

*S<sup>D</sup> Associates LLC*

SVT Employee Policy Manual

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## **I. Overview of Company & Employment Relations**

### **DISCLAIMER**

**This policy manual is not an employment contract. Nothing contained in this manual, nor any written nor oral statement contradicting, modifying, interpreting, explaining or clarifying any provision of this manual, is intended to create, nor shall create, any express or implied contractual obligations that are binding upon either S<sup>D</sup> Associates or an employee. This manual is intended to provide employees with information about S<sup>D</sup> Associates policies and practices that are currently in force. These policies and practices are subject to change by S<sup>D</sup> Associates unilaterally at any time, without prior notice to employees.**

### **Welcome**

We believe that every employee, regardless of role, helps S<sup>D</sup> Associates to successfully support the clients we serve. We hope that you will be proud to be a member of our team. This policy manual describes many of our policies and outlines the programs and benefits available to eligible employees. It will answer many questions you may have about your employment. We suggest that you become familiar with the policy manual as soon as possible. We hope that your experiences here will be challenging, enjoyable, and rewarding.

Again, welcome!

Sincerely,

David Powsner  
Clinical & Executive Director M.Ed., BCBA, LBA

### **Introductory Statement**

This policy manual has been prepared to provide our employees with a general understanding of our personnel policies, procedures and benefits. All employees are responsible for becoming familiar with our policies and procedures which are also located on the employee website. S<sup>D</sup> Associates reserves the right to make changes to the policy manual at any time.

These policies are company-wide rules and guidelines that all employees of S<sup>D</sup> Associates are expected to abide by. They are non-negotiable. Employment laws and the safety of all determine the content. Policies are expressed in broad terms to ensure employee understanding and to reference in making management decisions. Policies are statements that answer what and/or why regarding any major operational issues. These policies express our family-oriented culture, our company goals and our philosophy. If you have any questions regarding the material in the manual, please contact Human Resources at [sdhumanresources@sdplus.org](mailto:sdhumanresources@sdplus.org).

Each location has a set of procedures to provide flexibility for supervisors' use in managing employees. These procedures are subject to change for continuous growth and improvement to work along with the program's cultural growth. Procedures are statements which answer the

questions of how, when and/or who. They show employees the details of a specific process. They will provide step-by-step directions for supervisors and employees to help all staff understand the scope of our company culture and to articulate expectations for all employees. If you have any procedural questions, your supervisor can answer them.

These policies are written in traditional binary identity (he/she) language. This does not reflect a cultural bias on the part of S<sup>D</sup> Associates, but rather the constraints of language in a document that requires singular/plural specificity. In all situations, S<sup>D</sup> welcomes diversity and respects the gender identity articulated by the individual.

## **Mission Statement**

It is our mission at S<sup>D</sup> Associates to provide evidence-based services that will enrich the lives of individuals with disabilities and their families. We believe that all people can learn regardless of their challenges. We teach pro-social skills that enable meaningful community integration and support effective lifelong learning.

## **Client Relations**

Our clients are vital to the success of our business. Good client relations build client loyalty. Every employee represents S<sup>D</sup> Associates to clients, other stakeholders, and the public. Our highest priority at S<sup>D</sup> Associates is to facilitate positive change for our clients or potential clients. Nothing is more important than being courteous, friendly, prompt, and helpful to all we encounter in the course of our mission. If a client or a stakeholder wants to make a specific comment or a complaint, they should be directed to a supervisor for appropriate action. Employees' contacts with the public, telephone manners, and any communications sent to clients by employees reflect not only on the employee, but also on the professionalism of our company.

S<sup>D</sup> Associates recognizes, in its policies, procedures, and business practices, that the direct recipient of services is its primary client, along with the parent or guardian of the direct recipient of services, even if a third party is paying for the services. The organization resolves any conflicts in the best interests of the direct recipient of services.

S<sup>D</sup> Associates acts in the best interests of the client, including the direct recipient of services and their parent/guardian to avoid interruption or disruption of service. The organization does not terminate services without a 30-day notice, and without efforts to transition, unless the clients' needs require prompt termination.

## **Commitment to Diversity**

S<sup>D</sup> Associates is committed to fostering, cultivating and preserving a culture of diversity, equity and inclusion.

Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental

ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

S<sup>D</sup> Associates diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

All employees of S<sup>D</sup> Associates have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. All employees are also required to complete annual trainings to enhance their knowledge of diversity and equity to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.

## **II. General Employee Information**

### **Americans with Disabilities Act Accommodation**

Reasonable accommodation is available to an employee with a disability when the disability affects the performance of job functions. We make our employment decisions based on the merits of the situation in accordance with defined performance criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other general forms of compensation as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. We make all types of leaves of absence available to all employees on an equal basis. S<sup>D</sup> Associates is also committed not to discriminate against any qualified employee or applicant because the person is related to or associated with a person with a disability. S<sup>D</sup> Associates will follow all state or local law that gives more protection to a person with a disability than the federal ADA gives. S<sup>D</sup> Associates is committed to taking all other actions that are necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and any other applicable federal, state, and local laws.

### **Equal Employment Opportunity**

S<sup>D</sup> Associates adheres to all federal, state and local laws regarding equal employment opportunity. We provide equal opportunities for all employees and applicants for employment without regard to sex, sexual orientation, age, race, religion, national origin, physical or mental disability, or any service, past, present, or future, in the uniformed services of the United States. It is the responsibility of everyone in management to ensure that equal consideration be given to all applicants and employees in personnel actions, which include: recruiting and hiring, selection for training, promotion, demotion, discipline, rates of pay or other compensation, transfer, layoff, recalls, and terminations.

