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## ***ARBUTUS PARK RETIREMENT COMMUNITY***

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**WELCOME!** We are happy to have you as a valued member of the staff of Arbutus Park Retirement Community. We hope you will be happy in your chosen employment in which you share in the great work of caring for the aged and sick.

You are a member of a very large “Christian Family” dedicated to serving the needs of our elderly. Each member of the family has specific responsibilities to perform. These may be varied and different but they are all extremely important. To reach the highest level of service, the individual members of our family must function as a team. There is no work more rewarding than working together serving others.

To do your best, you must feel your best. Your general good health is a matter you must not overlook. It is important that you be clean, in fresh clothing, ready to serve willingly, and report to work at the appointed time. Your attitude toward residents will be expressed by patience, courteousness, tact, and respect and never by criticism or abuse in any manner. Many residents have the limitations imposed by old age, such as, loss of hearing, sight, ability to walk, and forgetfulness. You will be working closely with them and it will be expected that you will respond to their needs accordingly. All information concerning residents must be held in strict confidence and must not be discussed with persons not concerned with such information and never with people outside the Manor.

We rely upon your integrity to abide by this fundamental rule. Residents are to be treated kindly, spoken to in a courteous manner, and regarded with respect. Should a resident fail to treat you in like manner, it should be reported to your supervisor immediately. Because the nature of our work involves elderly people, it is essential that each employee develop good safety habits to reduce hazards at all locations and to bring to the attention of your supervisor any that remain unresolved. You will be expected to protect from damage and loss the supplies and equipment entrusted to you. If you have a request, complaint, or problem, report it to your immediate supervisor.

Each employee is directly responsible to his department supervisor, who in turn is responsible to the administrator or assistant administrator. Should a problem within the department not be resolved at the supervisory level, any employee may request a meeting with administration where the matter will be resolved with employee and supervisor. It is very important to have good communications and understanding within departments and between departments. We want every employee to be satisfied. It is our goal to try to develop each employee to become an effective and enthusiastic worker. We respect the individual rights of employees with courtesy, consideration, and dignity.

This Employee Handbook has been prepared to inform you about the benefits and privileges, as well as the general rules and regulations of Arbutus Park Retirement Community. We hope you will find it helpful.

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This Handbook is not designed to be a total departmental manual; therefore, not all rules and regulations are listed herein. Each department has specific rules and regulations inherent to that department and will be explained in detail by the director or supervisor of the department.

This Handbook supersedes any prior Employee Handbook and should in no way be construed as an employment contract. If, at any time, you want additional information concerning any policy of the facility, your director or supervisor will be glad to discuss it with you. They will communicate, clarify, and interpret the policies and procedures outlined in this Handbook.

Please take the time to read through our policies carefully. Revisions of the policies may take place periodically as the need occurs. When changes are made, you will receive copies of such changes to be kept with our statement of personnel policy. If you have any questions or suggestions concerning the Manor's personnel policies, we encourage you to consult with your supervisor or Human Resources. Keep in mind, however, that this handbook and the material contained therein is not a contract or an agreement of employment or for the establishment of employment conditions, but sets forth the current operating personnel policies of the Manor.

**OUR OBJECTIVES AND PHILOSOPHY**

**OBJECTIVES**

We would remind ourselves that Arbutus Park Retirement Community is **NOT A HOME**, but **MANY HOMES**, each indelibly stamped by the personality of its occupants.

1. We seek to restore those rendered to our care to their fullest potential both mentally and physically.
2. We seek, with loving hearts, to provide high quality person-centered care.
3. We seek through in-services and continuing education programs a better understanding practice of our Nursing Arts.
4. We seek and invite the contributions of all personnel in our search for knowledge.
5. We seek a continuing growth in our professions that we may better respond to resident needs.
6. We seek to establish a cooperative team spirit, vested in fair and equitable personnel policies.
7. We seek the Guidance of a Divine Providence in the performance of our essential functions.

**PHILOSOPHY**

That MAN was created in the IMAGE of GOD, therefore, our care and concern for the ONE shall be as DONE UNTO the OTHER.

That the IDEALS toward which we strive can be achieved only when we have RESPECT for the DIGNITY of ALL MEN.

That consideration for our fellow workers is a vital and necessary part to our team effort, and to our relationship with other services.

That with age comes wisdom, and though the BODY is infirmed and the SPIRIT wavering, it is the responsibility of Nursing Service to provide the impetus in the restoration of both.

That the needs of residents, physical, emotional, social, spiritual and environmental must be met through the coordinated efforts of nursing, medical, and health and welfare disciplines.

That Nursing Service by team cooperation creates the climate through which all other services at Arbutus Park Retirement Community can be utilized.

That continuing education, for all levels of personnel, is necessary and vital to the nature of Nursing Department.

That this program encourages understanding establishes rapport and elevates all to the betterment of Nursing Service - and thus ultimately benefits those whom we seek to serve.

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### **EMPLOYMENT POLICY**

Arbutus Park Retirement Community has a continuing policy to ensure that fair and equal employment opportunities are extended to all persons without regard to race, color, political beliefs, religious creed, marital status, age sex, sexual orientation, national origin, ancestry, physical disability or history of mental disorder, and in compliance with all applicable state and federal laws relating to Equal Opportunity.

This policy applies to recruitment, selection, placement, training, promotions, demotions, and rates of pay, benefits, layoffs, termination, and other conditions of employment.

The Human Resource Department is responsible for ensuring that all phases of Personnel Administration are in accordance with this Policy. All supervisory and management personnel are responsible for administration and compliance with this policy as it relates to employees under their jurisdiction.

### **PHYSICAL EXAMINATION**

Prior to employment, the Pennsylvania Department of Health requires a two step Mantoux skin test. If positive, then a chest X-ray is required. Also required is a physician's examination and a statement that you are free of communicable diseases and are physically capable of performing duties required of the position. Subsequent mantoux tests and physical examinations will be at the discretion of the Director of Nursing or Medical Director.

### **CRIMINAL RECORD CHECK**

The Older Adults Protective Services act states, in part, that "...in no case shall a facility hire an applicant or retain an employee ... if the applicant's or employee's criminal history record information indicates the applicant or employee has been convicted under one or more provisions of 18 Pa. C.S. (Relating to crimes and offenses)."

In accordance with the Act, a criminal records background check shall be conducted on any candidates favored to receive an offer of employment from Arbutus Park Retirement Community. New employees are responsible for any fees associated with the criminal record check and this applies to all positions within the organization.

A report of criminal history record from the Pennsylvania State Police or a statement from the State Police that their central repository contains no criminal information on current or potential employees of Arbutus Park Retirement Community shall be sufficient to satisfy this employment screening. Where the applicant is not and for the two years immediately preceding the date of application has not been a resident of the Commonwealth, Arbutus Park Retirement Community will require the applicant to submit with the application of employment a report of a

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Pennsylvania criminal history record within 30 days from hire and a Federal criminal history record within 90 days from hire, pursuant to the Federal Bureau of Investigation's appropriation under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973.

Individuals may work up to 30 days from the time they start work until the time when proper criminal background check information is received. If a clear criminal history report is not received within the 30 day period, the employee will be pulled from the work schedule until report is obtained.

Individuals may work up to 90 days from the time they start work until the time when proper FBI criminal background check information is received. If a clear FBI criminal history report is not received within the 90 day period, the employee will be pulled from the work schedule until report is obtained.

If an individual leaves employment and is rehired, and the criminal record history on file is more than one year old, a new criminal record history must be obtained.

Questions regarding the denial of an employment opportunity due to the results of a criminal records check are to be referred to Administration or Human Resources.

### **PRE-EMPLOYMENT PHYSICAL SCREENING**

As part of a potential employee's pre-employment screening, a work-hardening physical will be required after a medical physical is completed. The purpose of the screening is to determine if the employment candidate is qualified for the physical aspects of the particular position they are being considered for. A representative from Arbutus Park Retirement Community will schedule an appointment for the prospective employee's pre-screening and will provide a copy of the appropriate job description and the medical physical prior to the visit.

Based on the findings and report provided by the screening company, the prospective employee's hire status will be determined by Arbutus Park Retirement Community.

### **PRE-EMPLOYMENT DRUG SCREENING**

All new Arbutus Park Retirement Community employees will be subject to drug and /or alcohol testing after the individual has received a conditional offer of employment but before the individual begins employment with Arbutus Park Retirement Community.

Based on the findings and report provided by the screening company, the prospective employee's hire status will be determined by Arbutus Park Retirement Community.

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### **LICENSE VERIFICATION**

A check of all licensed personnel will be performed prior to employment via the Pennsylvania Department of State Bureau of Professional and Occupational Affairs web site. The license verification page will be printed and retained in the personnel file. If a license is found NOT in good standing, the job offer will be rescinded.

### **ORIENTATION**

There will be an orientation and training period for each employee to be determined by the nature of the work.

### **INTRODUCTORY PERIOD**

The introductory period for each new employee will be the first six months of employment. During this time both employee and administration will have an opportunity to evaluate the position and suitability for work. Among the standards on which the employee will be judged are: willingness to cooperate, technical ability to perform the job for which the employee was hired, thoroughness of work done, the attitude of the employee toward himself/herself and others, and appearance of the employee.

