

Contents

INTRODUCTION	6
Progress Mission and Purpose	6
Support Issues: Agency, Client and Staff	6
EMPLOYMENT:	7
Orientation, Training and Development:	8
New Employee Training and Background Requirements:	9
Initial Review Period:	10
Termination / End of Employment:	11
Employee TB Screening:	13
Vehicle Inspections:	14
COMPENSATION:	15
Regular Pay Procedures	15
TIMESHEETS:	16
Performance Review Policy:	17
EMPLOYEE BENEFITS:	18
Summary of Benefits	18
Paid Time Off	20
Holidays	23
REIMBURSEMENT OF EMPLOYEE EXPENSES	24
Travel Related Expenses	24
EMPLOYEE SAFETY	26
Maintenance of Work Areas:	28
Personal Property Security:	29
First Aid / Accident Response:	29
Emergency Building Evacuation:	30
Tornado / Extreme Weather Alerts	31
Client Property:	33
ATTENDANCE / ABSENCES:	34
Hours of Work	34
Attendance and Punctuality:	35
Response to Inclement Weather:	40
Employee Overtime:	41
Employees / Clients with Signs or Symptoms of Communicable Disease:	42
WORKPLACE CONDUCT:	43
Receipts for Disbursements	44
Non-Smoking Environment:	51
Solicitation:	52
Conflict of Interest:	53
Confidentiality:	54

Testimonials / Endorsement / Articles:	55
Advocacy:	56
VISITORS AND FAMILY MEMBERS:	57
Visitors and Family Members in Progress Facilities and Supported Living Homes	57
Driving / Transporting:	58
EMPLOYEE DISCIPLINE AND GRIEVANCE PROCEDURES:	59
Employee Discipline	59
Vehicle Insurance / Vehicle Accidents / Moving Violations:	63
Medication Errors:	66
Harassment:	67
Policy of Non-Discrimination and Complaint Procedure:	68
Employee Grievance Procedure:	70
HIPAA	75
Title VI Policy and Procedure	78
Technology Usage Policy	79
False Claims Policy	82
Whistle Blower Protection Policy	82
Infection Control / Exposure	86

PROGRESS INC.
Codes of Conduct and Ethical Practice

POLICY:

Progress Inc. is committed to the principles of integrity and ethics in its relationships with individuals served, their families/conservators/advocates, funding and regulatory agencies, other government entities, professionals and professional organizations, vendors and suppliers, and the general public.

First and foremost, Progress is dedicated to providing the highest quality of services to individuals served. In order to do so, Progress expects employees and board members to act honestly in their interactions with all parties, including but not limited to individuals, their families, funding and regulatory agencies, other government entities, professionals and professional organizations, vendors and suppliers, and the general public.

Employees and board members must perform their duties in compliance with all federal, state, and local laws and regulations and in accordance with the guidelines set forth in this Code of Conduct. Violation of these guidelines may result in disciplinary action for employees and dismissal from the board for board members. Suspected violations of this Code of Conduct must be reported promptly to one's supervisor, program manager, department director, or executive director.

Employee and Board Member Expectations

1. Progress expects employees and board members to avoid any and all acts or appearances of impropriety or conflict of interest in conducting their affairs with or on behalf of Progress. Conflict of interest includes but is not limited to any transaction by or with Progress in which an employee or board member has a direct or indirect personal interest, or any transaction in which an employee cannot exercise impartial judgment or otherwise act in the best interests of Progress and individuals supported by Progress. If a situation could reasonably be considered a conflict of interest or if any question arises about a particular relationship, employees must seek direction from their immediate supervisor. Board members are to seek the guidance of the Executive Director or the Chairman of their board.
2. Employees and board members are prohibited from accepting personal favors or benefits under circumstances that may be reasonably construed as influencing the employee or board member's official activities. The employee may not accept such favors and benefits on behalf of other individuals. No employee of Progress shall cast a vote, or take part in the final deliberation in any matter in which he or she, members of his or her immediate family or any organization to which the employee has allegiance, has a personal interest that may be seen as competing with the interest of Progress.
3. Employment of the full-time staff at Progress will always be considered primary; any employment outside of Progress will be considered secondary. Secondary employment must not represent a conflict of interest in employment.
4. Employees and board members must conduct themselves in a positive and courteous manner toward individuals supported by Progress. Mistreatment of any individual in any form will not be tolerated. Prohibited activities include but are not limited to:

- a. Abuse, neglect, mistreatment or exploitation of an individual receiving services
 - b. Using alcohol or illegal drugs while providing services to an individual.
 - c. Procuring illegal drugs for individuals.
 - d. Procuring alcohol for any individual unless that individual is of legal age and whose consumption of alcohol is permitted under his/her Individual Support Plan.
 - e. Soliciting gifts, money or favors from individuals or from relatives, friends or acquaintances of individuals. Gifts given on initiation by individuals that are of more than nominal value may not be accepted.
 - f. Progress staff will not solicit funds themselves or encourage others to solicit funds from our clients supported for the purchase of any items including but not limited to: Girl Scout cookies, Mary Kay, Tupperware, coupon books, etc.
 - g. Knowingly mismanaging or misrepresenting an individual's funds or violating approved Progress's financial policy.
 - h. Gambling, buying, selling, trading, borrowing or lending goods or money with individuals.
 - i. Using relationships with, or clinical information obtained on, current or former individuals supported by Progress to take unfair advantage of an individual, their relatives, friends, or personal acquaintances.
 - j. Engaging in sexual relationships, any type of sexual conduct, or otherwise taking sexual advantage of any individual. Any of these actions would constitute sexual assault. Consent of the individual shall not be a defense to disciplinary action under this subsection.
 - k. Any inappropriate physical and verbal conduct with an individual.
5. Employees and board members must comply with applicable laws, regulations, and policies and procedures to ensure that each individual, regardless of payment source or level of reimbursement, receives the same high quality, cost-effective services.

Additional Employee Expectations

By nature of their responsibilities, employees of Progress must be constantly vigilant with regard to their behavior with and on behalf of the individuals they serve. In this regard, employees are expected to:

1. Immediately report incidents of individual, abuse, neglect, mistreatment and/or exploitation whether committed by themselves, fellow employees or others.
2. Maintain accurate and timely records and documentation with regard to services delivered to consumers, including clinical, medical, billing, individual funds, personnel, payroll and accounting records.
3. Always act in the individuals' best interests, respect their rights, and demonstrate a commitment to providing high quality and effective services.
4. Maintain open and honest communications with fellow employees, supervisors and others in authority both within Progress and government and regulatory agencies involved in the lives of those served.
5. Adhere to the instructions provided, including Progress policies and procedures, in carrying out their duties as employees of Progress; seek clarification when in

doubt; and cooperate with others, including fellow employees, supervisors and others involved in the provision of services to individuals.

6. Conduct all marketing, public relations, community outreach and other such related activities in a manner that adheres to ethical standards for such work, protects the confidentiality of individuals supported by Progress, and promotes individuals in a positive way.
7. Be courteous and respectful of all persons with whom they have contact in the course of the performance of their duties as employees of Progress, including, but not limited to, the prompt return of phone calls and emails and compliance with Progress's business standards in all written and electronic correspondence.

Additionally, Progress expects that employees will not:

1. Disclose confidential information about individuals without proper authorization.
2. Discuss confidential information about individuals in public or within earshot of others who have no right to that information.
3. Provide false or misleading information to any party conducting an external or internal investigation.
4. Destroy or alter documents or records (such as individual's records, time sheets, driving records, etc.).
5. Discriminate and/or retaliate in any way against individuals, fellow employees or others.
6. Sleep during working hours.
7. Report late to or leave a shift without proper supervisory notification and staff coverage (based on documented staffing requirements).
8. Engage in personal business or other activities during working hours to the detriment of the care and oversight of those served.
9. Falsify, abuse, waste, or steal the property or records of Progress, its individuals, fellow employees, vendors or suppliers, or others.
10. Fight, assault, intimidate, or otherwise cause disruption of business or services on Progress premises or in the community while carrying out their duties as employees of Progress.
11. Possess, brandish, threaten or intimidate with or use firearms, weapons, explosives or dangerous substances on Progress premises or in the community while performing their duties as employees of Progress.
12. Report for duty under the influence of alcohol or illegal drugs, or while under the influence of duly-prescribed medication that has the effect of compromising one's ability to perform his or her duties effectively.
13. Violate safety rules or practices or otherwise endanger the health or safety of themselves or others.
14. Allow unauthorized individuals onto Progress premises (including residences).
15. Speak with the media regarding Progress or individuals supported by Progress.
16. Misuse in any way the electronic, physical or financial resources of Progress.

NOTE: THE ABOVE LIST IS NOT EXCLUSIVE OR COMPLETE. THESE ARE EXAMPLES OF THE RULES OF CONDUCT TO WHICH EACH PROGRESS EMPLOYEE IS EXPECTED TO ADHERE. PROGRESS RESERVES THE RIGHT TO TAKE DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION, AGAINST ANY EMPLOYEE WHOSE CONDUCT IS DEEMED INAPPROPRIATE BY PROGRESS.

INTRODUCTION

Progress Mission and Purpose

Progress promotes health, happiness and safety for adults with disabilities and senior adults needing care. We provide staff supports to bridge the gap between limited independence and the realization of the best possible life.

Support Issues: Agency, Client and Staff

People should always be supported with safe and person-centered focus consistent with the mission of Progress and their desired outcomes, including but not limited to the areas below. Employees not following these critical procedures of supports are subject to disciplinary action, up to and including termination.

1. Supports should always be provided using positive behavior approaches. The use of restraints, withholding privileges or restricting rights is strictly prohibited without a formal approval process.
2. People supported by Progress should always be supported in a manner that protects them from potential harm. All Progress staff should support this initiative in various ways (risk assessments, abuse and neglect prevention, fire safety, home visits, fall prevention, proper medication administration, healthy living conditions etc.)
3. People supported or their duly appointed legal representative/conservator will participate in the hiring of their staff whenever possible.
4. Progress Inc. complies with Title VI ensuring the equality of services offered and provided. All employees, people supported, and stakeholders are informed of their duties and rights under Title VI annually.
5. In the event that the person being supported expresses desire to no longer be supported by a specific staff person or Progress Inc., then management will work with that person to resolve differences. If there is no solution to the conflict and the situation warrants, then Progress will attempt to provide replacement staff and offer the staff person another position, if available.
6. Progress follows the principles of person centered planning and practice for all people who receive supports from us. Therefore, any change to the type or method of service delivery will be initiated by the individual or their conservator. Any Progress staff besides a Program Manager or Director of Programs may not initiate discussions with the personnel of any outside entities or family members/conservators regarding any changes or transition of a person served by Progress. Any concern about the type of support a client needs should be communicated directly to the Program Manager or Director of Programs for presentation to the individual, conservator and possibly the circle of support. Upon discovery that any staff person besides the Program Manager or Director of Programs has done so will be subject to disciplinary action up to and including termination

EMPLOYMENT:

Hiring Procedures / Minimum Staff Requirements for Direct Support Employees.

In accordance with Title VI, Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination Act of 1967 and the Americans with Disabilities Act (ADA) of 1990, Progress Inc. does not discriminate against employees or prospective employees on the basis of his/her race, color, religion, gender, sexual orientation, national origin, disability, or age.

Progress strives to always hire the most suitable candidate for the position. All prospective applicants must meet the minimum staff requirements below, complete employee orientation and state and agency mandated training.

Minimum Staff Requirements:

- Must be at least (20) twenty years of age.
- Must possess a valid driver's license and valid automobile insurance.
- Must be able to read, write, and orally communicate adequately in English.
- Must be able to pass** a criminal background check. **Any misdemeanor convictions will be reviewed prior to hire. Felony convictions are prohibited in our DIDD contract with the State of TN.
- Must not be listed on any registries that report Abuse or Sexual Offenses.
- Must not be listed on any of the following registries: List of Excluded Individuals / Entities (LEIE / OIG), SAM, ICOTS, TN Felony Offender.
- Must be able to have previous 5 years of employment history or activities verified.
- Must have a good driving record. No more than (3) three moving violations (speeding, failure to stop, tailgating, following too close, etc.) in past (3) three years OR any combination of more than (3) three violations and accidents in past (3) three years.
- Must satisfy requirements of Department of Health for Tuberculosis testing.
- Must pass all pre-service training courses prior to beginning work.
- Must NOT falsify the employment application in any way, including through omission.

Orientation, Training and Development:

POLICY:

To help employees do their best on the job, Progress Inc. orients new employees to the organization's mission and work, delivers mandatory pre-service training and provides ongoing training opportunities for relevant material.

As new material / procedures change within the industry, ongoing training topics are provided at Progress. Some continuing education topics are often considered mandatory for specific job titles as seen relevant.

Progress will maintain accurate and complete electronic personnel records available for review at all times. These records contain all required background, registry checks, completed training, legal forms and signed policies.

PRACTICE:

1. The primary purpose of the employee orientation program is to provide information to newly hired employees about Progress Inc.'s mission, values, goals, policies, procedures, and benefits, as well as information related to his/her specific job.
2. Progress Inc. has a mechanism in place for providing pre-service and core training courses. This mechanism is achieved through assigning certain qualified and trained staff members as trainers for those topics. Supervisors and the H.R. Director generally are responsible for orientation and on-the-job training. However, non-supervisory employees may be assigned as on-the-job trainers (shadowing). Employees are trained on a continual basis.
3. Each time an agency sponsored in-service program is conducted, an in-service form must be signed by the employee to receive credit for attending. These forms will be placed in the employee's personnel file.
4. Training must remain current. Failure to complete or attend mandatory training sessions is grounds for disciplinary action up to, and including, termination.
5. Progress Inc. complies with all State of Tennessee training requirements as detailed in DIDD policy and DOH policy (for LPNs).
6. All pre-service training must be completed before the employee may begin work. Exceptions may be granted on a person and situation basis only by the Executive Director or Residential Director.

New Employee Training and Background Requirements:

POLICY:

All required training for all positions **MUST** be completed prior to working with any person served. All classroom or online training completed prior to working with a person served is paid at \$8.75 per hour.

PRACTICE:

1. All DSP staff must complete or provide proof of completion of all required Relias and ECF training **PRIOR** to working with a person served by Progress. In addition to Relias and ECF training, all direct support staff must first have CPR, 1st Aid, Medication for Unlicensed Personnel training and individual specific training. Other internal agency trainings may be required at certain intervals as needed. Staff is responsible for maintaining their training. Training expired for an extended period of time will result in disciplinary action, up to and including termination.

Annual Refreshers (due)

- 1.) CPR / First Aid (2yr / 2yr)
 - 2.) Medication Administration for Unlicensed Personnel (3 years)
 - 3.) Title VI (annually) – done online with Relias
 - 4.) OSHA (annually) – done online with Relias
 - 5.) HIPPA (annually) – done online with Relias
 - 6.) Training Specific (annually) – or as ISP or PCSP changes.
2. Additional new employee training classes such as fire safety, individual specific, and lifting/transfers and specific therapeutic plans developed by the individual's Occupational Therapist, Physical Therapist and/or Speech and Language Pathologist are instructed on the job by the employee's supervisor and will be paid at the employee's regular wage. Depending upon the individual served, there may be additional pre-service training, such as: BSP (behavior support plan) or Non-Violent Crisis Intervention (CPI).
 3. All required training for all positions **MUST** be completed prior to working the first shift with any client.
 4. Initial criminal background checks are required on all staff prior to being able to provide services to any client. If a staff's job duties change to include direct contact with a person served, then they are required to have a new background check within 10 days. A satisfactory check must be returned. Certain misdemeanor convictions may prevent a prospective employee from being able to be hired and no person may be hired that has a felony conviction.
 5. TN Felony Offender, ICOTS, abuse / sexual registry checks will be conducted annually .
 6. All staff will have monthly checks completed using the List of Excluded Individuals / entities LEIE / OIG registry **AND** the SAM (System for Award Management).

Initial Review Period:

POLICY:

An initial review period allows Progress Inc. and the employee an opportunity to evaluate his/her interest in the job and his/her ability to carry out its requirements. Progress is an “at will” employer operating in an “at will” state.

