

PROGRESS INC.

SENIOR CARE SERVICES

SENIOR CARE
ATTENDANT'S

POLICY AND PROCEDURES
HANDBOOK

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 Service 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. Knowingly mismanaging or misrepresenting an individual's funds or violating approved Progress's financial policy.
 - g. Gambling, buying, selling, trading, borrowing or lending goods or money with individuals.
 - h. 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.
 - i. 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.
 - j. 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.

Progress Mission and Purpose

Progress promotes health, happiness and safety for people 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. Moving forward with abilities!

Position Description – Senior Care Attendants

The Statewide Home and Community Based Services (HCBS) Waiver was approved by the Centers for Medicare & Medicaid Services (CMS) to provide services to elderly and / or disabled individuals 21 years of age and older, who without this Waiver, would require nursing home care. The Tennessee Commission on Aging and Disability (TCAD) through a contract with the Bureau of Tenn-Care, serves as the Administrative Lead Agency for the Waiver and is responsible for coordinating and arranging home and community based services for enrollees.

The Area Agencies on Aging and Disability (AAAD) across the state work with the TCAD to perform in-home assessments for potential waiver enrollees and complete the enrollment process for those qualified. Agencies such as Progress are then contracted to provide these approved services through our Senior Care Division staff of Senior Care Attendants (SCA).

The primary duties of a Senior Care Attendant (SCA) are to provide supervision with sitter services and basic assistance with activities of daily living. The required duties and level of need will often vary greatly from client to client. Supervisors will instruct their staff regarding which services are to be performed for each client. Some assignments may concentrate more on routine household chores, meal preparation, running certain errands, or assistance with personal care, while some may primarily require only sitter services.

Senior Care staff are provided detailed *Job Descriptions* during the orientation or training phases before beginning work. This document lists specific and general duties / areas of an employee's position that will be evaluated during the *Performance Review* process at 90 days (probationary) and again annually.

Respite Services:

Each staff person is expected to work respite in their client's home if need from time to time. That might extend your work hours in the homes each day. Normally these things occur only for emergencies or giving a break to another client caregiver. If an overnight stay is required, management will give you at least a 5 day notice.

Minimum Staff Requirements for Senior Care Attendants.

All prospective applicants should meet the minimum staff requirements below both prior to being eligible for employment and continue to meet all requirements during their employment.

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: adequately communicate with management and clients using English, read and understand instructions given in English and perform record-keeping and reports in English.
- *Must be able to pass a state and national criminal background check. No felony convictions are permitted and certain misdemeanor convictions may also prohibit employment. Criminal background checks may be done at future intervals throughout employment and must remain acceptable.

*Applicants that do not return an acceptable criminal background check may submit a written request for an exemption to be reviewed by the Executive Director.
- 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 whereabouts verified.
- Must have a good driving record. No more than (3) three moving violations (speeding, failure to stop, tailgating, etc.) in past (3) three years OR no more than (1) one serious violation (i.e. DUI, Reckless Driving, etc.) in past (3) three years.
- Must provide evidence (at employee's expense) of a negative TB test done within 12 months of hire date.
- Must attend new employee orientation and pass all required pre-service training courses given during normal business hours prior to beginning work
- Must NOT falsify the employment application in any way, including through omission.

Orientation Process:

The primary purpose of *New Employee Orientation* is to provide basic 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. All orientation and training is given during normal business hours.

- Once a supervisor has extended an offer of employment and the applicant has successfully had all their references verified then Human Resources will schedule *New Employee Orientation*. This orientation is mainly comprised of signing required policies and reviewing the Employee Manual.
- During New Employee Orientation, newly hired staff will be assigned an Employee Handbook, complete all legally required forms and sign all required agency policies.
- At the conclusion of *New Employee Orientation* with Human Resources, all newly hired SCA staff will receive a "checklist" that consist of a schedule of required pre-service training and list of any documents still needing to be submitted (Driver's License, TB Test, Vehicle Insurance, SS Card / Birth Certificates or other I-9 documents).
- Newly hired Senior Care staff will typically have their *Supervisor Training* directly preceding or after HR's orientation. A representative from the Senior Care Services Division will meet with the new staff and orient them to specific policies and procedures related to performing one's duties. A portion of the new staff's pre-service training will be conducted at this time also.