At the end of the introductory period, the employee's performance will be reviewed by the department head or supervisor. If the department head determines performance to be satisfactory, they shall recommend regular employment to the Administrator. During the introductory period, the employee or Arbutus Park Retirement Community shall have the right to terminate the employment. At the end of six months, an extended introductory period may be required if the immediate supervisor and administrator deem necessary.

### **PAY PERIODS/WORK SCHEDULES**

A pay period is fourteen work days within a two-week period, running from Sunday through Saturday.

Federal income tax, the employee's portion of the social security tax, and appropriate state and local income taxes will be withheld with running totals on the check stub. (Local tax applies to Richland Township residents only.) Employees will be paid by check every other Friday. There are 26 paydays each year.

If there seems to be an error on your check or you do not understand an item, please contact your supervisor immediately. Salaries paid reflect, as far as possible within our limits and ability to pay, the prevailing rate for comparable positions in our area. Salaries are reviewed periodically in terms of quality and quantity of services rendered. Wage increments are earned on the basis

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of merit, attitude, loyalty, and performance. A shift differential is paid to all second and third shift employees.

The normal work week begins on Sunday and continues through Saturday. The basic work week, unless otherwise specified is forty hours. Unlike many other businesses, our Manor is open 24 hours a day, 365 days a year, and there is never a shortage of residents. Work days will be determined by your supervisor based on the needs of the department. The shifts for daily work will be determined by the requirements of the department in which the individual is employed. No employee shall trade shifts or days off with another employee without the proper approval of your supervisor. All employees must understand that working schedules are subject to change and these changes will be made by your department supervisor.

### **WORK AND MEAL BREAKS**

The normal work day in Arbutus includes two fifteen-minute periods for rest and relaxation and a thirty-minute meal period. Work breaks are to be taken at the time most suitable in your department, always providing adequate coverage in each area. Employees are required to clock out when they leave for their meal period and to clock back in when they return from their meal period.

### **OVERTIME POLICY**

As a general policy, overtime is not authorized. Should you be required by your supervisor to work overtime, you will be paid at the rate of time-and-a-half of your regular rate for actual hours worked in excess of thirty seven and a half hours in a work week. If you work a sixteen hour shift, your overtime pay will be one-and-a-half times your hourly rate for the second eight hours, regardless of the number of hours worked per week. This policy applies when you work a A/B Shift, B/C Shift, or C/A Shift. This policy does not apply when there is a break in work times between shifts.

Overtime must first be approved by the employee's supervisor. An overtime slip must be completed, signed by the supervisor and submitted to payroll prior to the end of the pay period in order to receive the overtime pay.

Any approved overtime slips turned in to payroll after that current payroll is processed will be paid on the next pay date.

### **CONFIDENTIAL EMPLOYEE DATA**

The responsibility for insuring that confidential employee data is not compromised rests with any individual having access to such material.

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Personnel files containing copies of all completed documents and other information on each employee will be maintained in Human Resources and will be available to the employee and/or appropriate manager to read upon reasonable written notice. This shall be done in the presence of Human Resources during business hours. No records may be removed from the office and no contents may be removed from the file.

Medical records, kept separate and apart from personnel files, contain copies of all completed medical documents and other medical information on each employee and will be maintained in the ADON's office. These documents will be available, upon written request, to the employee and/or the employee's physician, or by a physician chosen by the Manor.

### **DEFINITION OF EMPLOYEE STATUS**

Arbutus has five categories of employees for the purpose of establishing personnel standards for working hours and fringe benefit privileges. The categories are as follows:

**FULL TIME STAFF MEMBER:** One who is regularly scheduled to work a minimum of 37 ½ to 40 hours per week.

**PART TIME STAFF MEMBER:** One who is regularly scheduled to work less than 37 ½ hours per week. Part time employees should be available for work on the days needed by their supervisor.

**SPECIAL APPOINTMENT:** A permanent full time employee who is regularly scheduled, but is an ordained elder of the United Methodist Church.

**SEASONAL:** An employee engaged to fill a temporary position or serve as a relief employee for a limited period of time (summer, students, etc).

**PER DIEM:** A part-time employee receiving no benefits and is scheduled as needed. Per diem employees receive an inflated hourly rate and are not eligible for shift differentials.

### **TRANSFER FROM PART TIME TO FULL TIME AND FULL TIME TO PART TIME**

When an employee starts employment as part-time, benefits are accrued based on the average number of days worked. If the employee's status changes to full-time, the date that full-time begins becomes the new benefit date and benefits begin to accrue at the full-time rate.

Employees that go to part-time work status from full-time will be required to use accumulated vacation time within six months. Full time service will count toward the total years of service.

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### **EVALUATIONS**

All new employees are considered introductory for the first six months of employment. Department heads and supervisors are required to evaluate job performance, i.e., quality/quantity of work, dependability, initiative, and response to training. Informal evaluations may be conducted during the first six months of employment. The introductory period will continue through the first six months of employment to determine if continued employment is in the best interest of the facility and/or employee.

Formal performance appraisals are conducted annually based on job performance and predetermined factors for each job category to determine the employee's overall performance.

### **EMPLOYEE BENEFITS**

#### **HOLIDAYS**

The nature of our work makes it impossible for all employees to be off duty on holidays. The following days are observed as holidays:

New Year's Day	Easter
Memorial Day	Independence Day
Labor Day	Thanksgiving
Christmas	

Full-time hourly employees who have completed the 6-month introductory period and work the holiday will receive time and one half for each hour worked that day. Full-time hourly employees who have completed the 6-month introductory period and do not work the holiday will receive seven and a half (7.5) hours of holiday pay at the regular hourly pay.

Full-time hourly employees who have not completed the 6-month introductory period will be paid double time for hours worked on the holiday, up to seven and a half (7.5) hours. If an employee is within the 6-month introductory period and does not work the holiday, there is no holiday pay.

Part-time hourly employees will be paid double time for hours worked on a holiday, up to seven and a half (7.5) hours. Part-time hourly employees are not eligible for holiday pay if the employee does not actually work the holiday.

Per Diem employees receive additional money for hours worked on the holiday.

Holiday pay begins with the third shift the night prior to the holiday and ends 24 hours later with the start of the third shift.

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### **VACATION**

Vacation time is calculated from the anniversary date (date of beginning employment) for each employee with time granted based on tenure of continuous employment.

Salary will not normally be granted in lieu of vacation. Vacation time may not be accumulated or banked for future year's use. It must be used in the anniversary year after it is earned. Management exceptions will be made only on a case by case basis.

Two weeks of vacation will only be granted to any one employee during the prime period of June 15 through September 15 of any calendar year. In all cases seniority will apply. If a holiday falls during the vacation period, full time hourly employees will receive vacation time plus the seven and a half hours for the holiday time.

Vacation time is accrued as follows:

FULL TIME EMPLOYEE – with continuous service:

After 1 year of service	-	37.50	paid hours (1 week)
After 3 years of service	-	75.00	paid hours (2 weeks)
After 7 years of service	-	112.50	paid hours (3 weeks)
After 15 years of service	-	150.00	paid hours (4 weeks)

REGULAR PART TIME EMPLOYEE – with continuous service:

After one year of service seven and a half (7.5) hours will be paid for each average day worked per week annually.

2 days per week	-	15.00	paid hours
3 days per week	-	22.50	paid hours
4 days per week	-	30.00	paid hours

After five years of service, eleven and a half (11.5) hours for each average day worked.

2 days per week	-	23.00	paid hours
3 days per week	-	34.50	paid hours
4 days per week	-	46.00	paid hours

After ten years of service, sixteen (15) hours for each average day worked.

2 days per week	-	30	paid hours
3 days per week	-	45	paid hours
4 days per week	-	60	paid hours

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Employees who resign after one year of employment, give proper notice, and leave in good standing, will receive pay for all earned, unused vacation days.

Salaried personnel are granted two weeks for the first year of employment, prorated after the 6-month introductory period is completed. At the beginning of the following calendar year, the salaried employee will be granted four weeks of vacation and four weeks thereafter at the beginning of each calendar year.

### **SICK DAY BENEFITS**

Sick days are meant to be used for an actual illness for only the employee. An accumulation of sick days are beneficial to the employee should an extended illness occur and the employee benefits by having uninterrupted pay until they have used the total of their accumulated sick time. It is therefore wise and prudent to manage your time and not call off frequently.

Employees with symptoms or signs of communicable disease or infectious skin lesions are not permitted to work. If an employee is off for these reasons, a doctor must certify that the employee is able to return to work. If an employee's absenteeism is questioned, the employee may be required to bring a medical certificate from the doctor at the discretion of the Administrator or Supervisor.

Employees are required to use earned sick time for each absence. If the employee has not earned sick time, then accrued vacation time or personal time will be used. An employee does not receive holiday pay while on sick leave. If any employee is scheduled to work on the holiday and reports off work, the employee loses the holiday pay and sick time will be paid. Sick day benefits do not accumulate while on leave of absence.