PRACTICE:

1. The first 90 days of employment for all new employees, transferred, or newly promoted employees is considered to be an initial review period. Position transfers cannot be requested until after 90 days on-the-job without Program Director approval.
2. During the review period, the employee’s job performance will be carefully observed to determine if the newly hired employee is able to perform the requirements of the job when fully trained. As they become apparent, areas for development will be brought to the employee’s attention for appropriate action.
3. New employees, during their review period, are not eligible for benefits. However, ALL full-time staff MUST attend an enrollment meeting during their first 30 days of employment regardless of what insurance benefit or any at all is chosen.
4. **In no case**, does successful completion of the initial period guarantee continued or permanent employment.
5. **Insurance benefits** – All permanent Full-Time employees MUST enroll / decline coverage BEFORE their 30th day of Full-Time employment. Coverage is effective the 1st day of the month AFTER the 90th day of employment.
6. There is no company matching in the 401k plan until after the 90 day review period.

Termination / End of Employment:

1. All employees are expected to give written notice of their intent to resign. Employees are required to give a minimum two (2) weeks notice and those in a “live-in companion” position should provide a (30) thirty day notice. Such notice generally allows sufficient time to find appropriate staff and to bring the job to a satisfactory conclusion. Failure to provide an adequate notice may result in the employee being deemed as ineligible for rehire. Discharged employees will NOT receive payment for any unused accrued PTO or vacation time.
2. Progress Inc. retains the right to determine if the employee who resigned will be allowed to work the full notice period. The agreed upon notice period must be completed in full without absence in order for an employee to receive payment for any unused accrued PTO or vacation time. Accrued PTO / Vacation time can NOT be used during the notice period.
3. Any employee who is absent from work 3 consecutive working days without contacting his/her immediate supervisor will be discharged for “job abandonment” and subject to being noted as ineligible for rehire. Proper documentation within a reasonable time-frame will be required for reinstatement.
4. Common examples for termination initiated by Progress Inc. are as follows: Unsatisfactory work performance; Excessive absenteeism / tardiness; Change in service recipient staffing patterns / layoff due to lack of work; Substantiated finding for Abuse, neglect, or Exploitation; Reportable Staff Misconduct (RSM)*. **RSM is defined as “actions or lack thereof contrary to good judgment and / or training, related to the provision of services and / or the safeguarding of service recipient’s health, safety, overall well being, or rights.* In other words, staff misconduct is undesirable employee behavior as it relates to the quality, delivery, or environment in which supports are provided to the service recipient that do not reach the level of investigation by DIDD investigators.
5. Typically, Progress Inc. will attempt to apply its progressive discipline policy when deemed appropriate. Progress Inc. is an “At-Will” employer and reserves the right to terminate employment at any point and time with or without prior warnings.
6. The Human Resource Department will attempt to conduct an exit if deemed necessary or requested by the exiting employee.
7. Upon termination, the employee may continue his/her health coverage under COBRA extension, provided the employee complies with enrollment guidelines and pays premiums. Information regarding an employee’s right to continue his/her insurance through COBRA will be provided from the current provider soon after termination. All supplemental insurance may be converted to an individual plan by contacting the provider. Contact your health insurance provider if you have not received COBRA enrollment information within 2 weeks.

8. Employees must return all company property and pay all money owed to Progress before any remaining pay for PTO or vacation can be released. The final check stub must be picked up from Progress once all items are verified as returned to the supervisor. The supervisor is responsible to communicate that all items have been returned to the Human Resource Department. *A sample list of some of the common items can be found below.
9. Employee's last paycheck cannot be direct deposited. Any property or receipts not accounted for will be deducted in full from the check containing final PTO or vacation. If the company property is not returned, the employee will be responsible for a fee of \$10.00 for employee handbook, \$100.00 for cell phone, \$5.00 per key, \$10.00 per magnetic key card and \$13.00 per lift belt / back brace.
10. Progress may be forced to **Lay-Off** an employee due to a change in any of the following areas: client needs, funding, staffing patterns, or other unforeseen environmental factors. In the event of a lay-off and Progress remains financially capable, Progress agrees to contribute one (1) additional pay check as severance pay.

***Returnable Property List** (not all inclusive)

Employee Handbook
Pager / Cell Phone
House Receipts
House Keys
Companion Manual
Client Check Book
Vehicle Keys
Oil Change Cards
Gate / Entry Security Cards
Garage Door Openers
Handicap Tags
Food Stamp Cards
Medication
Med Box Keys
Employee ID Badge
Lift-Belt / Back Support

Employee TB Screening:

POLICY:

All employees shall be screened for tuberculosis before starting work. This screening may take the form of actual skin testing, chest x-ray, or proof of "low-risk".

PRACTICES:

1. All employees will provide the H.R. department with written proof of a TB test screening or completion of a "low risk questionnaire" before being allowed to work with the people who Progress Inc. supports. This test must have been completed within 12 months prior to hire.
2. An employee who receives a positive test for TB will not be allowed to return to work until a written release is obtained from a physician.

Vehicle Inspections:

POLICY:

Every employee who transports or may transport people supported by Progress Inc. in his or her own personal vehicle is required to have that vehicle inspected by qualified personnel at time of hire and then annually. All agency or client vans are required to be inspected every quarter.

PROCEDURES:

1. If staff will be using their vehicle for transporting people served, they must have their vehicle inspected for safety. This inspection form must be turned into the H.R. Department before the employee may begin working. A qualified Progress management staff may be allowed to complete the initial inspection if unsuccessful elsewhere. Annual re-inspections will be done by a qualified Progress staff member at the Progress facility on Ezell Pike the first work-day April and October on a first come/first serve basis.
2. Newly purchased vehicles (less than 24 months old) will not require an initial inspection provided proof of the vehicle's age is present on the vehicle insurance card and the car has no visible damage.
3. Items deemed to be a safety risk (tires, brakes, seat belts, lights) must be repaired at the employee's own expense before employment can continue or begin. If an employee does not turn in a satisfactory vehicle inspection or re-inspection within a reasonable time after the due date, he/she may not be allowed to continue working.
4. Repairs not deemed as a safety issue or traffic violation must be completed within 30 days.
5. The cost of all service, replacements or repair of any employee's personal vehicle is the responsibility of the employee who owns or uses that vehicle for transportation.
6. Transporting people Progress supports is considered an essential job function for all direct support positions.
7. A valid vehicle inspection must be done on all vehicles used for transportation. For example, if your car is broken down and you borrow a friend's car, your supervisor needs to know this and a new vehicle inspection provided. Valid insurance coverage will also need to be provided.

COMPENSATION:

Regular Pay Procedures

POLICY:

Progress Inc. pays employees twice each month, the 1st and 16th of each month unless otherwise stated due to weekend or holiday.

PRACTICE:

1. Progress pays employees on the first business day of the month (excluding holidays) and the 16th of the month. If the 16th of the month falls on a Saturday, Sunday or holiday, employees are paid on the last working day immediately preceding the regular payday.
2. Payroll changes (deductions or withholdings status) must be submitted in writing at least fourteen working days prior to check issue date.
3. Checks will not be released to anyone other than the payee unless a written authorization from the payee is received.
4. Progress will not loan money to employees. In hardship situations, at a maximum of once per year, Progress will advance an amount from the employee's NEXT paycheck. The amount can be no greater than 50% of the employee's typical net pay. This must be approved by the Director of Fiscal Services.
5. In the event that a paycheck is lost or stolen after delivery to the employee, Progress Inc. must be notified immediately. A stop-payment notice will be placed on the check. Progress Inc. is unable to take responsibility for lost or stolen paychecks, however, and if a stop payment is unable to be made the employee is responsible for the loss.
6. If an error on an employee's paycheck should occur, the employee should bring the discrepancy to the attention of his or her supervisor promptly so that corrections can be made as quickly as possible.

TIMESHEETS:

POLICY:

All staff are required to enter all time worked each day using TIMAS or the appropriate timesheet.

PRACTICE:

1. Time sheets **MUST** be signed and approved by the employee on their due date (1st and 16th of the month).
2. Employees that do not sign and submit their timesheets within 48 hours after the end of a pay period will receive disciplinary action up to and including termination.
3. Timesheets not approved and submitted within 48 hours of the due date will result in direct deposit being withheld. In these cases, staff will have to pick-up a paper check after 3:00 on payday. Any outstanding time-sheet must be signed and approved at this time to receive the paycheck.
4. Staff should choose the appropriate category in TIMAS describing their time worked or not worked from the drop-down box on their daily entry (i.e. PTO, Regular Pay, Holiday, etc.). Companions have additional drop down options describing hours worked not on their regular schedule (i.e. up at night, medical appointments, client home sick, etc.).
5. Progress strives to pay all staff accurately, thus any payroll mistake should be brought to the attention of one's supervisor immediately for correction.

Performance Review Policy:

POLICY:

Progress utilizes a job description form that doubles as a performance evaluation. At any time, supervisors may choose to provide an evaluation for feedback and improvement. At a minimum, employees should receive an annual evaluation consistent with their hire (anniversary) date. Due to financial constraints, evaluations should not be considered to be tied to wage increases.

PRACTICE:

1. When an employee receives a performance review, the supervisor may deem it necessary to place the employee on a probationary period to correct performance deficits. At this time, if uncertain, the employee should clarify work expectations for the remainder of the review period.
2. Each employee should receive an annual review consistent with their anniversary date (hire date). At that time, the supervisor and employee will work together to discuss improvements needed and to clarify work expectations for the next year.

EMPLOYEE BENEFITS:

Summary of Benefits

Progress Inc. provides health insurance and other supplemental insurance coverage to its permanent full time staff. A fixed amount, based on the annually approved fiscal budget, will be paid toward the employee's monthly insurance cost by Progress. Employees pay the remaining cost of their selected insurance coverage through semi-monthly payroll deductions. **Any Full-Time staff that declines or otherwise misses shifts causing one to have less than 32 hours worked for any two (2) workweeks during any four (4) week period is subject to losing their Full-Time status and being changed to Part-Time.**

- 1. Health Related:** A group major medical plan is offered to permanent full-time employees. Health related benefits also include optional dental, vision, disability and supplemental insurance benefits. Permanent full-time employees are eligible for health-related benefits on the first day of the month following successful completion of their 90 day waiting period. *Any part-time employee seeking health insurance that has recently transferred to a permanent full-time position from a non-eligible position must work in their full-time position an additional 90 days and attend an enrollment meeting within the first 30 days before obtaining health benefits. Any eligible employees who elect insurance benefits must attend an insurance enrollment meeting within 30 days of their hire date or date of becoming full-time. Those who fail to attend an enrollment meeting may be forced to wait until the next open enrollment period.*
- 2. Company paid life insurance:** Progress pays the premium for a \$10,000 group life policy for all full-time employees. These employees may choose to add a spouse and increase coverage at their own expense.
- 3. Retirement Benefits:** Progress Inc. employees may participate in the agency's 401K retirement program. Any full-time or part-time employee working at least 20 hours per week, who is at least 21 years of age, is eligible to participate in the Progress plan. Eligible employees can participate from date of hire if enrolled; employer matching funds are added after successful completion of the 90-day probationary period. Employees who want additional information should contact the Director of Fiscal Services or Payroll and Benefits Administrator.
- 4. Employee Assistance Program:** EAP is available through Jefferson Pilot Financial (Affinity Care). 1-866-754-4560.

- 5. Unpaid Leave of Absence** – In certain situations when an employee does not qualify for FMLA and / or has no PTO or vacation it may be possible to take an unpaid leave of absence (LOA) with supervisor approval. This could be a situation of a Part-Time employee that doesn't receive PTO and doesn't qualify for FMLA at the time or it could be a Full-Time employee that has exhausted all other leave. There are several factors that the supervisor must consider for approval, such as: staffing availability, length of time, client needs, and employee performance. The maximum amount of time to be considered for an unpaid LOA with supervisor approval is 8 weeks. Request for LOA need to be in writing detailing the reason needed, valid contact number for employee, and projected time of return. If at any time during the employee's LOA it is determined the position can no longer be held open, the supervisor will attempt to contact the employee to return with 3 days notice. Full-Time employees with insurance taking unpaid LOA will need to make payment for the total cost (*amount normally deducted from check PLUS employer paid portion*) of all benefits for the entire period absent BEFORE beginning one's leave. Payment must be made in full PRIOR to beginning one's leave in order for benefits to be maintained. Supervisors will submit the written approved request from the employee with a COS citing the LOA to Human Resources.

Legally Required Benefits:

The following employee benefits are provided in accordance with federal employment law.

Workers' Compensation protects an employee from medical expenses and loss of income in the event of injury on the job or a job-related disability. The plan is financed entirely by Progress Inc. All injuries suffered at work must be immediately reported to the supervisor, regardless of whether the injury required medical treatment or not. Failure to report an injury or possible injury may affect your ability to receive these benefits. Workers' Compensation payments and medical costs are not payable for injuries sustained while an employee is: engaged job related behavior on or off the job-site, going to or from work, injured before or after work, or injured at another place of employment.

To be considered for Worker's Compensation, an injured employee must complete the "First Report of Work Injury" with his/her supervisor or the HR Director within 24 hours of the injury. The injured employee shall only seek treatment from an approved provider (choices obtained from HR dept.) unless in an emergency situation. Treatment sought after hours should be provided by a "walk-in" facility if an approved provider is not available. Emergency Rooms are reserved for serious injuries only and should not be utilized otherwise.

An injured employee must choose a medical facility from Progress Inc.'s physician's panel to seek treatment for worker's comp injury.

If the employee goes to a facility not listed on the panel, he/she does so with the understanding that the medical bills could be the employee's responsibility. Any problems with a Worker's Comp. claim should be reported to the H.R. Director.

Social Security is financed equally from taxes paid by the employee and Progress Inc.

Unemployment Insurance is provided to lessen an economic hardship should an individual become unemployed. Progress Inc. finances this program.

If an employee wishes to participate in programs and benefits beyond those required by law, an eligible employee must authorize deductions from paychecks to cover the costs of participation in these programs.

FMLA – Family Medical Leave Act is discussed in detail beginning on page 41.

Paid Time Off:

POLICY:

Progress Inc. recognizes the importance of time off in providing employees the opportunity for rest, recreation, and personal activities. Therefore, Progress Inc. provides paid time off (PTO) for employees based on the accrual schedule found in tables 3 and 4. PTO encompasses both traditional vacation and sick time and does not include agency-approved holidays. Paid time off credit cannot be used prior to the time it is accrued.

Progress expects staff to take their PTO consistent with company policy and their supervisor's procedure for requesting that time off. In order for Progress to conduct business effectively it is imperative that supervisors be able to accurately schedule employees to provide needed services. Therefore, all Progress staff must also follow any individual supervisor procedures for taking time-off. Just because an employee has the accrued "time-off" doesn't mean they can always take time off whenever they choose. Part-time staff must take PTO in increments of at least 2 hours at a time.

PRACTICES:

1. For full-time staff, PTO accrual is based on length of service from the most recent hire date. Accrual begins the date the staff became full-time. Table 3 shows the rate of accrual for full-time. The accrual schedule for part-time staff is 16 hours per year shown in table 4. Employees are not permitted to use any PTO until they have actively worked in their position for 90 days.
2. PTO account balances begin anew for each employee every year on OCTOBER 1 and end SEPTEMBER 30th the following year. It is the responsibility of all staff to be aware of how much time-off they possess well before SEPT 30th and schedule and use it consistent with these dates.
3. PTO balances after SEPTEMBER 30th every year will carry over at the rate shown in Tables 3 and 4. For full-time staff only, PTO in excess of the allotted carry-over will go into the employee's CSR (Catastrophic Sick Reserve) account. A CSR account could be considered like "short-term disability" and can only be accessed if and when the employee has a FMLA qualifying event.
4. In order to maintain a required number of employees on the job, all time off must be pre-approved by the supervisor. Paid time off will be approved in such a way as to ensure that work demands can be met. Part-time staff must use PTO in a minimum of 2 hour increments.
5. For any employee that exhibits excessive absenteeism and/or tardiness through unplanned / unscheduled "call-outs" or late arrivals, management reserves the right to deny accrued PTO / Vacation time to be used to cover those occurrences. Appropriate disciplinary action will accompany these circumstances.
6. **Any Full-Time staff that declines or otherwise misses shifts causing them to have less than 32 hours worked for any two (2) workweeks during any four (4) week period is subject to losing their Full-Time status and being changed to Part-Time. PTO will not continue to accrue if the full-time employee is not working at least 32 hours per week or using their accrued PTO to make up the difference. If full-time staff have any accrued PTO then it must be used to gain the minimum required 32 hours.**
7. The agreed upon resignation notice period must be completed in full without absence in order for full-time employees to receive payment for any unused accrued PTO or vacation time. One cannot use PTO during their "notice" period.

