appropriate disciplinary action against the employee, up to and including termination.
  - b) Requiring the employee to participate and satisfactorily complete a drug abuse or rehabilitation program, which has been approved by any federal, state, local health or law enforcement agency.
- 4) Family Outreach, Inc. will conduct annual drug-free awareness training including information related to:
  - a) The dangers of drug use in the workplace.
  - b) Available drug counseling, rehabilitation and employee assistance programs.
  - c) Maintenance of the corporation drug-free policy to include penalties for violation.

# Smoke-Free and Tobacco-Free Environment

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## **Policy**

Family Outreach, Inc. is committed to the responsibility of setting high standards of health care for the community. To that end, Family Outreach, Inc. will do as much as possible to provide a hazard free environment for clients, visitors, and employees. Recognizing the hazards associated with the use of tobacco, Family Outreach, Inc. is committed to providing a smoke-free and tobacco-free environment.

## **Procedure**

- 1) All indoor areas of Family Outreach, Inc. are to be smoke and tobacco-free. All areas of Family Outreach, Inc. are to be smoke and tobacco-free (excluding restrooms used by other tenants and/or public). Smoking immediately outside Family Outreach, Inc. facilities is also prohibited as smoke may be introduced into the building due to proximity or through the ventilation system. Employees and visitors who wish to smoke must therefore leave the building and use only designated areas outside which have appropriate smoking waste disposal receptacles. Employees are permitted to leave the building to smoke only during scheduled break times.
- 2) Smoking or the use of tobacco is prohibited at all times in Family Outreach, Inc. vehicles or when transporting consumers in private vehicles.
- 3) Smoking or the use of tobacco is prohibited at all times when in consumer's homes.

# Blood-borne Pathogens Exposure Control Plan

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## **Policy**

Family Outreach, Inc. recognizes the potential that its program employees may come in contact with infectious materials that could result in the transmission of blood-borne pathogens. As such, Family Outreach, Inc. offers an exposure control plan to all program employees.

## **Procedures**

- 1) Family Outreach, Inc. will provide to all requesting employees, at no cost to the employee, personal protective equipment to include, but not limited to, gloves, gowns, and masks.
- 2) Hepatitis vaccinations will be made available to all requesting employees at no cost to the employee. At any time an employee may request in writing the vaccination. Family Outreach, Inc. will provide for the vaccination within 10 working days and so document the receipt of the vaccination in the employee personnel record. Subsequent to the request should the employee decline the vaccination, a declination form must be signed and dated and placed in their personnel record.
- 3) Any employee who has had an exposure incident must report the incident to the supervisor in writing within 5 working days. All details related to the incident, i.e. client involved, date, time, nature of the exposure, must be included in the report. Only with employee consent, an initial medical evaluation, certified laboratory tests, and follow-up examination will be conducted and provided by Family Outreach, Inc. at no cost to the employee. All diagnoses will remain confidential.
- 4) Any new program employee will undergo in-service training related to blood-borne pathogens and Family Outreach, Inc. Exposure Control Plan within 90 days of hire. Family Outreach, Inc. will provide related training for existing employees on an annual basis. Completion of training will be documented in the employee's personnel record. A copy of the Bloodborne Pathogen Exposure Control Training Certification Form is provided as Appendix C to this manual.

# Communicable/Contagious Disease Policy

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## Policy

Family Outreach's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. Family Outreach, Inc., may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC) and local public health offices.

## Procedures

- 1) Family Outreach will not discriminate against any job applicant or employee based on the individual having a communicable disease. **Family Outreach reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.**
- 2) Family Outreach will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases. This includes expectations for employees affected by communicable disease to follow procedures regarding confidentiality.

# Electronic Equipment

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## Policy

All business equipment, electronic and telephonic communications systems, and all communications and information transmitted or received by or contained or stored therein are the property of Family Outreach, Inc. and, as such, are to be used solely for authorized purposes. This includes all Family Outreach, Inc. business equipment, telephones, E-mail, facsimiles, computers, software, and copy machines. Employees must operate all equipment according to manufacturer user instructions and Family Outreach, Inc. policy. Employees using these systems and equipment for personal purposes do so at their own risk.

## Procedures

- 1) Employees will not install, modify, or remove any software operating on agency computers. Employees may request review of additional software applications that may enhance or improve existing systems. In order to protect Family Outreach, Inc. computer systems from viruses, all diskettes and software should be reviewed and approved by the Business Manager prior to installation. The computer system administrator (Business Manager) is responsible for the overall operation of the agency computer system, and all installation, modification, or removal of software, hardware, or data should be reviewed and approved by the Business Manager.
- 2) Employees will not use or disseminate codes, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by the Director, Family Outreach, Inc. All pass codes are the property of Family Outreach, Inc. No employee may use a pass code that is unknown to Family Outreach, Inc. Pass codes will not be written down where they can be found by unauthorized personnel, and will not be shared with other individuals.
- 3) E-mail information is limited to those with a need to know. Thus, employees should disclose information from the system only to authorized personnel.
- 4) Family Outreach, Inc. telecommunications equipment is provided for the conduct of Family Outreach, Inc. business. The use of this equipment for essential personal business (e.g., calls to children, teachers, doctors, day care centers and family members to inform them of unexpected schedule changes and other essential business) must be kept to a minimum, and not interfere with the conduct of Family Outreach, Inc. business. In the event an employee has to make an essential long distance or cellular phone call, the call must be collect, charged to a third party number, charged to a personal credit card, or the employee must make arrangements to reimburse Family Outreach for any charges.
- 5) Family Outreach, Inc. cellular phones must be maintained and operated according to manufacturer instructions, Federal Communication Commission (FCC) standards, and Family Outreach, Inc. policy. Typically, cellular phone numbers are not disseminated to consumers or the public (but may be in certain situations at management's discretion). Should a staff person need to be contacted, the office secretary or other staff will call the cellular phone to relay the message for your return call.
- 6) Employees have no personal privacy rights in any materials created or received by or sent through Family Outreach, Inc. electronic or telephonic communications systems or business equipment.

- 7) In order to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule regarding the safeguarding of confidential information, employees must refrain from the use of Instant Messaging, cell phones, texting, unprotected email, or any other unsecured communication (e.g., unsecured Bluetooth interfaces or unsecured Internet conferencing) to transmit confidential information regarding consumers or families.
- 8) To ensure that the use of electronic and telephonic communications systems and business equipment is consistent with Family Outreach, Inc.'s legitimate business interests, authorized representatives of Family Outreach, Inc. may monitor the use of such systems and equipment at times deemed appropriate by Family Outreach, Inc.
- 9) Violations of this policy are subject to disciplinary action, up to and including dismissal.

# E-Mail and Internet

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## Policy

Each user of Family Outreach Inc.'s computer system is responsible for having knowledge of policies concerning their computer. Each user of Family Outreach Inc.'s computing and information resources must act responsibly, and be knowledgeable of and adhere to agency policies. They must also respect the rights of other users by minimizing unnecessary network traffic that might interfere with the ability of other employees to make effective use of the shared network resources. Users must respect the integrity of the physical facilities and controls, and obey all federal, state, county, and local laws and ordinances.

### *E-mail:*

Family Outreach, Inc.'s electronic mail (e-mail) system is to be used for: the conduct of agency business and delivery of agency services; transmitting and sharing of information among service organizations; communicating and exchanging professional information; and conducting other appropriate Family Outreach, Inc business (e.g., office related functions or announcements).

### *Internet Services:*

Family Outreach, Inc.'s Internet services are to be used for: the conduct of Family Outreach business and delivery of services, transmitting and sharing of information among service organizations, supporting open research and education, communicating and exchanging professional information, encouraging debate of issues in a specific field of expertise, applying for or administering grants or contracts, announcing new services, research, and conducting other appropriate Family Outreach business.

### *Privacy:*

Privacy of Internet use and e-mail is not guaranteed. Employees should not have expectations of privacy for any messages or sites visited using the Internet. Family Outreach, Inc. can monitor e-mail and Internet use for performance, troubleshooting purposes, or if abuses are suspected. The use of derogatory, racially offensive, sexually offensive, harassing, or discriminatory communications or conduct, or accessing sites with this type of information will not be tolerated.

## Procedures

- 1) In drafting and sending e-mail messages, employees should not include anything they are not prepared for the public to read. E-mail communication should resemble typical professional and respectful business correspondence.
- 2) Unsolicited e-mail, or spam, should be deleted immediately. If delivery of spam persists, the Business Office should be contacted. Circulating chain letters is not permitted.
- 3) Employees should check their e-mail with a frequency appropriate to their job duties. If you are unable to check e-mail for an extended period of time, you should make arrangements to your e-mail picked up by someone else (supervisor, secretary, coworker) and reviewed to see if messages need a response.
- 4) The chance of receiving a virus increases with the use of e-mail and the Internet. Many viruses come embedded in e-mail attachments, or can be downloaded through the Internet. Suspicious e-mail messages and Internet downloads should be forwarded to the Business Office for investigation before they are opened.

- 5) Employees should make judicious use of the features that increase e-mail and Internet traffic and should strive to keep message and attachment sizes as small as possible. Use of graphics in auto-signatures or other parts of messages or attachments, and downloading large files should be avoided because they greatly increase network traffic.
- 6) Family Outreach, Inc. receives much data on diskettes and CDs from outside agencies and individuals, and these disks should be scanned by the Business Office before being used. Even shrink-wrapped software, new diskettes, and CDs received from manufacturers should be scanned since software companies and diskette manufacturers are also susceptible to viruses.
- 7) Family Outreach, Inc Internet, e-mail, and related services are not to be used for:
  - a) "for-profit" activities,
  - b) "non-profit" or public, professional or service organization activities that aren't related to an employee's job duties, or
  - c) for private, recreational, or personal activities. Employees should not have expectations of privacy for Internet use. The Business Office and management personnel can monitor Internet usage for planning and managing network resources, performance, troubleshooting purposes, or if abuses are suspected.

# Vehicle Use

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## Policy

Family Outreach, Inc. employees will use corporate and personal vehicles for agency business in a safe manner, and in accordance with legal requirements for operation and liability coverage.

Scheduled usage of Family Outreach, Inc. vehicles is the responsibility of the Program Manager and should effect maximum usage and efficiency.

Corporation vehicles will be used solely by Family Outreach, Inc. approved employees and utilized strictly for, or in the pursuit of, corporation-related business. Corporation vehicles must be maintained and operated according to state law, company policy, and as recommended by the car manufacturer.

Family Outreach, Inc. will maintain adequate corporate vehicle insurance coverage for comprehensive and collision coverage, with minimum liability limits established by state contract.

Employees who use personal vehicles for Family Outreach, Inc. business must maintain and operate the vehicle according to state law including maintaining a valid driver's license, current vehicle registration, and liability insurance. Employees transporting consumers must maintain the minimum liability limits established by state contract (i.e., the Developmental Disabilities Program or DDP contract).