Sick days are earned as follows:

Full-time employees are granted one sick day per month; however, an employee must work a full year before paid sick time is granted. In other words, an employee must have accumulated twelve (12) sick days before a paid sick day is given. The intent of this policy is to provide financial security over time for those major health issues that arise and require large amounts of time away from the job. This is evidenced by the fact that employees can accrue up to fifty sick days in their "bank" as "insurance" against financial hardship in the case of an extended illness.

Part time employees will receive sick time prorated according to the number of days worked per week:

2 days per week - 2 days sick time per year

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3 days per week - 3 days sick time per year

4 days per week - 4 days sick time per year

Part-time employees must work one year to receive paid sick time. Part time employees may accumulate up to fifty (50) days sick time which should be used in the case of an extended illness.

### **FAMILY SICK DAY (FULL TIME BENEFIT ONLY)**

A full time employee can receive up to two (2) Family Sick Days per year. The employee must have accumulated fifty (50) sick days before the Family Sick Day is granted. This benefit applies to immediate family members as follows: spouse, parents, step-parents, child, brother, sister, step-brother, step-sister, grandparents, great grandparents, grandchildren, parents-in-law, son or daughter-in-law, or step-son or daughter-in-law. This policy follows the same guidelines as the Funeral Day Benefits for immediate family.

### **EMPLOYEE SICK DAY BUY-BACK PLAN**

This plan was made to compensate those employees who leave employment from Arbutus and who have attained the fifty (50) allowable sick days under the policy. The following are the details for the plan:

1. Any employee who has accumulated fifty (50) days in their sick-day bank at any time during their employment with Arbutus Park Retirement Community will be eligible for this benefit. It is not necessary for the employee to have fifty (50) days in the bank at the time of leaving employment – it is only necessary to have attained the fifty (50) day total at some time during employment.
2. The employee must have worked for Arbutus in some capacity for at least eight (8) consecutive years.
3. Upon termination of employment, eligible employees will receive \$10.00 for each unused sick day they have remaining in their “bank”. This will be paid in one lump-sum in their last pay.
4. Employees must have left employment in good standing and must give Arbutus at least a two week written termination notice. Employees discharged for violation of Manor policy will, under no circumstances, be eligible for benefits under this policy.
5. Payroll records will be the final determination for eligibility and benefits under this plan.

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### **PERSONAL DAYS**

When a new employee completes their introductory period, they will be granted a personal day at the beginning of the next four month period (January, May, September).

Employees are required to submit in writing their request for a personal day in each four month period. This must be done prior to the start of the four month period in which each day is to be taken. Failure to schedule a requested day may result in the supervisor scheduling the day for the employee. Administration may opt to pay the employee for the unused personal day.

Personal days are not accumulative and employees may be required to use a personal day when they call off from work. An employee may use one (1) personal day each year for an absence/call-off that occurs on Monday, Tuesday, Wednesday or Thursday, but only if the personal day has been earned in the four (4) month period and used within the same four (4) month period. Personal days are not to be used to avoid an absence/call off on a weekend day to include: Friday, Saturday or Sunday.

### **FULL TIME EMPLOYEE PERSONAL DAYS**

Full-time employees earn personal days at a rate of one (1) paid day per four month period (January, May, and September) during the calendar year. The 6-month introductory period must be completed before personal days are granted.

### **PART TIME EMPLOYEE PERSONAL DAYS**

The 6-month introductory period must be completed before personal days are granted. Personal days for part time employees will be pro-rated according to the number of days worked per week as follows:

- 2 days per week - 1 personal day per year
- 3 days per week - 1 ½ personal days per year
- 4 days per week - 2 personal days per year

Three (3) personal days are granted at the beginning of each calendar year or pro-rated when a salaried employee begins employment sometime during the calendar year. Salaried employees are required to use the three (3) personal days by the end of the calendar year or lose them.

### **401 (K) RETIREMENT SAVINGS PLAN**

Employees are eligible to participate in the Arbutus Park Retirement Community 401 (k) Retirement Savings Plan from the first day of employment. Participants may defer up to fifteen percent of their gross salary on a pre-tax basis to their individual account.

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Once the employee has attained the age of 21, has one year of continuous service, and has worked at least 1000 hours in a year, Arbutus will make an annual employer contribution from zero to fifteen percent that is based on the employee's annual income. The amount contributed is set by the Board of Directors each year based on our financial condition.

Employee and employer contributions will be invested as you direct. Questions on the plan should be directed to the Assistant Administrator or Human Resources.

At retirement you will be entitled to the full value of your account. The normal retirement date is the first of the month following the attainment of age 65. The early retirement date is the first of the month following the attainment of age 55 and the completion of 15 years of service.

If you become permanently disabled while employed, you are eligible to receive your entire account balance. If you should die while employed, your beneficiary will be eligible to receive your entire account balance or a guaranteed pre-retirement survivor annuity.

Minimum Distribution Rules are at the age of 70 ½ you may be required to begin receiving a minimum distribution from your account.

If employment is terminated, you earn a vested interest in the contributions that Arbutus makes to the plan on your behalf according to the following schedule.

YEARS OF SERVICE	PERCENTAGE VESTED
after 2 years	20 %
after 3 years	40 %
after 4 years	60 %
after 5 years	80 %
after 6 years	100%

If an employee leaves the Manor, the employee will receive the vested portion of the Manor's contributions and any of the employee contributions and investment earnings, less your share of plan expenses. You have the option to roll this money into an IRA, receive the balance in a lump sum, or leave the account balance in the plan (if your balance is greater than \$5,000).

This is intended to highlight some of the plan's features. A Summary Plan Description will be provided to you upon request.

### **HEALTH INSURANCE**

All Full-time Employees who work a minimum of thirty (30) hours weekly are eligible to participate in medical/vision and dental insurance plans on the first day of the month following satisfaction of the employee's initial two month waiting period. The employee's portion of the premiums will be deducted from each pay.

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Further details on each plan are provided during the new hire orientation and at the employee's eligibility.

### **CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)**

An employee has a right to choose continuation of health care coverage if coverage is lost due to a reduction in hours of employment or the voluntary or involuntary termination of employment (for reasons other than gross misconduct).

The spouse of an employee, covered by the Manor's group health plan, has the right to choose continuation of coverage group health if coverage is lost under the said plan for any of the following reasons:

1. The death of a spouse
2. A voluntary or involuntary termination of the spouse's employment (for reasons other than gross misconduct) or a reduction in the spouse's hours of employment
3. Divorce or legal separation from your spouse
4. Your spouse becomes eligible for Medicare

A dependent child of an employee covered by the Manor's group health plan has the right to continue coverage if coverage under said plan is lost for any of the following reasons:

1. The death of a parent
2. The voluntary or involuntary termination of a parent's employment (for reasons other than gross misconduct) or a reduction in a parent's hours of employment
3. Parent's divorce or legal separation
4. The dependent ceases to be a "dependent child" under the plan
5. A parent becomes eligible for Medicare

Under COBRA, the employee, the spouse of an employee, or a dependent child has the responsibility to inform Human Resource of a divorce or a child losing dependent status under the plan within 60 days after the date of the qualifying event. Arbutus has the responsibility to notify the Plan Administrator of the employee's death, termination of employment, reduction in hours, or Medicare eligibility.

When Arbutus or the Plan Administrator is notified that one of these events has occurred, notification will be made to that there is a right to choose continuation of coverage. Under the law, there is 60 days from the latter of (a) the date coverage is lost because of one of the events described above, or (b) the date notice is sent of the right to elect continuation coverage to inform Arbutus or the Plan Administrator that you want continuation coverage. Each individual who has the right to choose continuation coverage must be offered the opportunity to elect or decline continuation coverage and that election is binding on the other individual.

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If continuation of coverage is chosen, Arbutus is required to provide coverage identical to the coverage provided under the plan. This must be provided to similarly situated employees or family members to whom a qualifying event causing loss of coverage has not occurred. COBRA requires the opportunity to maintain continuation coverage under a plan for 36 months, unless coverage is lost due to termination of employment or a reduction in hours. In that case, the required continuation period is 18 months. If, during an 18 month coverage period, another event takes place that also entitles you to continuation coverage under the plan, the coverage period will be expanded to 36 months.

COBRA also provides that your continuation coverage may be canceled for any of the following reasons:

1. Arbutus no longer provides group health coverage to any of its employees.
2. The premium for your continuation coverage is not timely paid
3. You become covered (as an employee or otherwise) under another group health plan
4. You become eligible for Medicare
5. You were divorced or legally separated from a covered employee, re-marry and subsequently become covered under the new spouse's group health plan

An annual premium is charged, which may be paid in equal monthly installments for continuation of coverage. COBRA limits the annual premium for continuation of coverage to the approximate cost of providing coverage under the plan to individuals who have not lost coverage.

It is the responsibility of the employee to notify Arbutus if there is a change in marital status or a change in address.

### **EDUCATIONAL LEAVE**

An educational leave of absence for the purpose of pursuing studies to enhance your performance may be granted up to a period of one year upon the recommendation of your department head or supervisor, and approval of the administrator. An employee will accrue no benefits while on educational leave and seniority will cease to accrue when you begin leave. This type of leave is at the total discretion of management.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Arbutus Park Retirement Community is interested in the health and well-being of employees and is also concerned about the potential impact non-work related problems may have on an employee's job performance. Arbutus recognizes that its employees do not work in isolation from concerns about their personal lives and therefore offers assistance to household members as well under this program.