8. As shown below, during the first year of employment, full-time employees earn a total of 104 hours per year accrued at 4.33 hours per pay period. For the second through third year of employment 160 hours are earned at 6.66 hours per pay period, 200 hours are earned at 8.33 hours per pay period for the fourth-ninth year, and 240 hours are earned for the tenth year and any length of employment thereafter. Part-time employees refer to table 4 for accrual schedule.

Table 3: Paid Time Off Accumulation Schedule – Full-Time*

*Calculated from most recent hire date.

Length of Service	Total Hours per Year	Accrued per Pay Period	Maximum Sept. 30 th Carry-over
≤ 1 year	104	4.333 hours	**15%
2-3 years	160	6.666 hours	24 hours
4-9 years	200	8.333 hours	40 hours
≥ 10 years	240	10 hours	80 hours

Table 4: Paid Time Off Accumulation Schedule – Part-Time

Length of Service	Total Hours per Year	Accrued per Pay Period	Maximum Sept. 30 th Carry-Over
All Years	16	.667 of hour	8 hours

**New Full-Time employees may carry over 15% of their PTO balance as of their first September 30th rollover period.

9. A new employee earns paid time off beginning with the pay period in which he/she is hired, although no paid time off may be taken during the initial 90 day review period. In certain pre-approved situations, staff may be allowed to carry over additional PTO hours beyond the allotted carry-over in Table 3 for up to an additional 6 months. A common example when this may be allowed is for pre-approved out of country travel (form and approval required). Extended absences require proper notice described in #12 below.
10. For full-time staff only, any PTO beyond the allotted carryover, will be transferred to the employee's Catastrophic Sick Reserve* (CSR) account. **In order to qualify and take CSR time, an employee must qualify for FMLA. CSR and FMLA time will begin simultaneously and run concurrently. PTO time MUST be used if FMLA leave extends past the amount of CSR time.**
11. Employees may elect to donate PTO or CSR hours they have earned to any employee's CSR account, including companions, who have or have the potential to deplete their Catastrophic Sick Reserve due to a FMLA qualifying event. The maximum number of CSR hours that may accrue in one's account or be used during any 12 month period is 480.
12. All requests for time-off of two (2) weeks or less should be made at least (30) thirty days in advance, in writing, setting forth the date(s) for which paid time off is being requested. The approval or denial will be in writing. Any vacation request greater than (14) days requires supervisor notification of at least (2) months. Any extended absence (greater than 3 weeks), such as for out of country travel, requires 6 months advance notice and written approval from the supervisor. Emergency use of paid time off, such as personal illness are also subject to approval by the supervisor and may require a formal doctor's excuse. In all cases where three or more days of paid time off are used

for illness or injury or in all cases where time from the CSR* are used, a formal doctor's excuse must be provided to the supervisor.

13. The effective day of termination of employment is the last day the employee is physically present and actively at work. For full-time employees only, the cash value of any unused paid time off, as of the last day of work, will be included in the employee's final paycheck only if the employee successfully completed over one year of employment and appropriate notice of resignation have been given. These requirements include giving a minimum of two weeks' notice without absences as approved by the resigning employee's immediate supervisor. In no case will an employee be paid for time left in his or her CSR* account and in no case will a terminating employee be paid in excess of the maximum number of hours earned for that year.
14. If a paid holiday falls within an employee's paid time off, the holiday will be counted as a holiday and will not be deducted from earned paid time off.

Any staff that "calls out" or otherwise misses a scheduled work day or partial day that is BEFORE or AFTER a designated Progress "paid" holiday will not be allowed to use paid time-off (PTO) for that day. For example, if Progress is closed for holiday on Wednesday July 4th then an employee is NOT allowed to use PTO if they have an unscheduled absence or "call out" for their scheduled shift on Tuesday or Thursday of that week.

Bereavement Leave

POLICY:

Staff may use up to (3) three days “PTO” for the loss of an immediate family member. An immediate family member is defined as: a sibling, child, parent, grandparent, or significant other.

Holidays

POLICY:

Progress Inc. observes nine holidays per year. Administrative offices and Day Program Services are closed these nine holidays. “Full-Time” employees described below are considered to be permanent employees working at least 32 hours per week. Holiday hours paid are not considered when computing applicable overtime pay, according to Department of Labor regulations.

Any staff that “calls out” or otherwise misses a scheduled work day or partial day that is BEFORE or AFTER a designated Progress “paid” holiday will not be allowed to use paid time-off (PTO) for that day. For example, if Progress is closed for holiday on Wednesday July 4th then an employee is NOT allowed to use PTO if they have an unscheduled absence or “call out” for their scheduled shift on Tuesday or Thursday of that week.

PRACTICES:

1. Full-Time Non-Exempt (hourly) employees will receive holiday pay for each of the nine recognized paid holidays based on their normally scheduled hours. 40 hrs/wk employees working (5) 8 hour shifts receive 8 hours holiday pay; employees working less than 40 hrs/wk will be prorated based upon their normal schedule (32 hrs = 80%). Employees in this category that work scheduled hours on a recognized holiday will receive pay for those hours worked plus holiday pay (up to 8 hours). Must be employed 90 days as full-time staff before being eligible for Holiday pay.
2. Part-Time employees performing work on Christmas or Thanksgiving Day will receive 1.5x their regular pay or “time and a half” as Holiday pay for those hours worked that day.
3. Administrative / Management (Salary) employees will receive 8 hours holiday pay for the nine recognized paid holidays. These employees do NOT receive additional pay for working on holidays.

The following holidays are observed by Progress Inc.:

- New Year's Day
 - Martin Luther King, Jr. Day
 - Memorial Day
 - Independence Day/4th of July
 - Labor Day
 - Thanksgiving Day
 - The day following Thanksgiving
 - Christmas Eve
 - Christmas Day
4. When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, it will be observed on the following Monday.
 5. Progress respects other holidays not listed above and not officially recognized with a day off. If an employee desires to observe a holiday not listed above and provides adequate notice, we will make every effort to allow them to have approved PTO time for that day.

REIMBURSEMENT OF EMPLOYEE EXPENSES

Travel Related Expenses

1. Employees will be reimbursed for expenses of travel, including the cost of transportation, meals and lodging, provided such travel is approved and performed in the course of conducting Progress Inc. business. Activities that normally justify the reimbursement of travel expense include support services, required meetings, training activities, home visits, authorized errands or other functions related to the employee's job.
2. All employees must obtain approval from their supervisor before incurring expenses related to out-of-town travel and/or travel requiring overnight stays.
3. Mileage for transporting clients in personally owned automobiles will be reimbursed at the current Progress Inc. approved rate. If an employee regularly works from an office or specific work site, Progress Inc. will not reimburse the commuting expense. In addition to the standard mileage allowance, necessary and reasonable charges for parking will be allowed. Expenses for auto insurance, parking tickets and traffic violations will not be reimbursed. The vehicle you are requesting mileage reimbursement for must be one which has a valid vehicle inspection on file or you may jeopardize your reimbursement until one is obtained.
4. Employees eligible for monthly mileage reimbursement must submit their mileage log to their supervisor by the first work day of each month. Supervisors will review and approve all mileage and submit the mileage log to the business office for reimbursement. Mileage must be pre-approved in excess of normal routes driven.

5. A cash advance for expenses of approved travel may be obtained by submitting a written request to the Fiscal Director. Upon completion of travel, the employee must fill out a travel voucher and attach the necessary supporting receipts. The supervisor must approve the amount claimed, less the cash advance, if any, before submitting the travel voucher to the Fiscal Director for payment.
6. Any travel to another country or out of U.S. waters (cruises) approved for client(s) and their staff person requires a \$250 fee to be paid by the client to Progress to cover the additional workers compensation insurance premium. This mandatory fee is required for each occurrence of out of country travel and will cover costs should you be injured while during the job-related travel. The premium must be paid at least 10 business days prior to traveling to the Progress Accounting Administrator.
7. When a spouse travels with an employee at the employee's expense, Progress will pay hotel costs on a single occupancy basis.
8. Time spent by an employee in traveling away from home on Progress Inc. business during normal working hours will be considered hours worked.
9. Meal expenses must be reasonable. The individual having authority for approval of the expense account will be responsible for determining the reasonableness of the amount spent on meals.

Mileage Reimbursement – Effective April 1, 2018

- 1.) Any mileage eligible for reimbursement is paid at .32 per mile. Mileage logs must be submitted to supervisors for approval by the 1st working day each month. Mileage is paid on the 16th of the following month.
- 2.) Any shift worked that is two (2) hours or **less** is eligible for mileage reimbursement up to a total of 30 miles roundtrip. Mileage paid will not exceed 30 miles total.
- 3.) Any shift worked that is two (2) hours or **more** is eligible for mileage reimbursement for only the miles in excess of 25 miles each way. Mileage paid will not exceed 25 miles each way for a maximum of 50 miles total.
- 4.) Staff that travel from one work location directly to a second or subsequent work location on the same day are paid their hourly rate for the actual time between shifts. Not to exceed 2 hours. (This does not apply to ECF Community Integration assignments.)
- 5.) Google maps, Yahoo maps etc. will be used to calculate distance or drive time when required. Mileage is calculated from only using the address provided to the HR Department on the *Updated Employee Information* form.

EMPLOYEE SAFETY

All employees are to:

1. Inspect their work areas periodically
2. Familiarize themselves with all safety and health procedures relevant to their work. Utilize “universal precautions” at all times to protect themselves from blood and body fluids.
3. Receive quarterly safety training
4. Identify conditions that are recognized as being unsafe; and report accidents as required by law.
5. Under NO circumstance can any Progress employee have a firearm / weapon in their vehicle or presence while on duty.
6. Fire extinguishers are inspected monthly. Contact the Maintenance Coordinator to inspect and certify each extinguisher as indicated by the recommendations of the particular device.
7. All Administrative staff in the administrative complex must follow licensure guidelines.

Protocol for On-the-Job Injury.

- 1.) Employee must contact supervisor or HR within 24 hours to report injury even if no treatment is needed at that time. If after normal working hours, supervisor should always get as much information as possible: **what happened exactly, where, what time, WHAT HURTS (specifically which side, etc.)**. If supervisor is contacted then they will in turn contact HR next business day for first report of injury.
- 2.) Employee MUST choose the provider for their treatment from a panel of choices provided by the employer (Form C-42). Employees may NOT go to the physician of their choice if it is not on the panel of choices.
- 3.) We DO NOT want any employee going to the ER unless it is an emergency. If after hours and no walk-in options are available and the employee can't wait until the next working day, then they should go to the ER.
- 4.) The provider will want authorization to treat our employee. If it is after normal business hours, the Program Manager can provide this authorization. Just remember to get all the information in #1 FIRST. If it is a vehicle accident and the employee is cited, they must submit to drug and alcohol testing. HR needs to be notified immediately if it is a vehicle accident.
- 5.) HR needs to know the specifics so the Work Comp carrier can be notified and claim number provided. The claim number is how the provider and pharmacy bill for their services. The employee will then use this claim number for any future treatment or prescriptions.
- 6.) REPORT ANY INJURY. Even if you do not need treatment at that time.

Maintenance of Work Areas:

POLICY:

For reasons of safety, health, and security, all employees are expected to keep their work areas orderly and assist in maintenance and general safety of common areas.

PRACTICES:

1. Before departing at the end of the workday, employees are expected to lock designated files and cabinets, turn off designated equipment and computers, and secure all materials of sensitive or confidential nature.
2. Hallways and other access routes are to be kept free of equipment and supplies in order to provide unhindered passage for all persons.
3. All exterior doors at work areas must be locked at the end of each workday. Neglecting to do so may result in disciplinary action or doors may be required to remain locked at all times.
4. The last person leaving the building at any time must lock main entrance/exit doors, set alarm system and lock entrance gate.
5. Pets are not allowed in the offices of Progress Inc. without the approval of the Executive Director.
6. The expectation of management is that work area will be maintained in a neat and orderly fashion.
7. Progress Inc. has designated areas on campus for smoking. Smoking receptacles are located on each end of the administrative building, where cigarettes will be disposed of properly.

Personal Property Security:

1. Employees are responsible for safeguarding personal property while at any work location.
2. Progress Inc. does not assume responsibility for the loss or theft of personal belongings, and employees are advised not to carry unnecessary amounts of cash or other valuables with them when they come to work.
3. Employees use the parking lot at their own risk and should keep their cars locked while on the lot. Progress Inc. assumes no responsibility for any damage to, or theft of, any vehicle or personal property left in the vehicle while on the parking lot or parking location at any work site.

First Aid / Accident Response:

POLICY:

In the event of an accident resulting in injury or in the case of illness, prompt and appropriate treatment will be sought.

PRACTICES:

1. A first aid kit is maintained at each Progress location. All support staff are first aid certified as part of training requirements. Call EMT, if necessary. Supervisor should be informed if kit needs to be replenished.
2. As soon as the injury occurs employees must apply first aid and notify the supervisor or the Program Director as soon as reasonably possible. Employee should not move the injured party until help arrives.
3. If the condition appears critical, or if the person is not ambulatory, 911 should be called to have an ambulance service transport the employee to the hospital of his/her choice or closest hospital as advised by EMTs.
4. Every injury must be reported the day of occurrence in order to be recognized as a covered injury under Workers' Compensation Insurance Policy. A first report of injury must be completed with the H.R. Dept. within 24 hours. Employees who seek their own medical advice and/or treatment for an occupational injury or illness without Progress Inc. involvement do so at their own expense.

Emergency Building Evacuation:

POLICY:

It is the employee's responsibility to familiarize him / herself with emergency exits and locations of fire extinguishers at all work locations.

PRACTICES:

1. Regular fire/emergency drills are conducted and documented at all Progress facilities and client' homes to insure that employees know evacuation procedures.
2. If an employee becomes aware of a fire or another emergency, he/she should activate the emergency system.
 - Pull fire alarm located at each exit door. (if applicable)
 - Evacuate all people in the home or other building. Make sure all people are accounted for in a designated area at least 50 feet from the building.
 - Call fire department – 911
3. At the Administrative Office, the supervisor of the area is the focal point for instituting disaster procedure. He/she should be called immediately if an emergency develops. If re-entry to the building is not allowed, the supervisor will instruct staff where to take individuals. In a home setting, staff should call their Program Manager as soon as possible for further guidance.

Tornado / Extreme Weather Alerts

POLICY:

It is the staff's responsibility to protect the individuals whom they serve in the event of an extreme weather event or other disaster. Each person served should have an emergency "go-bag" containing specific contents located in an easily accessible location of their residence. Progress utilizes the education and procedures for disasters found in *Ready Nashville*, a household preparedness guide developed by Metro Nashville Mayor's Office of Emergency Management (OEM). A copy of this guide is present at all work locations and upon request from the HR Department.

PRACTICE:

Remaining safe during any extreme weather event or disaster is not just from how one responds but also from how well one was prepared. *Ready Nashville* provides suggestions on how both of these can be accomplished. Examples include but are not limited to the following:

- Make sure battery powered items are always charged and able to be quickly accessed (flashlights, radios, phone). Blankets, candles, drinking water, radio, TV , or computer devices should always be accessible for quick access.
- Should there be a tornado warning in one's vicinity move all individuals to a predetermined safe area such as an interior corridor with doors closed or basement near an interior wall. Provide as much protection as possible to the head by covering with any available items or extra shelter.
- Staff should be familiar with their geographic location and how to follow warnings and storm paths based upon news reports and radar information. Keep all individuals in the safe location until tornado warnings have been lifted.
- Being seasonally prepared for any extreme weather event is crucial. Plans should be well developed and centered around maintaining heat, water / nutrition, communication, and first aid for up to 3 days for staff and all individuals supported.