## **Procedures**

- 1) License and insurance:  
Family Outreach, Inc. employees who use vehicles in the course of their job will maintain a current, valid Montana driver's license and provide a copy of such to Family Outreach, Inc. for their employment file. Employees are responsible for notifying their program manager of any change in the status of their driver's license, any convictions affecting their driving record, or any changes in personal vehicle liability coverage (if the vehicle is used for Family Outreach, Inc. business).
- 2) Impaired driving prohibited:  
No person under the influence of alcohol, illegal drugs, or improperly used prescription drugs may drive a vehicle for Family Outreach, Inc. business. No person may drive a vehicle for Family Outreach, Inc. business under the influence of any legally prescribed drug if that drug affects the person's ability to safely operate the vehicle. No person may have an alcoholic beverage container in the passenger compartment of a Family Outreach, Inc. vehicle.
- 3) Corporate vehicles:  
Corporation vehicles will be used solely by Family Outreach, Inc. approved employees and utilized strictly for, or in the pursuit of, corporation-related business.
  - a) Authorization by the Director, Family Outreach Inc., or a Program Manager is required to drive a corporate vehicle. Employees must present a current and valid Montana driver's license, and be accepted for insurance coverage.
  - b) Family Outreach, Inc. vehicles will be maintained at the expense of the corporation. Vehicles must be maintained and operated according to state law, company policy, and as recommended

by the car manufacturer. Valid receipts must document gasoline, oil, tires, and other maintenance-related expenditures in accordance with Family Outreach, Inc. reimbursement procedures.

- c) Scheduled usage of corporate vehicles will be up to each individual office and should allow for maximum usage and efficiency of staff travel. Family Outreach, Inc. vehicles may be taken home at the end of workday only when pre-approved by the Program Manager for the efficiency of next-day staff travel. Travel to or from home in corporation vehicles will not be considered as on-the-job work time unless the travel time is occurring in the pursuit of corporation-related business. Use of Family Outreach, Inc. vehicles for personal or non-business related travel is strictly limited to bona fide emergency situations.
- d) An emergency notification form will be located in each agency vehicle glove box for information on whom to notify at Family Outreach, Inc. in the case of the driver's incapacitation.
- e) Family Outreach, Inc. will maintain adequate vehicle insurance for corporate vehicles. The employee must complete an Accident Information Form located in each vehicle's glove box at the time of accident. The report of accident will be phoned into the insurance agency as soon as possible by the employee and so documented on the form. The completed report form will be forwarded immediately to the Program Manager and Director, Family Outreach, Inc. upon return to the office.

4) Personal vehicles:

Employees may use personal vehicles for Family Outreach, Inc. business if the vehicle is maintained and operated according to state law.

- a) Employees will maintain current liability insurance in their name in accordance with state law. Employees transporting consumers will maintain minimum liability limits established by state contract on personal vehicles used for Family Outreach, Inc. business. Employees are responsible for providing a copy of their current proof of insurance certificate to Family Outreach, Inc., and for notifying Family Outreach, Inc. immediately of any changes in their insurance status. Damage to employee owned personal autos, as well as injury to family members, friends, etc., will not be covered by the corporate coverage and therefore, is the sole responsibility of the employee.
- b) Employee use of a personal vehicle for Family Outreach, Inc. business must be agreed upon as part of the employment arrangement, and Family Outreach, Inc. must be notified of all personal vehicles to be used prior to the vehicle being used for Family Outreach, Inc. Business. Employees must provide documentation in the form of a signed permission slip with specific dates of authorization to use the vehicle if they are not the registered owner, and a copy of the current proof of insurance certificate for the vehicle.
- c) Those employees who occasionally use their personal vehicle for company business will be reimbursed for approved expenses (e.g., mileage) pursuant to the Work Related Expenditure Reimbursement Policy. Reimbursed mileage is defined as mileage driven over and above the employee's normal commuting mileage.

# Safety

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## Policy

Family Outreach, Inc., and its Management are committed to reducing the incidence of occupational injury and illness by promoting safety in the workplace through the safety program. It is the responsibility of everyone to work safely and to ensure that the safety program is carried out. Safety awareness and conducting work in a safe and appropriate manner are part of the requirements for satisfactory job performance. Employees who violate the provisions of the safety policy are subject to disciplinary action up to and including termination of employment.

Family Outreach, Inc. has appointed its Business Office Manager as the Safety Representative. This position is responsible for ensuring overall implementation of the safety program. However, the success of the safety program ultimately depends on the participation of supervisors and employees in implementing the safety program on a daily basis. Family Outreach, Inc. requires all personnel to immediately report hazards or safety concerns existing in their workplace to their supervisor and/or the Safety Representative.

## Procedures

- 1) All employees:
  - a) Are required to report all accidents and injuries promptly to a supervisor. This includes all minor injuries and near misses. If medical treatment is obtained due to a work related injury (after work hours), employees must inform their supervisor or safety representative immediately. An injury must be reported at the time it occurs. In addition to immediately notifying the employer of all work-related injuries or illnesses, employees must also complete a First Report of Injury or Occupational Disease.
  - b) Must wear seatbelts at all times when operating a motor vehicle on company business, and require their passengers to do so.
  - c) Are strictly prohibited from talking on cellular phones while transporting a consumer in a motor vehicle; and are prohibited from talking on cellular phones while operating a motor vehicle at other times unless they use a hands-free speaker or headset.
  - d) Must inform their supervisor of changing conditions that result in unsafe conditions including unsafe conditions in consumers homes.
  - e) Must stop any work that they feel is unsafe, and tell fellow employees if they are working in an unsafe manner.
  - f) Should ask a supervisor or safety representative, when in doubt about performing a task in a safe manner, if you have the correct equipment or are following the correct procedure to safely perform the task at hand.
  - g) Should not attempt to physically restrain a consumer unless you are thoroughly trained and it is warranted. In a crisis situation, employees should remove themselves from the immediate area and call the local police department, psychiatric specialist, and supervisory or on-call staff member as appropriate.
  - h) Should not attempt any heavy lifting unless it is a normal part of the job (e.g., a normal part of consumer care) and you have been properly trained and have the proper equipment.
  - i) Perform any tasks outside of normally assigned duties that may pose a risk to safety or health.

- 2) **Investigation & Corrective action:**  
Accidents and injuries will be investigated to determine cause. Either unsafe acts or unsafe conditions generally cause accidents. The Safety Representative or an appointed accident investigator will investigate accidents and near misses. Once the cause of the accident or injury is identified, Family Outreach, Inc will determine the actions necessary to correct the hazards, and take or arrange for necessary corrective actions or appropriate alternatives within available resources and control limitations (the ability of Family Outreach to control the work environment is somewhat limited as much of its business is conducted in the field and in consumer households).
- 3) **Workplace Violence:**  
Family Outreach, Inc. maintains a zero tolerance policy for workplace violence. No actions, threats, or implications of workplace violence will be tolerated, and employees engaging in this behavior are subject to disciplinary action up to and including termination. Employees are expected to immediately report incidents of violence or incidents with potential violent consequences to their supervisor. Employees and supervisors are responsible for identifying potential problem individuals (including employees, customers, contractors, vendors) or situations and immediately reporting them to their Manager, this includes reporting breaches or potential breaches of security.
- 4) **Safety Committee:**  
Family Outreach, Inc. will maintain a Safety Committee to allow the employer and employees to meet together for the purpose of creating a safety culture and reducing on-the-job injuries and illnesses. The committee will also work to reduce workers compensation insurance rates by improving occupational safety and wellness. The safety committee will be of sufficient size and number to provide for effective representation of the workforce, will document its activities, and will act as a fact finding body and report to the employer regarding safety issues. The committee will hold regularly scheduled meetings.
- 5) **Training & Orientation:**  
Family Outreach Inc. will provide new employees with a general safety orientation, and will provide job or task-specific safety training and regular refresher safety training according to the recommendations of the safety committee and within agency resource constraints.

# Confidentiality

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## Policy

Confidentiality of information about clients or applicants for service is essential. In all cases, Family Outreach staff will follow applicable law regarding confidentiality of information and ensure the secure maintenance of records.

## Procedures

- 1) A wide variety of information is subject to confidentiality requirements. This includes identifying information such as the name, address, telephone number and social security number of a client or applicant and the client's or applicant's family and/or guardian. It also includes information as to the social and economic circumstances, education, training and habilitation of a client or applicant and the client's or applicant's family and/or guardian as well as the amount or type of services provided.
- 2) The confidentiality of health care information is given special protection under state and federal law. Family Outreach records may contain health care information of various types, including past medical history, diagnosis and treatment information.
- 3) Family Outreach strives to prevent inappropriate disclosure of all types of confidential information. The client or applicant, or the client's or applicant's representative (for example, a family member or guardian) can consent to the disclosure of protected information by signing a disclosure authorization. Family Outreach staff generally must not release or otherwise disclose information about a client or applicant unless a written authorization is in effect. This prohibition applies to information acquired during any period of employment with Family Outreach, and continues after the employee separates from Family Outreach employment.
- 4) A valid authorization must be dated and contain the individual's signature. It must identify the person, or class or persons, authorized to make the requested use or disclosure and describe in a meaningful way the information to be used or disclosed. The authorization must identify the person or class or persons to whom the use or disclosure is to be made. It must state that the individual has the right to revoke the authorization and include any exceptions to that right. It must contain an expiration date, which will not be more than thirty months from the date the authorization is signed. However, only information relating to services received within six months of the date of the authorization may be disclosed.
- 5) Any question regarding the maintenance or disclosure of records or other information must be brought to the attention of a supervisor. Any employee who disregards this policy, or fails to follow program-specific standards for the maintenance or release of records or other information, will be subject to disciplinary measures and may be subject to immediate discharge from Family Outreach employment.

# Document Destruction and Retention Policy

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## **Policy**

In accordance with the Sarbanes-Oxley Act, which makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding, it is the policy of Family Outreach, Inc., to provide for the systematic review, retention and destruction of documents received or created in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, and contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate Family Outreach, Inc. operations by promoting efficiency and freeing up valuable storage space.

## **Procedure**

1. Family Outreach's records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping Family Outreach, Inc. operating in an emergency will be regularly duplicated or backed up and maintained off site.
2. Electronic documents will be retained according to the same schedule as if they were paper documents. Backup and recovery methods will be tested on a regular basis.
3. Family Outreach's Business Office Manager is responsible for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. Destruction of financial, medical, and personnel-related documents will be accomplished by shredding.
4. Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.
5. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against Family Outreach, Inc. and its employees and possible disciplinary action against responsible individuals.
6. The Executive Director is authorized and directed to take steps to reasonably implement this policy, and will report to the Board any issues, resource constraints, or concerns related to adequate implementation of this policy.
7. Family Outreach, Inc. follows the document retention schedule outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule will be retained for the appropriate length of time. Documents not covered by this policy shall be destroyed when no longer useful to Family Outreach, Inc.