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It is the policy of Arbutus to establish guidelines for the administration and utilization of the Employee Assistance Program (EAP). The EAP provides professional and confidential support, consultation, short-term counseling and/or referral to resources for staff members who have personal problems that could affect their job performance. In addition, the EAP provides 24-hour crisis consultation by telephone with a counselor. The EAP staff also provides consultation to supervisors, along with training and education to departments. All EAP services are free to Arbutus Park Retirement Community employees and their families.

The Employee Assistance Program (EAP) is designed to:

- Provide professional, confidential, support, consultation, short-term counseling (1-3 sessions) and/or referral services to employees and family household members. This is accomplished through assessment and the formulation of an action plan used to guide the employee or family member toward the right level of care and a successful outcome. This includes:
  - Providing brief counseling, consultation and motivation for the employee or family to take steps to resolve the personal problems as early as possible.
  - Referring the employee to appropriate outside resources for further assistance, including health plan networks, community or public providers, when needed.
  - Availability 24/7 for crisis consultation by telephone.
- Reduce the costs (medical claims and productivity) of personal problems to Arbutus Park Retirement Community through objective, initial assessments, appropriate treatment planning and use of the right provider expertise at the approximately level of care.
- Provide direct support, guidance and consultation to supervisors when they are confronted with difficult employee situations, patterns of poor performance and/or unusual behavior of an employee at any level of the organization.
- Provide performance management support to management and Human Resources through consultation and training.

### EAP Service Access

Employees may obtain assistance through the EAP in one of the following ways:

- Self-Referral: Employees are encouraged to seek assistance on their own initiative before personal problems begin to affect their work. Early resolution of personal problems is in the best interest of the individual and Arbutus Park Retirement Community. Key elements include:
  - ◆ Only EAP staff has access to EAP records.

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- ◆ Confidentiality is guaranteed within the limits of the law.
  - ◆ Information is not divulged without the written consent of the employee.
  - ◆ Utilizing the EAP does not jeopardize an employee's job or promotional opportunities.
- Supervisory Recommendation (non-performance based): This is used with an employee evidencing personal difficulties when performance has not yet been affected. Key elements include:
- ◆ A caring gesture for a staff member who comes to the supervisor confidentially.
  - ◆ The supervisor sees signs of a personal problem.
  - ◆ No performance problem exists.
  - ◆ The supervisor gives an EAP brochure, card or phone number.
  - ◆ EAP use is voluntary on part of the employee.
  - ◆ Service is confidential – the supervisor will hear nothing from the EAP.
- Performance-Based Supervisor Referral: Supervisors are responsible for managing performance and correcting deteriorating or unsatisfactory job performance. The supervisor will consult with Human Resources as per the company policy regarding corrective action. The EAP is available to support effective performance management and to assist the employee in meeting performance requirements by dealing with issues impacting performance. Job performance referrals made by the supervisor to the EAP fall into two categories:
- ◆ The supervisor makes this referral when a pattern of deteriorating job performance is present. It is best utilized in the early stage of discipline.
  - ◆ EAP use is voluntary on part of the employee. The goal is to turn job performance around by offering the EAP as a resource.
  - ◆ The formal referral is triggered by a manager call to the EAP. The EAP counselor will guide the manager through the process which involves (a) getting job performance information and other relevant data and (b) establishing a time frame within which the employee is expected to call for an appointment.
  - ◆ The EAP will notify the manager if the employee does not make an appointment or keep an established appointment.
  - ◆ All other information is confidential. With a signed release of information, the EAP will share the following with the manager:
    - attendance at EAP appointments
    - agreement to follow the recommended plan
    - decision not to participate in EAP services
  - ◆ During the first EAP session, the EAP counselor will reinforce the

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- supervisor's observations concerning the work performance problem and focus on establishing a plan of action to address the concerns.
- ◆ Whether or not the employee chooses to use the EAP or to cooperate with a plan of action, the manager continues to monitor performance and to base corrective action on job performance.
- **Mandatory Referral:** Used with a serious incident or a problem affecting safety and/or job performance. These circumstances include threats to the safety of the employee, threats to other employees or threats to the safety of the workplace related to the employee's behavior, conduct, actions, verbal threats or bizarre behavior. Lastly, a mandatory referral to the EAP can be used as part of the Substance Abuse and Testing Policy of Arbutus Park Retirement Community. Cross check the EAP Policy with the Substance Abuse Policy, safety sensitive position descriptions and any other relevant policies. Key elements of the mandatory referral include:
- - ◆ The manager must contact Human Resources to discuss his/her observations and plan.
    - ◆ The manager must contact the EAP to begin the process. In this call, the manager will provide all information concerning the current incident triggering the referral, the current status of the employee, next steps as identified by Human Resources and the timeframe within which the employee is expected to call the EAP for the appointment.
      - The EAP is available 24/7 to provide consultation and to facilitate the referral.
      - The EAP will coach the manager through the process.
  - This referral requires the employee to come to the EAP and follow recommendations. Failure to do so will carry with it consequences set by the manager and Human Resources.
  - The EAP will notify the manager if the employee does not set up or keep the appointment.
  - All other information is confidential. With a signed release of information, the EAP will share the following with the manager:
    - ◆ Attendance at EAP appointments
    - ◆ Agreement to follow the recommended plan
    - ◆ If the recommended plan of action requires scheduling accommodations/time off from work.
  - The manager will continue to monitor performance if employee remains on the job or when the employee returns to the job, if the employee was off work due to the incident triggering the mandatory referral.

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### **CREDIT UNION**

Employees may elect to join the Credit Union for savings accounts, loans, investments, etc. with payroll deductions. Additional information is available in Human Resources.

### **DIRECT DEPOSIT OF PAYCHECKS**

Employees are able to deposit their paychecks into a savings or checking account. Direct Deposit Forms are available through Human Resources.

### **ATTENDANCE/CALL-OFF POLICY**

Employment is a matter of mutual responsibility. In exchange for reliable wages, benefits, and working conditions, Arbutus is entitled to reliable performance. Arbutus has the right to expect that employees will be present; ready for work, when and where they are assigned. Without regular and prompt attendance on the part of everyone, we are unable to achieve our primary goal of service to our residents.

An employee unable to report to work because of illness or emergency is responsible for ensuring that proper advance notice of absence or late arrival is given. Asking another employee, friend, or relative to give this notice is not sufficient, except in an emergency. Failure to give proper notice may result in disciplinary action up to and including discharge. Unexcused absences, late arrivals, or early departures from work may subject an employee to disciplinary action, up to and including discharge. For further details, please refer to the Arbutus Park Retirement Community Attendance distributed to all employees upon hire.

### **PURPOSE**

Due to the need to staff properly, the Attendance Policy is tied to a progressive disciplinary procedure. Each employee will be permitted a total of four (4) call-offs during a twelve month period (calendar year). Any call-off occurrences in excess of four (4) during the twelve month period will result in corrective action, up to and including discharge. This policy applies to all employees of Arbutus, including per diem, student, part-time, and full-time.

### **PROCEDURE**

Each employee will be permitted a total of four (4) call-offs during a twelve month period. Any call-off occurrences in excess of four (4) during the twelve month period will result in a progressive discipline procedure, up to and including discharge. For further details, please refer to the Arbutus Park Retirement Community Attendance Policy distributed to all employees upon hire.

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### **LEAVES OF ABSENCE**

Arbutus may grant discretionary leaves of absence to help alleviate difficult situations which may arise during an employee's career with Arbutus. Paid leaves of absence will be allowed for bereavement and jury duty. All other leaves of absence are without pay and are granted / refused at the sole discretion of the Manor's management.

A leave of absence must be requested in writing. Each request will be reviewed individually and on its own merit. Primary areas in this consideration will be the staffing requirements of the Manor, the reason for the leave, the length of time requested, and the employee's work record. The final decision on all leaves lies with the administrator.

While an employee is on an unpaid leave of absence, the employee will not receive holiday pay or accrue any benefits such as vacation and sick time. All earned sick, vacation and/or personal time must be utilized before unpaid time will begin.

Employees on an approved leave of absence will continue to participate in medical, dental, vision, etc. providing appropriate premium payment arrangements are made and adhered to.

Upon completion of the leave of absence, Arbutus will make every reasonable effort to place the employee in the same or comparable job with the same or comparable salary.

General information regarding leaves of absence is given below. Specific information and the required request forms, if applicable, are available from Human Resources.

### **BEREAVEMENT LEAVE**

In case of death of an immediate family member full-time employees, upon request, will be granted a three-day paid benefit. Funeral observance benefits must be taken in a period encompassing time of death and internment. If the relative resides in a different geographic location and the funeral is not attended, one paid day will be granted. Part-time employees will be given the day of the funeral off with pay. This benefit is granted after the 6-month introductory period is completed.

Immediate family includes: spouse, parents, step-parents, child, brother, sister, step brother, step sister, grandparents, great grandparents, grandchildren, parents-in-law, son or daughter in law, or step son or daughter in law. In the event of death of a sister-in-law or brother-in-law, full-time and part-time employees will be given the day of the funeral off with pay, upon request.