The Vermont Civil Rights Commission is responsible for enforcing state laws that prohibit discrimination in employment. These include laws, which prohibit discrimination based on race, color, religion, ancestry, national origin, sex, sexual orientation, place of birth, age, handicap, HIV status, or for asserting a claim to workers' compensation, and laws which prohibit retaliation against any person who makes a claim of discrimination.

### **Employment-At-Will**

This policy manual is not a contract of employment. Any individual may voluntarily leave the employment of the company at any time or may be terminated at any time and for any reason as long as there is no violation of federal, state or local law.

### **Resignation**

Employees who are resigning from S<sup>D</sup> Associates should send a formal letter of resignation to Human Resources. Due to the nature of our job, working closely with clients and families, we ask that staff give minimally a 20 program day notice, when possible, to allow for smoother transitions for all. All staff will receive exit information via email to include what compensation the employee has coming and when termination of benefits will occur. Employees are expected to turn in all company property (keys, data packets, supplies, Kevlar gloves, intellectual property



including written products/files etc.) at the time of termination. They also may have to participate in a HIPAA check of any personal technology used to conduct S<sup>D</sup> Associates business. At this time, exiting employees may give written authorization by signing a release for future job references.

## **Termination**

Termination may become necessary due to an employee's lack of repeated and defined failure to fulfill the requirements of their job and/or in response to behavior that violates S<sup>D</sup>'s expectations for norms of professional behavior (see “**Ethics and Conduct**”). Terminations are always unpleasant and costly; and, the company does not take the decision to terminate lightly. Advance notice may or may not be given depending on the circumstances surrounding the termination. An exit meeting may be conducted. For more information about exit interviews, please see ‘**Resignation**’ above.

## **Progressive Discipline**

We believe it is important that all employees are treated fairly and that disciplinary actions are prompt, consistent, impartial, and educative. The purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Depending on the nature, severity, and potential risk associated with the violation of any policy described in this document or related documents, or when an employee fails to acquire and then reliably demonstrate the identified job competencies, a variety of disciplinary measures may be taken. These actions include but are not limited to:

- Verbal warning/correction;
- Written warning/correction;
- Written improvement plan with an associated timeline;
- Unpaid suspension during the course of fact-finding;
- Paid suspension during the course of fact-finding;
- Termination of employment.

If the failure to demonstrate an identified job competency results directly from a disability, S<sup>D</sup> Associates will comply with all state and federal laws regulating the accommodation of such disability

Disciplinary measures will initially be applied on a “least intrusive to be effective” basis unless the nature of the infraction is such that continued employment with S<sup>D</sup> Associates presents a risk to the safety, dignity or wellbeing of the students and clients we serve, presents a risk to the safety, dignity or wellbeing of this agency or its other employees, or in cases where repeated attempts to solve the problem have been attempted and have failed. By using progressive contingency management, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and S<sup>D</sup> Associates.

## **Background & Reference Checks**

To ensure that individuals who join S<sup>D</sup> Associates meet the company qualifications and demonstrate strong potential to be productive and successful, it is our policy to check the

employment references of all applicants for employment. In addition to checking references of applicants, S<sup>D</sup> Associates will respond in writing or by phone call to those reference check inquiries that are submitted in writing on former employees. Responses to such inquiries will be limited to factual information that can be substantiated by S<sup>D</sup> Associates' records. No employment data, other than date of hire, job title, and last day of employment, will be released without a written authorization and release signed by the individual who is the subject of the inquiry. Upon hire, criminal history record checks are required; therefore, the internal or external applicant for the position must authorize in writing these background investigations using the company-provided forms. Candidates in Vermont will be screened by the Vermont Crime Information Center (VCIC), Adult Protective Services & Child Abuse Registries (APS and DCF), and the List of Excluded Individuals/Entities (LEIE). All potential employees will be screened subject to the results of a criminal background check; these will include a motor vehicle check, child and adult registry check, and other checks as determined necessary by the employer. All background checks will be repeated every three years or sooner if deemed necessary.

No individual subject to the checks shall be eligible for hire or continued employment (if employment commences before the results of the checks are received) if they have been convicted of one or more of the following crimes:

- Abuse, neglect or exploitation of a child or vulnerable adult
- Lewd and Lascivious Conduct
- Assaults
- Unlawful restraint
- Recklessly endangering another
- Frauds, including forgery
- Larceny, including thefts and robbery
- Burglary
- Embezzlement
- Extortion
- Homicide, including murder or manslaughter
- Stalking
- Cruelty to children or animals
- Kidnapping
- Possession of child pornography
- Arson
- Drug related

Convictions listed below will be assessed on a case-to-case base.

- DUI and motor vehicle convictions

The company will inquire only about convictions and probation status, if any, and not about arrests unless required by applicable laws. Anyone discovered to have misrepresented or falsified information contained in their job application or resume is subject to disciplinary action, up to and including immediate termination.

The following factors will be considered for those candidates with a criminal history in determining whether to hire the external candidate, employee transfer, or promote the internal candidate:

- the nature of the crime and its relationship to the position;
- the time since the conviction;
- the number (if more than one) of convictions;
- whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the business or clients.