<b>Document/Record</b>	<b>Corporate Records</b>	<b>Retention Period</b>
Annual Reports to Secretary of State		Permanent
Articles of Incorporation		Permanent
Board Meeting and Board Committee Minutes		Permanent
Board Policies/Resolutions		Permanent
By-Laws		Permanent
Construction Documents		Permanent
Fixed Asset Records		Permanent
IRS Application for Tax-Exempt Status (Form 1023)		Permanent
IRS Determination Letter		Permanent
Contracts (after expiration)		8 years
Correspondence (general)		8 years

<b>Document/Record</b>	<b>Accounting and Corporate Tax Records</b>	<b>Retention Period</b>
Annual Audits and Financial Statements		Permanent
Depreciation Schedules		Permanent
General Ledgers		Permanent
IRS 990 Tax Returns		Permanent
Business Expense Records		8 years
IRS 1099s		8 years
Journal Entries		8 years
Invoices		8 years
Petty Cash Vouchers		8 years
Cash Receipts		8 years
Credit Card Receipts		8 years

<b>Document/Record</b>	<b>Bank Records</b>	<b>Retention Period</b>
Check Registers		Permanent
Bank Deposit Slips		8 years
Bank Statements and Reconciliation		8 years
Electronic Fund Transfer Documents		8 years

<b>Document/Record</b>	<b>Payroll and Employment Tax Records</b>	<b>Retention Period</b>
Payroll Registers		Permanent
State Unemployment Tax Records		Permanent
Earnings Records		8 years
Garnishment Records		8 years
Payroll Tax returns		8 years
W-2 Statements		8 years

<b>Document/Record</b>	<b>Employee Records</b>	<b>Retention Period</b>
Employment and Termination Agreements		Permanent
Retirement and Pension Plan Documents		Permanent
Records Relating to Promotion, Demotion or Discharge		8 years after termination
Accident Reports and Worker's Compensation Records		5 years
Salary Schedules		8 years
Employment Applications		3 years
I-9 Forms		3 years after termination
Time Cards		8 years

<b>Document/Record</b>	<b>Legal, Insurance and Safety Records</b>	<b>Retention Period</b>
Appraisals		Permanent
Copyright Registrations		Permanent
Environmental Studies		Permanent
Insurance Policies		Permanent
Real Estate Documents		Permanent
Stock and Bond Records		Permanent
Trademark Registrations		Permanent
Leases		8 years after expiration
OSHA Documents		5 years
General Contracts		8 years after termination
Grant Applications and Contracts		8 years after completion

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## **C. EMPLOYMENT and SUPERVISION**

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### **Supervision**

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#### **Policy**

It is the policy of Family Outreach, Inc. to provide appropriate lines of authority and accountability to allow for the effective management of the agency. The Director, Family Outreach, Inc. is supervised by the Board of Directors. Members of the Management Team and the Administrative Assistant are supervised by the Director, Family Outreach, Inc. Regular administrative and program staff are supervised directly by the Manager responsible for that area of operation. Direct Service Providers are typically supervised by a Family Support Specialist or Individuals Support Coordinator. If the Supervisor is absent from the program he/she will appoint someone to assume the supervisory responsibilities.

#### **Procedures**

- 1) The Board of Directors is responsible for supervising the activities of the Director, Family Outreach, Inc. in accordance with the Policies and Procedures of Family Outreach, Inc.
- 2) The Director, Family Outreach, Inc. or designee is responsible for supervising the Management Team and the Administrative Assistant in accordance with the Policies and Procedures of Family Outreach, Inc.
- 3) The Managers are responsible for supervising office-based staff in accordance with the Policies and Procedures of Family Outreach, Inc.
- 4) The Family Support Specialist or Individual Support Coordinator is responsible for supervising the Direct Service Providers assigned to their caseloads in accordance with the Policies and Procedures of Family Outreach, Inc., with consultation and direction from the Local Employment Coordinator.
- 5) When the Director, Family Outreach, Inc. is absent (sick, vacation, etc.) from the program for more than one day, she/he will appoint a member of the Management Team to assume the Director's supervisory responsibilities. (See II. Governance and Management, J. Management in Absence of the Director).
- 6) When a Manager is absent (sick, vacation, etc) from the program for more than one day, the Director, Family Outreach, Inc. or a designee will assume immediate supervisory responsibilities for that program area (See II. Governance and Management, J. Management in Absence of the Director).

# **Equal Opportunity**

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## **Policy**

Family Outreach, Inc. provides equal opportunity to all applicants and employees without regard to race, color, creed, political ideas, marital status, age, disability, religion, sex, or national origin.

Family Outreach, Inc. makes a commitment to provide reasonable accommodation for any known disability that may interfere with a disabled applicant's ability to compete in the selection process or for a disabled employee's ability to perform the essential functions of the job.

## **Procedures**

- 1) All employment applications and interview questions will be relevant to the position and performance of the essential functions of the job.
- 2) All offers of employment promotion opportunities will be based on an individual's related experience, education requirements, personal references.
- 3) Reasonable accommodation for disabled applicants and employees will be offered to those persons who so notify Family Outreach Inc. of the need for the accommodation and if the accommodation is within the authority, capability, and resources available to Family Outreach, Inc.
- 4) Accommodation requests and related correspondence (e.g., correspondence with medical providers) will be coordinating through the Business Office.

# Field-Based Staff Hiring

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## Policy

Family Outreach, Inc. is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled. Each employee, while employed, is hired to make significant contributions to Family Outreach, Inc.

## Procedures

In hiring the most qualified candidates for positions, the following hiring process is applicable:

- (1) **Personnel Requests:**  
Requests to fill positions must be submitted to the Local Employment Coordinator (LEC) in order to fill field-based staff positions. Requests must be tied directly to an existing consumer service agreement and should indicate the positions' hours/shifts, reason for the opening, essential job functions and qualifications (or a current job description may be attached, or any special recruitment advertising instructions).
- (2) **Position Announcements:**  
The LEC will develop a position announcement and advertise the position in the most appropriate Montana newspaper(s). Position announcements may also be included in appropriate newsletters, periodicals, journals, etc., or be sent to colleges, universities, agencies, and/or institutions.
- (3) **Internal Transfers:**  
Field-based staff employees who have successfully completed their probationary, period may apply for internal job openings. All applicants for a posted vacancy will be considered on the basis of their qualifications and ability to perform the job successfully. Once transferred to a new position, employees will enter into probationary period for the new position.
- (4) **Applications:**  
All field-based staff employment applicants must complete a temporary employment application form, sign it, and return it to Family Outreach, Inc.
- (5) **Reference and background checks:**  
Applicants will sign a reference and background check form. Thorough reference and background checks will be conducted before an employment offer is made. A thorough screening and background check will include minimally reference checks and a criminal background check through the Montana Department of Justice. After the application is turned in, letters of inquiry or calls will be made to at least two professional and four personal references. At least three positive references must be returned before an offer of employment is made.
- (6) **Interview:**  
After the references are returned, a Family Outreach, Inc. regular employee will contact the applicant for an interview.

- 7) Conditional offer of employment:  
After the interviews are completed, a conditional offer of employment will be made to the top applicant(s). After the conditional offer of employment is made, Family Outreach Inc., may conduct medical inquiries or examinations to seek necessary information about physical (e.g., lifting restrictions) or mental impairments. Medical examinations/inquiries will be administered consistently to all candidates for a particular job category. If an examination or inquiry screens out an individual, the exclusionary criteria must be job-related and consistent with business necessity.
- (a) Americans with Disabilities Act (ADA):  
“Physical or mental disability” means:(i) a physical or mental impairment that substantially limits one or more of a person's major life activities; (ii) a record of such an impairment; or (iii) a condition regarded as such an impairment.(b) Discrimination based on, because of, on the basis of, or on the grounds of physical or mental disability includes the failure to make reasonable accommodations that are required by an otherwise qualified person who has a physical or mental disability. An accommodation that would require an undue hardship or that would endanger the health or safety of any person is not a reasonable accommodation.
- (b) HIPAA:  
All medical information will be kept strictly confidential on separate forms in separate files, and only “need to know” individuals (e.g., supervisors, families, medical care professionals, etc.) will be informed of specific restrictions.
- 8) College of Direct Supports:  
The College of Direct Support is now available to Field-Based staff (e.g. Direct Service Providers) that have turned in their Release of Information form. Field-based staff have 180 days from when they are enrolled for classes to finish the designated number of courses. Field-based staff must successfully complete the CDS to be eligible to work more than 20 hours per week. Employees assigned to consumers requiring 20 hours per week or more must complete the CDS in order to successfully complete their probationary period. Field-based staff that do not complete CDS will be terminated during probation, or reassigned to assignments consisting of 19 hours or less per week. Family Outreach pays a stipend for completed courses. There are computers available at the Family Outreach Program Office, your local library, and/or wireless internet is often available at several coffee shops, fast food restaurants and other locations if you have a laptop computer available. If Field-based staff need to use a computer in one of Family Outreach’s offices, they must call ahead of time to make arrangements.
- (9) Probationary period:  
Once hired into a new position, Field-based staff will enter into a 9 month probationary period for the new position.
- (10) If none of the applicants are suitable, the procedure should be repeated.

# Employment of Relatives

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## **Policy**

Family Outreach is an equal opportunity employer and hires individuals based solely on their qualifications and ability to do the job to be filled. No employee of Family Outreach, Inc. may participate in decisions which would involve a direct benefit or detriment (hiring, promotion, salary, leave of absence, termination) to a relative or other party of interest (see also Dual Relationships). If a relative applies for a position which is supervised by a relative, the Director or Board will be responsible for instituting any special procedures required to assure consideration based solely on merit.

### Definitions:

“Relative,” for the purposes of this policy, means parent, grandparent, great-grand parent, child, grandchild, great-grandchild, brother, sister, aunt, uncle, niece, nephew, or cousin, by blood relationship; spouse; or brother, sister, parent, or child of spouse; or spouse of one’s brother, sister, parent, or child. This includes corresponding in-law or “step” relations, and persons who otherwise have a close personal relationship (i.e., employees must consult with the Director, Family Outreach, Inc. if there is a familial or similar relationship that could create a situation or perception of impropriety in employment decisions).

“Party of Interest,” means persons or entities with whom an employee is related or in which he/she has an interest (i.e., roommate, boyfriend, girlfriend, business partner, etc.).

## **Procedures**

- 1) Prior to assuming the responsibility as a hiring authority or creating a family relationship which could result in a violation of this policy, the individual involved will consult with the Director or Board and notify them of any relationship and potential problems. If no prior consultation occurs, or if a means of avoidance of a violation cannot be identified, management reserves the right to reassign duties or take other reasonable steps to ensure compliance with this policy.
- 2) Managers should be careful to observe the provisions of the employment of relatives policy in all appointments, including the hiring of temporary employees and the execution of contracted services agreements. Any questions regarding the interpretation of this policy should be directed to the Director, Family Outreach, Inc.

# Dual Relationships

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## **Policy**

A dual relationship can exist when Family Outreach is providing services to or maintains an open file on a person who also has a personal, familial or business relationship with a Family Outreach employee. A dual relationship can also exist when two (or more) employees have personal, familial or business relationships with each other. Dual relationships can carry the appearance of impropriety and a risk of harm to clients' well being or the operation of Family Outreach, Inc.

## **Procedures**

- 1) Whenever an employee learns that a person with whom he or she has a personal, familial or business relationship is or has become a client or employee of Family Outreach, Inc, the employee must inform his or her immediate supervisor. A determination as to how to proceed will be made and the employee advised accordingly. A failure to report a dual relationship, and/or a failure to follow a directive concerning a dual relationship, may result in disciplinary action, up to and including discharge from employment.

# Field-Based Staff Training

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## Policy

Family Outreach, Inc. ensures that Field-Based Staff (e.g., Direct Service Provider) are appropriately trained, certified and qualified to provide consumer services. Field-Based Staff are expected to take responsibility for attaining the training required by their assigned Service Agreement(s). Family Outreach, Inc. sponsorship of employee training and professional development will be provided within time and budgetary constraints.

## Procedures

### 1) Required Training:

Supervisory staff members are responsible for identifying staff training and certification requirements based on consumer needs, applicable Direct Service Provider Agreements, and through the performance appraisal process, on-going observation, and discussion with the employee.

Required training/certification typically includes:

- Orientation
- MANDT behavioral training
- Abuse/Neglect training
- First Aid/CPR certification
- Medication Administration

Supervisors may direct employees to attend training based on specific consumer needs (e.g., Medication Certification) and assessments of training needs. Training requirements may be modified based on client assignments. Client assignments are based on client need, not FIELD-BASED STAFF preference.

### 2) Probation:

Employees must exhibit satisfactory performance and meet established training and certification requirements [as detailed in policy, Direct Service Provider Agreement(s), and Consumer Service Agreement(s)] in order to successfully complete their probationary period. The supervisor will delineate exactly what training is required to successfully complete probation.