In the case of death of an immediate family member while on scheduled vacation, the employee may reschedule the portion of the vacation time to which he/she was entitled to as bereavement leave.

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### **JURY DUTY**

An employee is eligible for a leave of absence with pay upon presentation of written evidence that the employee has been called for and served on jury duty or subpoenaed as witness to a court case or inquest. An employee will be paid the difference between their normal wages and jury duty reimbursement for each scheduled work day served on jury duty, up to three (3) working days.

### **FAMILY MEDICAL LEAVE**

The Federal Family and Medical Leave Act allows up to twelve (12) weeks of unpaid leave within a 12-month rolling period to “eligible” employees for certain family and medical reasons. The 12-month rolling period begins with the first day a leave of absence begins. Employees are eligible if they have worked for Arbutus for at least 12 months and for 1,250 hours in the past 12 months.

### **REASONS FOR LEAVE**

The Family and Medical Leave may be used for (1) the birth of a child, to care for a newly-born child, or placement of a child with the employee for adoption or foster care; (2) to care for an immediate family member (spouse, child, or employee’s parent) with a serious health condition; (3) because of a serious health condition that prevents the employee from performing the functions of his/her job); (4) because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

The Act requires employers to maintain group health coverage on the same terms and conditions that it would have been provided if the employee had continued in employment from the date the leave commences until the employee returns. If the employee elects benefits under Family Medical Leave Act, and does not return to work, they will be responsible to reimburse Arbutus for health coverage premiums paid on their behalf during their unpaid leave.

Arbutus requires any employee exercising his/her rights under the Family Leave Act to utilize any vacation, personal, or other accrued but unused leave time before going on an unpaid status.

Upon return to employment, any eligible employee who takes leave under the Act shall be entitled to be restored by the employer to the position of employment held by the employee when the leave commenced or to be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. The employee on leave does not accrue any employee benefits during the period of the leave.

If an employee leave is requested because of a serious health condition, the employer may require an employee to obtain certification from a doctor regarding the nature and approximate duration of the serious health condition. If the employer doubts the validity of the doctor’s

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certification, the employer has the option, at the employer's expense, to obtain the opinion of a second healthcare provider.

For additional information on FMLA, please see your Supervisor or Human Resources.

### **MILITARY DUTY LEAVE**

A military leave of absence will be granted if an employee is absent in order to serve in the uniformed services of the United States. An employee is eligible for military leave beginning the first day of employment. Employees who perform and return from services in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, pay increases, as required by applicable federal or state law.

Employees with one year or more of Manor service will be eligible for pay during participation in annual encampment or training duty in the U.S. Military Reserves or the National Guard. In these circumstances, Arbutus will pay the difference between what an employee earns from the government for military service and what the employee would have earned from normal straight-time pay on the job. This difference will be paid for up to two weeks in a calendar year.

Under the Uniformed Services Employment and Re-employment Rights Act (USERRA) the employee and employee's family will be able to continue their health insurance coverage through the Manor. The employee will have the option to continue coverage for up to 24 months. The employee or the employee's family will be held responsible to make payment arrangements to the Manor.

### **CONTINUING EDUCATION**

An employee will be reimbursed for those hours spent in continuing education provided registration has been initiated by the Manor. Employees traveling on business of Arbutus may use their own vehicle and Arbutus will pay mileage at the prevailing corporate rate plus cost of tolls.

### **IN-SERVICE POLICY**

As required by law, Arbutus Park Retirement Community provides in-service training to its employees. These in-service programs are prepared and announced at least one week in advance and it is the responsibility of all employees to attend in-service meetings.

It is the responsibility of all nurses to accumulate at least 12 hours of in-house continuing education from the in-service program offered throughout the year. Employees should check the In-service Board opposite the time clock for scheduled in-service programs.

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### **OPEN DOOR POLICY**

The Open Door Policy is intended to respond to employee recommendations and to resolve employee problems fairly and quickly.

Employees are urged to bring recommendations or concerns to the attention of their immediate manager or Human Resources. Every effort should be made by employees and managers to address suggestions or resolve issues at the level at which they arise. Employees will receive a prompt response from managers or Human Resources and an explanation of the action to be taken.

### **SOLICITATION DISTRIBUTION POLICY**

Solicitation by an employee of another employee is prohibited, while either the person doing the soliciting or the person being solicited is on working time.

Distribution by employees of advertising material, handbills, or other literature in working areas of the facility is prohibited at all times.

Solicitation, distribution of literature, or trespassing by non-employees on company premises is prohibited at all times.

### **SAFETY**

Employees can prevent most accidents by working carefully and being alert to possible hazards. By reporting any hazardous condition to your department head or supervisor, you can actively help prevent accidents to yourself, other employees, residents and guests. A copy of Arbutus Park Retirement Community's Disaster Evacuation Plan and Fire Protection Procedures, Ergonomics Manual, Tornado Contingency Plan and Safety Manual will be given to all new employees. It is your responsibility to read and be familiar with these procedures.

All employees will be instructed by mandatory in-service training on aspects of fire safety and prevention. Employees will be trained to use a fire extinguisher (our ABC extinguishers can be used on any type of fire) and also learn their role in assisting residents to safety during fire drills and evacuations.

Employees are reminded that a calm, purposeful attitude during fire emergencies and drills will reassure the residents and prevent accidents resulting from hysteria and haste.

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### STATEMENT OF SAFETY POLICY

Arbutus Park Retirement Community holds in high regard the safety and health of our community's residents and employees. We believe that incidents which injure people and damage equipment cause needless personal suffering, inconvenience and expense. We believe that practically all incidents can be prevented by taking some common sense precautions.

To this end, every reasonable effort will be made in the interest of safe patient care, working conditions, premises, and the prevention of accidental injuries and illnesses.

Each employee shall:

- § follow safe, established work procedures
- § take an active part in the safety program
- § fully cooperate with the safety program
- § report unsafe acts and/or conditions to supervisor immediately
- § follow universal precautions

An employee who sustains a job-related illness or injury must:

- § report the incident to a supervisor immediately
- § complete the "Incident/Accident" form as instructed
- § obtain medical care, if required, from a provider specified by Arbutus Park Retirement Community

Any employee who fails to follow safety rules and the provisions of this program shall be subject to disciplinary action as outlined in the Employee Handbook of Personnel Policies.

### SUPERVISORS –

Each supervisor shall view safety as a vital part of his/her overall responsibility. They are responsible not only for the quantity and quality of work produced by employees, but also for their occupational safety and health. Each supervisor shall be held accountable for the safety record of his/her department.

Each supervisor shall continually monitor his/her department for unsafe conditions, practices, or actions. These shall be reported, along with corrective recommendations, to the Infection Control/Safety Committee at the quarterly meetings.

Supervisors shall investigate each incident within their department to identify what factors cause the incident, and the corrective action to be taken. This information shall be presented to the Infection Control/Safety Committee at the next regular meeting.

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### STAFF SAFETY

1. Safety Manual given to all new staff
2. Annual In-service given on Resident/Staff Safety
3. Gait belts are available in the Tub Rooms and on each unit. They should be utilized with residents for protection while lifting per Transfer Policy.
  - Notice posted in every department
  - Staff in-serviced on proper use and care of belts when issued
4. Health Care Financing Administration (HCFA)
  - Staff in-serviced on any safety standard or warning when received from HCFA
5. Fire Disaster Safety
  - In-service held annually
  - Manual to employees
6. Ergonomics
  - Annual in-service given to nursing on safe lifting and transferring
7. Risk Management Program in effect
  - Incident reports - staff and resident checked quarterly
  - Problem areas noted
  - Appropriate action taken
  - Residents who are difficult to lift and transfer
  - Evaluated by Therapy Department
  - Recommend lift transfer method placed on resident's chart
  - Utilizing Gait Belt appropriately according to policy
8. Universal Precautions
  - Follow Personal Protective Equipment as recommended in your department
  - Report any exposure to blood and body fluids to your supervisor immediately

### ACCIDENTS TO EMPLOYEES

Accidents occurring to employees during employment should be reported IMMEDIATELY. After medical attention has been given the employee, it will be necessary for an Accident Report Form to be filled out by the employee and the Department Head or Supervisor. Accidents occurring during work for Arbutus come under jurisdiction of the Worker's Compensation Law as set forth by the Commonwealth of Pennsylvania's Worker's Compensation Law. If medical attention is required, the employee must seek treatment from a designated doctor or hospital listed on the panel set up by the Manor. Every new employee receives a copy of this panel on

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their first day of orientation. All employees also receive notification when any additions or changes are made on the panel.

1. If an employee suffers a work related injury, the employer or its insurance company must pay for reasonable surgical and medical services and supplies, orthopedic appliances and prostheses, including training in their use.
2. In order to insure that medical treatment for the work-related injury will be paid for by the employer or the employer's insurance company, the injured employee must select from one of the licensed physician or practitioners of the healing arts listed on the panel set up by the Manor.
3. Treatment must continue to be administered by one of the health care providers listed on the panel for ninety days from the date of the first visit.
4. If treatment is still required after the initial ninety day period, the employee may choose to go to another licensed physician or practitioner of the healing arts for treatment of the work related injury. The employee should notify the employer of this action within five days of the visit to the health care provider of choice.
5. If no list is provided, the employee may go to a licensed physician or practitioner of the healing arts of their choice.
6. If a referral is made by one of the health care providers on the panel to another licensed specialist, the employer or the employer's insurer will pay the bill for these services.
7. If there is a medical emergency, the employee may secure assistance from a hospital or physician or practitioner of the healing arts of their choice.