The candidate will be given an opportunity to review the criminal background check results and submit an explanation. If any candidate is found to have falsified any information regarding conviction history, the applicant will not be considered for employment. If an employee seeking a transfer or promotion to a position requiring a criminal history record check is found to have falsified any information regarding conviction history, the employee may be immediately terminated.

New employees who are waiting on the completion of a background check are not permitted to transport or be alone with clients. It is the employee's responsibility to make sure they adhere to this policy. Human Resources will inform the supervisor when the background check is complete; and, s/he/they will schedule a meeting with the employee if needed. If at any time an employee is asked to be alone or transport a client before a background check approval has come back, they should remind their supervisor that they are unable to drive clients until background check is completed.

If we receive your background check back and further information regarding an FBI and/or out of state charge is needed, you will be required to complete the release and mail or fax it in. The information will then be mailed to you directly. Job offers from S<sup>D</sup> Associates are contingent on the passing of a background check. We need all background check information to determine eligibility for continued employment. Therefore, we need the additional documentation, once received, to determine employment eligibility.

S<sup>D</sup> Associates complies with all federal Fair Credit Reporting Act (FCRA) and state laws concerning criminal background checks (see FTC.gov).

### **Immigration Reform and Control Act**

It is the company's policy to fully comply with the regulations of the Immigration Reform and Control Act of 1986 (as amended) enforced by the Department of Homeland Security. We will hire only American citizens and aliens who are authorized to work in the United States. The law requires our company to do five things:

1. All new employees must complete Section 1 of the I-9 form within three business days of hire.
2. Check documents establishing employees' identity and eligibility to work.

3. The person examining the documents must complete Section 2 of the I-9 Form and the Certification Section.
4. Retain the form for at least three years (if the company employs the person for more than three years, the company must retain the form until one year after the person leaves our employment).
5. Present the form for inspection to the Department of Homeland Security or Department of Labor officer upon request.

If an employee is hired for less than three days, the company must complete Form I-9 before the end of the employee's first working day. The I-9 Form contains instructions for completion. The employee assigned to this task must follow those instructions completely. I-9 Forms are to be kept separate from all other personnel records.

### **Employment Categories**

It is important that employees understand the definitions of the employment categories at S<sup>D</sup> Associates and know their own classification. Employment categories help determine employment status and eligibility for benefits. If an employee has questions, or is not sure what their employment classification is, the employee should contact the Human Resources department.

### **Full-Time**

A full-time employee is one who is not assigned to a temporary or probationary status and is regularly scheduled to work the S<sup>D</sup> Associates full-time schedule. Full-time employment at S<sup>D</sup> Associates is considered to be a minimum of 32 hours per week or 80% or more for salary. In most cases, full-time employees are eligible for all S<sup>D</sup> Associates benefit programs, subject to the terms, conditions, and limitations of each benefit program.

### **Part-Time (18 hours or more worked per week)**

A part-time employee is not in a temporary or probationary status, does not work as a contracted service provider, and is regularly scheduled to work 31 hours or less per week and/or between 41% to 79% for salary. Part-time employees receive all legally mandated benefits, such as Social Security and Workers' Compensation Insurance. Depending on the number of hours you worked per year other benefits may be available and are identified by each benefit policy.

### **Part-Time (17 hours or less worked per week)**

A part-time employee is not in a temporary or probationary status, does not work as a contracted service provider, and is regularly scheduled to work 17 hours or less per week. Part-time employees receive all legally mandated benefits, such as Social Security and Workers' Compensation Insurance.

### **Probationary Employee**

A probationary employee is one whose performance is being evaluated to determine whether further employment in a specific position or with the company is appropriate. When an employee satisfactorily completes the probationary period, they will be told about their new employment.

classification. The first 4-6 months are considered to be the probationary period for all new staff. New staff all are assessed at the 4-6 month mark with their on-boarding competency checklist. During this probationary period, employees will be trained and assessed on their ability to perform job responsibilities. Evaluation tools may vary from time to time and from job description to job description. At the end of the probationary period a meeting will occur to discuss your performance using the on-boarding competency checklist. If deemed appropriate by management, a probationary period can be extended for an additional amount of time. After completing the probationary period, an employee's continued employment will be determined by job performance and adherence to the company's policies and standard of conduct. In the event that the employee does not sufficiently demonstrate established competencies at the end of the probationary period, she/he will either be terminated at that time or provided with an improvement plan and extended probationary timeline.

Probationary employees are not eligible for some company benefits such as WeCU savings account and BCBA supervision.

Staff that move to another position within the company engage in a year probationary period. However during this time are not considered a probationary employee. A performance summary will be initiated by the employee no earlier than 9 months in the position. Once the performance summary is given to the supervisor they are given 2 months to complete and meet with the employee.

### **Non-Exempt Hourly**

Non-Exempt hourly employees must be paid at least the minimum wage and overtime pay for any time worked over 40 hours per week. Under Fair Labor Standard Act (FLSA) rules, non-exempt employees are entitled to time and a half of their regular pay rate for each hour of overtime worked. All time worked is required to be recorded in order to be paid properly.

### **Non-Exempt Salary**

Employees that are non-exempt salary means they are getting a consistent salary that meets the federal and state wage requirements while still tracking hours worked, as they will be paid hourly for any time worked over 40 hours per week. If in quarterly review, time is not consistent with 40 hours per week and or time is not recorded daily a move to non-exempt hourly will be made.