Swimming Policy

- Swimming should be discussed by a person's COS for consideration of safety issues. Any restrictions (life vest, water shoes, etc.) placed on swimming by the conservator must be adhered to by support staff.
- Lake swimming: Individuals and staff may only swim in designated areas with a lifeguard present. Support staff must also be in the water and follow proximity guidelines identified in the ISP.
- Pool swimming: for swimming in a pool with or without a lifeguard, there will be guidelines identified in the ISP. Support staff must be able to get into the water and be comfortable assisting the person if needed.

Client Property:

POLICY:

Staff working at any client's residence should always respect and protect their property while on duty. Progress is not responsible for loss or damage of personal property brought to work locations. Management will maintain an "inventory" of all the client's possessions and furnishings. It is important to report any damaged or missing property to the supervisor as soon as noticed.

- 1.) Inventories are monitored through the business office and reviewed annually or as needed.

ATTENDANCE / ABSENCES:

Hours of Work

POLICY:

Progress Inc. establishes working hours based on position requirements. All staff should have a clear understanding of when they are expected to be available for work.

PRACTICE:

1. The official workweek for Progress Inc., which complies with the Department of Labor Standards, begins on Monday morning at 12:01 A.M. and ends Sunday at 12:00 midnight.
2. The work schedules and hours of Progress employees vary based on the position and the needs of the person supported.
3. Employees may be assigned additional hours of work by supervisors to meet organizational requirements. If hourly employees are required to work hours in addition to their regular scheduled week, they are paid in accordance with Fair Labor Standards Act (FLSA) regulations.
4. All full time non-exempt employees are entitled to overtime for all hours worked in excess of forty (40) hours per week. Overtime is paid at 1.5x regular rate of pay for all hours worked in excess of 40 per week. The employee's supervisor must approve all overtime in advance. Unauthorized overtime will result in disciplinary action up to and including termination.
5. Employees in the exempt classification for which Progress Inc. has established a specific annual salary, shall be considered as fully paid for all services rendered regardless of the number of hours worked.
6. Attendance at lectures, seminars, meetings, and training programs is considered time worked if attendance is required by Progress Inc. for a course, lecture, or meeting directly related to the employee's job. The employee's performance must be satisfactory.
7. Regarding "Live-In Companion's" schedules, Progress is not in any way obligated to make special arrangements to accommodate the schedule of another job or school commitments. Progress reserves the right to make reasonable accommodations on a case-by-case basis if such accommodations will not negatively impact the daily life of the person(s) supported.
8. **PRN Staff** – Some staff may have other jobs or commitments that only permit them to be available for work occasionally. If a PRN position is available and staff are designated as such then they must work at least one (1) shift every six (6) weeks to remain an active employee.

Attendance and Punctuality:

POLICY:

Progress Inc. expects each employee to be responsible for his/her attendance record. Good attendance and punctuality are required for all categories of employees. Part Time or PRN (as needed) staff are expected to declare their availability in the section provided on their Job Description, at the time of hire. These employees are expected to be available during this time. Designated PRN staff are required to work at least (1) one shift every (6) six weeks to remain an active employee.

PRACTICE:

1. Recognizing that illnesses and injuries may occur, Progress Inc. has established paid time off to compensate regular full-time employees for time lost for legitimate medical reasons.
2. Employees are expected to give adequate notice to their immediate supervisor when they will be absent or late during a regular workday. Supervisors will inform their staff during the first few days of work what he/she considers "adequate notice."

Full-Time staff are **not** allowed to use any paid time-off (PTO) to cover unscheduled absences "call outs" that occur the day BEFORE or AFTER a designated company holiday. All staff are required to plan time-off accordingly and follow supervisor's policy for requesting that time off. Example: *If Bill calls his supervisor on Friday morning and states that he is "sick" and will not be able to come to work that day and the following Monday is Labor Day then Bill would not be allowed to use his accrued PTO to cover his absence on Friday.* In other words, that Friday would be an unpaid day.

3. When an unexpected absence or late arrival arises because of illness or an emergency, the employee must notify his/her immediate supervisor with as much notice as possible before their scheduled work time. No PTO can be used by shift-staff to cover unscheduled tardiness. Management also reserves the right to request a doctor's note or other validation for an excused absence. Management also reserves the right to not allow staff with excessive absences to use PTO for unplanned "call-outs".
4. Any employee who is absent from work without having notified his/her immediate supervisor of the absence or the reason for it will be subject to disciplinary action, and possibly termination. In addition, an employee may be disciplined for excessive absences and/or tardiness, even though the employee submitted proper notices of the absences. Discipline for excessive absences or tardiness may include termination.
5. Any employee who is absent from duty or leaves the worksite without securing prior permission and replacement staff from his/her supervisor, shall be subject to disciplinary action.
6. Any employee who fails to follow the established Policies and Procedures regarding attendance and punctuality shall be subject to disciplinary action.
7. Exceptions: Program Directors, Coordinators, and any administrative staff who, by the nature of their duties and responsibilities, are required to work at times other than regular office hours or shifts, are exempt from this policy. Each such employee, however, is accountable to his or her immediate supervisor for compliance with the intent of this policy.
8. Full-Time staff that do not work 32 hours per week will be required to use accrued PTO time in order to remain Full-Time.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a (1.) current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness. (2.) a veteran who was discharged or released under conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

(FMLA cont.)

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Effective January 1st 2013 Progress will utilize a "rolling" 12-month period measured backward from the date of any FMLA used to calculate the amount of FMLA usage. This means that employees that qualify for leave can never exceed 12 weeks of leave per any 12 month period.

Substitution of Paid Leave for Unpaid Leave

Employees MUST use any CSR (Catastrophic Sick Reserve) available first followed by any PTO accrued second while out on FMLA leave. This is mandatory. All accrued leave (CSR then PTO) will be used concurrently with FMLA leave. In order to use CSR, employees must first qualify as eligible for FMLA.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees within 5 business days if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

(FMLA cont.)

PRACTICE:

CSR (catastrophic sick reserve) time can be used to allow a portion of the leave to be paid leave. The employee will request this at the time FMLA leave is requested. If an employee requires medical leave for situations that do not fall into the approved FMLA categories, and has exhausted his/her supply of paid time off, he/she may apply for medical leave without pay.

1. If the absence is due to an emergency, the employee or family member must inform the supervisor or HR Director as soon as practical; this should be followed up with a written request, normally submitted within 3 days of the beginning of the leave. This request should specify if the leave is to be considered FMLA leave.
2. In any situation that is not an emergency, the employee is required to provide advance written leave notice and medical certification, unless the request is for FMLA leave to care for a child after birth, adoption, or foster placement. These cases require advance written leave notice, but not medical certification. Requests for leave should state what the condition necessitating the leave is and a projected date of return to work. Leave may be denied if these requirements are not met.
3. FMLA leave may be taken on an intermittent schedule. If the employee intent is to take intermittent leave to care for an ill immediate family member or to meet childcare needs, the employee needs to make this explicit in the request. Intermittent schedules for childcare purposes are subject to the approval of the employee's supervisor. Intermittent schedules for medical care should be arranged to be as least disruptive to the agency's functioning as reasonably possible. Progress will work with employees as much as possible to negotiate schedules that work for all.
4. During a leave period, Progress may request periodic medical reports indicating medical status and employee's intent to return to work. Progress may also require second or third medical opinions, at Progress' expense.
5. Before being permitted to return from medical leave, employees may be required to present Progress with a physician's statement indicating capability of returning to work with or without accommodation.
6. All Progress benefits that operate on an accrual basis do not continue to accrue during medical leave. In the case of FMLA leave, Progress will continue to pay all existing employer contributions for any insurance, however, the employee continues to be responsible for the employee contribution during FMLA leave. (PTO) or vacation days accrued prior to the beginning of a FMLA leave period will be used during the leave period after CSR leave has been exhausted. For example, if one has 15 days of CSR and 10 days of PTO (or Vacation) then the first 15 days of FMLA will be paid using CSR and the next 10 days paid using accrued PTO or vacation. It is mandatory that CSR be used first then (PTO or Vacation) next while on leave under FMLA. All paid time runs concurrently with FMLA leave time until it exhausts.

(FMLA cont.)

7. Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. If an employee takes FMLA leave on an intermittent basis, Progress may temporarily reassign or readjust job responsibilities at the same salary/benefits to better accommodate the needs of the agency for the duration of time that the employee will have recurring periods of absence.
8. Upon return from other “leaves of absence”, Progress will make every effort to return an employee to his/her former position, although this may not always be possible. If it has not been possible to maintain the position originally vacated for the returning employee, Progress will attempt to offer the returning employee a position that is comparable in pay, status, location, work hours, and job duties.
9. In some cases it may be feasible to extend the amount of leave while on FMLA. This does not mean that there is any entitlement for benefits payment, CSR usage, or the restoration to a position beyond the required 12 weeks. However, in some cases it may be feasible to hold one’s position open longer than 12 weeks. This depends on: 1.) the individual situation of the client supported. 2.) the ability of the supervisor to find adequate staff. 3.) the length of extension requested. 4.) the past performance of the employee.

Response to Inclement Weather:

POLICY:

In the interest of employee safety, the determination to close administration offices and/or the day program will be made depending on the seriousness of weather conditions. Many positions that provide direct care services to Progress clients will still be expected to make it to their scheduled work location even during inclement weather. All staff should consult with their supervisor regarding their specific expectations in the event of inclement weather BEFORE an event occurs.

PRACTICE:

1. Progress reserves a separate voicemail box, **extension #52**, for inclement weather for Davidson County program. Employees are expected to call this mailbox prior to their scheduled work period to learn if their worksite is open or closed. This mailbox should be updated with any instruction by 6:30 am. Cheatham County employees should contact their supervisor regarding work schedules for the day.
2. If the Day Program is officially closed, employees are not expected to report to work, but may use PTO.
3. If the Day Program is open, all employees are expected to communicate with their supervisor for the day's schedule. If staff decide not to report to work, after communicating with their supervisor, they will NOT be allowed to use PTO.
4. All Residential staff, for all counties, is expected to stay on duty unless other arrangements can be made. You can never leave a client unattended.
5. All on duty employees, during inclement weather, should use their best judgment regarding travel, any uncertainty they may have should be directed to their supervisor or program director.
6. Administrative offices will not always be closed when the day program is closed. Administrative employees need to contact their direct supervisor for instruction. Any employee that chooses not to work due to inclement weather will have to use PTO for that day.

Employee Overtime:

POLICY:

Overtime work shall be held to a minimum consistent with the health, safety, and welfare of each person served and shall not be performed without approval of the employee's direct supervisor.

PRACTICE:

1. Employees (non-companion) shall not be permitted or allowed to perform work in excess of 40 hours per workweek except as specifically authorized by their supervisor.
2. Before permitting an employee to perform overtime work, the supervisor shall determine the extent of the work required and shall attempt to provide needed service without the use of overtime.
3. The supervisor shall ensure that the employee's time record reflects the total hours worked and that an explanation of the approved overtime is included when submitted for payroll action.
4. Overtime hours are paid at 1.5 (X) employee's regular rate of pay.

Employees / Clients with Signs or Symptoms of Communicable Disease:

POLICY:

Employees are expected to use Universal Precautions when working with their client to protect themselves. Employees are also required to exhibit good judgment as it relates to when to come to work and potentially expose others to communicable viruses or bacteria (ex. strep throat, flu).

All direct-support and LPN employees are required to provide documentation of a negative TB test (or low risk questionnaire) before beginning work. All staff having regular direct contact with people served will be offered the Hepatitis B Vaccine (HBV) at NO CHARGE. If an employee desires the vaccine pre-employment or anytime afterward, it is their responsibility to request instruction from the HR Department. The HBV is a process of (3) THREE shots delivered at specific intervals. Receipts should be provided to the HR Department following each shot for reimbursement. Progress reserves the right to deduct the amount previously reimbursed if the employee fails to obtain all (3) three shots in the timeframe required.

PRACTICES:

1. An employee who has a chronic infectious disease, such as TB, Influenza, Strep Throat or any other highly contagious infection must immediately inform his/her supervisor.
2. It is possible that clients supported by Progress may have a compromised immune system and less resistance than others. In these cases, the employee may not be allowed to work until recovered.
3. Failure to report a chronic, known infectious condition may be cause for disciplinary action.
4. Any client receiving services that request an HIV test must be tested. This request and any results are bound in privacy under HIPPA and requests for testing should be communicated to the client's case manager.

Individuals with life-threatening illnesses, such as cancer, hepatitis, heart disease, HIV, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Progress supports these endeavors as long as individuals are able to meet acceptable performance standards.

Progress' Infection Control and Exposure Policy on page 85 discusses in greater detail how to protect oneself using "universal precautions". All employees receive a copy of this at the time of hire and are required to take a "refresher" Universal Precautions training annually.

Medical information regarding individuals is confidential and will only be shared in the event of exposure. Progress will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of individual's medical information. Anyone inappropriately disclosing such information regarding another person's condition is subject to disciplinary action, up to and including termination of employment.

WORKPLACE CONDUCT:

Misuse of Property or Funds:

POLICY:

In no case shall the funds of Progress Inc. or the funds of people supported by Progress be misused or misappropriated. Agency funds shall not be supplemented by the funds of the people the agency supports. Furthermore, staff cannot borrow money from or accept property or personal benefits from people supported by Progress Inc. It is a requirement that Agency and Individuals' funds be received to the business office within the time frame indicated on the disbursement documentation.

PRACTICES:

1. An Incident Report Form may be required for any discrepancy or misuse of funds exceeding \$5.00.
2. Misuse of funds includes, but is not limited to: discrepancies in record keeping, funds lost and/or missing, lack of or inappropriate receipt documentation, placing unauthorized charges on agency or client phone, cable and utility accounts.

Examples include, but are not limited to:

- Placing long distance calls on the client's phone line.
 - Altering the current internet plan (data, speed, etc.).
 - Ordering pay-per-view movies on the cable bill
 - Ordering **ANY** unauthorized or unapproved (by Residential Supervisor and/or Client Funds Administrator) service to be charged to the person supported-like-call waiting, extra phone lines, music channels, extra cable boxes, etc.
 - Inability to account **FULLY** for the person's funds with valid receipts for approved purchases or deposits of personal funds. (Exception may be personal spending funds under \$5.00 or in the case where person carries their own spending money).
3. Employees found to be misusing funds shall make a full and immediate reimbursement. In the unlikely event of embezzlement or fraud of a large sum of money as determined by the Executive Director, criminal charges will be brought against the employee involved.
 4. Any violations of this policy by Progress staff will subject them to disciplinary action up to and including immediate termination.

Receipts for Disbursements

POLICY:

Progress Inc. practices due diligence with regard to accounting for both agency and client personal funds. It is a requirement that all money disbursed, regardless of source, be receipted to the business office. Failure to turn in receipts within the time frame indicated on the disbursement documentation will result in an employee payroll deduction, additional administrative training and progressive disciplinary action.

PRACTICE:

1. Receipts for the prior month food stamps, food and personal spending along with the FOOD STAMP CARD are due on the 1st business day of the month.
2. The Food Stamp Spending Record and the Monthly Spending Record will be completed in full by the Companion; a receipt must be attached for each line item listed and these documents turned in on the 1st. If the spending documents are not in order they will not be accepted. These documents must be corrected and submitted again before the 5th day of the month. If needed, the Client Funds Administrator or the Accounts Payable Assistant can provide additional training upon request.
3. The Accounts Payable Assistant will check receipts against spending forms to insure that all receipts are attached and forms are completed accurately. Receipts will be reviewed thoroughly for appropriateness of spending by the Accounts Payable Assistant. Companion will be contacted by their supervisor or the business office if there are any discrepancies.
4. Monies / receipts not accounted for, in full, by the 5th business day of the month will be accountable to be reimbursed. Missing or unsubstantiated receipts may require additional admin training and result in disciplinary action up to and including termination.

Investigation Procedure:

POLICY:

When there is any type of allegation of abuse, neglect, exploitation and serious injury of unknown cause Progress is required to report this to the DIDD Investigation Department and Adult Protective Services (APS). The State Investigator(s) will determine whether the allegation meets their investigation requirements. If the State Investigator determines that the allegation meets investigation requirements, s/he will assign an investigator. If the state investigator does not believe the incident meets the need for investigation as abuse, neglect, or exploitation at the state level, it may be appropriate for Progress' agency investigators to conduct their own investigation(s) as *staff misconduct**. (**Defined as any action or behavior investigated at the agency level concluded to be detrimental to the quality or manner in which services are provided to the service recipient.*) Investigations require that all persons with knowledge of the incident be interviewed, which can result in a lengthy process, taking between 2 and 6 weeks, or even longer. **There is no guarantee of any completion date for investigations.**

In addition to the above, Progress is required to contact Adult Protective Services whenever there is an allegation of abuse, neglect, or exploitation. They (APS) may conduct a separate investigation, which may or may not be concurrent with the state/agency investigation. It's possible that the police or TBI may even become involved.