### **ACCIDENTS TO RESIDENTS AND VISITORS**

If an employee witnesses a resident or visitor is involved in an accident, please observe the following:

**DO NOT ATTEMPT TO MOVE THE PERSON** until approved by an authorized person providing medical assistance. For example, a resident may be discovered on the floor and may be unable to get up on his own strength. Unfortunately many elderly are unable to evaluate their own injuries particularly after a jolting fall. Assistance should only be provided by **AUTHORIZED** medical personnel. Stay with the injured person until medical assistance has arrived.

## **INFECTION CONTROL POLICY**

It is the policy of Arbutus Park Retirement Community to attempt to maintain an environment that is reasonably free of infection. Employees who are experiencing flu-like symptoms or upper and lower respiratory symptoms, such as cough, elevated temperature, chills, gastrointestinal symptoms, should not report for work until symptoms have subsided. Those employees who have infected skin lesions or a suspicious skin rash should remain off work until they have been evaluated by a physician and have a written return-to-work order stating that they are free from infection or contagious disease. Likewise, an employee who experiences redness, irritation, and purulent drainage from the eye/eyes will need to remain off work until symptoms subside or until evaluated by a physician and permitted to return to work.

## **SMOKING**

Smoking is permitted only in designated areas outside the facility. Lounges are available for non-smokers. There is no smoking permitted by staff or residents in the company owned vehicles, including but not limited to the van, truck, automobile or bus. Staff is also not permitted to smoke in their personal vehicle during paid meal and break times. The maintenance hallway is the only route to be used to and from the designated smoking area. Staff is absolutely not permitted to cut through the Community Room or Chapel on their way to and from the smoking hut.

## **GRATUITIES**

Since the purpose of employees is to provide quality care based on the needs of our residents for convenience, care, comfort, and security, Arbutus Park Retirement Community believes that every resident regardless of economic circumstances is entitled to the best service we can possibly give. For this reason, **YOU MAY UNDER NO CIRCUMSTANCES SOLICIT OR ACCEPT GRATUITIES.** Due to the nature of our business, we understand residents and or family members may want to express appreciation. Employees may only accept gifts of \$50.00 or less in value.

## **FOOD SERVICE**

Employees are provided excellent meals in the staff dining room. The actual meal cost is subsidized by Arbutus in order to provide you with nutritious meals at a very nominal charge. Meal tickets can be purchased from the Business Office.

## **TIME CLOCK AND BADGES**

Each employee is required to clock in prior to beginning assigned duties and completing these duties for the day. If the clock does not work properly, notify the supervisor or the payroll office.

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Employees are also required to wear a name badge. There will be a fee of \$5.00 for replacing lost or damaged badges. Employees who frequently forget to clock in or out properly or lose and/or damage their name badge, may be subject to corrective action, up to and including discharge.

### **REMOVAL OF PROPERTY**

The removal of any property from Arbutus must be authorized by a supervisor or the administrator. This rule is for the protection of both the employee and the Manor. Anything removed without proper authorization may be considered grounds for dismissal.

### **RESIDENT ABUSE POLICY**

Standard:

Residents of the Long Term Care Facility are to be protected from any mental and physical abuse or mistreatment.

Facility Policy:

Arbutus Park Retirement Community has zero tolerance of verbal, mental or physical abuse, mistreatment, neglect, corporal punishment, involuntary seclusion, or misappropriation of resident property.

Definition:

Abuse is defined as the willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical pain or mental anguish. This presumes that instances of abuse of any resident, whether cognizant or not, causes physical harm, pain or mental anguish.

Types of abuse include:

1. Verbal Abuse: refers to any use of oral, written or gestured language that includes disparaging and derogatory terms to residents or their families, or within hearing distance to describe residents, regardless of their age, ability to comprehend, or disability. Examples of verbal abuse include, but not limited to: Threats of harm, saying things to frighten a resident, such as telling a resident that he or she will never be able to see her family again.
2. Sexual Abuse: includes, but is not limited to: sexual harassment, sexual coercion, or sexual assault.
3. Physical Abuse: includes, but is not limited to: hitting, slapping, pinching,

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kicking, etc. It also includes control of resident's behavior through corporal punishment.

4. Involuntary Seclusion: means separation of a resident from other residents, from his or her room, or confinement to his or her room (with or without roommates) against the resident's will or the will of the resident's legal representative. Temporary monitored separation from others will not be considered involuntary seclusion and may be permitted if used for a limited period of time as therapeutic measure until professional staff can develop a plan of care to meet the resident's need.
5. Mental Abuse: includes, but is not limited to: resident humiliation, intimidation, threatening demeanor, harassment, threats or punishment or deprivation, or denial of food or privileges.
6. Neglect: means failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness. Neglect occurs on an individual basis when a resident receives a lack of care in one or more areas (e.g., absence of frequent monitoring for a resident known to be incontinent, resulting in being left to lie in urine or feces). Neglect also occurs when a number of residents receive a lack of care in one or more regulatory groupings, a finding which reflects the facility's failure to have developed policies or implemented procedures to prohibit neglect.
7. Interpretation: Neglect refers to failure through inattentiveness, carelessness, or omission to provide timely, consistent, safe, adequate and appropriate services, treatment and care, including but not limited to: nutrition, medication, therapies and activities of daily living. The absence of reasonable accommodations or individual needs and preferences may result in resident neglect.
8. Misappropriation of Resident Property: This means the deliberate misplacement, exploitation, or wrongful (temporary or permanent) use of a resident's belongings or funds without the resident's consent.

### **SCREENING:**

- A. Potential employees will have a criminal background check completed at time of selection.
- B. Potential nurse aides also are screened through the nurse aide registry prior to employment for any history of resident abuse problems.
- C. Previous employers will be contacted for references on staff who apply for employment at this facility.

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### **TRAINING:**

- A. Employees are trained on the identification, prevention, investigation, and reporting of abuse as part of their orientation program.
- B. Employees are required to attend mandatory in-services on abuse annually. Nursing Assistants will receive two (2) hours on Prevention of Abuse annually.
- C. Employees have been educated on the law, which protects anyone who reports abuse.

### **POTENTIAL PERPETRATORS:**

Residents must not be subject to abuse by anyone (including but not limited to): facility, staff, other residents, consultants, volunteers, staff of other agencies serving the individual, family members or guardians, friends or other individuals.

### **PREVENTION:**

1. Staff at this facility are encouraged to avoid, recognize and report resident abuse through education and in-servicing for new hires and annually to staff thereafter.
2. Resident abuse is explained to families and residents on admission.
3. Staffing levels are kept on all shifts and encourage team work so that residents are not subject to care by a lone care-giver for any length of time that another care - giver is not close-by.
4. Skin checks are done on residents every shift and record any marks of any kind so that any change in skin integrity is recorded, reported and reviewed. Skin incidents are QA'd as to residents, areas and times to pick up possible pattern of abuse.
5. Staff members are educated in Resident Rights and Dignity when newly hired and annually to other staff members.
6. Supervisors and Department Heads will be held accountable for observing resident care by staff and be on the lookout for resident abuse.
7. Ombudsman's name and phone number is posted in various-visible areas in various visible areas in the Manor.
8. Criminal background checks and references are done on all applicants for employment at the Manor. Interviews are carefully conducted to reveal the potential for behavior risk areas.

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9. Good communication and rapport between residents, management, staff, and social services is encouraged on a daily basis and is reinforced at resident's council.
10. Employees are informed of the Employee Assistance Program (EAP) which is available for numerous concerns, including stress and burnout, which could potentially lead to abuse.

### **WITNESSING:**

If an employee is witness to abusive behavior, the employee must intervene to stop the behavior immediately.

#### **1. Procedure for Witnessed or Reported Abuse:**

Intervention – find another staff member, preferably the charge nurse or immediate supervisor and approach the persons involved.

The resident involved should be immediately assessed by an RN, Charge Nurse Supervisor at the time of the report.

#### **2. Descriptors Necessary:**

Verbal Abuse – state exact words and describe circumstances surrounding the incident, as well as the response from the resident.

Physical Abuse – describe nature, location and size of injury, i.e. pear-shaped bruise on left upper thigh, 5 cm long, scratch on right upper cheek extending to ear, etc. Obtain a Polaroid photograph of injuries when possible. Be sure to maintain the dignity of the resident and obtain permission for the pictures. Use other objects in photo as well to show size relationships. Describe how resident manifested injury, i.e. posturing of injured limb, grimacing, moaning or actual voicing of pain.

NOTE: If an object or instrument was used to injure a resident, be sure to impound such object as appropriate and be able to produce for the policy or the department's inspection, if requested. Photographs for objects are permissible in cases where the object is too large to move or permanently affixed. Pictures should NOT be submitted with the report, but should be available upon request if taken as part of the investigation.