### **Exempt Salary**

Exempt employees are not granted the protections of the FLSA and are therefore not entitled to overtime pay and have specific job duties that fall in one of the three main categories: executive, professional or administrative. These employees are paid a salaried amount, which is the same per pay period. Time worked does not need to be recorded, but employees have to follow their program specific procedures for the workday. Employees that have billable hours must track their hours and have their schedules available and up to date for their supervisor at all times.

### **Employee Request Change in Employment Status**

Employee can request change in employment status twice a year, first two weeks in May with change occurring July 1<sup>st</sup> or first two weeks in November with change occurring January 1<sup>st</sup>. Requests should be emailed to Human Resources.

## **Work Day**

The parameters of the typical work day are determined by employee and supervisor.

## **Job Descriptions**

General job responsibilities are outlined in job descriptions and are given to the employee by their supervisor. S<sup>D</sup> Associates uses job descriptions to identify the requirements of a job, set up the hiring criteria, set standards for employee performance evaluations, and establish a basis for making reasonable accommodations for individuals with disabilities.

## **Performance Reviews**

Performance reviews and evaluations will occur minimal yearly for all employees and positions.

## **Remote Work/Telecommuting**

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. S<sup>D</sup> Associates considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a companywide benefit, and it in no way changes the terms and conditions of employment with S<sup>D</sup> Associates. All telecommuters can be requested to be onsite by their supervisor at any time.

Telecommuting at S<sup>D</sup> associates is a formal agreement between S<sup>D</sup> Associates and the employee. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the telecommuter or the organization. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, childcare and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Telecommuting is not designed to be a replacement for appropriate childcare. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

There are two designation of telecommuting; formal and informal.

## **Full Time/Formal Eligibility**

Individuals requesting formal remote work arrangements must have been employed with S<sup>D</sup> Associates for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record.

Before entering into any telecommuting agreement, the employee and supervisor, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office
- Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and supervisor agree, and the human resource department concurs, a draft telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone, e-mail and video conference between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

### **Ad Hoc/Informal Remote Work & Telecommuting Arrangements**

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects, health concerns or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

Exempt employees who travel between locations daily can work at remote locations for short periods of their day if it eases the burden of travel and allows them to get all their job responsibilities done in confidential manner. They need to identify their commute to work and from work in their schedule if it is not in the beginning and end of their work day.

Informal arrangements are not accompanied by the Remote/Telecommuting formal agreement form.

Formal and informal telecommuting employees are responsible for the following:

## **Equipment**

On a case-by-case basis, S<sup>D</sup> Associates will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, other office equipment) for each telecommuting arrangement. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. S<sup>D</sup> Associates accepts no responsibility for damage or repairs to employee-owned equipment. S<sup>D</sup> Associates reserves the right to make determinations as to appropriate equipment, subject to change at time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all S<sup>D</sup> Associates property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made.

S<sup>D</sup> Associates will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. S<sup>D</sup> Associates will also reimburse the employee for business-related expenses, which are reasonably incurred in carrying out the employee's job. These expenses should be approved by the supervisor in advance.

The employee will establish an appropriate work environment within his or her home for work purposes. S<sup>D</sup> Associates will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

## **Security/Confidentiality**

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

All work should be conducted in a private space. The employee is responsible to ensure that non-employees do not have access to S<sup>D</sup> data or records, in print or electronic form. No person in your home should be privy to virtual meetings or sessions. Household noise (children, spouse, roommates, tv, etc.) should not be heard by others when conducting business.

All confidential hard copy material that is brought out of the office must be approved by the supervisor and employees must inform supervisor of the location of material in a locked secured location.



## **Safety**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Telecommuting is not designed to be a replacement for appropriate childcare. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

## **Time Worked**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using S<sup>D</sup> Associates' time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

## **Driving**

Driving is not a duty of all employees and may sometimes be needed for various responsibilities. To antecedently protect staff and clients, we request that the employee completes a driver information form, sign the vehicle use form, provide a copy of their driver's license, registration and proof of insurance (employees auto insurance declaration page). Employees are required to carry at least \$100,000 per person/\$300,000 per incident bodily injury liability insurance on any vehicle used to transport S<sup>D</sup> Associates' clients. It is the employee's responsibility to keep these documents up to date by providing current copies to Human Resources. If this required minimum coverage lapses, the employee is not to transport a client and will immediately notify Human Resources. Employees are responsible for keeping their car in safe working condition. At any time, for the employee's safety and the safety of our clients, we may ask employees to have their car brought in for a safety inspection. If there is a cost, S<sup>D</sup> will pay for the safety inspection; however, the employee would be responsible for any work on the vehicle that may need to be done in order to bring it up to safety code.

If an employee receives a traffic violation with a client in the car, they are required to report it to their supervisor. It is the responsibility of the employee to give copies of any updated or changes in insurance cards to Human Resources. If the employee should have any change to their driving record, the immediate supervisor must be notified. Failure to do so could result in termination.

## **Inclement Weather**

Each location has their procedure on how to they handle inclement weather. We do our best to keep everyone safe. Staff always has the option to use UPTO if they do not feel safe traveling.