### 3) Training requests:

Employees are responsible for communicating with their supervisor about individual training interests and needs, and will direct requests for training to their immediate supervisor. Any training requests involving Family Outreach, Inc. sponsorship (e.g., on-the-job or in-service training or paid time or training expenses) must be pre-approved by the employee's immediate supervisor.

Managers will consider factors including relatedness of the training to the position, budgetary constraints, staff scheduling, timeliness of requests, and the content of the training prior to approving or denying training requests. Managers will afford similar training opportunities to all employees.

# Field-Based Staff New Hire Probation

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## **Policy**

For all new Direct Service Providers, there is a probationary period of nine (9) from the date of hire which can be extended an additional three (3) months. During a probationary period of employment, the employment may be terminated at the will of either the employer or the employee on notice to the other for any reason or for no reason. Employees must exhibit satisfactory performance and meet established training and certification requirements (as detailed in the Field-Based Staff Training policy) in order to successfully complete their probationary period. New Field-Based Staff must successfully complete their probationary period to be eligible for Field-Based Staff Earned Personal Time and Supplemental Insurance benefit programs.

## **Procedures**

All Field-Based Staff employees must complete a nine month probationary period.

- 1) Evaluation:  
New employees will be evaluated according to the service agreement and performance appraisal process during the first nine months of probationary employment. Employees must exhibit satisfactory performance in order to successfully complete their probationary period.

The supervisory staff should provide feedback regarding information gathered through the performance appraisal system. This feedback should occur soon after the information is gathered and prior to the end of the minimum nine month probationary period.

- 2) Training:  
Employees must exhibit satisfactory performance and meet established training and certification requirements [as detailed in the Field-Based Staff Training policy, Direct Service Provider Agreement(s), and Consumer Service Agreement(s)] in order to successfully complete their probationary period. Required training/certification typically includes MANDT behavioral training, Medications, Abuse/Neglect, and First Aid/CPR.
- 3) Termination:  
Probationary period employees may terminate or be terminated at will, on notice, and for any reason considered sufficient by the party exercising the right of termination.

If the new employee performs unsatisfactorily, the new employee shall be recommended by the appropriate supervisory staff for termination of employment.

- 4) Implementation:  
All employees hired after July 1, 2006 must complete a probationary period beginning on their date of hire. Employees with less than nine months of service as of July 1, 2006 and/or no formal performance appraisal of record must complete a nine-month probationary period. The probationary period will be waived for employees with more than nine months of service as of July 1, 2006 who have received a performance appraisal that meets agency expectations.

- 5) **Extension of probation:**  
If the nine month or other probationary evaluation is unsatisfactory, or if other factors have occurred which make evaluation difficult within the first nine months of employment (e.g., allowing time to collect feedback from families or consumers or time to complete training/certification requirements) the probationary period may be extended for an additional three months.
- 6) **Applicability**  
The provisions of the Discipline, Employee Grievance, and Reduction in Force policies do not apply to probationary employees.
- 7) **Leave and probation:**  
If an employee takes an extended leave during their probationary period, the probationary period may be extended by the amount of leave taken in order to allow Family Outreach, Inc. the full amount of time needed to assess the employee.

# Field-Based Staff Performance Evaluation

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## Policy

Each Direct Service Provider's performance will be monitored and each Provider will receive a performance evaluation annually. The consumers and/or families served will have the opportunity to provide input into the Direct Service Provider's performance evaluation.

## Procedures

The major components of the Direct Service Provider (Field-Based Staff) performance evaluation system are the Job Description, the Participant (consumer/family) Evaluation Forms, Staff Evaluation Forms, Training Objectives and Logs, and the specifications of the applicable Consumer Service Agreement(s) and Direct Service Provider Agreement(s) (required certifications etc).

- 1) Employee notification:  
Supervisory staff will notify the employee of the planned appraisal criteria and process prior to the evaluation period. Supervisory staff will base the appraisal on the established performance evaluation criteria.
- 2) Performance evaluation system:  
Typically, the Participant (consumer/family) Evaluation Forms and Staff Evaluation Forms will be distributed to the appropriate participants and staff and collected by the LECs. This information, along with the training logs, and any other information gathered and considered will be documented in the Evaluation Summary Form and reviewed with the employee. In addition to required appraisal components, the supervisor and employee may determine that additional information should be gathered and considered. Additional information gathering may include home visit observations or other activities.
- 3) Evaluation period:  
Each employee will be evaluated prior to the completion of their probationary period and annually thereafter.
- 4) Employee review & notification:  
Employees have the right to add comments to their appraisal. However, the rating in the appraisal is not a grievable issue.

An Evaluation Summary Form will be discussed with and signed by the employee and supervisor to indicate that the evaluation has been read and discussed.

- 5) Corrective action:  
An employee with an unsatisfactory evaluation should have a specific plan developed for corrective action. If an employee has an unsatisfactory appraisal, the supervisory staff needs to determine what corrective disciplinary action needs to be taken, or if the employment of the employee should be terminated.

# Resignation

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## **Policy**

An employee who is resigning should give proper notice and discuss the situation with management prior to their resignation.

## **Procedures**

- 1) An employee considering resignation is encouraged to discuss the situation with his/her supervisor for the purpose of exploring alternatives.
- 2) If an employee decides to resign, an employee should give two weeks written notice of resignation to the supervisor.
- 3) The two-week period may be waived at the discretion of the supervisor (the supervising Family Support Specialist or Individual Support Coordinator, or the Local Employment Coordinator for field-based staff (e.g. Direct Service Providers); the Program Manager for office-based staff; the Director, Family Outreach, Inc. for Program Managers; and the Board of Directors for the Executive Director).
- 4) An employee must return all Family Outreach, Inc. property and documents prior to their last day of employment.

## **Field-Based Staff Exit Interview**

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### **Policy**

Family Outreach, Inc. offers an exit interview to each employee leaving the agency. The employee leaving Family Outreach, Inc. may complete an exit interview with a Supervisor, Local Employment Coordinator, or a member of the Management Team.

### **Procedures**

- 1) A Supervisor will conduct an exit interview for each employee if the employee requests it.
- 2) The interview will be documented, signed by the employee and supervisor, and the original placed in the employee's personnel record and a copy given to the employee. The interview may cover the employee's reasons for leaving, concerns, and recommendations.
- 3) The information regarding the reason(s) for leaving should be maintained and reviewed annually by the Management Team as part of the Annual Report.

# Discipline

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## Policy

It is the policy of Family Outreach, Inc., that employees who: fail to perform job duties in a satisfactory manner; disrupt Family Outreach, Inc.'s operations; fail to meet the expectations or the goals of a plan of improvement; or who violate Family Outreach, Inc.'s procedures, policies, rules, performance standards; or for any other legitimate business reasons are subject to disciplinary action up to and including dismissal from employment. It is the policy of Family Outreach, Inc. that consumers and their families will be involved in decisions related to the continuation of services from specific providers in their homes.

## Procedures

- 1) Discipline shall be commensurate with the seriousness of the offense. For example, Family Outreach, Inc., at its discretion, may utilize corrective counseling or an oral warning before more severe disciplinary action is taken for routine performance deficiencies and lesser offenses. More severe disciplinary action, up to and including dismissal, will be taken for more serious offenses and repeated lesser offenses.
- 2) A supervisor will always investigate to determine the facts in order to decide whether discipline is appropriate and the appropriate level of discipline. In all situations involving discipline greater than corrective counseling, the supervisor is required to discuss the situation with the Director, another Manager or designee prior to proceeding with the action (this will provide an objective review of the issue and help ensure consistency in the application of discipline and corrective action).
- 3) Disciplinary Actions:  
Each of the following disciplinary actions is independent of the other and does not necessarily follow in the order listed. Consequently, an employee may be suspended without having been on probation, or may be dismissed without having been either on probation or suspended.
  - a) Corrective Counseling:  
Corrective counseling is an informal action that may be used at the option of management prior to or in addition to formal discipline to deal with performance deficiencies or misconduct. It is not part of formal discipline and is not grievable. Documentation is encouraged, but is not required. Corrective counseling consists of a straightforward discussion with the employee about matters deemed to be a problem with work performance or behavior.
  - b) Verbal Warning:  
The nature of the problem will be fully explained to and discussed with the employee, and, if appropriate, the employee may be given a plan of improvement. The verbal warning must be documented by use of the Corrective Counseling/Verbal Warning Notice form, a copy of which must be provided to the employee and placed in the employee's personnel file.
  - c) Written Warning:  
The written letter of warning must contain a description of the specific conduct for which the employee is being disciplined, how the problem is to be corrected, and what measures will be taken if the problem is not corrected. The employee will acknowledge receipt of a warning letter

by his/her signature and must be given a copy of the letter. A written warning letter will become a permanent part of the employee's personnel file.

d) **Disciplinary Probation:**

(Not to be confused with the probationary period for newly employed staff) The terms of a disciplinary probation must be in writing and must contain the following:

- i) The specifics of the conduct for which the employee is being placed on probation;
- ii) A plan of improvement the employee must follow to get off probation;
- iii) The length of time of the probation; and
- iv) The consequences for failure to meet the terms of the probation.

Disciplinary probation documentation will become a permanent part of the employee's personnel file.

e) **Suspension:**

A suspension may be with or without pay and may result in dismissal or reinstatement with or without back pay. The purpose of a suspension may be to provide an opportunity to determine the facts of a matter.

An employee who has been suspended is to leave work for the period specified or, in the case of an investigation, is to return to work only when he/she has been instructed to do so in writing. A suspension letter must contain a description of the specific conduct or reason for which the employee is being suspended, and a copy of the suspension letter may include a plan of improvement. The employee will acknowledge receipt of a suspension letter by his/her signature and must be given a copy of the suspension letter. Suspension documentation will become a permanent part of the employee's personnel file.

f) **Demotion or Transfer:**

Family Outreach, Inc retains the right to reassign (e.g., demote or transfer) an employee in conjunction with a corrective or disciplinary actions (i.e. as an alternative to termination). The terms of a disciplinary demotion or transfer must be in writing, and must contain a description of the specific conduct or reasons for which the employee is being demoted or transferred. The employee will acknowledge receipt of a letter and must be given a copy of the letter. If appropriate, a disciplinary demotion or transfer may include a plan of improvement. Documentation of a demotion or transfer will become a permanent part of the employee's personnel file.

g) **Dismissal by Employer:**

Notice of a dismissal must be in writing, and a copy of the dismissal letter must be given to the employee. The employee will acknowledge receipt of a dismissal letter by his/her signature. A supervisor must review all decisions to dismiss an employee with another management representative[i.e., no employee may be dismissed without prior review of the situation by a third party from the management team (e.g. the Director, Program Manager, Business Office Manager, or designee of Family Outreach, Inc.)].

# Field-Based Staff Employee Grievance

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## Policy

It is the policy of Family Outreach, Inc. to provide employees an opportunity to resolve complaints/problems in relation to their job. The purpose of this policy is to secure, at the lowest possible administrative level, equitable solutions to grievances that may arise. Nothing contained herein should be construed as limiting the right of any employee to discuss any matter informally with an appropriate member of management. Every effort should be made to settle a grievance informally before a formal grievance is filed.

### *Definitions:*

- a) Employee: means for the purpose of this policy any field-based employee except: an employee still within the probationary period; an employee hired on a temporary or intermittent basis; and an independent contractor.
- b) Grievance: means a complaint initiated by an employee regarding disciplinary action pertaining to that employee. A grievance also means a complaint initiated by an employee or group of employee's pertaining to the application or interpretation of laws, rules, policies or procedures. However, the term 'A Grievance' does not apply to complaints regarding informal disciplinary measures such as corrective counseling and verbal/oral warnings, pay rates, duration of assignments, or consumers/families served. A group of employees may not grieve disciplinary action taken by management.
- c) Grievant: means an employee or group of employees who have filed a formal grievance.
- d) Management: means those individuals, beginning with the employee's immediate supervisor, and including other managers in the direct line of authority above the supervisor, who can resolve a grievance.