Misappropriation of Property – include physical description of property or amounts of money. Photographs of personal property, obtained upon admission, are invaluable as are itemized lists of all personal property. Include a list of staff having access to the personal property, when article was last seen, where it is usually kept, and estimate of approximate value. The report should reflect that the permission of the resident's

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responsible party was not given to use/remove said property.

3. An incident report is completed.
4. The family is notified after the assessment has been completed.
5. The physician is notified after the assessment has been completed.
6. If the situation warrants (i.e. severe physical harm to resident, perpetrator out of control), the Police Department may be notified.
7. The Don or ADON will be called to the scene.
8. In the absence of the DON/ADON, the RN Charge Nurse or RN Supervisor will be responsible for the employee disciplinary action.
9. As per policy, any employee suspected of resident abuse will be suspended without pay pending a full investigation by administration. If the investigation proves to be unsubstantial against the accused employee, he/she will be reinstated with retroactive pay. If the investigation exposes substantiated evidence of abuse against the employee, the employee will be subject to disciplinary action, up to and including discharge.
10. Any employee suspected or accused of resident abuse will be asked to leave the building immediately after submitting a signed and dated statement to the responsible charge person.

### **RISK MANAGEMENT**

There is a potential for resident abuse due to ineffective coping while dealing with an aggressive, hostile, or demanding resident.

#### **FOR ALL DEPARTMENTS**

If you approach a resident to carry out your job responsibilities such as:

- cleaning a resident's room
- emptying their waste basket
- picking up or returning laundry
- serving food
- repairing or adjusting equipment in the resident's room or living area

and the resident becomes uncooperative, hostile, demanding, or abusive– WITHDRAW - it is not your responsibility to deal with this kind of situation.

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Report the incident to your immediate supervisor or department head. They will:

1. Attempt to deal with the problem.
2. If they are unable to do so, administration will be notified. A group meeting with resident and/or family, social services may be needed to address the problems.
3. The resident behavior problem should be identified.
4. Care planning by the Interdisciplinary Care Planning Team shall show on all Resident Care Plan approaches to the resident's problem.
5. All staff involved in care of the resident shall be informed of the approaches.

### **DEPARTMENT MEETINGS**

1. Report residents that you are having problems with.
2. It is important to verbalize how the encounter with this resident made you feel.
3. Share your feelings.
4. Plan approaches to problems together as a team.
5. Know yourself.
6. Do not be afraid to say you cannot deal with a resident or another staff member's behavior and your response to their behavior. Feel free to talk with your supervisor, social services, or your department head about it.

### **TERMINATION OF SERVICE**

Staff members resigning from the service of Arbutus must submit a written notice of resignation at least two weeks prior to such resignation. Supervisory staff members and department heads should provide at least a four week notice prior to leaving employment.

### **CORRECTIVE ACTION**

It is the policy of Arbutus Park Retirement Community to expect all employees to abide by certain work rules of general conduct and performance at all times. The regulations governing employee conduct and responsibilities have been established in the best interest of the company, its employees, and its residents.

Accordingly, a violation of these regulations constitutes misconduct on the part of the employee and appropriate corrective action will be initiated. Corrective action procedures may need to be taken to help an employee improve behavior in those instances where administration decides it is appropriate. Corrective actions include but are not limited to instructional directive steps, verbal warnings, written warnings, suspension, suspension without pay, and discharge. Arbutus retains the right to determine what corrective action will be used in each situation.

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These rules are guidelines only and are not all inclusive – listing all forms of behavior that are considered unacceptable in the workplace is not possible. The following are examples of infractions of rules of conduct that may result in corrective action, up to and including termination of employment:

- Abuse, neglect, mistreatment, corporal punishment, or involuntary seclusion of a resident.
- Inconsiderate treatment of a resident, visitor, or co-worker.
- Theft or inappropriate removal or possession of property.
- Reporting for work or working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Sexual or other unlawful or unwelcome harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace.
- Unauthorized use of telephones, mail system, or other employer-owned equipment.
- Violation of any confidential information, including but not limited to HIPAA violations and/or the Federal False Claims Act.
- Falsification of any records or reports, including information on an application of employment or resume and/or a false or fraudulent claim to Medicare, Medicaid, or other federally funded programs.
- Willful abuse or deliberate destruction of company or resident property at any time.
- Gross insubordination: willful and deliberate refusal to follow reasonable orders given by a member of management.
- Conduct that violates any Federal, State, or Local laws.
- Committing an immoral or indecent act while on company property regardless of whether the act was committed during the employee's work day.
- Not signing out or in for meal periods.
- Smoking in the company owned vehicles or outside of the designated smoking area.
- Signing in more than twelve (12) minutes prior to the start of the employee's work day or signing out more than seven (7) minutes following the conclusion of his/her work day without authorized permission.
- Conviction of any offense by a court of law which in management's judgment would make that employee undesirable for association with the company, its employees and its residents.
- Threatening, intimidating, coercing or interfering with any person on company premises at any time.
- Gross neglect of duty, including sleeping on company time.
- Altering, defacing or removing governmental or company notices and bulletins that are posted on the company bulletin board(s).
- Gaining unauthorized access to company records and files.

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- Careless or negligent use or operation of company tools or equipment.
- Failure to immediately report to management any injury or accident resulting from an on-the-job situation.
- Repeated absenteeism or tardiness, including mandatory in-service training.
- Performing substandard work both in quality and quantity after having been instructed in proper procedure and technique.
- Unauthorized leave from the work area during work schedule exceeding the time allowed for scheduled break or lunch period.
- Unauthorized distribution of literature in the work area or posting on company property.
- Engaging in horse play, practical jokes, gambling or general loitering while on company property.
- Having non-employees on company property at any time without authorized permission.
- Using profane language on company property which in management's opinion is offensive to other employees, visitors to the Manor, or residents of the Manor.

### **GRIEVANCE POLICY**

It is very important to have good communications and understanding within departments and between departments. It is our goal to try to have satisfied employee and to develop each employee to become an effective and enthusiastic worker. We respect the individual rights of employees with courtesy, consideration, and dignity.

It is the policy of Arbutus Park Retirement Community that each employee grievance will be addressed according to established guidelines. If you have a grievance, report it to the person in charge immediately.

1. Report employee grievance to the appropriate supervisor.
2. If the supervisor is not able to resolve the grievance, the grievance shall be taken to the department head.
3. If no satisfactory solution can be found within the department, the grievance will be presented to the department head committee for review. The decision reached by this committee will be final. This committee is ultimately responsible for establishing policy.

In addition to registering your grievance according to the above established guidelines, the employee will be asked to provide written documentation of his/her grievance. This will be placed in the employee's confidential personnel record.

Resolution to the employee's grievance will also be written by the department head, and this will also be included in the employee's personnel record.

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### **IN GENERAL**

Arbutus Park Retirement Community is a Christian institution and all persons employed are expected to observe a code of ethics which requires truthfulness, honesty, and personal integrity in all activities. This is a place where many residents and employees live and work on the basis of a daily, congenial fellowship. Such a way of life, therefore, places upon each of us the need to respect the right, privileges and privacy of others as we would hope to have ours respected. The administration at Arbutus feels confident that your personal dedication will make the relationship a pleasant one!

### **WORKPLACE HARASSMENT POLICY**

Arbutus Park Retirement Community is committed to a workplace free of discrimination and harassment based on race, color, religion, age, sex, national origin, disability, status as a veteran, or any other protected status. Offensive or harassing behavior will not be tolerated against any employee. This policy covers vendors or others who enter our workplace, as well as all employees. Managers, supervisor, and the administration are responsible for taking proper action to end such behavior in their workplace.

In an effort to prevent sexual and other forms of harassment from occurring, this policy against harassment will be communicated to each employee. No employee of this company is exempt from this policy.

Offensive conduct or harassment of a sexual nature, or based on race, color, religion, age, sex, national origin, disability, status as a veteran or any protected status, is prohibited. This may include but is not limited to:

- Offensive physical actions, written or spoken, and graphic communication (for example, obscene hand or finger gestures or sexually explicit drawings).
- Any type of physical contact when the action is unwelcomed by recipient (for example, brushing up against someone in an offensive manner).
- Expectations, requests, demands or pressure for sexual favors.
- Slurs, jokes, posters, cartoons, and gestures that are offensive.

Any such offensive conduct will be considered a prohibited form of harassment when any of the following are true:

- There is a promise or implied promise of preferential treatment or negative consequence regarding employment decisions or status.
- Such conduct has the effect of creating an intimidating or hostile or offensive work environment, or unreasonably interferes with a person's work performance.
- A third party is offended by the sexual conduct or communication of others.

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Harassment is considered a form of employee misconduct. Corrective action, up to and including termination of employment, will be taken against any employee engaging in this type of behavior. Any supervisor or manager who has knowledge of such behavior, yet takes no action to end it, is also subject to disciplinary action.

If an individual feels she/he has been the victim of harassment, or is aware of an incident involving someone else which may constitute harassment as defined by this policy, she/he is to promptly notify the human resources manager or administrator. All reports will remain as confidential as possible and reports made in good faith will in no way be held against an employee.