## **Company Property**

S<sup>D</sup> Associates may loan an employee property, materials, or written information to help complete the job responsibilities. Employees are responsible for protecting and controlling any property

that has been loaned. Upon request, employees must also return promptly any loaned property. If terminated, an employee must return all company property immediately. Following are items that may be issued to an employee. Not all employees will receive each and every item and this list is not exhaustive.

- Databases/Server Access
- Laptop Computer
- iPad/iPod
- USB Thumb Drive
- Proprietary forms or programs

If an employee does not return our property and if the law allows, we may take money from their regular or final paycheck to cover the cost. We may also take legal action to retrieve our property.

All work generated by S<sup>D</sup> Associates employees specific to the application of their duties and company assignments is the intellectual property of S<sup>D</sup> Associates.

For technology loans a Technology Agreement will need to be signed for hardware costing over \$100.00.

### **Personnel Records & Access**

The company maintains a general personnel file for each employee. The general file contains the hiring documents: resume, cover letter, application, emergency contact information, salary history, copies of performance appraisals, disciplinary action forms, training records, etc..

In addition to the general personnel file, the company maintains a separate file for form I-9, (Employment Eligibility Verification). All medical information is kept in a separate file and its availability is strictly limited to personnel on a need-to-know basis.

An employee's personal information is to be carefully guarded and disclosure to any unauthorized person will result in disciplinary action, up to and including termination. Employees are responsible for notifying Human Resources in the event of a change of name, address, phone number, and emergency contact information so that records may be kept current. Employees also have the option of updating their personal information and direct deposit information through our payroll company's online portal.

### **III. Ethics & Standard of Conduct**

#### **Workplace Ethics**

S<sup>D</sup> Associates employees are responsible for following the ethical guidance of the BACB. <https://www.bacb.com/ethics-information/ethics-codes/>.

#### **Ethics**

S<sup>D</sup> Associates conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations. We are committed to conducting our business with integrity underlying all relationships, including those with clients, suppliers, communities, and among employees. The highest standards of ethical business conduct are required of our employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the company's honesty, impartiality or reputation or otherwise cause embarrassment to the company. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using their position for private gain;
- Giving preferential treatment to any person or entity;
- Adversely affecting the confidence of the public in the integrity of the company.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy. Regardless of certification or license, all staff who work with clients should be familiar with and uphold the Behavior Analyst Certification Board (BACB) Ethics Code for Registered Behavior Technicians. In addition, any staff in a Behavior Analyst position should uphold the BACB Code of Ethics for Behavior Analysts. Current code information can be found at [www.bacb.com](http://www.bacb.com). S<sup>D</sup> Associates has a designated Ethics Officer who monitors any ethics questions or complaints through the ethics portal on the internal website.

S<sup>D</sup> Associates will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of policies and procedures regarding ethical business conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated.

Our Human Resources Department will provide policy guidance and issuing procedures to assist employees in complying with S<sup>D</sup> Associates norms of ethical business conduct and uncompromising values. This policy constitutes the standards of ethical business conduct required of all employees.

Licensed professional employees with certifications or credentials are required and responsible for keeping their licenses current and giving updated copies of them to Human Resources.

Professional and certified employees including Registered Behavior Technician (RBT) credentialed through the BACB (Behavior Analyst Certification Board) are required to stay current with their certifications and to follow the ethical guidelines. <http://bacb.com/ethics-code/>

Our professional ethical guidelines mandate that we use only evidence-based practices. S<sup>D</sup> Associates only uses evidence-based practices in our treatment plans. Problems arise when teams combine evidence-based practices such as ABA with non-evidence based practices (e.g., sensory integration, supported typing, etc.). It is expected that if a client is currently involved with other therapies, families will let S<sup>D</sup> Associates know. If, during the course of treatment, families contemplate starting other therapies, those intentions will be immediately disclosed to the client's behavior analyst and a discussion about the implications of doing so will occur. Should consumers insist on incorporation of such therapies during treatment hours, S<sup>D</sup> Associates will have no choice but to terminate services.

Please be aware that S<sup>D</sup> Associates' therapeutic scope is limited to behavior analytic treatment alone. We are not able to combine behavior analytic treatment with non-evidence-based approaches (e.g., auditory integration therapy, sensory integration or facilitated communication, also known as supported typing, etc.). Comprehensive information regarding identification of both evidence-based and non-evidence-based practices, and potential harm that may arise from non-evidence-based practices can be found on the websites to follow. Our intent, through this policy, is not to thwart family choice, but rather to facilitate informed decision making.

Association for Science in Autism Treatment (ASAT):  
Information for Professionals and families regarding evidence-based treatment.  
[www.asatonline.org](http://www.asatonline.org)

National Autism Center (NAC):  
Information for professionals and families regarding evidence-based treatment.  
[www.nationalautismcenter.org](http://www.nationalautismcenter.org)

### **Conflict of Interest**

S<sup>D</sup> Associates has guidelines to avoid real or potential conflicts of interest. It is the duty of all employees of S<sup>D</sup> Associates to follow the following guidelines about conflicts of interest. If an employee has questions about what constitutes a conflict of interest, they should contact Human Resources.

When conducting business with another company, employees must work within the guidelines set up and controlled by the management team of S<sup>D</sup> Associates. Business dealings with other companies should not result in unusual gains for an employee or those companies. "Unusual gains" is defined as bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls that will benefit the other company or an employee at S<sup>D</sup> Associates and/or an employee of the other company.