PRACTICES:

Regardless if the investigator works for the Regional office, Progress and/or Adult Protective Services (or any other required entity such as the police), ALL staff requested for interview MUST FULLY cooperate with the investigator(s). Failure to do so may result in immediate termination, regardless of the outcome of the allegation (substantiated or not). The investigation process is confidential. Staff are NOT allowed to discuss any portion of the case with agency staff, person's supported, ISC's, with parents/guardians of person's supported, etc.

Since these investigations are civil in nature (not criminal), program managers/supervisors are not to share specifics about the allegation with anyone-only that there has been an allegation of abuse, neglect, exploitation and serious injury of unknown cause. As the nature of the allegation remains "civil" and not "criminal", staff does not have the right to know their accuser or the names/titles of witnesses.

During the period of investigation, all employees involved in the alleged incident can be placed on *Administrative Leave* without pay unless a "waiver to remain on duty" is obtained. Increased monitoring at the work location for those obtaining permission to remain on duty will occur. If it is an obvious or admitted case of abuse, the employee is terminated immediately. "*Staff Misconduct*" (defined above) is also subject to disciplinary action up to and including termination.

When there is an allegation of abuse, neglect, or exploitation and a formal investigation is opened. The employee will be asked to read the "investigation procedure" and ask to sign the acknowledgment form. This notification will be filed with the Investigation Case File.

:

Pay and Benefits While Under Administrative Leave for Investigation

- 1.) If an employee remains off duty for an extended period in which they do not receive a paycheck they must make payment to Progress for their portion of any insurance normally deducted from their paycheck.
- 2.) If the investigation is “not founded” or “unsubstantiated” when closed, then employees will be “back-paid” from the time they were removed from their position until the time they were informed of the results or placed back into a position, whichever is less.
- 3.) Employees can choose to use any previously accrued PTO or Vacation Days to cover normal work time while out on investigation. Should the investigation conclude as “unsubstantiated” then Progress will return the days used. If this option is utilized, it is the responsibility of the employee to inform the Payroll Department to restore any used PTO / vacation time back to their account once the investigation is concluded as “unsubstantiated”.
- 4.) If the position originally removed from was an hourly position, then the prior 6 weeks of PAID hours per week will be averaged to determine the weekly amount used to retroactively pay the employee as outlined in number 2 above. Salaried employees will get their normal semi-monthly pay, or prorated portion as applicable.

Notification of Pending Investigation

I, _____ (print name) have been informed that there has been an allegation made towards me with regard to suspected or alleged: abuse, neglect, exploitation, or Staff Misconduct (RSM) of a service recipient that receives services from Progress Inc.

My immediate supervisor or member of management notifying me has explained the procedure for investigations. I am aware that it is a condition of my employment that I make myself available and fully cooperate with any and all investigators. I am also aware that any and all information regarding this investigation is confidential.

(Progress Management must check one of the following regarding administrative leave.)

_____ Employee **IS** being placed on administrative leave w/o pay while this investigation is being conducted. I understand that I will not be allowed to have contact with the person(s) I support or any other client supported by Progress Inc. during this time. In the event that the accused staff is a Companion, the Companion must make arrangements to live elsewhere during the course of the investigation. I also understand that I will not be allowed to return to work until the investigation has been completed, pending the results and recommendations of that investigation. *Staff should be provided with a copy of the policy concerning pay and benefits while under administrative leave.

_____ Employee **IS NOT** being placed on administrative leave at this time.

I HAVE READ AND UNDERSTAND THE CONTENT ABOVE

Employee Signature/date

Progress Representative Signature/date

Alcohol / Drug-free Environment:

POLICY:

Progress Inc. is committed to providing a safe work environment. Conduct at work as an employee affects the services we provide. Alcohol or drugs used while at work or coming to work impaired may affect one's ability to perform their job. Being at work impaired, the safety of the individual(s) supported is diminished, as may be one's own safety. Therefore, Progress Inc. strictly prohibits the use, sale, dispensing, possession, or manufacture of illegal drugs or alcoholic beverages in the workplace or while engaged in Progress Inc. business. Doing so is inconsistent with the behavior expected of employees. It exposes all employees, individuals we support, and visitors to unacceptable safety risks, and undermines Progress Inc.'s ability to operate effectively and efficiently.

Covered Workers

Any individual who conducts business for the organization or is conducting business on the organization's property is covered by our drug-free environment policy. This policy applies to all employees.

Prohibited Behavior

It is a violation of our drug-free environment policy to possess, sell or trade illegal substances. It is against company policy to report to work under the influence of illegal drugs or alcohol. Employees taking prescription medicine that alters their ability to remain alert or in any way compromises their ability to perform their duties in a safe and effective manner are not allowed to come to work. Violation of any prohibited behavior will result in disciplinary action up to and including termination.

Searches

If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, wallets, purses, briefcases and lunchboxes, desks and work stations, vehicles and equipment, and the home(s) of person's supported.

PRACTICES:

1. Employees will be subject to disciplinary action, up to and including termination, for bringing illegal drugs and narcotics or alcoholic beverages to work; using or being under the influence of such substances while working; or dispensing, distributing, or selling on Progress Inc. 's premises or any other location worked. An employee will be subject to the same consequences as a positive test if he/she: refuses the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter. The same consequences as a positive test may also result if one will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

2. Progress Inc.'s testing practices is to identify employees using drugs or alcohol while working. It is a condition of employment for all employees to submit to substance abuse testing under the following circumstances:
 - a. Random drug screens. Progress periodically will choose a random sample of staff to be drug tested. Any employee that has regular contact with clients supported is eligible to be randomly tested. Staff have 24 hours from the time notified to be tested. NO EXCEPTIONS.
 - b. Reasonable suspicion while at work, such as: direct observation of substance usage or of the physical systems of being impaired due to substance usage;
 - c. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - d. A report of substance abuse provided by a reliable and credible source;
 - e. Evidence that an individual has tampered with any substance abuse test during his or her employment with Progress;
 - f. Information that an employee has caused or contributed to an accident while at work; or;
 - g. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on Progress Inc. premises or while operating the Progress company vehicle.
 - h. Incorrect and/or incomplete Medication Administration Records (MARs); Examples include, but are not limited to: 1.) Missing medications. 2.) Failure to document controlled medication on the Scheduled/Controlled MAR.
 - i. Direct observation of a supported client's behavior that is prescribed a controlled medication appearing as not to have received the medication. (Example: Client is prescribed Ativan, a controlled substance for the diagnosis of Anxiety, who normally appears relaxed then suddenly has anxious episodes.)
3. Progress Inc. reserves the right to immediately request a drug screen at any time the use of drugs or alcohol is suspected during work hours. Employees that fail to submit to a required drug test for reasonable suspicion are subject to disciplinary action, up to and including termination. Failure to submit to a monthly random drug screen within 24 hours of notification is subject to discipline, up to and including termination. If an employee's drug test returns a positive result, and the employee disagrees with the results, the employee may request further clinical testing at their expense. Positive drug test results from a doctor prescribed medication must be substantiated with evidence of a prescription or letter from the prescribing physician prior to be allowed to return to work.
4. Progress may search the property of an employee that is suspected of violating the drug-free workplace policy. The search will be conducted with two management staff present, one witness and the employee whose property is in question.

All information will be kept confidential. The results of any search or test will not be shared with anyone other than the Executive Director, employee's supervisor and the H.R. Director.
5. Employees actively seeking treatment will not be discriminated against for such treatment. Work performance is expected to remain at satisfactory levels during such treatment. Progress has an Employee Assistance Program accessible
6. An employee who is diagnosed as a drug abuser or alcoholic may be granted a medical leave of absence to undertake rehabilitation treatment. All guidelines for medical leave apply. The employee will not be permitted to return to work until certification is

presented that the employee is capable of performing his/her job. In such cases, the employee must also sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment. Failure to cooperate with an agreed-upon treatment plan may result in disciplinary action, up to and including termination.

7. Each employee must, as a condition of continued employment with the agency:
 - a. Acknowledge receipt of this policy
 - b. Abide by the terms of this policy
 - c. Notify the agency of any criminal drug statute conviction no later than three (3) days after such conviction.
 - d. Willingly and immediately submit to a drug screening if involved in a work-related injury, which requires medical attention, or a work-related automobile accident, which results in personal injury or property damage.
8. All Progress Homes (sites) are to be alcohol free and non-smoking unless otherwise decided by the circle of support (COS).
9. Any staff taking a prescription drug while on-the-clock that may cause side effects that compromise their ability to safely perform their duties, must report this to their supervisor before reporting to duty.

Assistance

Progress Inc. recognizes that alcohol and drug abuse addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- * Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- * Progress Inc. has an Employee Assistance Program (EAP) available through Jefferson Pilot Financial 1-866-754-4560. Information is available from the HR Department.
- * Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help. Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Non-Smoking Environment:

POLICY:

The Progress Inc. facility is maintained as a smoke-free environment, because of concern for the total health of individuals, and due to the awareness that second hand smoke is detrimental to the health of non-smokers.

PRACTICES:

1. Smoking is not permitted anywhere inside Progress Inc. facilities or in Progress owned vehicles.
2. Smoking is allowed outside Progress Inc. facilities in designated smoking areas only.
3. Violation of this policy will result in disciplinary action.
4. Smoking is not allowed in personal vehicles when the service recipient is present.
5. Homes of individuals supported by Progress will be smoke-free unless otherwise indicated by the circle of support.

Solicitation:

POLICY:

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during work time, except as approved by Progress Inc.'s administration.

PRACTICES:

1. Persons who are not employed by Progress Inc. are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services, or engaging in any other solicitation or similar activities.
2. Progress employees may obtain permission from the appropriate supervisor or Executive Director to sell merchandise or solicit contributions for a cause. Examples of traditionally approved solicitations include the sale of Girl Scout cookies, obtaining sponsors for a benefit run, etc.
3. Progress Inc. maintains bulletin boards to communicate information and to post notices required by law. These bulletin boards are for the posting of Progress Inc. information and notices and are not to be removed or covered with other postings.

Conflict of Interest:

POLICY:

Progress Inc. expect employees and volunteers to scrupulously avoid any conflict, direct or indirect, between their own respective individual, professional or business interests and the interests of Progress Inc. or people supported.

PRACTICES:

1. A conflict of interest exists if an employee or volunteer:
 - Seeks or obtains for benefit or advantage, except in conformity with Progress Inc. policy, anything of more than nominal value that would not normally be available to the employee or volunteer.
 - Uses or makes available for benefit or advantage, except in conformity with Progress Inc. policy, the property, records, services, name, emblem, or endorsement of Progress Inc. as affiliation of the employee or volunteer.
 - Publicly uses the employee or volunteer's affiliation or that of any other Progress Inc. volunteer or employee in connection with personal association with partisan politics, denominationally religious matters or positions on issues that are not in conformity with Progress Inc. policy.
2. While individual employees are encouraged to be politically involved as responsible citizens, Progress Inc. takes a non-partisan role relating to political issues and unequivocally forbids the use of its funds for the support of political parties or candidates. No employee is authorized to make or approve such a contribution on behalf of the organization.
3. As employees and volunteers have questions about potential conflict of interest, they are responsible for taking initiative to explore the potential conflict to the point of clarity.

Confidentiality:

POLICY:

Progress Inc. is committed to maintaining confidentiality in dealing with people served, employees and proprietary information.

PRACTICES:

1. Information about individuals supported by Progress Inc. is **confidential**.
2. Information concerning Progress Inc. employees is considered personal and confidential and is not to be disclosed to outside parties, except by legal attachment in response to subpoena or written consent of the employee. All requests for personal information should be referred to the HR Department.
3. Proprietary information is handled with care including such things as budget data, confidential correspondence, manuals, computer data, client records and mailing lists. Questions concerning whether certain information is proprietary should be referred to the employee's supervisor or the Executive Director.
4. Photos, video or audio of persons supported may be used strictly for the purpose of a scrapbook for that individual or their family/conservator. Client information, photos, video, audio taping, social media posts, etc., may not be used for any other purpose without a release from the person being supported or their legal representative, and deemed acceptable from the "Circle of Support".
5. Progress Inc., meets the requirements of the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") for the privacy of protected health information.

Testimonials / Endorsement / Articles:

POLICY:

Employees may not give any person or company a testimonial or endorsement from Progress Inc. in which Progress Inc. recommends a particular product or service.

PRACTICES:

1. Employees may not give any person or company a testimonial letter for commercial purposes in which Progress Inc.'s name is used as recommending a product or service, unless approved by the Executive Director.
2. Employees should release no statement or stories in which Progress Inc.'s name is mentioned to the news media. Any newsworthy story that an individual feels is suitable for publication should be referred to the Executive Director for approval.
3. Employees who write or prepare articles for publication may not represent a position as that of Progress Inc. without prior approval from the Executive Director.

Advocacy:

POLICY:

Progress encourages advocacy / input from all stakeholders involved in a service recipient's life. Anyone is encouraged to bring forth issues or concerns regarding factors related to the well-being of service recipients receiving services from Progress Inc. Input is encouraged and shall be taken seriously without fear of retribution.

Advocacy, like communication, has appropriate avenues of expression. Progress' Direct Support staff should always communicate any concerns directly to their supervisor and document appropriately in the staff communication notes. Family and other stakeholders are encouraged to always ask questions / voice concerns and be involved as much as possible in the service recipient's life. This can best be accomplished by actively being involved in ongoing meetings / appointments or by making contact with Progress management.

PROCEDURES:

Direct support staff is trained and encouraged to convey any concerns by including those in their daily staff communication notes. Any concerns related to the health or well-being of a service recipient should always be conveyed to one's Program Manager immediately.

Direct support staff is encouraged to contribute pertinent information by either attending planning meetings or conveying that information to their supervisor.

Progress management will be accessible to family members by phone, email, and scheduled meetings. Families are encouraged to openly communicate concerns regarding any aspect of the service recipient's behavior, health, medication, or general well-being.

Progress management will keep notes on the responses to issues raised by those concerned to ensure issues are addressed adequately.

Any family member or other involved person in a service recipient's life that feels any concern has not been appropriately addressed may follow the Provider Complaint Resolution process located in the Employee Handbook or available by request.

VISITORS AND FAMILY MEMBERS:

Visitors and Family Members in Progress Facilities and Supported Living Homes

POLICY:

Family members, including employees' children, or other persons known to the employee shall not visit or accompany employees to work without express consent of persons supported and the supervisor. Employees in a "live-in companion" position must have persons living in their home documented in their "rules and responsibilities" document.

PRACTICE:

1. Visitors will not be allowed to stay overnight without knowledge and consent of persons supported and the supervisor and/or conservator.
2. Visitors who routinely visit the home should be identified by the "Circle of Support", and listed in the "ISP" as approved.
3. Family members of any age or relationship, or friends of the employee, may **never** be left alone to provide support to an individual unless they are identified and approved by the "Circle of Support" and have received "Training Specific to the Individual".

Driving / Transporting:

POLICY:

When employees are providing transportation to people supported during work hours, they are expected to give full attention to driving. Direct Support Professionals that are not driving, but rather, accompanying people supported in a vehicle while working, are expected to provide supervision and assistance as needed. While on-the-job, Progress employees are not permitted to ride in any other vehicle except their own or a company vehicle. When working, employees are expected to either: drive their own vehicle, drive a company vehicle, be a passenger in a company vehicle, or be a passenger with another employee who is working. This policy is intended to protect the safety of the employee while on the job.

Employees may not have any visitors or pets in Progress owned /leased vehicles. Only the Executive Director or Fiscal Director can grant exception to this policy. If an employee does wish to have a visitor accompany him/her while working, and they use a personal vehicle, both, the people being supported and the employee's supervisor must approve the trip unless previous approval is granted and clearly stated in the "ISP". The visitor approved either for one trip or approved in the "ISP" for frequent trips, must provide a release of liability statement.