## Procedures

- 1) Employee Grievance:

The field-based employee grievance procedure consists of three levels of grievance: 1) immediate supervisor, 2) the Program Manager, and 3) the Director.

Steps - Step 1 of the procedure is the informal resolution phase of the grievance process. Steps 2 and 3 of the procedure are the formal resolution phases of the process.

A grievant shall not use paid working time to prepare and pursue a grievance. A grievant may request to use Earned Personal Time or leave of absence without pay to prepare a grievance. Use of Earned Personal Time or leave of absence without pay shall be requested and approved consistent with Family Outreach, Inc. policy. Time spent by the grievant attending a hearing or being interviewed by an investigation officer is paid working time only during the grievant's regular work shift and shall not exceed eight (8) hours per day.

An employee other than the grievant may, at Family Outreach, Inc.'s discretion, be given working time off to participate in an investigation or hearing. This time may be paid working time, if the employee's participation is at Family Outreach, Inc.'s request. Other employees may request to use appropriate

personal leave or leave of absence without pay to attend a hearing. Use of leave shall be requested and approved consistent with Family Outreach, Inc. policy relating to the type of leave requested.

a) Step 1: Immediate Supervisor:

An aggrieved employee shall first attempt an informal resolution of any grievance by presenting the grievance to the appropriate supervisory staff (e.g., their supervising Family Support Specialist or Individual Support Coordinator) within ten (10) workdays of the occurrence of the subject matter of the grievance. The employee shall explain the nature of the problem and suggest a solution. The supervisor shall have ten (10) workdays to respond in writing after the employee has discussed the grievance with the supervisor. The supervisor's response shall be provided to the aggrieved employee either by mail or personal delivery. If the supervisor's response is mailed to the employee, it will be deemed to have been received by the employee on the third calendar day after the date of mailing.

b) Step 2: Program Manager:

If the grievance is not resolved at Step 1, the employee shall submit the grievance in writing to the Program Manager within five (5) work days of the employee's receipt of the decision at Step 1.

The employee's written grievance shall state the following:

- \* The nature of the grievance and the law, rule, policy, or procedure violated, if any.
- \* When the action occurred; and
- \* The remedy desired by the grievant.

The grievance shall be signed and dated by the grievant. For consistency purposes and ease of tracking the grievance, employees and management shall use the Grievance Resolution Form provided as Appendix A to this manual. The original of the form will be that which is transmitted between parties at each step.

The Program Manager shall issue a written decision within ~~five (5)~~ ten (10) workdays of receipt of the grievance. The Program Manger's decision shall be provided to the parties involved.

c) Step 3: Director, Family Outreach, Inc.:

If the grievance is not resolved at Step 2, the employee shall submit the grievance in writing to the Director, Family Outreach, Inc. within five (5) workdays of the employee's receipt of the decision at Step 2.

The Director will acknowledge receipt of the grievance, and may appoint an investigation officer, within five (5) work days of receipt of the grievance.

- If an investigation officer is appointed, they will then have ten (10) work days to complete the investigation and forward it to the Director, Family Outreach, Inc., who will then have five (5) working days to submit a written response to the grievance.

- If an investigator is not appointed, the Director will then have ten (10) working days in which to investigate and/or hold hearings and five (5) working days to submit a written response to the grievance.

The Director's written response will be provided to the parties involved. The decision of the Director is the final decision and the final step of the Field-Based Staff grievance procedure.

2) Failure to Act; Deadlines; Extensions of Time:

- a) If the employee/grievant fails to respond within the time frames established for a step, the grievance is considered resolved based on the last response given by management. The employee may not re-file the grievance.
- b) If management fails to respond within the time frames established for a step, the grievant may proceed to the next appropriate step of the procedure.
- c) For all deadlines (e.g., within five workdays), this means that the receiving party has acknowledged receipt of the original Grievance Resolution Form or the form has been mailed with a postmark within the deadline time frame. For all purposes, 5 p.m. is the end of a workday.
- d) On written application, and for good cause shown, the Director, Family Outreach, Inc. may grant an extension of any deadline contained in this policy. A decision to grant such an extension shall be in writing and shall be provided to the parties involved. The written decision shall become a permanent part of the grievance.

3) Waivers:

Any step of the procedure and time frame in the procedure may be waived upon written agreement of both parties. The written agreement shall become a permanent part of the grievance.

4) Grievance Resolved:

A grievance is resolved when:

- a) the grievant requests in writing that the grievance be withdrawn or signs a statement that a resolution has been achieved;
- b) the grievant dies;
- c) the grievant leaves Family Outreach, Inc.'s employment (for reasons other than an involuntary discharge), unless the grievance involves pay or fringe benefits;
- d) the grievant fails to advance the grievance in the required time frames; or
- e) the final step of the grievance procedure is completed.

# Employee Protection (Whistleblower) Policy

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## **Policy**

Family Outreach's Guidelines for Appropriate Conduct require employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities, and it is the intent of Family Outreach, Inc., to adhere to all applicable laws and regulations. It is the policy of Family Outreach, Inc. to protect employees, directors, officers, volunteers, and contractors from interference in reporting a violation of policy or law, and to protect employees from retaliation for having made a protected disclosure or for having refused an illegal order.

A "whistleblower" as defined by this policy is an employee, director, officer, volunteer, or contractor of Family Outreach, Inc. who reports an activity that he/she considers illegal or dishonest to one or more of the parties specified in this Policy. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

## **Procedure**

1. It is the responsibility of all employees, directors, officers, volunteers, and contractors to comply with and to report violations or suspected violations of the Guidelines for Appropriate Conduct, Developmental Disabilities Program policies, public policy, or local, state or federal laws in accordance with this procedure.
2. If any employee, director, officer, volunteer, or contractors reasonably believes that some policy, practice, or activity of Family Outreach, Inc. is in violation of law, a written complaint must be filed by that employee with a member of the Management Team, the Executive Director, or the Board President. If an employee, director, officer, volunteer, or contractor is not comfortable speaking with any member of the Management Team, the Executive Director or Board President, they are encouraged to report to any officer of the Board.
3. Potential whistleblowers must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.
4. To the extent possible, the confidentiality of the whistleblower will be maintained. However, the whistleblower's identity may have to be disclosed to conduct a thorough investigation, to comply with the law or to provide accused individuals their legal rights of due process.
5. Family Outreach, Inc. will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments; and from other retaliation such as verbal abuse or threats of physical harm.
6. Any whistleblower who believes he/she is being retaliated against must contact the Executive Director, Board President, a Management Team member, or any officer of the Board immediately. Protection of a whistleblower from retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.
7. All reports will be promptly investigated and the appropriate corrective action will be taken if warranted by the investigation. The complainant will be informed that follow-up has or is occurring within two weeks after the Executive Director, Board President, or Designated Outside Contact has received the complaint or report. The Board of Directors will be informed of complaints and reports.

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## D. PAY AND BENEFITS

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### Definitions

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For the purpose of this section, the following definitions apply:

"Regular Employee" means a full or part-time employee who has satisfactorily completed an appropriate probationary period.

"Probationary Period Employee" means a full-time or part-time employee who has not yet completed their initial hire probationary period.

"Office-Based Staff" means a probationary or non-probationary, full- or part-time employee who is based out of the Program or Administrative Office (i.e., Executive Director, Program Managers, Administrative Assistants, Family Support Specialists, Individual Support Coordinators, and other office-based positions).

"Field-Based Staff" means a probationary or non-probationary, full-time or part-time employee hired to provide direct care services to consumers, or to support the DSP system, or whose employment is contingent on field-support needs. These positions are typically field-based (i.e., working out of consumer's homes or other field locations). Some DSP system support positions may work in a program or administrative office, but are considered "field-based staff (e.g. Direct Service Providers)" for personnel policy purposes.

# FIELD-BASED STAFF Hours of Work

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## Policy

Family Outreach, Inc. employees will follow established work schedules, receive prior approval from their supervisor to deviate from normal schedules, and use proper procedures for notification of daily work hours.

## Procedures

Hours worked by Direct Service Providers in excess of 40 hours during any one workweek must be compensated with overtime pay (1.5 x the regular hourly rate).

- 1) Supervisors may adjust schedules or require time off without pay within a workweek so employees do not become eligible for overtime payments.
- 2) Direct Service Providers must receive prior approval from his/her supervisor(s) before working overtime hours and/or changing their regularly scheduled working hours.
- 3) Full-time employees:  
Direct Service Providers regularly scheduled to work more than 35 hours per week are considered full-time Field-Based Staff. A full-time employee may be scheduled individual working hours not to exceed the forty-hour workweek.
- 4) Part-time and intermittent employees:  
Employees regularly scheduled to work less than 35 hours per week are considered part-time, and employees working less than 10 hours per week are considered intermittent. For part-time and intermittent employees, time worked between their regularly scheduled hours and 40 hours a week will be compensated at their standard rate of pay. Part-time employees may schedule individual working hours not to exceed the number of work hours for which they were approved (percent of full time equivalent).
- 5) Employees will also keep their supervisors apprised of their work schedules. Direct Service Providers often serve multiple consumers and families and report to multiple Family Outreach supervising staff.
- 6) Direct Service Providers are responsible for notifying the Program Manager, Local Employment Coordinator, and the appropriate supervising staff if scheduling during any workweek may result in hours exceeding their normally scheduled work hours (for part-time or intermittent staff) or hours in excess of the 40-hour work week (for full-time staff).
- 7) Direct Service Providers must receive prior approval from the Program Manager, Local Employment Coordinator, or the appropriate supervising staff before working hours in excess of 40 during a work week.

# Field-Based Staff Absences, Tardiness and Unexcused Absences

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## Policy

Direct Service Providers must notify the appropriate supervisory staff and affected consumers or families (in the case of short notice) of their need for time off work as soon as possible before their next scheduled work shift, but no later than by starting time.

## Procedures

Family Outreach, Inc. expects all employees to assume diligent responsibility for their attendance and promptness and for notifying Family Outreach Inc. of absence or tardiness as soon as possible. As one condition of continued employment, employees are expected to be at work for each time that they are scheduled to work and to be on time for work.

- 1) Abandonment of job -  
Any employee who is scheduled to work and fails to report for work for three consecutive days without arranging for an excused absence with the appropriate supervisory staff, will be considered to have voluntarily abandoned and terminated his/her position. An excused absence is one which has been approved by the appropriate supervisory staff. Any other absence is considered unexcused.
- 2) Termination -  
An employee may be terminated before three unexcused days of absence if such action is appropriate. Excessive absenteeism or tardiness is grounds for disciplinary action, up to and including termination.
- 3) Notice -
  - i. Field-Based Staff should provide two weeks notice for all planned absences (e.g., leave for vacation).
  - ii. For unplanned absences (e.g., due to illness or injury), Field-Based Staff should notify the appropriate supervisor for the assigned consumer or the Local Employment Coordinator as soon as possible and no later than one hour or more prior to the scheduled shift if the absence is during office hours, or notify the on-call program staff as soon as possible and no later than one hour prior to the scheduled shift if the absence is during non-office hours. Employees must ensure they make personal contact with a staff member (i.e., do not just leave a voicemail message). Normal office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

The field-based employee is also responsible for notifying affected consumers or families in the case of short notice replacements or delays as directed by Family Outreach secretarial or on-call program staff.