A conflict of interest is defined as when an employee is in a position to influence a decision or have business dealings on behalf of S<sup>D</sup> Associates that might result in personal gain for the employee, for one of the employee's relatives, and/or one of the employee's acquaintances. We do not automatically assume that there is a conflict of interest if an employee has a relationship

with another company. However, if an employee has any influence on transactions involving purchases, contracts, or leases, the employee must tell an officer of S<sup>D</sup> Associates as soon as possible. By telling us that there is the possibility of an actual or potential conflict of interest, we can set up safeguards to protect everyone involved. A possibility for personal gain includes, but is not limited to, situations where an employee or their relative has a significant ownership in a firm with which S<sup>D</sup> Associates does business. Personal gains can also result from situations where an employee, their relative, friend, or acquaintance receives a kickback, bribe, gift, or special consideration because of a transaction or business dealing involving S<sup>D</sup> Associates.

## **Outside Employment**

The company understands that there may be instances where it is necessary for an employee to have a part-time job in addition to their regular full-time position. No employee shall accept or engage in any activity, business, or employment, either during or after working hours that would conflict with the company's interests or diminish the ability of the employee to render to the company the full, loyal, and undivided service which is contemplated in his or her employment by the company. RBT/BI and BCBA's also need to consider their ethical guidelines.

If a company employee wishes to engage in a form of employment outside of the company that is not in direct competition with the company, then that employee can request special approval from the company. The employee's request for an exception to this "outside employment" policy must be made in writing to Human Resources. The company may, however, withhold its consent in its sole discretion.

## **Anti-Nepotism**

The Company prohibits employees who are members of the same family, and employees who are involved in consensual romantic or sexual relationships, in any position in which one such employee has supervisory authority over the other, and or one where they work on the same client program.

For the purposes of this policy, the following definitions shall apply. An employee is a "member of the same family" of another employee if he or she is the other employee's spouse, parent, parent-in-law, child, stepchild, sibling, sibling-in-law, aunt, uncle, niece, nephew, cousin, or grandparent. An employee is "involved in a consensual relationship" with another employee if he or she is co-habiting with the other employee, is the domestic partner of the other employee, is engaged to be married to the other employee, is dating the other employee on a regular basis for more than a short period of time or is otherwise engaged in an intimate relationship with the other employee.

In the event a situation prohibited by this policy arises, the company may, in its sole discretion, take one or all of the following actions: decline to hire an otherwise qualified candidate to avoid creating such a prohibited situation; transfer one or both of the involved employees to a different position; reassign all or part of the job duties of one or both of the involved employees, or terminate the employment of one of the involved employees. This policy does not create any obligation on the part of the company to continue the employment of the involved employees, or to continue their compensation and benefits after such a transfer or reassignment — as at-will employees, the company may terminate employment at any time, for any reason, with or without

cause. It is the responsibility of the employee to inform their supervisor at any time if they are members of the same family of any staff member or find themselves in a consensual romantic or sexual relationship with another employee of the company, so we can address if possible any current issues and future issues if it is shared immediately if possible supervisors can do their best to avoid if possible any potential changes to assignments that could put the employees on the same team and in supervisory roles of one another.

In accordance of the BCBA Ethics, Behavior Analysts do not accept as supervisees or trainees individuals with whom they have had a past romantic or sexual relationship until at least six months after the relationship has ended.

### **Multiple Relationships**

Because multiple relationships may result in a conflict of interest that might harm one or more parties, employees should avoid entering into or creating multiple relationships, including professional, personal, and familial relationships with clients and colleagues. Employees should communicate the risks of multiple relationships to relevant individuals and continually monitor for the development of multiple relationships. If multiple relationships arise, employees should take appropriate steps to resolve them. When immediately resolving a multiple relationship is not possible, employees should develop appropriate safeguards with the help of Human Resources. Human Resources will document all actions taken in this circumstance and the eventual outcomes.

### **Giving and Receiving Gifts**

Because the exchange of gifts can invite conflicts of interest and multiple relationships, employees do not give gifts to or accept gifts from clients, stakeholders, supervisees, or trainees with a monetary value of more than \$10 US dollars (or the equivalent purchasing power in another currency). Employees should make clients and stakeholders aware of this requirement at the onset of the professional relationship. A gift is acceptable if it functions as an infrequent expression of gratitude and does not result in financial benefit to the recipient. Instances of giving or accepting ongoing or cumulative gifts may rise to the level of a violation of this standard if the gifts become a regularly expected source of income or value to the recipient.

### **Unacceptable Violations**

Infractions of the following work rules are deemed to be unacceptable and may result in termination upon the first offense:

- Anyone discovered to have misrepresented or falsified information contained in his or her job application or resume is subject to disciplinary action, up to and including termination;
- Theft of company property or personal property of another employee or client;
- Writing on another employee's time card or permitting someone to complete your time card;
- Falsification of an application or company record;
- Falsification of client data;
- Sleeping while on duty;
- Unauthorized disclosure of confidential information;

- Serious violation of harassment policy;
- Fighting, threatening, bullying or attempting bodily injury to another person on company property or jobsite;
- Deliberately damaging company property or property belonging to a co-worker, client or vendor;
- Failure to wear safety equipment where required;
- Unauthorized use of company time, materials, tools, etc. for personal gain;
- Unauthorized alteration of company machinery or equipment;
- Violation of safety rules, which could result in serious injury to self or others;
- Reporting to work under the influence of drugs and/or alcohol;
- Possession of guns, knives, weapons, explosives, etc. on company property or jobsite;
- Possession of drugs, drug paraphernalia or controlled substances;
- Testing positive for drugs on a company-administered drug test;
- Refusal to cooperate with the investigation of a work-related matter;
- Insubordination;
- Indecent or immoral behavior on company property or jobsite;
- Conviction of a felony;
- Working with S<sup>D</sup> Associates students/clients outside of the scope of the S<sup>D</sup> Associates program.