PRACTICE:

1. Contact supervisor to receive approval and have visitor provide a release of liability statement.
2. Under no circumstance should employees use their phone or electronic device while transporting client(s). Violation of this policy is subject to disciplinary action, up to and including termination.

EMPLOYEE DISCIPLINE AND GRIEVANCE PROCEDURES:

Employee Discipline

POLICY:

To help ensure fair and consistent treatment, employees are expected to comply with Progress Inc. standards of behavior and performance. Noncompliance is remedied or subject to discipline.

PRACTICES:

1. Disciplinary procedures are an established, uniform system of progressive discipline, administered in a consistent manner.
2. Each employee is given an opportunity to improve his/her performance or to correct a disciplinary problem. The supervisor's first responsibility is to sit down with the employee, explain the degree of seriousness of his/her behavior, explore options for correcting the behavior and agree on actions to be taken, and the consequences of failure to take action.
3. Disciplinary action can mean anything from a mild informal reprimand to termination. The primary objective of any type of disciplinary action is to correct or improve the behavior of individuals who are not meeting Progress Inc. standards of performance or conduct.
4. All disciplinary actions will be confidential. Only those people directly involved and potentially a Director or Executive Director should discuss matters pertaining to a particular person or incident. Employees should keep the outcome of all disciplinary action confidential. Violation of confidentiality may be cause for disciplinary action.

(Step 1) **Written Counsel:** The supervisor meets with the employee and formally discusses the employee's problem. The supervisor encourages the employee to work towards improvement, offering suggestions and methods for improvement. After the meeting, the supervisor ensures that the employee understands that he/she has been counseled regarding his/her behavior or performance deficiency. The counseling and outcome is documented and signed by both the employee and the supervisor. A copy is given to the employee and another placed in the employee's personnel file.

(Step 2) **Written Warning:** This step is taken upon repetition or continuation of identified shortcomings after reasonable opportunity and time for correction. This step usually is the result of an employee conducting himself/herself in a way that demonstrates a lack of response to previous counseling. The warning may recommend follow-up training that is relative to the occurrence.

The supervisor ensures that the employee understands he/she is being “warned,” i.e., that continuance of the behavior or performance deficiency may result in further disciplinary action, up to and including dismissal. The contents of this meeting will be documented and signed by both the employee and supervisor, with one copy given to the employee and another placed in the employee’s personnel file.

(Step 3) **Suspension:** The action of suspension for up to two weeks without pay is taken when the employee has clearly demonstrated a lack of response to previous counseling and warning, and whenever a reasonable time for improvement or correction has been afforded the employee. The primary purpose of suspension is to impress upon the employee the seriousness with which Progress Inc. views his/her situation and that his/her job is in jeopardy, rather than to cause excessive financial loss. In lieu of a suspension, a supervisor may choose to place the employee on **probationary status** for a designated period, depending on the situation and supervisors’ discretion.

The supervisor ensures that the employee understands the reason for probation or suspension, the duration, and the possibility of dismissal if the behavior or performance deficiency continues. As in other steps, this action will be documented and signed by both the employee and the supervisor with one copy given to the employee and another placed in the employee’s personnel file.

In the event of an allegation of abuse, neglect, or exploitation that is investigated at the state level, the employee will be placed on administrative leave without pay. The length of leave without pay will depend on completion of the investigation by DIDD. The investigation process is discussed in detail on pages 45-46. In all cases of suspension, the employee shall receive written confirmation of the suspension or administrative leave and cause for action.

(Step 4) **Termination:** This action is the most serious of all disciplinary procedures and is normally used only as a last resort. This action is taken when previous steps have not been successful in solving a problem. Termination requires the approval by Executive Director.

The supervisor advises the employee about the reason(s) for termination. The contents of the termination meeting are documented and signed by the employee and the supervisor with one copy given to the employee and another placed in the employee’s personnel file.

Termination is usually resorted to only when properly documented counseling sessions and adequate warnings have been ignored. However, termination may result immediately after a major violation of Progress Inc. rules and regulations.

A Sample of Disciplinary Rules of Conduct and steps to be taken:

- | | |
|---|--|
| 1. Conviction of a criminal act | step 4 |
| 2. Abuse, misuse or misappropriation of Agency funds, material, property or equipment | step 4 |
| 3. Sabotage, theft, willful damage or destruction of Agency, employee, or client property | step 4 |
| 4. Physical abuse in the performance of duties | step 4 |
| 5. Reporting to work under the influence of drugs or alcohol, possession of alcohol or drugs unless under doctor's prescription and with approval of the supervisor | step 4 |
| 6. False statements of material fact on, or removal from agency files of, employee applications, disciplinary notices or any other documents including training data and progress notes | step 4 |
| 7. Possession of firearms or lethal weapons at a home or work location | step 4 |
| 8. Leaving a person served alone without ISP and supervisor approval | step 3,4 |
| 9. Willful acts that potentially or actually endanger the lives, safety, or property of others | step 3, 4 |
| 10. Betrayal of confidential Agency information | step 2, 3, 4 |
| 11. <i>Staff Misconduct*</i> step 2, 3, 4 | |
| *Defined as any action or behavior substantiated at the agency level as it relates to the quality or manner in which services are provided to the service recipient. | |
| 12. Reporting to work late/unexcused. Not returning from vacation as stated. This includes Companions picking up their client late from their day program. | step 2, 3, 4
step 2, 3, 4 |
| 13. No Call / No Show for work assignments | |
| 14. Failure to obtain or present a current valid license or certification required by law and/or as a condition of employment | step 3, 4 |
| 15. Retaliation or harassment of clients and or employees in response to or following a disciplinary to or following a disciplinary action | step 3, 4 |
| 16. Substantiated allegations of abuse, neglect, or exploitation | step 2, 3, 4 |
| 17. Dishonesty | step 2, 3, 4 |
| 18. Refusal to accept a reasonable and proper assignment from an authorized supervisor | step 2, 3, 4 |
| 19. Unsatisfactory driving record. (i.e. (3) three or more moving violations in any three year period OR (1) serious moving violation in any three year period.) | step 2, 3, 4 |
| 20. Sleeping on duty | step 3, 4 |
| 21. Careless, negligent or improper use of Agency property or equipment including failure to report the loss, theft, or damage or Agency materials and equipment | step 2, 3, 4 |
| 22. Improper use of paid time off or catastrophic sick reserve privileges | step 2, 3, 4 |

- | | |
|---|------------------------|
| 23. Absence from work or leaving work without prior permission from or notification of supervisor | step 3, 4 |
| 24. Participation in any action that would in any way seriously disrupts normal operations of the Agency | step 1, 2, 3, 4 |
| 25. Unsatisfactory performance of duties | step 1, 2, 3, 4 |
| 26. Negligence in the performance of duties, including failure to perform duties as requested by the supervisor within the specified time period | step 1, 2, 3, 4 |
| 27. Failure to maintain satisfactory and harmonious working relationships with the public and Progress employees, including unsatisfactory supervision of other employees | step 1, 2, 3, 4 |
| 28. Borrowing, or otherwise obtaining, money from a client | step 4 |
| 29. Blatant disregard of authority | step 4 |
| 30. Using Cell Phone while in vehicle with a client. | step 4 |

All possible situations for disciplinary action may not be previously accounted for. Therefore, supervisors at Progress Inc. may use disciplinary action for other situations, as they judge necessary.

Disclaimer: Progress Inc. has the intention of operating under a “progressive discipline” system. This means that the disciplinary response to repeated incidents, issues, or behavior should result in a logical progression of severity. However, it should never be interpreted that someone is entitled to this progression of severity. The decision to apply a different level of severity is based on each individual situation and surrounding circumstance. As stated above, this is simply a list for example and in no way implies that every possible scenario for disciplinary action is listed herein.

Vehicle Insurance / Vehicle Accidents / Moving Violations:

POLICY: Driving Requirements

As an employee of Progress Inc., a job responsibility may include using your vehicle to transport the people you support. Therefore, employees must maintain a valid driver license and adequate automobile insurance (liability and uninsured motorist) as long as Progress Inc. employs them. Any employee that is found to not have valid insurance for any reason will be subject to immediate suspension w/o pay until proof of valid insurance can be provided. Future incidents of failing to have valid auto insurance will result in additional disciplinary action, up to and including termination. Progress Inc. defines adequate automobile insurance as, at minimum, liability and uninsured motorists.

Progress Inc. does not provide any additional collision coverage or personal property coverage for your personal vehicle.

Any employee who drives an agency vehicle may be responsible for paying up to \$250 of the insurance deductible in the event of an accident or damage resulting from obvious driver error. An example of "obvious driver error" would be in the event the driver hit a fixed object or backed into a fixed object. When in doubt get out and look! In the case of a negligent backing accident the employee may be responsible for all damage cost.

It is the responsibility of the employee to update the Human Resource Department with evidence of valid insurance coverage at intervals consistent with policy renewals or payments made. When the employee gets a new insurance card, that should be a reminder that the last card on file with HR is no longer valid.

POLICY: Driving Safety

The Program Director or HR Director will be responsible for disciplinary procedures and corrective actions in the event of an on-the-job vehicle accident where the employee is at fault.

Employees who operate an agency vehicle or transport individuals in their own vehicle are required to follow all Tennessee state driving and vehicle operation laws, including wearing seatbelts. Employees are also expected to NOT use cell-phones while the vehicle is moving. The HR Department will order driving history records (MVR) on all new hires that transport individuals or operate an agency vehicle.

Upon hire, a satisfactory MVR is defined as no more than (3) three moving violations or at-fault accidents in the last (3) three years, or no more than 1 serious moving violation or 1 serious at-fault accident in the last (3) three years. These documents will be filed in the employee's personnel record and become the property of Progress. Falsification of driving history on the employment application will be considered grounds for termination. Periodically, MVRs will be requested at random on employees who transport people on a regular basis.

POLICY: Accidents / Moving Violations

Progress management reserves the right to request **post-accident drug screening** at any time. Post-accident testing will be mandatory in the event of an automobile accident where an employee was also cited for a driving related violation. The HR department should be notified immediately of any vehicle accident occurring while working (transporting a client).

Disciplinary action up to and including termination may occur following a vehicle accident while working.

PRACTICE:

- The Accident Report Checklist procedure below **MUST** be followed in the event of any accident occurring while working. The “Vehicle Packet” distributed at orientation contains all of the forms mentioned in the checklist. See the HR Department if you require a new packet.
- Progress Inc. conducts random MVR checks. If at any time the employee produces an unsatisfactory MVR (more than 3 moving violations in any 3 year period), management will review the driving record and circumstances to determine the course of action in the best interest of the company and individuals supported.
- If the accident/incident is considered by the Program Director to be of extreme negligence, careless or reckless driving, personal injury or property damage, then all of the above steps may be bypassed and immediate termination applied or the employee may be placed in a non-driving position (if available).
- Two or more moving violations or at-fault accidents within a 12-month period can be grounds for termination.
- If an employee, at any time, shows evidence of a diminished driving capacity or is rejected by the agency’s insurance carrier, then that employee will be placed in a non-driving capacity (if available) or terminated.
- At anytime, Progress may request proof of physical and visual acuity for purposes of assessing safe driving capability. Progress also reserves the right to have a physician’s statement regarding an employee’s physical ability to safely operate a vehicle.

Vehicle Accident Reporting Checklist

1. **NEVER** leave clients alone!
2. Check for injuries and call an ambulance if necessary.
3. Call the police.
4. **Contact your supervisor within 15 minutes** to report accident. If emergency personnel are not at the scene, the supervisor and staff will determine whether clients need to be taken to ER or clinic for treatment.
5. Progress reserves the right to request any employee to submit to a drug / alcohol screen if in a vehicle accident while working. Any employee that is cited (ticketed) for any traffic violation at the scene **must submit to a drug / alcohol screen** within one hour. Post-accident drug screens occurring during business hours must be done at the Progress Inc. Ezell pike office. The supervisor should contact the HR Director for instructions on after hours testing.
6. Don't comment about whose fault it was – just answer the police officer's questions truthfully. Give police and other driver(s) your supervisor's contact information. Phone number (615) 399-3000 and extension / supervisor's name.
7. **Before leaving the accident scene**, ask for driver contact information (name, phone#, insurance company, make of vehicle they are driving, etc.) that you will need to complete a Vehicle Accident Report.
8. If medical assistance is required for client(s), complete the attached **Medical / Dental Service Report** and submit to your supervisor.
9. Complete an **Incident Report** and submit to your supervisor.
10. If medical attention is needed for the employee and the emergency room is not required post-accident, employees should go to any **Concentra or US Healthworks clinic** location. Inform them this is a "work-related" injury and provide them your supervisor's contact information.

If after business hours, then you may go to any 24-Hour Walk-In or as a last resort the Emergency Room. If a **post accident drug screen** is required it will also be done at the location of treatment.

Medication Errors:

POLICY:

When an actual medication error occurs, including but not necessarily limited to the following, the procedure below must be followed.

Types of errors:

1. Medication not given
2. Wrong dose given
3. Wrong time given
4. Individual gets wrong medication

Procedure for when an actual error has occurred:

The safety of the individual is our number one concern. If unsure or there seems to be a medical emergency, call 911. If the individual seems to be different in anyway, but there doesn't seem to be a medical emergency, contact your Program Manager. In addition, anytime an actual error happens, the following must be done:

1. Call the prescribing doctor(s). You may have to leave a message. Make sure you document phone calls and the doctor's response on what to do.
2. You must text the Residential Services Co-Director the following:
 - a. Medication or medications and dosages involved. Include the dates and times of the error(s).
3. The Co-Director will then report the error to the appropriate entity (DIDD or MCO).
4. Staff must document each medication error in TIMAS and on the MAR.
5. At the end of the month, the meds not given need to be turned into your Administrative Program manager.

Medication errors may require an inservice and / or additional training. Medication errors may also result in additional disciplinary action, up to and including termination.

Harassment:

POLICY:

Verbal or physical conduct by any employee that harasses, disrupts, creates an intimidating offensive or hostile environment, or interferes with another employee or client's work performance or daily activity will not be tolerated. Progress Inc. will not tolerate sexual harassment and all accusations will be taken seriously and investigated promptly.

PRACTICE:

1. Every employee has a responsibility to maintain the workplace free of any form of harassment.
2. Any employee who believes that the actions or words of a supervisor, or fellow employee constitute harassment has a responsibility to report as soon as possible **in writing** to their direct supervisor. That supervisor shall in turn inform the HR Department of receipt of this complaint. If the complaint is against the direct supervisor then the **written** allegation should be brought directly to the HR Department.
3. No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, or career development. In addition, no supervisor is to favor, in any way, any applicant or employee because that person has performed or shown a willingness to perform sexual favors for the supervisor.
4. Any sexually harassing conduct in the work place is prohibited. Such conduct includes, but is not limited to:
 - a. Sexual flirtations, touching, advances, or propositions;
 - b. Verbal abuse of a sexual nature;
 - c. Graphic or suggestive comments about an individual's dress or body;
 - d. Sexually degrading words to describe a person supported; and
 - e. The display in the workplace of sexually suggestive objects or pictures.
 - f. Any other known comments, gestures, or actions that may be perceived as harassing. **Remember it is the "perception" of the one harassed not the "intent" of the harasser.
5. All complaints of any type of harassment will be investigated promptly by the HR Department, in as impartial and confidential manner as possible. If an employee is not satisfied with the handling of a complaint or the action taken by the HR Department, the employee should bring the complaint to the attention of the Executive Director. In all cases, the employee making a complaint is to be informed about the findings and conclusions reached regarding the complaint.
6. Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to appropriate disciplinary action up to and including termination.

Policy of Non-Discrimination and Complaint Procedure:

POLICY:

In accordance with Title VI, Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990, Progress Inc. does not discriminate against employees or prospective employees on the basis of his/her race, color, religion, sex/gender, sexual orientation, national origin, handicap, or age.

Any employee or prospective employee who feels he/she has been denied an employment opportunity by reason of his/her handicap, age, race, color, religion, sex/gender, sexual orientation, or national origin shall be given an opportunity to file a complaint for investigation.