Initial and Ongoing Staff Requirements:

- 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 service recipient 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.
- Annual abuse and sexual registry checks, both state and national as available, will be conducted for all staff.
- TN Felony Offender, ICOTS and abuse registry checks will be conducted annually for all SCA's.
- All staff will have monthly checks completed using the List of Excluded Individuals / Entities LEIE / OIG registry AND the SAM (System for Award Management).
- All newly hired staff must provide evidence of a negative TB test. Progress reserves the right to require additional TB testing based on the risk assessment criteria set forth by the TN Dept. of Health.

Training: Initial and Ongoing

1. Pre-service training is comprised of at least 40 hours of training. At least 16 of these hours must be “hands-on” training that is typically accomplished by shadowing a seasoned employee at one or more client homes. The remainder of the training is comprised of classroom / online / video based training in areas such as: CPR / First Aid, Title VI, OSHA, HIPPA, and other job specific topics.
2. Newly hired SCA's that possess valid documentation a CNA or CNT license may be allowed to forgo the requirement of 16 hours “hands-on” shadowing.. All staff must possess current CPR certification and First Aid (if not a valid CNA).
3. Senior Care Staff are REQUIRED to attend at least three (3) out of four (4) MANDATORY staff meetings throughout the year held at predetermined times and location. Failure to attend mandatory meetings or training sessions is grounds for disciplinary action up to and including termination. Staff will be provided advanced notice of the date and time via their mailbox.
4. SCA's are required to obtain at least 12 hours of ongoing training annually. This will be obtained in part through annual refreshers of Title VI, HIPPA and OSHA training and bi-annual recertification of CPR / First Aid. Additional relevant training will be assigned as needed by supervisor and based on client specific needs / changes.
5. All senior care staff will be provided with training on the specific needs of clients prior to working with them. Additional training will be provided as needed or when there is a change to the client's plan of care.
6. All staff will be required to do initial and ongoing educational training for abuse and neglect prevention, caring / servicing elderly and disabled clients, the federal false claims act, whistleblower protection, critical incident management, service delivery documentation, and using EVV (Electronic Visit Verification) system.
7. Staff is expected to keep up with their own training and subsequent due dates. *Training Due Reports* are posted every month and listed by supervisor name. These can be found on the employee website at <http://www.teamprogress.org/humanresources.html> and are also posted on the billboard at the administrative building.
8. All initial Pre-Service training that occurs during the first 90 days of employment is paid at \$8.75 per hour regardless of regular rate of pay.
9. As discussed during orientation, all training hours for new employees should be placed on a *New Hire Time-sheet*. Any training that occurs after pre-service training should be placed in the correct category on the regular time-sheet. New Staff will **NOT** be permitted to begin working until all required training and documentation has been received by the HR Department.

Dress Code

Staff must wear a scrub tops and bottoms and be neat and properly groomed at all times. Staff must wear closed toe shoes while working.

Staff should always wear their id badge during their shift at a client's home.

Initial Review Period (90 day probationary period):

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. The first 90 days of employment for all new employees or those changing positions is considered to be an initial review period. Position transfers cannot occur until after 90 days on-the-job without Program Director approval.

1. During the review period, the employee's job performance will be carefully observed to determine if the newly hired employee is satisfactorily performing the requirements of the job.
 - a. In NO case does successful completion of the initial 90 day review period guarantee indefinite future employment.
 - b. The supervisor will conduct a 90 day evaluation focusing on areas of concern and give feedback on any areas needing attention
2. If the 90 day evaluation is not satisfactory then the employee may have their probationary period extended or employment could be terminated.
3. There is no requirement or entitlement for staff to be allowed to work the entire initial 90 day probationary period. Progress is an "at will" employer and either party may choose to terminate employment at any time for any reason, with or without notice.
4. Any Full-Time staff desiring **insurance** benefits of any kind MUST attend an enrollment meeting during their first 30 days of employment. (even if no benefits are desired.) Any chosen benefits will become effective the 1st day of the month AFTER the 90 day review period.

Compensation – Regular Pay

Progress Inc. pays employees twice each month, on the 1st business day each month and 16th of each month unless otherwise stated on the current timesheet. 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. Timesheets must be submitted by the date listed as due on the time sheet and in accordance with the timesheet procedure listed below to ensure accurate and timely pay.

OVERTIME POLICY:

Any overtime must be pre-approved by the employee's direct supervisor prior to any hours over 40 being performed.