# **Inclement Weather/State-Declared Disasters**

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## **Policy**

Family Outreach, Inc. will follow Montana State declarations of disaster or emergency for the cities and surrounding areas in which Family Outreach, Inc. operates (Helena, Butte, and Bozeman).

Office-based employees will be provided temporary paid time off without charge to any leave benefits when the work site is closed as declared by the Governor.

## **Procedures**

- 1) Each affected office supervisor should contact their local government agency (Dept of Transportation, Office of Disaster and Emergency Services) for information and details regarding the state of local conditions.
- 2) Supervisors will then notify their employees by the appropriate means of the work site closure and/or emergency condition and of any other relevant information needed to be disseminated for the health and safety of their staff. An estimate should be given as to the length of time, and follow up procedures in the event of extended emergency conditions.
- 3) This policy does not apply to Field-based staff (e.g. Direct Service Providers) because field-based services are contingent on consumer needs and/or are typically provided at consumer's homes, and are not affected by work site closures.
- 4) Family Outreach, Inc., employees are responsible for maintaining essential services to consumers in the event of a disaster or emergency.

# Field-Based Staff Pay Administration

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## Policy

Family Outreach, Inc.'s Pay Administration Program is intended to help ensure the organization is able to attract, retain and motivate the number of qualified people necessary to achieve Family Outreach, Inc.'s goals and to do so as cost-effectively as possible.

## Procedures

Field-based staff are employed to meet fluctuating caseloads and client needs, and as such, their employment is contingent on the needs and preferences of the consumers and their families and available funding. Field-based staff are considered "nonexempt" for purposes of the Fair Labor Standards Act.

- 1) Types of Employment -  
For purposes of salary and benefit administration, Family Outreach, Inc. classifies its Field-based staff employees as follows:
  - i. Full-Time field-based staff -  
Direct service staff employed to meet fluctuating caseloads and client needs on a scheduled basis of 35 hours per week or more for a period of time that is directly linked to the assigned consumer agreement(s) for which the employee was hired to provide service. In order to attain field-based Full-Time status, employees must also complete required training and have the required certificates as detailed in the Field-Based Staff Training policy.
  - ii. Part-Time field-based staff -  
Direct service staff employed to meet fluctuating caseloads and client needs on a scheduled basis of less than 35 hours per week for a period of time that is directly linked to the assigned consumer agreement(s) for which the employee was hired to provide service.
  - iii. Probationary field-based staff -  
Employees who are full-time or part-time who have not yet completed their probationary period. Probationary period employee pay will be administered according to the Family Outreach, Inc. pay plan.
- 2) Regular Pay Procedures
  - i. All required deductions, such as for Social Security (FICA) and Federal and State taxes, will be withheld automatically from paychecks.
  - ii. When an employee terminates his/her employment with Family Outreach, Inc., all unpaid wages and monies due are payable on the next regular payday for the pay period in which the employee terminates from or 15 days from the date of termination from employment, whichever occurs first. When an employee is terminated for cause or laid off from employment, all unpaid wages and monies due the employee are payable on the next regular payday for the pay period in which the employee terminates from or 15 days from termination date, whichever occurs first.

3) Overtime Pay Procedures

- i. Direct Service Providers will receive compensation for approved overtime work for all work hours over forty in a workweek. Work hours are defined as actual hours worked; personal leave taken during a work period is not computed as hours worked.
- ii. Overtime must be arranged with and approved by the supervisor in advance. As a general policy, overtime is discouraged. However, there are times when work situations will require that a supervisor request and authorize an employee to work overtime.

4) Payroll Time Sheets

- i. Employees will be paid after hours of work and leave are to be recorded on the Payroll Time Sheet, and approved by the appropriate authority.
- ii. The Payroll Time Sheet is completed by the employee, for each workweek during the month and turned into the supervisor for review and approval.
- iii. The Fiscal Dept will reconcile recorded time and leave balances. Changes or corrections to the Payroll Time Sheet will be sent back to the supervisor for revision. The Fiscal Dept will maintain agency records of each employee's Payroll Time Sheets, and leave balances.

# Field-Based Staff Employee Benefits & Leave

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## Policy

Family Outreach, Inc. provides benefits and leave to eligible field-based employees:

All employees of Family Outreach, Inc. are covered by Worker's Compensation Insurance and by Employment Security Insurance.

All employees of Family Outreach, Inc. are allowed to participate in its 403(b) Retirement Plan. Through this plan, you may defer some or all of your earnings, within the Federal limitations.

Family Outreach, Inc. provides an Employee Assistance Program (EAP) as a benefit to all its employees. The EAP is to reduce problems in the work force and retain valued employees.

Family Outreach, Inc. provides a Health Insurance program for field-based employees working 20 hours per week or more based on a quarterly average.

Family Outreach, Inc. provides full-time (employees working 35 hours or more per week) field-based employees who have met eligibility requirements (e.g., probation, hours of work, and training/certification requirements) an "Earned Personal Time" (EPT) benefit for employee leave for vacation, sickness, holiday, or any other approved leave purpose. EPT is a benefit provided voluntarily by Family Outreach, Inc. and its use is at management's discretion. EPT balances may be reduced at the discretion of the employer and are not paid out upon termination (use it or lose it). To be eligible for the leave benefits, employees must successfully complete their probationary period including meeting all training/certification requirements and be regularly scheduled to work 35 hours per week or more.

Family Outreach, Inc. provides Family Medical Leave Act benefits for eligible employees including up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons.

Family Outreach, Inc. provides eligible field-based employees with unpaid military leave & reemployment benefits in compliance with federal and state law.

Family Outreach, Inc. offers full-time (employees working 35 hours or more per week) field-based employees who have met eligibility requirements (e.g., probation, hours of work, and training/certification requirements) the option to participate in Supplemental Insurance Coverage (AFLAC) available through payroll deduction. To be eligible for participation in the supplemental insurance program, employees must successfully complete their probationary period including meeting all training/certification requirements and be regularly scheduled to work 35 hours per week or more.

Family Outreach, Inc. retains the right to change, modify or cancel any employee benefit if the Board of Directors deems it so necessary or desirable for the welfare of Family Outreach, Inc.

## Procedures

All necessary forms and information regarding these benefits shall be completed and returned to the business office staff. Employees will be responsible for notifying the Local Employment Coordinator and Assistant Business Manager or Business Manager of any change of status that may affect their leave or benefits. Employees will be notified in writing at least 30 days in advance of any changes related to these benefits.

- 1) **Workers Compensation & Unemployment Insurance (all employees)** - All employees of Family Outreach, Inc. are covered by Worker's Compensation Insurance and by Employment Security Insurance.
  - (a) As required by law, all employees are covered by Workers' Compensation. This benefit is paid by Family Outreach, Inc. and reimburses for medical expenses, which are the result of a work-related injury or illness. Family Outreach, Inc. requires that all accidents and injuries be reported promptly to a supervisor. Additionally, employees losing wages (i.e., unpaid leave) for more than six scheduled work days will be reimbursed by Workers' Compensation as specified by Montana law. Worker's Compensation issues (e.g. claim filing, correspondence with insurance or healthcare providers, return to work, etc.) will be coordinated through the Business Office.
  - b) As required by law, all employees are covered by unemployment insurance. This benefit is paid by Family Outreach, Inc. and provides short-term economic assistance to eligible unemployed workers from a savings program.

- 2) **403(b) Retirement Plan (all employees)**

Family Outreach, Inc. provides a 403(b) Retirement Plan in which all employees are allowed to participate. Through this plan, you may defer some or all of your earnings, within the Federal limitations. This plan is structured the same as a 401k Plan, including the following provisions: Amounts deferred are exempt from both federal and state tax at the time of deferral. Taxes are incurred when the money is withdrawn from the Plan if not rolled into another plan or IRA; and you may elect to defer either a percentage of your gross earnings or a set amount per pay period.

A copy of the Summary Plan Document is available from the Business Office. In the event of any contradiction between the information appearing in this policy, other Family Outreach, Inc. documents, and the information that appears in the master plan document, the master document shall govern in all cases.

### 3) **Field-Based Employee Health Insurance**

- a) Field-based employees working 20 hours per week or more based on a quarterly average and their eligible dependents are eligible to participate in the Health Insurance program. Employees are eligible upon hire only if they are scheduled to work 20 hours per week or more immediately. Other employees can become eligible only when they have worked an average of 20 hours per week or more in the preceding three months. Field-Based employees must complete a Health Insurance Probationary Period beginning on the date of eligibility.

- b) Each member of the group will be given a copy of the plan selected. The ruling authority of the plans is the providing company and they make final determinations of claims. An appeal procedure is a part of the plan.
  - c) The cost to provide this benefit for the employee and his/her eligible dependents is currently shared by Family Outreach, Inc. and the employee.
- 4) Supplemental Insurance Coverage (AFLAC) (eligible full-time field-based employees only)
- a) Family Outreach, Inc. offers field-based employees who have met eligibility requirements (e.g., probation, hours of work, and training/ certification requirements) the option to participate in Supplemental Insurance Coverage (AFLAC) available through payroll deduction. AFLAC policies provide direct-to-the-policyholder cash benefits in the event of an illness or an accident. Policy offerings include: Accident/Disability, Cancer, Hospital Indemnity, Life, and Dental.
- 5) Employee Assistance Program (all employees) Family Outreach, Inc. provides an Employee Assistance Program (EAP) as a benefit to its employees. The purpose of the EAP is to reduce problems in the work force and retain valued employees. We recognize that problems of a personal nature can have an adverse effect on an employee's job performance. It is also recognized that most personal problems can be dealt with successfully when identified early and referred to appropriate care.
- The EAP is designed to deal with a broad range of human problems such as emotional, family and marital, alcohol and/or drugs, financial, legal, and other personal problems. Management recognizes that at times personal problems can have an adverse effect on work performance. Thus, the EAP service is available to assist employees and their immediate family members. The EAP will provide problem assessment, short-term counseling, and referral for the employee or family member at outside agencies. Professionals are not included in the Employee Assistance Program's coverage, and are the full responsibility of the employee or eligible members and private insurance coverage.
- a) The program is available to employees and their families on a self-referral basis. Supervisory referrals to the EAP will be made according to guidelines established by the EAP provider.
  - b) Participation in the program will not jeopardize an employee's job security, promotional opportunities, or reputation. All records will be kept by the EAP provider.
- 6) Earned Personal Time (eligible full-time field-based employees only) Family Outreach, Inc. provides eligible full-time field-based employees (employees working 35 hours or more per week) who have met eligibility requirements (e.g., probation, hours of work, and training/certification requirements) an "Earned Personal Time" (EPT) benefit for employee leave.
- a) To be eligible for the leave benefits, employees must successfully complete their probationary period including meeting all training/certification requirements and be regularly scheduled to work 35 hours per week or more.