PRACTICE:

1. Any person wishing to file a complaint charging a discriminatory employment practice may do so by contacting the H.R. Director. At that time the person will be advised of his/her right to file with the Tennessee Commission for Human Development or follow Progress Inc.'s complaint procedure.
2. In order to be accepted, a complaint must be written, allege a violation of Title VI of the Civil Rights Act, be directed against a specific individual or facility in Progress Inc. and be filed within 180 days after the alleged violation occurred.
3. Signed letters qualify as written allegations, but not telephone communications. The initial allegation does not have to be on a standard form. A person other than the person making the complaint may prepare the written allegation, in the event that person has difficulty in reading or writing in English.
4. The Equal Employment Opportunities Coordinator shall receive all complaints containing the basic elements in paragraph 2 above. The written allegation does not have to contain a detailed description of what occurred. A simple request for assistance is enough to justify accepting a complaint. However, then taking a complaint, questions shall be asked to establish key information, i.e., identity, address, and telephone number of person filing the complaint, identity, and location of individual or facility the complaint is directed against, how the complainant's treatment was different from others of another class or person and when the incident occurred. In instances where several individuals wish to make the same complaint against the same person or facility, each person shall file a separate complaint, even though the language is identical to others.
5. Within 2 working days after accepting the complaint, the EEO Coordinator shall refer the complaint to a designee or committee to investigate.
6. This person or committee shall investigate the circumstances surrounding the complaint and report findings. The report shall include recommendations as to how the person filing the complaint may be reconciled.

7. The EEO Coordinator shall review the report of investigations and the recommendations. The EEO Coordinator shall communicate the findings to the complainant in writing within 5 working days. In the event the person filing the charge rejects the findings, he/she shall be allowed to request a fair hearing before the Board of Directors, which should be held within 30 days.

8. The Board decision will be considered final and will be communicated in writing to the complainant within five days of the hearing.

All records, documents, reports, or other material incidental to a complaint of discrimination shall be retained for a period of 2 years or until such time E.E.O.C. action has been completed.

Employee Grievance Procedure:

POLICY:

The Employee Grievance policy applies to work related issues that have not been satisfactorily resolved through regular employee – management interaction. Employees are encouraged to bring to the attention of management their grievances about work-related issues after a reasonable attempt through the normal chain-of-command has been attempted. Employees are provided an opportunity to present their complaints and appeal management decisions through this formal grievance procedure. All grievances will be responded to within 30 days.

PRACTICE:

1. Employees are encouraged to use this Grievance Procedure and are not to be penalized for doing so. It is expected that the normal chain-of-command be pursuant prior to filing a grievance. Supervisors are responsible for processing the grievance until the aggrieved is satisfied with the level of review or until the right of appeal is exhausted.
2. The following steps outline the Grievance Procedures:
 - The employee brings a work-related problem to the attention of the employee's supervisor or the supervisor managing the client's staff in writing and dated.
 - The managing supervisor is responsible for investigating the grievance, attempting to resolve the grievance, and communicating a decision to the interested party within a reasonable time. If the grievance is with the immediate supervisor, the employee should file an official grievance with the next level of supervision.
 - If the aggrieved employee is not satisfied with the decision from successive levels of supervisory review, he/she is permitted to appeal to the Executive Director. The supervisor or supervisory reviewer documents the grievance and the decision for review by the next level of management.
 - If the appeal to the Executive Director, fails to satisfy the aggrieved, he or she is permitted to appeal to the Board of Director's Personnel Policy Committee (PPL) who will discuss the matter with the employee and supervisor involved and make a decision concerning the grievance within a reasonable time. The Board of Directors' (PPL) decision and explanation of the decision, or that of its appointed committee, will be documented and is final and binding. In its discretion, the PPL Committee may delegate review of the grievance to its executive committee or other standing committee, whose members shall investigate and make a determination when corrective action is necessary.
3. No employee grievance may proceed to the Board of Directors PPL without review by the Executive Director except:
 - When the original grievance is against the Executive Director or
 - Where the Executive Director is unavailable to complete the review within a reasonable time.
4. As used in this policy, the term "reasonable time" for reaching a decision means a reasonable time with respect to the urgency and seriousness of the matter complained of, and consideration of any hardship to the employee, client, or client stake-holders which cannot reasonably be avoided pending resolution of the grievance. It is expected that a grievance review will be completed at the administration level within 10 working

days. It is expected that the employee grievance review will be completed at the Board of Directors level within 45 days of notice to the President or his/her designee.

5. Information concerning an employee grievance will be received in confidence.
6. Management decisions on grievances will not be precedent-setting nor binding on future grievances unless they are officially stated as Progress Inc. policy. Whenever possible, the decision will be retroactive to the date of the official complaint.

Anti-Nepotism Policy

Progress Inc. hires the best employee as indicated by how their abilities and merit meet the demands and requirements of the available position(s). It is the policy of Progress Inc. not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status. Notwithstanding this policy, Progress Inc. retains the right to refuse to hire or transfer any person into a position in the same department, program or location, where their relationship to another employee or supervisor has the potential for creating adverse impact on supervision, performance, morale, or involves a potential conflict of interest. The Executive Director shall have the authority and responsibility for determining if such a potential for adverse impact exists or does not exist.

When it comes to establishing relationships and subsequently contracting with vendors for goods and/or services needed, it is expected that any personal relationship with the vendor be disclosed prior to any services provided or contract completed. Vendors will be chosen based upon quality, reputation, availability, and competitive pricing.

Non-Fraternization Policy

While Progress Inc. does not wish to interfere with the off-duty personal conduct of its employees, certain types of off-duty conduct and relationships may interfere with the Company's legitimate business interest and / or daily operations. To prevent unwarranted sexual harassment claims, uncomfortable working relationships, morale problems among other employees, and even the appearance of unfairness, Directors, Managers, and Supervisors of the Company are strictly prohibited from engaging in consensual romantic or sexual relationships with any managers, supervisors, direct-support staff, or any other employees of Progress Inc.

Provider Complaint Resolution System:

POLICY:

This complaint resolution system is designed to be utilized by service recipients and their stakeholders to address issues and concerns regarding the quality of services and supports provided by Progress Inc. This complaint resolution system is a joint effort between Progress Inc. and DIDD to address issues and concerns expressed by service recipients, their families, legal representatives, paid advocates, or other stakeholders.

If a resolution cannot be achieved “informally” through traditional means of problem solving, then there is a formal procedure listed below.

PROCEDURE:

- 1.) Complaint is attempted to be resolved informally through address with Program Manager responsible for service recipient in question. If not resolved, then proceed to step 2.
- 2.) A signed and dated written description of the complaint containing all relevant information is given to the Provider Resolution Staff (Quality Assurance Director).
- 3.) Provider Resolution Staff will provide written confirmation of resolution within (30) thirty days of receipt.
- 4.) If complainant is still not satisfied with the Provider Resolution Staff’s resolution, he/she may schedule an appointment with the Agency’s Executive Director. A copy of the original written complaint shall be provided prior to the scheduled meeting and accompanied by the prior resolution.
- 5.) If the complainant is not satisfied with the outcome, he/she may contact DIDD’ Complaint Resolution Coordinator at 888-633-1313 and pursue the complaint further.

GUIDELINES:

- Retaliation against anyone making a complaint is strictly prohibited.
- Progress Inc. maintains a system to track complaints and there timely resolution.
- Management Staff review the complaint resolution system as necessary to identify negative trends needing improvement.

HIPAA (Health Insurance Portability and Accountability Act of 1996):

POLICY:

Confidentiality is an important part of Progress Inc.'s policies and procedures. Federal regulations have increased the public's interest in their privacy rights through a regulation called HIPAA. It is important that we understand these regulations and how they will impact our operations at Progress Inc.

HIPAA, "Health Insurance Portability and Accountability Act of 1996", has generated new federal regulations that give patients more control over their health information by establishing certain rights related to their health information and setting limits on how we can use and share that information. HIPAA will promote more standardization and efficiency in the health care industry.

PRACTICES:

All Progress Inc. employees, vendors, and individuals supported associated with Progress Inc., shall receive a "Notice of Privacy Practices of Progress Inc." to be read and signed that they understand the rules and regulation information that is stated in the notice. The notice information describes how the protection of health information about them may be used and disclosed in regards to employees of Progress Inc. and individuals that Progress Inc. supports.

Direct support professionals employed at Progress Inc. will receive and review **(PHI) "Private Health Information"**, about the individuals we support during employment with Progress Inc. Such information is protected and enforced by federal and state laws in addition to Progress Inc., policies and procedures. Private Health Information such as relating to the patient's care, treatment, condition or payment which is transmitted, maintained or displayed in any form or medium, whether oral, written or electronically submitted of the confidential information. Private Health Information is any health information maintained by Progress Inc. that is individually identifiable except employment records held by Progress Inc. in its role as an employer. Individually identifiable health information means any health information, including demographic information, whether oral or recorded in any form or medium collected from an individual. Such information is protected and enforced by federal and state laws in addition to Progress Inc. policies and procedures. Private Health Information may be accessed, collected, used, communicated or disclosed only in compliance to the minimum amount necessary to perform job responsibilities.

Confidential information includes, but is not limited to the following information of the patient/client and employee

1. Name
2. Address
3. Telephone numbers
4. Age
5. Gender
6. Marital status
7. Insurance information
8. Medical information
9. Psychological information
10. Care or service information
11. Any other identifying information

Training

All members of Progress Inc. workforce shall be trained annually on Progress Inc. policies and procedures with respect to protected health information as necessary and appropriate for the member of the workforce to carry out their function within Progress Inc.

The Privacy Officer of Progress Inc. shall be responsible for the development, updating and implementation of Progress Inc. privacy policies. The Privacy Officer shall implement appropriate administrative, technical and physical safeguards to protect the privacy of protected health information and to limit incidental uses or disclosures made pursuant to an otherwise permitted or required use or disclosure.

Any member of Progress Workforce who is informed by another health care provider, health plan or a healthcare clearinghouse of an amendment to an individual's protected health information shall promptly inform the Privacy Officer of the amendment

Complaint Process

Individuals who desire to make a complaint against Progress Inc. concerning our privacy policies and procedures, its compliance with those policies and procedures, or the requirements of the HIPAA privacy rule shall submit the complaint to the H.R. Director in writing.

The H.R. Director shall investigate the complaint and respond to the individual in writing concerning his/her findings and what action, if any, Progress Inc. will take in response to the complaint.

The H.R. Director shall cause written documentation of each complaint and its disposition to be kept in written or electronic form for six (6) years after the date of the creation or the date when it was last in effect, whichever is later.

Any member of Progress Inc. workforce who fails to comply with Progress Inc. privacy policies and procedures or the requirements of the HIPAA privacy rule shall be subject to sanctions imposed through Progress Inc. discipline and discharge policies.

Examples of the sanctions that may be applied for certain actions are:

- A. Failure to promptly report any violation of any Progress Inc. privacy policy, procedure or requirement of the HIPAA privacy rule to the Privacy Officer.
Verbal reprimand
- B. Inadvertent violation of any Progress Inc. privacy policy or requirement of the HIPAA privacy rule.
Verbal reprimand
- C. Knowing violation of any Progress Inc. privacy policy or requirement of the HIPAA privacy rule.
Written warning
- D. Knowingly and improperly obtaining or disclosing protected health information.
Suspension
- E. Obtaining protected health information under false pretenses.
Termination of employment
- F. Obtaining or disclosing protected health information with an intent to sell transfer or use for commercial advantage, personal gain or malicious harm
Termination of employment

Employee/Patient/Individual Rights

- See and get copies of your records
- Talk to us about how we share your information
- Ask us to change health information that is wrong
- Ask us for a list of who got your health information
- Ask us not to share certain facts about your health
- Take back your consent
- Ask us to contact you in a different way or in a different place
- Ask for a new notice of our privacy practices
- Obtain a copy of this notice of privacy policies upon request.
- Request communications of your protected health information by alternative means

Progress Inc. may use or disclose protected health information without authorization of the employee or the opportunity of the employee to agree or object to the extent that the use disclosure is required by law and the use or disclosure complies with and is limited to the relevant requirement of the law, and the use or disclosure complies with and is limited to the relevant requirements of the law.

Uses and Disclosures Required by Law

1. Uses and Disclosures about Victims of Abuse, Neglect or Domestic Violence.
2. Disclosures for Judicial and Administrative Proceedings.
3. Uses and Disclosures for Public Health Activities.

Progress Inc.'s Title VI Policy and Procedure

This policy applies to the service recipients which Progress Inc. provides services for. Service recipients, parents / conservators, and all Progress employees are expected to be familiar with this policy and the procedures for making a Title VI complaint.

Dissemination

- Service Recipients and their Parents / Conservators should have this policy and complaint procedures distributed to them at least annually, either via a packet from the agency or at other meetings, such as an ISP "Circle" meeting.
- In addition to the internal documents discussed above, policy and procedures are taught in Title VI class to ALL employees within 30 days of employment. Title VI posters are also located in all central office locations.
- Progress also complies with the annual Title VI reporting requirement to the State of TN. This includes any Title VI complaints in the past year and the outcome.

Policy

Title VI of the Civil Rights Act of 1964 requires that federally assisted programs be free of discrimination. The State of Tennessee's Division of Intellectual Disabilities Services (DIDD) also requires that its activities be conducted without regard to Race, Color, National Origin, or Limited English Proficiency (LEP).

Should Progress be presented with the opportunity to serve a client that does have (LEP) needs, then the means required to ensure equal services would be obtained prior to beginning services. (DIDD) will assist Progress in finding the required remedies, such as interpreters prior to beginning services for that client.

Prohibited Practices Include:

- Denying any individual any services, opportunity, or other benefit for which he or she is otherwise qualified.
- Providing any individual with any service or other benefit which is different or is provided in a different manner from that which is provided to others under the program.
- Subjecting any individual to segregated or separate treatment in any manner related to his or her receipt of service.
- Restricting any individual in any way in the enjoyment of services; facilities; or any other advantage, privilege, or benefit provided to others under the program.
- Adopting methods of administration that would limit participation by any group of recipients or subject them to discrimination.
- Addressing an individual in a manner that denotes inferiority because of race, color, or national origin.
- Subjecting any individual to incidents of racial or ethnic harassment, the creation of a hostile racial or ethnic environment, and a disproportionate burden of environmental health risks on minority communities.

Progress Inc.'s
Title VI Policy and Procedure (cont.)

Complaint Procedure

Should you feel that a service recipient has been discriminated on the basis of protections under Title VI, please contact the local Title VI coordinator below. Any individual making a complaint may choose at any time to file their complaint with the State or Federal Title VI coordinator. To file a complaint with the agency coordinator, you must:

- 1.) Submit the complaint in writing within 180 days of the alleged discrimination.
- 2.) All complaints must be legible and contain all the known facts, such as: who, what, where, and when.
- 3.) All complaints must contain the contact information of the person making the complaint in order to provide the outcome or request additional information.
- 4.) Unless informed otherwise, Progress will conclude their investigation into this complaint and report their findings and proposed remediation to the complainant and client within 60 days of receipt.

HR Department
Progress Inc.
319 Ezell Pike
Nashville, TN 37217
615-399-3000

Any individual may file a Title VI complaint with the below listed entity, but it is preferable that complaints be registered at the local level first.

DIDD Title VI Compliance Director
Vickey Coleman, Ph.D
400 Deaderick St.
Nashville, TN 37243
901-356-6811 or 1-800-535-9725

TECHNOLOGY USAGE POLICY

PURPOSE:

The purpose of this policy is to ensure that employees of Progress Inc. use the computer systems, network, and Internet access provided by Progress Inc. in a lawful and ethical manner, maintain the integrity of company resources, and protect proprietary information.