1. Senior Care Attendants are paid hourly and are subject to required overtime pay for any hours worked in excess of 40 in a designated work-week (Sun.-Sat.). Any overtime must be approved by one's immediate supervisor.
2. Starting base wage is \$10.00 / hour. Those certified as CNAs will start at \$10.50.
3. 6 months from the date of the first shift worked employees (except PRN) will receive a .50 / hourly increase. Any future pay increase is dependent upon the financial ability / status of the company and ongoing performance of the employee.
4. Payroll changes (deductions, withholding (W-4) status, or Direct Deposit) must be submitted in writing at least fourteen working days prior to check issue date.
5. Checks will not be released to anyone other than the payee unless a written authorization from the payee is received.
6. 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.
7. 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.
8. 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.

Time Worked – Progress Time Sheet / EVV Clock In-Out Procedure

Senior Care Staff will track their time worked **TWO** different ways.

Progress time-sheets are required from all employees on the 1st and 16th of each month, unless the due date is specified otherwise on the time sheet. This is an internally utilized time sheet to document actual hours worked for the payroll department to determine the amount to be paid. In order to be paid timely and accurately, it is crucial that all staff's time sheets be submitted by the due date on the time sheet, no exceptions. Employees failing to submit their timesheet by the due date are subject to delayed pay and disciplinary action. Any employee falsifying time worked is subject to immediate termination.

Secondly, all Senior Care Attendants must follow a specific procedure of clocking in and out at every work location utilizing a GPS based system of Electronic Visit Verification (EVV). EVV tablets should be present at every work location. If the client doesn't have a tablet please let your supervisor know immediately.

Progress Time Sheets:

1. All completed timesheets are to be signed and then submitted to the supervisor for authorization AFTER they have been date / time stamped on or before the due date. Timesheets are due on the 1st and 16th of each month.

Timesheets **must be date/time stamped** using the machine in the administration building unless another acceptable form of date documentation has been confirmed (i.e. fax confirmation or email date with attached time-sheet). This is for your protection!

2. Each employee is required to complete his/her own time sheet. Filling out another employee's time record or falsifying any time records are serious offenses and constitute grounds for disciplinary action, including termination.
3. Time sheet must reflect any paid time off or holiday as a separate line item according to the timesheet form.
4. It is the responsibility of every employee to make certain their supervisor has their time-sheet. Do not leave or fax timesheets without confirmation of receipt from the actual supervisor.
5. Timesheets not approved and submitted within 48 hours of the due date (1st or 16th) 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.
6. Progress strives to pay all staff accurately, thus any payroll mistake should be brought to the attention of one's supervisor immediately. Payroll mistakes resulting from a timesheet not being submitted on-time or mistake made by the staff when completing the time sheet will NOT be corrected until the following pay period.

EVV (tablet) Clock In – Out Procedure:

Senior Care Staff will clock in and out at the client's home using the EVV tablet. If the client does not have a working EVV tablet at the time of the shift, let the supervisor know immediately. Staff will be issued a user name and password by their supervisor and trained on using the EVV tablet prior to working with a client.

When clocking out using the EVV tablet, staff must choose which services they performed during their shift. This is how Progress documents services performed in order to receive proper payment.

Benefits:

Progress Inc. provides health insurance and other supplemental insurance coverage to 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.

Benefits become effective the (1st) first day of the month that occurs after 90 days has been completed as a Full-Time employee. However, actual enrollment (choosing benefits) must occur during the first 30 days of employment. This includes existing staff transferring into a Full-Time position.

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 eligible employees who want 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 a 403(b) Tax Deferred Compensation Retirement Program. When an employee works at least 20 hours per week, and is employed with Progress Inc. for a period of (6) six months, he/she is eligible to participate in the "Progress Tax Deferred Annuity Plan for Employees of Progress Incorporated." When these requirements have been met, the employee will meet with the Director of Fiscal Services to be in-serviced on the benefits of this program and complete the enrollment process if participation is desired.
4. **Employee Assistance Program:** EAP is available through Jefferson Pilot Financial (Affinity Care). 1-866-754-4560.

5. **Unpaid Leave of Absence** – In certain difficult situations where the employee does not qualify for FMLA, has exhausted any PTO or is part-time, it may be possible to take an unpaid leave of absence (LOA) with supervisor approval. 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 with 3 days notice. Full-time employees with company insurance out on 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.

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.) Staff is limited to a maximum reimbursement of 15 miles per day (roundtrip) for any errands or appointments which the client requests you to perform. Any exceptions require supervisor's prior approval.
- 6.) 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.