- b) To be eligible for the leave benefits, employees must successfully complete their probationary period including meeting all training/certification requirements and be regularly scheduled to work 35 hours per week or more.
  - c) Field-based staff Earned Personal Time accrues on a prorated basis in accordance with the actual hours worked by the employee. EPT will be accrued on the basis of .0346 hours of EPT earned for each one hour (1) of time worked.
  - d) Employees will be eligible to use accrued EPT after completion of their probationary period. EPT will begin accruing on July 1, 2006, or the employee's date of hire, whichever is later.
  - e) Earned time is earned on a bi-weekly basis, and is available only after it is earned. "Full-time" field-based employees work 35 hours or more per week. Full time employees will accrue leave each pay period, and will be eligible to use it thereafter. Employees do not accrue leave credits for hours worked in excess of forty (40) per week.
  - f) Employees may carry up to 60 hours of EPT in their benefit balance. EPT balances may be reduced at the discretion of the employer and are not paid out upon termination (use it or lose it).
- 7) Family and Medical Leave Act (FMLA) (eligible field-based employees only). Family Outreach, Inc. provides up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for Family Outreach, Inc. for at least one year, and for 1,250 hours over the previous 12 months. The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances.
- a) Reasons for FMLA leave: Under the FMLA, twelve (12) weeks of unpaid leave will be granted for any of the following reasons [with the exception of reason 6, in which up to twenty-six (26) weeks are available]:
    1. For the birth of a son or daughter and to care for the newborn child.
    2. For placement with the employee of a son or daughter for adoption or foster care
    3. To care for the employee's spouse, son, daughter, or parent with a serious health condition.
    4. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.
    5. Because of any qualifying exigency (e.g., short-notice deployment, military events, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other events which arise out of the covered member's active duty or call to active duty status) arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
    6. To care for a covered service member with a serious injury or illness sustained in the line of duty on active duty if the employee is the spouse, son, daughter, parent, or next of kin of the service member. Eligible employees are entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

- b) The employee's *actual* workweek is the basis of leave entitlement. For example, if a covered employee who normally works 40 hours per week takes off 8 hours off, the employee would use one-fifth (1/5) of a week of FMLA leave; or if a covered employee who normally works 30 hours per week takes 10 hours off, the employee would use one-third (1/3) of a week of FMLA leave.
- c) Employees are required to provide advance leave notice, and may be required to provide medical certification. Taking of leave may be denied if requirements are not met. Employees ordinarily must provide 30 days advance notice when the leave is "foreseeable." Family Outreach, Inc. may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Family Outreach, Inc., may contact the employee's health care provider for the purposes of clarification and authentication of the medical certification (whether initial certification or recertification after the employee has been given the opportunity to cure any deficiencies in the certification (e.g., if the certification does not provide necessary information such as the duration of the leave, the nature of restrictions, or the medical necessity of the leave or restrictions). In these cases, correspondence with the employee and health care provider will be coordinated through the Business Office or the Director, and the contact on behalf of Family Outreach, Inc. will be made by a health care provider, a human resources professional, a leave administrator, or a management official, and will not be made by the direct supervisor.

- d) To ensure consistency and compliance in the administration of FMLA leave, appropriate management officials should correspond with employees and their providers using the Family Outreach FMLA Designation Letter [Appendix D] or the Family Outreach FMLA Notice & Designation Form [Appendix E], and the U.S. Department of Labor Certification of Health Care Provider Form (Form WH-380) [Appendix F].
  - e) If a Program Manager or Supervisor becomes aware of an employee taking leave for a potentially qualifying event (e.g. those described in section a above), or if the employee is absent from work on sick or unpaid leave for three days or more for reasons including health conditions, care of a family member or in conjunction with a qualified military status they will immediately notify the Assistant Business Office Manager who will complete the Family Outreach FMLA Notice & Designation Form [Appendix E] OR send out the Family Outreach FMLA Designation Letter [Appendix D].
  - f) Please see the Business Office for additional information regarding FMLA leave.
- 8) Military Leave & Reemployment – Family Outreach, Inc. provides eligible field-based employees who are inducted into the U.S. Armed Forces or who are reserve members of the U.S. Armed Forces or state militia groups unpaid leaves of absence for military service (i.e., federally funded military duty and state active duty), training, or other obligations in compliance with state and federal laws. These employees may use accrued Earned Personal Time, but are not required to do so. At the conclusion of the leave,

employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay and benefits.

- a) Employees are required to notify their supervisors as soon as they are aware of the military obligation. Employees will submit a schedule of regular training periods to their supervisor. An employee required to take military leave will submit a Request for Leave of Absence along with Official Military Orders to the supervisor as soon as possible following military notification. This may be notification by phone in emergency circumstances, but Official Military Orders must be submitted as soon as possible or no later than the employee's return to work.
- b) Reemployment guarantees for active duty service will follow the provisions of Section 10-1-1007 MCA and the Uniformed Services Employment and Reemployment Rights Act. Employees have the right to be reemployed in their job if they leave that job to perform service in the uniformed service and: they provide advance written or verbal notice of your service; have five years or less of cumulative service in the uniformed services while with Family Outreach, Inc.; return to work or apply for reemployment in a timely manner (within 40 days) after conclusion of service; and have not been separated from service with a disqualifying discharge or under other than honorable conditions. Employees who are eligible to be reemployed, must be restored to the job and benefits they would have attained if they had not been absent due to military service or a comparable job. Eligible employees will be reemployed in the position they left or a similar position in order to perform such training or service unless:
  - (i) the member is no longer qualified to perform the duties of the position, subject to the provisions of MCA 49-2-303 prohibiting employment discrimination because of a physical or mental disability;
  - (ii) the member's position was temporary and the temporary employment period has expired;
  - (iii) the member's request to return to employment was not done in a timely manner;
  - (iv) the employer's circumstances have changed so significantly that the member's continued employment with the employer cannot reasonably be expected; or
  - (v) the member's return to employment would cause the employer an undue hardship.

Members eligible for reemployment will be restored to their position or to a position of like seniority, status, and pay unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

- c) If an eligible member leaves their job to perform military service, they have the right to elect to continue their existing employer-based health plan coverage for themselves and their dependents for up to 24 months while in the military. If the eligible member does not elect to continue coverage during their military service, they have the right to be reinstated in the health plan when they are reemployed. If an employee's employer-sponsored health plan coverage would terminate because of an absence due to uniformed service, the person may elect to continue that coverage for up to 24 months after the absence begins, or the period of absence, whichever is shorter. The employee will not be required to pay more than 102% of the full premium for the coverage -- if the uniformed service was for 30 or fewer days, the employee will not be required to pay more than the normal employee share of any premium.

On return from service, health insurance coverage will be reinstated without any waiting period or exclusions for preexisting conditions, other than waiting periods or exclusions that would have applied even if there had been no absence for uniformed service. This rule does not apply to the coverage of any illness or injury determined by the Secretary of Veterans' Affairs to have been incurred in, or aggravated during, performance of service in the uniformed service.

- d) All military leave will be recorded on the Payroll Time Sheet for inclusive pay periods.
- e) Questions regarding the Family Outreach's military leave policy, applicable state and federal laws and continuation of benefits should contact the Business Office.

# Employee Classification

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## Policy

Family Outreach, Inc. has a policy of maintaining appropriate classifications of employees to make sure that all legal requirements are maintained to ensure that there is no discrimination in terms of benefit plan eligibility and payment of compensation according to federal and state laws.

## Procedures

- 1) The Business Office will determine employee classification in accordance with the following procedures to ensure that all appropriate employees are offered the appropriate benefit enrollment opportunities. Employees are responsible for notifying the Business Office of any change in their employment status that may affect their benefit eligibility.
- 2) Employee Work Classifications:
  - a) “Office-Based Staff” means a probationary or non-probationary, full- or part-time employee who is based out of the Program or Administrative Office (i.e., Executive Director, Program Managers, Administrative Assistants, Family Support Specialists, Individual Support Coordinators, and other office-based positions).
    - i. Office-Based Full-Time Employees – Program and Administrative staff whose position is office-based and are employed on a regularly scheduled basis of 40-hours per week for a non-specified period.
    - ii. Office-Based Part-Time Employees – Program and Administrative staff whose position is office-based and are employed on a regularly scheduled basis of less than 40 hours per week (i.e., a percent of full-time equivalent) for a non-specified period.
    - iii. Benefit Plan Participation— Office-Based employees are eligible to participate in all benefit plans the company offers once eligibility requirements have been met.
  - b) ”Field-based staff (e.g. Direct Service Providers)” means a probationary or non-probationary, full-time or part-time employee hired to provide direct care services to consumers, or to support the Direct Service Provider (DSP) system, or whose employment is contingent on field-support needs. These positions are typically field-based (i.e., working out of consumer’s homes or other field locations). Some DSP system support positions may work in a program or administrative office, but are considered “field-based staff” for personnel policy purposes. Field-based staff are employed to meet fluctuating caseloads and client needs, and as such, their employment is contingent on the needs and preferences of the consumers and their families and available funding.

- i. **Field-Based Full-Time Employees –**  
Field-based staff employed to meet fluctuating caseloads and client needs on a scheduled basis of 35 hours per week or more for a period of time that is directly linked to the assigned consumer agreement(s) for which the employee was hired to provide service. In order to attain Full-Time status, employees must also complete required training and have the required certificates as detailed in the Training policy.
  - ii. **Benefit Plan Participation —**  
Field-based Full-Time Employees are eligible to participate in the field-based benefit plans the agency offers (Earned Personal Time, health insurance, employee-sponsored retirement, and supplementary insurance) after eligibility requirements (probation, hours of work, and training) are met. The DSP Earned Personal Time accrual program will be provided on a pro-rated basis in accordance with the actual hours worked by the employee.
  - iii. **Field-Based Part-Time Employees –**  
Field-based staff employed to meet fluctuating caseloads and client needs on a scheduled basis of less than 35 hours per week for a period of time that is directly linked to the assigned consumer agreement(s) for which the employee was hired to provide service.
  - iv. **Benefit Plan Participation—**  
Field-based Part-Time Employees are ineligible for participation in Earned Personal Time. However, field-based Part-Time employees are eligible to participate in the employee-sponsored retirement plan and supplemental insurance benefit plans.
- c) **Special Classes:**
- i. **Intermittent Employee -**  
Employed on an “as-needed” basis for a specified period.  
  
Benefit Plan Participation— Intermittent employees are ineligible for participation in any company benefit plan and may not be employed for more than 400 hours in any 180-day period.
  - ii. **Interns -** Employed in a special status for a specified period, i.e., summer, academic semester.  
  
Benefit Plan Participation—Interns are ineligible for participation in company benefit plans.
  - iii. **Self-Directed Personal Assistants (SDPA) –** SDPAs are employees of the consumer for the purposes of selection, management, and supervision. SDPAs are employees of record of Family Outreach, Inc. only for payroll purposes.  
  
Benefit Plan Participation—SDPAs are ineligible for participation in company benefit plans.

- iv. Temporary Employee -Designated as temporary by a Program Manager or Executive Director for a definite period of time not to exceed 12 months; performs temporary duties or permanent duties on a temporary basis; are terminated at the end of the employment period; and are not eligible to become an Office-Based employee without a selection process.

Benefit Plan Participation – Temporary employees are ineligible for participation in company benefit plans.

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# **E. MISCELLANEOUS**

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## **Work-Related Expense Reimbursement**

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### **Policy**

Family Outreach, Inc. will reimburse an employee's work-related travel expenses for transportation, meals, and lodging at current State of Montana rates whenever possible. All other rates will be negotiated in advance of the travel and all employees will be notified of current reimbursement rates. High cost cities as designated by the State of Montana, both in state and out-of-state shall be negotiated in advance of the travel. Program Managers will be notified of in-state high cost cities; out-of-state travel must be approved by the Director, Family Outreach, Inc., in writing and in advance, for reimbursement rates.

Work related transportation must be as economic and efficient as possible. As such, mileage calculations will be from the work place, unless the destination is lesser miles from home and the employee begins travel status from home. Employees should schedule the sharing of transportation whenever possible. Trips should be scheduled for destination routes in the fewest possible miles. Alternate modes of travel other than personal car must be approved in advance by the employee's supervisor.