### **SUBSTANCE ABUSE AND TESTING POLICY**

Arbutus Park Retirement Community is dedicated to providing a safe, health, and productive work environment for all employees, residents, and the public. This policy provides employees with guidelines pertaining to drug and alcohol abuse during the normal course of employment.

#### **Policy Statement**

It is the policy of Arbutus that employees shall not be involved with the unlawful use, possession, sale or transfer of drugs or narcotics in any manner that may impair their ability to perform assigned duties or otherwise adversely affect our business. Further, employees shall not possess alcoholic beverages in the workplace or consume alcoholic beverages in association with the workplace or during work time. The specific purpose of this procedure is to outline the methods for maintaining a work environment free from the effects of alcohol/drug abuse or other substances that adversely affect the mind or body. If we are to continue to fulfill our responsibility to provide reliable and safe service to our residents and a safe work environment for our employees, employees must be physically and mentally fit to perform their duties safely and efficiently.

#### **Introduction**

- A. Employees are expected to report for work and remain at work in condition to perform assigned duties free from the effects of alcohol and drugs.
  - a. Alcohol abuse or illegal drug use and its physiological effects represent a threat to the well being and security of employees and residents and could cause extensive damage to the company's reputation and community standing.
  - b. Any involvement with alcohol/drugs that adversely affects the workplace or the work environment will not be tolerated.
  - c. Off-the-job illegal drug activity or alcohol abuse that could have an adverse effect on an employee's job performance or that could jeopardize the safety of other employees, the public, company equipment or the company's relations with the

public, will not be tolerated.

- B. Illegal drugs are those drugs defined as illegal under federal, state, or local laws; they include, but are not limited to:
- Marijuana
  - Heroin
  - Hashish
  - Cocaine
  - Hallucinogens
  - Alcohol

#### Substance Abuse and Testing

In support of company policy, employees may be subject to drug or alcohol testing under the following circumstances:

- A. Pre-employment testing - all new employees will be subject to drug and/or alcohol testing after the individual has received a conditional offer of employment, but before the individual begins employment with Arbutus Park Retirement Community.
- B. Reasonable suspicion – when the company has reasonable suspicion that an employee is under the influence of drugs or alcohol which adversely affects or could adversely affect such employee’s job performance. Reasonable suspicion means suspicion based on specific personal observations as follows:
1. Direct observation by supervisory or management personnel of conduct indicating a violation of the policy.
  2. Direct observation by supervisory or management personnel of paraphernalia in and around the workplace normally associated with activity in violation of the policy.
  3. Physical symptoms or manifestations associated with being under the influence of illegal drugs or alcohol.
  4. Abnormal conduct, erratic behavior, or a significant deterioration in performance, the reason(s) for which is not otherwise readily apparent.
  5. A report of a violation of the policy by a reliable and credible source.
  6. Evidence that, when aggregated and objectively viewed, would lead a reasonable person to conclude that a violation of the policy is more likely than not.

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7. All workplace or work-related accidents will subject those involved to a presumption of reasonable suspicion if management reasonably believes, based on personal observation or other relevant factors, that drug or alcohol use was a contributing factor to the accident.

### Procedures

The testing will be conducted by such reasonable means, as Arbutus or any outside testing agency from time to time may deem appropriate, including but not limited to urine drug screening. Upon the Manor's request, an employee who is to be tested will be required to sign a separate consent form to permit an outside agency, including but not limited to a hospital or clinic, to conduct a substance abuse screening test of such employee and release the results of the testing to the Manor.

Employees have the right to refuse to submit to drug and alcohol testing and to refuse to sign the consent/chain of custody form, with the understanding that such refusal will result in immediate dismissal or disqualification from consideration for employment.

Note: Any employee found to have made a knowing or intentionally false report of a violation of this policy against another employee will be subjected to discipline, up to and including termination of employment.

All those tested are required to present photo identification at the drug testing site. Employees may consult with the testing laboratory for technical information regarding prescription and non-prescription medications.

If an employee or applicant tests positive, such positive test result will be confirmed by one or more additional tests. If the test result is still positive, the applicant will be disqualified from consideration for employment. In the case of an employee, he/she will be subject to corrective action, up to and including dismissal. In either case, however, the applicant or employee will be given an opportunity to explain any extenuating circumstances within five (5) work days after receipt of notification of a positive, confirmed test result. If no explanation or challenge is submitted or if the explanation or challenge is unsatisfactory, the result will be deemed positive and confirmed.

Any employee who is tested based on reasonable suspicion will be suspended without pay pending the results of the test. If the test results are negative, the employee will be returned to duty and paid for any lost time. If the test results are positive, the employee will remain on suspension pending termination.

Arbutus will keep test results confidential, except that any positive results will be disclosed to the employee or applicant who tested positive. All information, interviews, reports, statements,

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memoranda, and drug test results, written or otherwise, received by Arbutus are considered confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding except in accordance with this policy or applicable state law. Arbutus may use such information and documentation as it deems necessary and appropriate in defense of a lawsuit, arbitration proceeding, or any other proceeding (whether legal, equitable, or administrative) challenging an action taken pursuant to this policy.

At the discretion of administration and depending upon the circumstances, any individual who tests positive may be permitted to return to work conditioned upon his/her execution of a “last chance” agreement and abiding by the terms thereof. The agreement will provide for the individual’s successful completion of a rehabilitation program and for a continuing individual drug testing regimen, both of which will be approved and/or determined by management.

This policy is for pre-employment purposes and for those occasions when administration has a reasonable suspicion that an employee is performing their job under the influence of drugs or alcohol. Arbutus Park Retirement Community does not conduct random drug testing for employees.

### **Whistleblower Policy**

Arbutus Park Retirement Community’s Code of Ethics and Conduct, along with the Sarbanes-Oxley Act of 2002, requires that directors, officers, and employees observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of Arbutus Park Retirement Community, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all directors, officers and employees to comply with the Code of Ethics and to report violations or suspected violations regarding corporate accounting practices, internal controls or auditing in accordance with this Whistleblower Policy.

For further details, please refer to the Arbutus Park Retirement Community Whistleblower Policy and the Ethics and Compliance Hotline (814-536-3536) information distributed to all employees upon hire.

### **Federal False Claims Act and Deficit Reduction Act**

It is the policy of Arbutus Park Retirement Community to comply with federal and state Requirements regarding false claims and statements to federal and state government medical assistance programs; to provide protection for employees who report actual or suspected wrongdoing; and to implement and enforce procedures to detect and prevent fraud, waste and abuse.

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This policy applies, and shall be provided, to all current board members, directors, officers, administrators, managers, employees, contractors, and agents of Arbutus Park Retirement Community. For further details, please refer to the Arbutus Park Retirement Community Federal False Claims Act and Deficit Reduction Act of 2005 Policy distributed to all employees upon hire.

### **EMPLOYEE WEATHER EMERGENCY POLICY**

In the event of a declared National, State, or Local Emergency, the Governor has the power to close or modify the travel provisions on any or all highways in the Commonwealth. The Governor has the authority to issue a Proclamation of Disaster Emergency for any type of natural or man-caused disaster or emergency in accordance with Section 7301 (c) of the Emergency Management Service Code [35 PaC.S. 7301 (c)]. The Governor's action is effective at any or all hours of the day or night with respect to any or all types or class of vehicles.

Due to extraordinary emergency circumstances when the Governor declares a Disaster Emergency all interstate highways, state highways, and local streets and roads will be closed to all types of vehicles until the danger to the public's health and safety has passed. During road closure periods, the Pennsylvania State Police and all municipal police within the disaster declared counties are authorized to issue traffic citations to any motorist who violates the Governor's travel ban. The only vehicles authorized to be on the roads during this period of time will be Fire, Police, Emergency Medical, Penn DOT and Municipal snow-plows, and heating oil delivery vehicles.

The emergency management office has identified key facilities, which need to operate on a 24-hour basis. These include Hospitals, Nursing Homes, County Prisons, Electric and Fuel Generating Plants and certain other types of processes on continuous 24-hour basis. Those key facilities engaged in critical emergency services include the following employees: Doctors, Nurses and other Medical Care Personnel who are traveling to a hospital, nursing home, or other health care facility or are responding to an emergency call for medical assistance. This also includes maintenance personnel who are responsible for maintaining the 24-hour operation of generators, heating systems or other related systems at a facility.

**\*PLEASE NOTE:** Any individual who cannot document or demonstrate, through appropriate credentials, the fact that he or she is performing critical emergency services will be considered to be in violation of the Governor's Road Closure Order. Should the individual be stopped by a law enforcement officer or need to receive emergency medical attention or other forms of emergency assistance due to his or her actions, that individual may receive a traffic citation for violating the Governor's travel ban.

Arbutus Park Retirement Community issues identification badges for each employee. This badge displays the name of the facility, name of the employee and his/her title. It is your responsibility to wear the name tag at all times while on duty and to have the badge available to

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authorities when traveling in an emergency situation. Along with that badge you will be responsible to have with you another form of identification such as a driver's license or professional license.

**Arbutus Park Retirement Community will not count, as an incident under the call-off policy, when the Governor declares a state of weather emergency and employees are unable to report for their shift. Any other call-offs due to poor weather will be counted as an incident under the call-off policy.**