All employees, during their period of employment with S<sup>D</sup> Associates are prohibited from working with the client/s served by the S<sup>D</sup> Associates programming in which they are employed, outside of the scope of their job with S<sup>D</sup> Associates. This policy is in place largely to protect the clinical interests of students in situations that may arise as a result of employees being given conflicting instructions from other employers (e.g. parents or other agencies) as to how (or whether) treatment plans should be implemented outside of the program and with potentially alternative, inconsistent, inadequate or incompatible supervision. This policy is intended to focus on employees and the clients they serve directly or are part of their treatment team. Employees may work with clients or former clients of S<sup>D</sup> if they are not a current member of the treatment team and haven't been for 6 months and have consulted with their supervisor about the potential implications.

#### Other Violations:

- Horseplay;
- Contributing to unsanitary conditions;
- Leaving work area without permission;
- Failure to provide an acceptable quality of work;
- Repeated tardiness or absence; failure to report to work without satisfactory reason;
- Smoking on any S<sup>D</sup> Associates campus, program site, or in the presence of a client;
- Unauthorized solicitations or posting of materials on company bulletin board;
- Improper operation of any vehicle on company property, while transporting a client anywhere, or improper operation of an S<sup>D</sup> Associates vehicle anywhere;
- Unauthorized use of company telephones, computers, fax machines, or other equipment.

The above lists are not all-inclusive, and the company reserves the right to take corrective action for any behavior it deems inappropriate for the efficient operation of the business. Managers and supervisors will follow the progressive discipline policy for violations of the **Standard of Conduct**.

### **HIPAA (Health Insurance Portability & Accountability Act)**

It is federal law, as well as our company policy, to protect the privacy of our clients from any exposure of their personal information that we collect to anybody that is not involved in the services or treatment we provide. The law spells out for us how to determine what personal information is protected under this law. This information is called “Protected Health Information” referred to from here on as “PHI”. There are many identifiers for what constitutes PHI (Refer to our website or our PHI Documents, which are posted at all of our office locations for a thorough explanation of PHI identifiers). The basic principle is that any piece of information that can identify our clients to anybody that is not involved in their treatment for our company is considered PHI. Failure to uphold and comply with applicable rules and regulations as indicated by the BACB ethical code and S<sup>D</sup> Associates procedures for data storage, transporting, retaining and destroying.

HIPAA policies are broad, but all have simple principles to follow:

- When in conversations we use client numbers where possible to avoid people overhearing names.
- We do not distribute documents electronically or physically that have names, pictures, addresses, SS numbers, medical records (BSPs, FBAs), phone numbers or any other of PHI identifiers to any person/party that is not in our organization or does not have a “Business Associates Agreement”, unless we have the written authorization of the client or guardian for said document dissemination.
- Electronic Information (“Data”) that contains PHI that we create or collect for purposes of client treatment shall be kept on physically protected and encrypted drives (our 'S<sup>D</sup> Server') or encrypted data storage devices (e.g., encrypted USB drives). It shall also be protected by a password of significant strength (with 2 layers of authentication). Any device accessing PHI shall be password-locked when unattended and have an auto sleep feature enabled.
- Electronic transmissions (email, fax or any other digital delivery method) of PHI without written consent shall be only transmitted on encrypted channels (e.g., VPN, GnuPG two encryption, HTTPS website protocols) to parties associated with the treatment of our clients. Internal electronic transmission (staff to staff) shall only be transmitted through (and stored on) our HIPAA-compliant platform(s) (our 'S<sup>D</sup> Server').
- No PHI is to be sent in regular email, including emails to other company employees or any other email addresses unless we have written consent.
- No PHI can be sent in text messages, social media, or via other mobile applications on ANY mobile device (phone/tablet) to other company employees or any other recipient unless we have written consent. Any PHI (photos, names, etc.) that has been received on a mobile device you are using must be deleted immediately or moved to



- an encryption device (such as the S<sup>D</sup> Server) and THEN immediately deleted... after we use it for the purpose that it was sent for. The key here is: do not "store" PHI on your phone. You must also empty your 'deleted photos' or 'trash' on most devices.
- Any device used to discuss any company business or clients (phone, tablet, USB drive, external hard drive, computer, etc.) whether it was issued by the company or a staff member's personal device must be password protected, physically safeguarded and cared for as to not have it left in a position or place that lends the device to be exposed (whether it be hands-on exposure or seen/heard while passing by) to other parties not associated with our clients' treatment. Furthermore, every email you send must include a confidentiality notice (please see your supervisor or IT for this). Please note: there are 3 different methods of sending company email: Zoho mobile app, computer program Thunderbird, or web-based email through Firefox... each of which require testing to ensure your confidentiality notice signature is setup properly (please send a new test email from each of the sending platforms you use). Contact IT if you need assistance with this.
  - If a HIPAA breach/violation is suspected, please submit the HIPAA Complaint Form (under the 'misc' tab) on the employee website to notify the HIPAA Officer(s). This form does not require you to enter any identifying information (it may be submitted anonymously).