Family Outreach, Inc. is responsible for the travel expenses of only its employees. As such, no personal-related expenditures may be charged on a Family Outreach, Inc. account. Personal phone calls, room guests, and entertainment are not allowed as reimbursable expenses.

Regular employees using personal vehicles for direct services may request reimbursement for their cost difference for insurance to increase their work vehicle's liability limits to the amounts required by the Developmental Disabilities Program (DDP) contract. Please see the Business Office for information regarding the current DDP insurance requirements and reimbursement procedures.

### **Procedures**

- 1) Travel reimbursement expenses must be documented on a Travel Expense Voucher. Details must include:
  - a) Departure/Completion times of travel status.
  - b) Purpose/Destination of trip.
  - c) Mode of travel (if other than personal car).
  - d) Mileage to be reimbursed. Reimbursed mileage is defined as mileage driven over and above the employee's normal commuting mileage.
  - e) Mileage Allowances: Mileage will be multiplied by the applicable reimbursement rate in effect at the time of the travel.
- 2) Meal Allowances:

- a) To be considered in a travel status eligible for meal reimbursement, an employee's travel must exceed three (3) hours and a distance of 15 miles from their office; or is conducting business during the lunch hour.
  - b) Meal reimbursements will be for the actual amounts up to the allowable reimbursement rate.
  - c) Meals related to over-night travel are reimbursed at per diem rates.
  - d) Breakfast: Reimbursement occurs if the departure time is before 7:00 a. m. or if the stay is overnight.
  - e) Lunch: If staff is out of town for more then 3 hours between 10:00 a.m. to 3:00 p.m.
  - f) Dinner: If staff stays overnight or if arrival at home or at the office is after 6:00 p.m.
  - g) The above schedule will be adjusted accordingly for employees who do not work a regular workday of 8:00 a.m. to 5:00 p.m.
- 3) Lodging Allowances:
- a) Lodging expenses will be reimbursed actual amounts up to the maximum allowable rate or as negotiated and approved by the Director prior to travel.
  - b) An employee who does not stay in a lodging facility may request reimbursement at the maximum rate for non-lodging stay allowed by the State of Montana.
- 4) Other Expenses:
- a) Other expenses must be documented in the miscellaneous section on the Travel Expense Voucher. Expense vouchers must be submitted on a monthly basis. Vouchers that are not submitted within the same fiscal year as the expense may not be reimbursed.
  - b) If the reimbursable expenses are for agency or client purchases, a Material & Supply Requisition or Support Request must have been pre-approved and submitted prior the reimbursement request.
  - c) If the reimbursable expense is for vehicle insurance upgrade to the amounts required by the DDP contract, the employee must obtain a statement from their agent stating what the cost is for personal use plus the additional premium required for the upgraded limits.
- 5) Original receipts of all actual expenditures must be attached to the Travel Expense Voucher, except for personal car mileage and over-night meals reimbursed at per diem rates.
- 6) The Travel Expense Voucher will be approved by the employee's Program Manager, or in the case of Manager's travel, by the Director, Family Outreach, Inc. and forwarded to the Accounting Specialist for check processing.

# INDEX

Absences, Tardiness and Unexcused Absences.....	D	48
Blood-Borne Pathogens Exposure Control Plan.....	B	17
Blood-Borne Pathogens Exposure Control Training Certification Form.....		65
Communicable/Contagious Disease Policy.....	B	18
Confidentiality.....	B	27
Conflict of Interest.....	B	12
Definitions.....	D	46
Discipline.....	C	40
Dress Code.....	B	14
Drug- and Alcohol-Free Workplace.....	B	15
Drug- and Alcohol-Free Workplace Acknowledgement Form.....		64
Dual Relationships.....	C	33
Early Return to Work.....	D	73
Electronic Equipment.....	B	19
E-Mail and Internet.....	B	21
Employee Benefits.....	D	52
Employee Classification.....	D	55
Employee Grievance.....	C	43
Employee Notification of Personnel Policy and Changes.....	A	5
Employment and Personal Information Files.....	A	6
Employment of Relatives.....	C	34
Equal Opportunity.....	C	29
Excess Hours and Overtime.....	D	54
Exit Interview.....	C	39
General.....	A	4
Grievance Resolution Form (Appendix A).....		62
Guidelines for Appropriate Conduct.....	B	7
Hiring.....	C	30
Hours of Work.....	D	47
Inclement Weather/State-Declared Disasters.....	D	49
Management Rights.....	A	4
New Hire Probation.....	C	35
Pay Administration.....	D	50
Performance Evaluation.....	C	37
Resignation.....	C	25
Safety.....	B	26
Sexual Harassment Policy.....	B	9
Smoke-Free and Tobacco-Free Environment.....	B	16
Staff Training.....	C	34
Supervision.....	C	28
Vehicle Use.....	B	23
Work Related Expense Reimbursement.....	E	57

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# APPENDICES

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APPENDIX A: FBS Grievance Resolution Form

APPENDIX B: Drug and Alcohol-Free Workplace Acknowledgement Form

APPENDIX C: Bloodborne Pathogen Exposure Control Training Certification Form  
Conflict Of Interest Statement

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# APPENDIX A: FBS Grievance Resolution Form

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## FAMILY OUTREACH, INC. FIELD-BASED STAFF GRIEVANCE RESOLUTION FORM

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_ Work Phone: \_\_\_\_\_

**DEFINITION:** “Grievance” means a complaint initiated by an employee regarding disciplinary action pertaining to that employee. A grievance also means a complaint initiated by an employee or group of employee’s pertaining to the application or interpretation of laws, rules, policies or procedures. However, the term “grievance” does not apply to complaints regarding informal disciplinary measures such as corrective counseling and verbal/oral warnings, pay rates, duration of assignments, or consumers/families served. A group of employees may not grieve disciplinary action taken by management.

**INSTRUCTIONS:** The grievance procedure consists of three levels of grievance: immediate supervisor, the Program Manager; and the Grievance Resolution Committee/Director. This form should be used to initiate a formal grievance.

**If you are considering initiating a grievance, you should review the complete Direct Service Provider Employee Grievance policy, of the Family Outreach, Inc. Direct Service Provider Personnel Policies and Procedures.**

### STEP 1 INFORMAL RESOLUTION

Step 1 of the grievance process is the informal resolution. An aggrieved employee shall first attempt an informal resolution of any grievance by presenting the grievance to the appropriate supervisory staff [i.e., the ISC or FSC for the service assignment(s) to which the grievance(s) relate] within five (5) workdays of the occurrence of the subject matter of the grievance. The employee shall explain the nature of the problem and suggest a solution. The supervisor shall have five (5) workdays to respond in writing after the employee has discussed the grievance with the supervisor. The supervisor’s response shall be provided to the aggrieved employee either by mail or personal delivery. If the supervisor’s response is mailed to the employee, it will be deemed to have been received by the employee on the third calendar day after the date of mailing.

### STEP 2 FORMAL GRIEVANCE

If the grievance is not resolved at Step 1, the employee shall submit the grievance in writing to the Program Manager within five (5) work days of the employee’s receipt of the decision at Step 1 (i.e., an employee has 15 working days from the date of the grievable event to file a formal, written grievance).

You must provide the following information:

1. The date of the event. \_\_\_\_\_
2. A specific statement of the written law, rule, policy and/or procedure violated. What action or conduct constituted the violation and what happened? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Total number of pages attached \_\_\_\_\_

3. The resolution or remedy you want.

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

\_\_\_\_\_ Total number of pages attached \_\_\_\_\_

4. Employee signature and date filed with supervisor.

\_\_\_\_\_  
**Employee's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Supervisor's Signature**

\_\_\_\_\_  
**Date received from employee**

**STEP 3 FORMAL GRIEVANCE**

If you do not resolve your grievance at Step 2, you may advance the grievance to Step 3 by submitting the grievance in writing to the *Director, Family Outreach, Inc.* within five (5) workdays of the employee's receipt of the decision at Step 2. The notification must be in writing and must be received within five (5) working days of receipt of management's response at Step 2.

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# APPENDIX B: Drug and Alcohol-Free Workplace Acknowledgement Form

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**Family Outreach, Inc.  
Drug and Alcohol-Free Workplace Acknowledgement  
Drug-Free Workplace Act of 1988**

As an employee of Family Outreach, Inc., I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while on Family Outreach's or its client's property or while conducting any activity involving Family Outreach, Inc. or its clients.

I understand that if I am found to be in violation of the provisions set forth in the Personnel Policies – Drug and Alcohol-Free Workplace, that I am subject to suspension, termination, participation in a drug rehabilitation program, and/or such other action as Family Outreach, Inc. deems appropriate.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

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# APPENDIX C: Bloodborne Pathogen Exposure Control Training Certification Form

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REGION IV FAMILY OUTREACH, INC.  
**Bloodborne Pathogens Exposure Control Plan**  
**CERTIFICATION OF TRAINING RECEIVED**

EMPLOYEE NAME: \_\_\_\_\_

SOCIAL SECURITY NO: \_\_\_\_\_

DATE OF TRAINING: \_\_\_\_\_ LOCATION: \_\_\_\_\_

I certify that I have received training and information regarding occupational exposure to blood and other potentially infectious materials. I have also been informed of the Family Outreach, Inc. Exposure Control Plan and know that I may request and receive, at no cost to myself, protective equipment, and/or the Hepatitis B vaccination.

I know that I must make written report to my supervisor within 5 working days following any potential exposure incident and that, with my consent, initial laboratory tests and a follow-up will remain confidential. I know that should and exposure incident occur I may request the Hepatitis B vaccination at that time, but if I should decline this vaccination, I must certify the declination in writing.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_ DATE: \_\_\_\_\_

## CERTIFICATION OF REQUESTED PROTECTIVE MATERIALS AND VACCINATION

Material

Requested: \_\_\_\_\_

---

Verification of Receipt

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Hepatitis B Vaccination Requested:

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Verification of vaccination series completed:

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**Region IV Family Outreach, Inc. - Annual Conflict of Interest Statement  
For Employees, Directors, Officers, Board Members, Committee Members, and Volunteers**

No Employee, Director, Officer, Board member, Committee member, Volunteer, or Contractor of Family Outreach, Inc. shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation with Family Outreach, Inc. Each individual shall disclose to Family Outreach, Inc. any personal interest which he or she may have in any matter pending before Family Outreach, Inc., and shall refrain from participation in any decision on such matter.

At this time, I am an Employee, Director, Officer, Board member, Committee member, Volunteer or Contractor with of the following organizations:


I certify that, except as described below\*, I am not now or at any time during the past year have been:

1. A participant, directly or indirectly, in any arrangement, agreement, investment, or other activity with any vendor, supplier, or other party doing business with Family Outreach, Inc., which has resulted in or could result in personal benefit to me.
2. A recipient, directly or indirectly, of any salary payments, loans, or gifts of any kind or any free services or discounts or other fees from or on behalf of any person or organization engaged in any transaction with Family Outreach, Inc.

**\*Any exceptions to 1 or 2 above are stated below** with a full description of the transaction and of the interest, whether director or indirect, which I have (or have had during the past year) in the persons or organizations having transactions with Family Outreach, Inc.


By signing this Statement, I affirm that I:

- Have received a copy of the conflict of interest policy
- Have read and understand the policy
- Have agreed to comply with the policy, and
- Understand that Family Outreach, Inc. is tax-exempt, and that in order to maintain its federal tax exemption, it must engaged primarily in disability services including providing family training, respite, materials and supplies, habilitation, and therapies to children and their families; and providing supportive living services to adults which enable them to live in communities and to make their own lifestyle choices.

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

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

Printed Name: \_\_\_\_\_