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.

Protocol for On-the-Job Injury.

- 1.) Employee contacts supervisor or HR within 24 hours of injury. 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 chooses an approved treatment provider from the choices provided. Provider choices for injury treatment will be given at the time the employee completes the "First Report of Injury". If it is after hours, the employee may go to any 24 hour "walk-in". If a "walk-in" is not an option after hours then use ER as last option.
- 3.) We DO NOT want employees going to the ER unless it is a serious injury or the only option. Baptist Hospital is the "preferred" hospital in these cases.
- 4.) If it is after normal business hours, the treating provider may require verification that the injured employee is a Progress employee. Supervisor can provide this authorization. The employee will need to contact HR Dept. first chance the next business day. If it is a vehicle accident, the employee 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 insurance carrier can be notified and claim number be obtained. If the injury was not reported directly to the HR department then the employee MUST contact HR to report the injury the NEXT business day.
- 6.) REPORT ANY INJURY. Even if you do not need treatment at that time

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 available to those staff that have been employed with Progress for at least 12 months and worked at least 1250 hours in the preceding 12 months. Further details are discussed in the FMLA section.

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, son, 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 servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

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.

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 then any PTO accrued second, while out on FMLA leave. This is mandatory. All leave beginning with CSR then PTO must 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 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.

CSR (catastrophic sick reserve) 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 off runs concurrently with FMLA leave time until it is exhausted.
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.

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.

Incident Reporting

When any form of abuse, neglect, exploitation or serious injury of unknown cause to a client being served in the Senior Care Division is witnessed, suspected, or discovered, Progress staff is required to report this to their supervisor immediately. Examples include but are not limited to:

- Any witnessed or suspected: physical, sexual, verbal, or emotional abuse.
- Theft, exploitation, or any form of financial abuse.
- Incidents or accidents of unusual / unexplainable nature.
- Complaints of a serious nature regarding the quality of services being provided by staff.
- Any falls or injuries to the client while providing services.

Reporting Procedure

- All Senior Care Attendants should use the following *Critical Incident Report Form* to report incidents. These forms are accessible from your supervisor. This form should be completed and submitted to the supervisor within 24 hours of discovering the incident. Failure to report an incident will constitute an incident itself and is subject to disciplinary action.
- Senior Care Staff are required to always be available for questioning regarding any alleged incident they may have reported or that may involve them. Failure to cooperate with any investigation can result in termination of employment.
- Supervisors will then follow the correct reporting protocol required to report the incident to the client's Managed Care Organization (MCO) aka Case Worker / Care Coordinator.
- Progress Inc. supervisors will follow up with the results of any pending investigation to all required entities.

Critical Incident Report Form

Name of Service Recipient _____ SSN _____

Date of Incident _____ Time of Incident _____

Region **M** Provider Responsible **Progress Inc** Provider Code **0001** Provider Reporting (If different) _____

➤ **Description of Incident – (what/where/when/who)**

➤ **This incident was** Witnessed Discovered

➤ **Where incident occurred** Address/Site of Incident

(Check one) Home – Inside Home – Outside Vehicle Day Program/work/school
 Community-Supervised Community-Unsupervised Unknown

➤ **This incident required** Check all that apply, include diagnosis, treatment, and follow-up information for the *starred items

911 call Hospital Emergency CPR Heimlich Maneuver
 Clinic/medical*

➤ **Description of Injury** When applicable – describe type, size, location/body part, color of injury; type of location of treatment: etc.

➤ **Injury (Check one)**

- No Apparent Injury
- Serious injury* - Injury requiring intervention beyond first aid, which can only be administered by a physician, nurse practitioner, or physician assistant. Examples: Fracture, cut requiring stitches, dislocation, concussion, sprain.
- Minor injury

AAAD must be notified within 24 hours of incident.