POLICY:

- Access to the Internet through company systems is a privilege and not a right; therefore, employees are subject to certain responsibilities.
- Internet access is provided for business purposes and for furthering the interests of Progress Inc. and the clients we support. Employees should limit personal access to before and after work and during lunch break so as not to compromise productivity.
- Employees are prohibited from using their business email address when signing up for any product, service, listing, etc. In no case should the Progress email account be used for personal transactions.
- Only properly licensed software and browsers placed on the computer by technical support personnel may be used to gain access to the Internet. *Internet Explorer* and *Outlook* are for the express purpose of accessing the Internet and receiving/sending email.
 - Do not download, install, or use any other browser or email software, such as *AOL*, *MSN*, or *CompuServe*.
 - Do not install or use instant messaging programs unless specifically approved by the IT Mgr.
 - Do not download, install, or use programs that 'enhance' the appearance of email, such as *IncrediMail*.
 - Never open email or attachments from someone you don't know. Delete those and all unsolicited email (SPAM) immediately.
- Except as required for proper execution of your job, no software, executable files, databases or other technology may be downloaded through the internet, received through email, installed from external discs, or otherwise placed on the company's computer system without prior, written approval of the IT Manager. Adware and Spyware often come as part of the package when you download programs from the Internet. To minimize adware/spyware:
 - Do not download, install, or use screensavers or background wallpaper such as *Web Shots*, programs that let you change your mouse cursor, programs to help remember passwords, games, or any other software.
 - Do not download, install, or use any music sharing programs, such as *KaZaA*.
 - Do not download, install, or use any programs that offer to eliminate viruses, adware, spyware, spam email or other Internet pests.
- These policies apply to employee-owned computers while they are connected to the Progress Inc. network only. While Progress provides the anti-virus and anti-spyware software to these users, it is the responsibility of each employee using their own computer on the Progress network to maintain current definitions at all times. Progress has the right to verify that these definitions are current.

TECHNOLOGY USAGE POLICY(cont.)

- Company systems shall not be used to browse or access any sexually explicit or sexually oriented materials.
- When on the Internet, you are representing Progress Inc. All conduct should be appropriate for conducting business. The company's identity is tracked during users' browsing activities, and such activities are not private.
- The company has the right to monitor and inspect computer hard-drives, history files, log files, and all other aspects of company computers and software at any time for any reason at its discretion. Employees have no right of privacy as to any item or communication using property of the company. Technology Management will pre-set all options for Internet Explorer so that histories can be accessed. Individual users can not change these settings on their computers. If any setting causes a software, hardware or productivity conflict for the user, the Manager of Information Technology should be contacted for resolution of the problem.
- When accessing the Internet, all employees shall comply with state and federal laws and company rules and regulations. All employees must use common sense, ethics, and security measures when on the Internet. All employment policies of the company shall apply equally to all employees' use of Internet and computer technology. Any violation of these policies may lead to disciplinary actions, including but not limited to termination.

Progress Inc.

FALSE CLAIMS AND WHISTLE-BLOWER PROTECTION EDUCATION POLICY

1. Policy Effective Date. January 1, 2007.
2. Scope. This policy applies to all employees (including management), contractors and agents of **Progress Inc.**
3. Purpose. The purpose of this policy is to provide information to employees, contractors and agents of **Progress Inc.** regarding certain federal and state laws that concern the submission of false and fraudulent claims for payment to the government. These laws play a central role in the government's efforts to prevent and detect fraud, waste and abuse in federal health care programs. This policy also establishes Progress Inc.'s procedure regarding the fair and ethical acquisition of goods and services.
4. Policy. It is the policy of **Progress Inc.** to provide direct care services in a manner that complies with applicable federal and state laws and that meets the high standards of business and professional ethics. Specifically, it is the policy of **Progress Inc.** to detect and eliminate waste, fraud and abuse related to payments to **Progress Inc.** from federal or state programs providing payment for patient care and other services. Consequently, **Progress Inc.** does not tolerate making or submitting false or misleading billing claims or statements to any government agency, health care program or payer source. To further this policy, and to comply with Section 6032 of the Deficit Reduction Act of 2005, **Progress Inc.** provides the following information about its policies and procedures and the role of certain federal and state laws in preventing and detecting waste, fraud and abuse in federal health care programs:

In addition, it is the policy of Progress Inc. that the company will not only comply with any State or Federal guidelines but will also seek and fairly evaluate the acquisition of goods and / or services in such a way that any vendor has an equal opportunity to compete as a provider. The decision process will be based upon factors which optimize the agency's purchasing objectives (i.e. budget, time, quality, availability) and not upon previously established interaction or relationship. It is the intent of Progress Inc. that all business transactions be unbiased and ethical without any conflict of interest. Any expenditures in excess of \$2000 that are not routine and / or ordinary will require a minimum of two (2) bids to be obtained in the following increments:
\$2000-\$5000 - Informal bids required (via phone, internet, or other advertised pricing).
Above \$5000 – Written bids required.
5. Summary of Federal and State False Claims Laws. The following is a summary of the Federal False Claims Act (the "FCA") and the Program Fraud Civil Remedies Act (the "PFCRA").

The FCA imposes civil liability, pursuant to 31 U.S.C. § 3729, on any person who:

- Knowingly files a false or fraudulent claim for payments to TennCare, Medicare, Medicaid, or other state / federally funded health care program.
- Knowingly makes or uses a false record or statement to obtain payment on a false or fraudulent claim from TennCare, Medicare, Medicaid, or other state / federally funded health care program;

- Knowingly makes or uses a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money to the government; or
- Conspires to defraud TennCare, Medicare, Medicaid or other state / federally funded health care program by attempting to have a false or fraudulent claim paid.
- Under 31 U.S.C. section 3729, "knowing" and "knowingly" mean that a person, with respect to the information has:
 - Actual knowledge of the information;
 - Acts in deliberate ignorance of the truth or falsity of the information; or
 - Acts in reckless disregard of the truth or falsity of the information (no specific intent to defraud is required).

A person or entity found liable under the FCA is generally subject to civil monetary penalties of between \$5,500 and \$11,000 per claim plus three times the amount of damages that the government sustained because of the illegal act. In health care cases, the amount of damages sustained is the amount paid for each claim filed that is determined to be false. The FCA imposes criminal liability, pursuant to 18 U.S.C. § 1035, to persons that knowingly and willfully make any materially false, fictitious or fraudulent statements in connection with the delivery or payment for health benefits. Penalties may include imprisonment for up to five years.

Procedures

This policy shall be provided to each employee in administration at the Ezell Pike office and shall be housed in their individual personnel file. Newly hired employees shall also receive a copy of this policy.

An employee who seeks to report a suspected fraud or other misconduct may take either of the following actions:

- (1) If the suspicion is not directed toward the employee's immediate supervisor, the employee may report the fraud/misconduct to the employee's immediate supervisor. The supervisor shall immediately report the allegation to the Executive Director, unless the allegation involves the Executive Director, in which instance the supervisor shall report the allegation to the chair of the appropriate Board Committee or the President of the Board of Directors.
- (2) In the alternative, the employee may report the allegation directly to the chair of the appropriate Board Committee or the President of the Board of Directors.

The Executive Director, or in the alternative, the chair of the appropriate Board Committee or the President, shall investigate the allegation and shall undertake such actions as may be necessary and proper to determine whether the allegation is justified.

(Procedures cont.)

The Executive Director, or in the alternative, the chair of the appropriate Board Committee or the President, shall make a report to the applicable Board Committee(s) and the Executive Committee of the Board of Directors relative to the resolution of the matter and shall detail how the problems have either been resolved or why no resolution was deemed necessary.

To the extent possible, until such time as the allegations are investigated, every effort shall be made to keep the matter confidential so as to avoid unjustified damage to any person's reputation. If any misconduct is discovered as a result of the investigation, the Executive Director, upon consultation with the Executive Committee, may take such action as he or she deems appropriate in the circumstances.

Whistle-Blower Protection

Title 31 Section 3730 (h).

Any employee who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by his or her employer because of lawful acts done by the employee on behalf of the employee or others in furtherance of an action under this section, including investigation for, initiation of, testimony for, or assistance in an action filed or to be filed under this section, shall be entitled to all relief necessary to make the employee whole. Such relief shall include reinstatement with the same seniority status such employee would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An employee may bring an action in the appropriate district court of the United States for the relief provided in this subsection.

TCA 4-18-105. Prohibition against preventing employees from disclosing information - Violations - Remedies.

(a) No employer shall make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency or from acting in furtherance of a false claims action, including investigating, initiating, testifying, or assisting in an action filed or to be filed under Section 4 of this Act. (b) No employer shall discharge, demote, suspend, threaten, harass, deny promotion to, or in any other manner discriminate against, an employee in the terms and conditions of employment because of lawful acts done by the employee on behalf of the employee or others in disclosing information to a government or law enforcement agency or in furthering a false claims action, including investigation for, initiation of, testimony for, or assistance in, an action filed or to be filed under Section 4 of this Act. (c) An employer who violates subsection (b) shall be liable for all relief necessary to make the employee whole, including reinstatement with the same seniority status that the employee would have had but for the discrimination, two (2) times the amount of back pay, interest on the back pay, compensation for any special damage sustained as a result of the discrimination, and, where appropriate, punitive damages. In addition, the defendant shall be required to pay litigation costs and reasonable attorneys' fees. An employee may bring an action in the appropriate chancery court of the state for the relief provided in this subsection. (d) An employee who is discharged, demoted, suspended, harassed, denied promotion, or in any other manner discriminated against in terms and conditions of employment by such person's employer because of participation in conduct which directly or indirectly resulted in a false claim being submitted to the state or a political subdivision shall be entitled to the remedies under subsection (c) if, and only if, both of the following occur:

(Whistle Blower Protection cont.)

(1) The employee voluntarily disclosed information to a government or law enforcement agency or acted in furtherance of a false claims action, including investigation for, initiation of, testimony for, or assistance in an action filed or to be filed; and

(2) The employee had been harassed, threatened with termination or demotion, or otherwise coerced by the employer or its management into engaging in the fraudulent activity in the first place.

Infection Control and Exposure

POLICY:

This policy is to protect staff and clients from infectious and communicable disease. It addresses the prevention, control of, response to, disposal of and investigation of exposure to infectious / communicable diseases and hazardous waste.

PROCEDURE:

1. Universal precautions involve the use of (PPE) Personal Protective Equipment (gloves, masks, eye-protection) and practices to protect employees from exposure to infectious agents (blood and body fluids) via puncture of the skin, contact with mucous membranes, saliva and non-intact skin. Mucous Membranes include the lining of the mouth, nose and respiratory tract, the conjunctival membrane covering the eye, the gastrointestinal tract, and the urogenital tract. Universal Precautions will be observed by all Progress employee's and contract staff in order to prevent contact with blood, blood products, or other potentially infectious materials. All blood, blood product, or other potentially infectious material will be considered infectious regardless of the perceived status of the source or source individual.
2. Hands must be washed after contact with blood or body fluids, before eating or drinking. Routine hand washing is paramount when there is any routine physical contact with people and particularly important when there has been contact with blood or body fluids.
3. The wearing of gloves substantially reduces the risk of hands being contaminated with blood and body fluids and therefore gloves must be readily available to all employees likely to handle blood or body substances. Gloves, masks, and protective eye-wear are readily available to all employees during normal business hours at the Ezell Pike Admin office.
4. After proper removal and disposal of personal protective gloves or other personal protective equipment, employees shall wash their hands and any other potential contaminated skin area immediately or soon as feasible with soap and water.
5. Gloves contaminated with blood or body fluids should be discarded between treating persons - the wearing of gloves does not prevent cross-infection.
6. Hands should be thoroughly washed after discarding gloves.
7. If staff members incur exposure to their skin or mucous membranes, then those areas shall be washed or flushed with water as appropriated or as soon as feasible following contact.
8. Precautions shall be taken to prevent the contamination of sterile and clean supplies by soiled supplies. Sterile supplies shall be packaged and stored in a manner that protects the sterility of the contents.
9. During pre-service training and annually, all staff will be informed of the Infection Control Policy and Exposure Procedures and will be provided a copy.

10. Education on infection control, including cause, effect, transmission, prevention, and elimination of infections will be made available by the agency as a part of the pre-training and ongoing training process as evidenced by staff being able to verbalize or demonstrate an understanding of basic techniques.
11. When possible, appropriate staff and/or consumers, their family and/or their support staff will be educated in the practice of aseptic techniques such as hand washing and scrubbing practices, proper hygiene, use of personal equipment, dressing care techniques, disinfecting and sterilizing techniques, and the handling and storage of consumer care equipment and supplies.

The following waste shall be considered infectious waste:

- (a) Waste human blood and blood products such as serum, plasma, and other blood components;
- (b) All discarded sharps (including but not limited to, hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades) used in patient care; and
- (c) Other waste determined to be infectious by the agency in its written policy.

Waste must be packaged in a manner that will protect waste handlers and the public from possible injury and disease that may result from exposure to the waste.

Such packaging must provide for containment of the waste from the point of generation up to the point of proper treatment or disposal. Packaging must be selected and utilized for the type of waste the package will contain, how the waste will be treated and disposed, and how it will be handled and transported prior to treatment and disposal.

- (a) Contaminated sharps must be directly placed in leak-proof, rigid and puncture-resistant containers, which must then be tightly sealed.
- (b) Infectious and hazardous waste must be secured in fastened plastic bags before placement in a garbage can with other household waste.
- (c) Reusable containers for infectious waste must be thoroughly sanitized each time they are emptied, unless the surfaces of the containers have been completely protected from contamination by disposable liners or other devices removed with the waste.
- (d.) After packaging, waste must be handled, transported and stored by methods ensuring containment and preserving of the integrity of the packaging, including the use of secondary containment where necessary.

In the event of a SPILL:

- The individual(s) cleaning the blood spill need to use the proper personal protective equipment (PPE), (e.g. water impervious gloves, outerwear, goggles, etc.)
- Spray the contaminated surfaces with a 1-10 solution of bleach and water.
- Absorb and remove all traces of the spill with paper towels or other acceptable materials (Micro-encapsulation absorbent). Be careful not to contaminate the outside of the spray bottle.
- Re-spray the cleaned area with the bleach solution and allow to air dry.
- Place all waste materials, including disposable PPE, into a plastic autoclavable biohazard bag. Be careful not to contaminate the outside of the bag. Mattresses, rugs, and other large items that cannot fit in a biohazard bag can be wrapped in plastic wrap after being decontaminated.
- This type of waste cannot be discarded through the regular trash service. Biohazardous waste must be decontaminated (autoclaved)

In the Event of Exposure

In the event of a first aid incident where blood or other body fluids are present, the employee must report the incident to their supervisor promptly. If protective equipment (i.e. gloves) are used and blood or other body fluids not touched no exposure occurred.

If gloves or other protective equipment (mask) were not used and a true exposure occurred (blood or other fluid gets inside the body by any means such as blood touching an open sore or skin with dermatitis or a puncture wound by a sharp object that has blood on it), then a report with the name of the first aider, date, time, and description of the incident should be filled out and submitted to the HR Department.

This facility will ensure that any first aider that desires the HBV vaccine series after **involvement** with blood will receive it within 24 hours.

If desired, consent for further testing from the source will be attempted. If the source refuses then the attempt will be documented as such.

Post Exposure Evaluation

Should an exposure incident occur, contact your supervisor and the HR Department. If desired by the exposed employee, Progress will see that the following elements are performed:

- Obtain consent and test source individual for HIV and/or Hepatitis B antibody ASAP.
- If source does not give consent, then **document** that consent could not be obtained. Source testing will be done by an adequate mutually agreed upon provider:

Progress Management Team will assess this policy and procedure annually for any needed changes.

EMPLOYEE HANDBOOK AGREEMENT

I, _____ have received and understand that I am responsible for reading, understanding and complying with the policies in Progress Inc.'s (March 2018 edition) Employee Handbook. I understand that this handbook replaces any previous handbook(s) issued to me and that Progress reserves the right to periodically amend policy/procedures to comply with changes in state policy or "best practice". I agree that memos that effect policy will overrule any policy/procedures listed in this book until they can be made permanent in an updated version.

All policy and procedure updates are communicated via the employee website at www.teamprogress.org and using TIMAS' messaging system. There is a computer available onsite for those that need it and a print copy of any changes can be provided upon request. Management staff will make all reasonable efforts to inform employees of important changes to company policy or procedure. However, it is the responsibility of the employee to periodically check for updates on the employee website and to **read their TIMAS messages.** **The most current Employee Handbook is always available online or by request.**

Only Directors or the Executive Director have the power to modify or alter the policies and procedures contained in this manual. In addition, I understand and agree that **this Employee Handbook is not a contract of employment between oneself and Progress Inc.**

Progress Inc. is an "At-Will Employer". "At-Will" should be interpreted to mean that either party may decide to terminate employment at anytime for any cause or no cause and with or without notice.

Upon termination, I agree that I must return this employee handbook and failure to do so will result in a fee of \$10.00 deducted from my last paycheck.

Signature

Date