Date/Time _____ **Person Reporting Incident**

Print Name: _____

Date reported _____ Time Reported _____

Signature: _____

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. Such notice 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 their 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. If the situation warrants, employees may be given the option to resign in lieu of termination. In these circumstances, employees are only eligible to receive payment for 50% of any remaining PTO or Vacation time.
3. Any employee who is absent from work 2 consecutive working days without contact or is not reachable by his/her immediate supervisor may be discharged for "job abandonment". Proper documentation of the period of absence within a reasonable time-frame will be required for reinstatement.
4. The most common reasons for the ending of one's employment initiated by Progress Inc. are: unsatisfactory work performance; excessive absenteeism / tardiness; change in a client's staffing needs; client's death or their services changed to another agency; client or family decision; termination resulting from an investigation.
5. Progress Inc. uses a progressive discipline approach when deemed appropriate; However, 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. Upon termination, the full-time employee may continue any his/her health coverage as required by law under COBRA, provided the employee complies with enrolment 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. Any supplemental insurance (life, disability, AFLAC) 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 from your last day of employment.
7. 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. *A sample list of some of the common items can be found below.
8. 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
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.
3. Progress reserves the right to require additional TB testing based on the criteria set forth by the TN Dept. of Health.

Performance Review Policy:

POLICY:

All staff should receive an initial job description before beginning work. At any time, supervisors may choose to provide an evaluation for feedback and improvement. At a minimum, employees will receive a "90" Day (Probationary) evaluation and an annual evaluation consistent with their hire (anniversary) date.

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.

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 #14 below.
10. For full-time staff only, any PTO beyond the allotted carryover, will be transferred to the employee's Catastrophic Sick Reserve* (CSR) or sold back as indicated in Table 5. Time in the CSR account may only be used by the employee who earned it. **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 Paid Time Off 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 serious injury or illness. The maximum number of CSR hours that may accrue in one's account or be used during any 12 month period is 480. Once an hourly paid shift staff employee has 480 CSR hours, the maximum allowed, they can continue to sell back vacation hours according to their length of service without the CSR rollover requirement.
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.

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.

PRACTICES:

1. Full-Time Non-Exempt (Hourly) employees will receive 8 hours holiday pay or their normal daily hours (not to exceed 8 hours) for the nine recognized paid holidays. Any of these employees that work scheduled hours on a recognized holiday will receive their regular pay for those hours worked **plus** holiday pay as described above. 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” for all hours worked on those actual days only.
3. Senior Care staff are expected to work all holidays if the client requests services unless they have prior approved time-off.

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.

Personal Property Security:

1. Employees are responsible for safeguarding personal property while at work.
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. 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.

Tornado / Extreme Weather Alerts

POLICY:

It is the staff's responsibility to protect the individuals whom they serve in the event of a tornado or other extreme weather event. Progress utilizes the education and procedures 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 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.

Cellular Phones

POLICY:

Mobile phones should NOT be used while ON-DUTY unless it is to make a necessary call to one's supervisor. This includes texting. SCA staff should NEVER use their phone while driving.

Employee ID Badges

POLICY:

Certain employees may be issued ID badges to be worn as determined by their supervisor. Pictures for these are taken on designated days and times usually on paydays. See the HR department for details. If you are issued an ID badge you are expected to wear it and wear it only for the purpose it's issued for.

Any false representation using a Progress ID badge will result in disciplinary action up to and including termination and any applicable legal prosecution. Employees are expected to keep up with their badge. Replacement badges cost \$5. Your badge must be turned in to the HR department when you resign from Progress.

ATTENDANCE / ABSENCES:

Hours of Work

POLICY:

Progress Inc. establishes working hours based on position requirements. PRN, Part-time, and shift 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 remunerated 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.

Tardiness:

It is an expectation that you will be on time for your scheduled shift. If you are running late, you must always make up the time on the end of that visit. (Ask your supervisor to explain how this is done)

If you are going to be late you must contact your supervisor within 2 hours of your shift so your supervisor can instruct you of what to do and make other arrangements. **Do NOT assume your supervisor is aware unless they have responded to you verbally NOT via TEXT**

If you are later than 5 minutes, without prior approval, the following will occur: (over a 12 month period)

- 1st tardy: Verbal warning
- 2nd: Written warning
- 3rd: Suspension
- 4th: Termination

Call-Outs:

If you have a shift that you are scheduled to work, you must fulfill your assignment. If you need time off then you must use the normal notice procedures for requesting time off.

*If you are going to be late or miss your shift you must contact your supervisor within 2 hours of your shift so your supervisor can instruct you of what to do and make other arrangements. **Do NOT assume your supervisor is aware unless they have responded to you verbally NOT via TEXT.**

Everyone is expected to work their scheduled shift unless prior arrangements have been approved. An excess of 2 unscheduled call outs in a 12 month period will result in disciplinary action. Excessive unscheduled absences will result in disciplinary action up to and including termination. The supervisor reserves the right to request documentation, such as a doctor's note.

On Call Schedule for Weekends

At each Mandatory Quarterly Meeting an on call schedule is handed out. You will be given one at the time you are hired by your supervisor for the months remaining until the next meeting. If you have Emergencies on the weekend, please refer to the sheet for the correct phone number for the person on call. If you lose your sheet, each supervisor has on their phone the person you should call. Please call the appropriate person so your situation can be handled promptly.

Vacation/Time Off:

Written requests are due 30 days prior to time off requested. Ask your supervisor for a request form. You must have been employed for 6 months before you are eligible to request any time off.

If you are part-time and your request is approved, you will not be scheduled to work during that time. Part-time staff do not receive paid time-off.

Full-time staff approved may use accrued PTO (paid time-off).

Response to Inclement Weather:

POLICY:

Due to the critical needs of many of the clients supported by Progress, Senior Care Staff are still expected to be able to make it to work during inclement weather. It is critical that staff plan accordingly for any pending snow / ice issues.

- Park on the street or away from any hills before going to bed. Prepare to remove snow and ice from your windows.
- Plan to leave an hour earlier than you would normally leave for your shift.
- Make sure you have plenty of gas the night before. Have emergency supplies in your vehicle in case you get stuck somewhere.
- Communicate with the client and your supervisor at least one (1) hour before your shift if you are going to be running late or are concerned about being able to make it to work safely.

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** before beginning work. All direct-support and LPN employees will be offered the **Hepatitis B Vaccine (HBV)** at NO CHARGE if so desired. 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 across a six month period. 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.

Company paid **flu vaccinations** are provided at the administrative building in early fall. The exact date will vary but is typically late October or early November. Once a date is booked then staff will be made aware.

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.
5. 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.
6. 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.
7. 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 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 an annual "refresher" Universal Precautions training.

Supervisors will provide requested PPE (personal protective equipment) such as gloves, masks, and eye protection to any employee needing these items.

WORK-SITE BEHAVIOR:

Policies:

1. Be careful about what you share: Don't discuss personal problems with any client.
2. Speak ONLY with your supervisor about issues you may be having with your job NOT the client.
3. Bring a cooler for lunch instead of using a client's refrigerator.
4. If a client is unhappy with the services provided by Progress, give them your supervisor's phone number. Then let your supervisor know immediately.
5. Do not shop for yourself while shopping for your client.
6. Do not give gifts to clients or their family members.
7. Do not accept gifts from clients or their family members.
8. Do not bring laptops or tablets to your work location.
9. Do not use the telephone or cell phone for personal calls while on duty.
10. Do not discuss your political, religious or ANY other personal views with clients.
11. If you smoke, do not discard your cigarette butts outside the client's home.
12. Don't communicate with or refer to any clients through social media outlets like Facebook or Twitter.
13. While on company time stay focused on your tasks. Find something that needs to be done.
14. Do not exchange personal email addresses with client(s).
15. IF YOUR NOT SURE, ASK YOUR SUPERVISOR FIRST!

HANDLING CLIENT MONIES

Policy:

If a client ever provides money to staff for an errand or to purchase something on their behalf, there is a procedure that **MUST** be followed. Staff and client **MUST** complete the "Money Receipt" form together located in the forms folder in the home. This form details the amount of money given to the staff and its purpose. Staff is also required to detail on the form the amount of money that was returned once the purchase has been completed. Both the staff and client must sign and date this form. The completed form should then be returned to their supervisor as soon as possible.

Failure to follow this procedure or to properly account for a client's monies will result in disciplinary action, up to and including termination.

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 use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. It could be deemed as "supervision neglect" if a staff reports to duty while responsible for a client while under the influence **of ANY prescription medications** that are designated as having potential negative side effects, such as causing drowsiness.

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. has adopted testing practices to identify employees who use drugs or alcohol while working. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

Any employee that has regular contact with the clients we support are subject to random drug screening at any time. Progress Inc. uses a consortium to randomly pick names to be tested. Exceptions can initiate more frequent testing. Examples are listed below.

- a. Reasonable suspicion while at work, such as: direct observation of substance usage or of the physical systems of being impaired due to substance usage;
 - b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - c. A report of substance abuse provided by a reliable and credible source;
 - d. Evidence that an individual has tampered with any substance abuse test during his or her employment with Progress;
 - e. Post - accident testing or Information that an employee has caused or contributed to an accident while at work; or;
 - f. 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.
 - g. Missing medications.
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. Failure to submit to a required substance abuse test for reasonable suspicion within one hour is misconduct and shall be subject to discipline, up to and including termination. Failure to submit to a monthly random drug screen within 48 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. Abuse of alcohol, or illegal substances to the extent that it negatively, consistently affects the employee's work performance, may be considered alcoholism or drug abuse. 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. Information is on the following page.
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. Any staff that must take ANY **prescription drug** while on-the-clock that is designated as causing any negative side-effects, such as drowsiness, 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
- * 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 not allowed in personal vehicles when the client is present.
3. Homes of clients receiving services are smoke-free unless otherwise indicated by one's supervisor.
4. Violation of this policy will result in disciplinary action.

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 to scrupulously avoid any conflict of personal, professional or business interests between themselves and the interests of Progress Inc. or people supported.

Progress expects all employees to abide by its Code of Conduct and Ethical Behavior.

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 clients, employees and proprietary information.

PRACTICES:

1. Information about individuals served 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 Executive Director.
3. Proprietary information is handled with care including such things as budget data, confidential correspondence, manuals, computer data, personnel records, 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. Identifiable information, such as photos, video, audio taping of clients may not be taken **without a release from the person being supported or their legal representative. This release should detail the specific context(s) in which this information can be used. Identifiable information should not ever be posted to any form of social media (online).**
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 provide individual testimonials, public statements or endorsements from Progress Inc. in which Progress Inc. recommends a particular product or service or supports a particular opinion or viewpoint.

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.

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.

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 anytime. 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 drug screen may be done at Progress' admin office during normal business hours. *See Accident Report Form below.*

The following disciplinary procedure(s) will be used in the event of an accident(s) while working.

1. 1st At-Fault Accident or Moving Violation- written warning and attend Metro Defensive Driving Course.
2. 2nd At-Fault Accident or Moving Violation (within 3 years) - three-day suspension without pay, in addition to Driver Improvement Course, and / or transfer to a non-driving position. A second accident caused by the employee backing an agency vehicle without making a 360 degree inspection will be grounds for automatic termination.
3. 3rd At-Fault Accident or Moving Violation (within 3 years) – Transferred to a non-driving position if available and disciplinary action up to and including termination of employment.

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. Supervisor will then help determine whether clients need to be taken to ER.
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. See #10 for instructions.
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 our **Vehicle Accident Report** form (attached).
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, then go to any of **Concentra Clinic or US Healthworks** locations (map attached). 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 as described in #5 above, then Concentra will also be used for this.

Medications Administration Policy:

“Medication Assistance” means providing reminders and opening medication packaging, but does not mean actually giving the service recipient injections or any form of medication or medication administration that would only be appropriate and acceptable for persons who are authorized to do so (LPN, RN, etc.). Under no circumstances should Progress staff ever touch actual pills, prescription medicine or perform

Progress staff may NOT provide any assistance with medication unless given prior approval from their supervisor which requires written authorization from the client or their authorized representative.

Medication assistance includes but is not limited to, any of the following:

- A) Loosening the cap on a pill bottle for oral medication
- B) Opening a pill reminder box if the box is filled by a service recipient or authorized rep or medical personnel practicing within the scope of their license.
- C) Placing medication within reach of the service recipient.
- D) Holding a service recipients hand steady to help them with drinking a liquid medication.
- E) Guiding the service recipients hand when the individual is applying eye / ear / nose drops and wiping the excess liquid.
- F) Helping with a nasal cannula or mask for oxygen, plugging the machine in and turning it on.
- G) Applying the non-prescription creams and lotions purchased over the counter to external parts of the body.

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 perspective 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 is encouraged to talk to the supervisor, but if the issue is unresolved, the interested party 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.

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 new regulation called HIPAA. It is important that we understand these new 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.

Senior Care Attendants and Direct Support Staff employed at Progress Inc. will receive and review **(PHI) "Private Health Information"**, about the individuals we support periodically during employment with Progress Inc. Such information is protected and enforced by federal and state laws in addition to Progress Inc.'s 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

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 WebShots, 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 protective barriers and practices to protect employees from exposure to infectious agents 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 urinogenital 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. Progress will provide all employee's with an ample supply of gloves to reduce risk of contamination.
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 Exposure.

In the event of a first aid incident where blood or other body fluids are present, the employee must report 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.

Senior Care Services 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**) Senior Services 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 first communicated via the employee website at www.teamprogress.org. 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. 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