## **Confidentiality**

Information regarded as confidential, including payroll, financial information, client lists, price lists and other information, should be handled carefully. Supervisors should instruct their staff coming in contact with this information as to what is confidential and should require that staff write "Personal & Confidential" on such materials on the outside of any envelopes and correspondence. Employees should be instructed, regarding receipt of materials marked "Personal & Confidential" that these materials should be left sealed and should only be opened by the individual to whom they are addressed.

Confidential information regarding the company or the clients we serve should in no way be divulged verbally, in written correspondence or e-mail. Failure to abide by this policy will result in disciplinary action, up to and including termination. S<sup>D</sup> Associates employees will maintain the confidentiality/privacy of all students in the classroom/s and/or programs to which they may be assigned. An employee may not share any information or discuss any aspect of a client's behavior, conduct, learning, personal traits, identity, or any other information which might personally identify a student, outside of other program staff and designated school staff, either verbally or in writing. Failure to maintain client confidentiality may result in termination without additional warnings

All confidential breaches can be reported anonymously to the HIPAA officer or Ethics officer depending on the type of breach. On the employee website you can find a link to the officer's contact. Human resources can be of support to any staff with questions or concerns around confidentiality behavior.

## **Non-Disclosure**

It is very important to S<sup>D</sup> Associates that we protect our confidential and/or proprietary business information and trade secrets. Confidential or proprietary information includes, but is not limited to, the following: names of clients, their data, programs developed by S<sup>D</sup> Associates, compensation and payroll data. All employees will be asked to sign a confidentiality agreement. If an employee improperly uses or discloses a trade secret, confidential information, or proprietary business information, they will be subject to disciplinary action, up to and including termination of employment with potential legal action.

All staff are required to sign a Non-Disclosure/ Non-Solicitation agreement which, in addition to the confidentiality criteria mentioned above, specifies protection of S<sup>D</sup> intellectual property, and requests that, upon termination of employment, former licensed staff refrain from directly recruiting current staff for a period of 2 years.

## **Mandated Reporters of Child Abuse/Neglect**

As an employee of S<sup>D</sup> Associates, you work in a profession that the State of Vermont identifies as “mandated reporter”. This means that once you suspect a child may have been abused or neglected, you are required by law to report your suspicions to the Department for Children and Families within 24 hours by calling the 24-hour child protection hotline at 1-800-649-5285. <http://dcf.vermont.gov/sites/dcf/files/FSD/Policies/50.pdf>

Employees should avoid situations where abuse or allegations of abuse could result. Guidance in this area includes behaving in ways that you would be comfortable with anyone observing. Where it makes sense doors to classrooms and instructional spaces should remain open and or windows left uncovered.

## **Mandated Reporters of Adult Abuse/Neglect**

Please refer to the following Adult Protective Services for definitions of reporting adult abuse and neglect: <https://dlp.vermont.gov/aps>

## **Substance-Free Workplace**

S<sup>D</sup> Associates is committed to ensuring a substance-free and safe workplace. Our employees must be physically and mentally fit to perform their duties in a safe and efficient manner. Therefore, no employee shall work or report to work while under the influence of alcohol, recreational drugs, legal or illegal, or any substance that would affect their ability to perform their job in a safe and efficient manner, including prescription medication. No employee shall consume, display, or have in their possession, including the workplace or in company vehicles, alcoholic beverages or recreational drugs at any time during the workday, including during lunch, breaks, and on-call hours. To do so could jeopardize the safety of other employees, company equipment, and the company’s relations with the public, and constitutes a prime cause for disciplinary action, up to and including immediate termination. The exception to this rule is when a Director at a company social function or other business activities, authorizes consumption of alcoholic beverages.

Should an employee need to take prescription medication during their regularly scheduled shift, it is the employee's responsibility to safely store the medication out of reach of the clients. Failure to do so could jeopardize the safety of the client and/or other members of the community.

When employees are required to take any kind of prescription or nonprescription medication that may potentially affect their job performance, they are required to report this to HR. HR will then determine if it is necessary to temporarily place them on another assignment or take other appropriate action. To protect the best interests of employees and the public, the company will take whatever measures are necessary to determine if alcohol or recreational drugs (legal or illegal) are located on or are being used on company property. Measures that may be used will include, but not be limited to, searches of people and/or personal property located on company premises (which may be conducted by law enforcement authorities or by management), as well as drug and /or alcohol tests to be conducted when there is reasonable suspicion of substance abuse. When urinalysis and/or blood tests are requested or necessary, samples will be taken under the supervision of an appropriate health-care professional.

The above-mentioned searches and drug tests will not be conducted if an individual refuses to submit; however, refusal to submit will result in immediate removal from service and may result in termination.

Employees experiencing problems with alcohol or other drugs are urged to voluntarily seek assistance to resolve such problems before they become serious enough to require management referral or disciplinary action (see EAP benefit). If an employee has questions regarding this policy or issues related to drug or alcohol use at work, they can raise their concerns with their immediate supervisor or Human Resources without fear of reprisal. Under the Drug Free Workplace Act, if an employee performs work for a government contract or grant, that employee must notify S<sup>D</sup> Associates if they have a criminal conviction for drug-related activity that happened at work. The employee must make the report within five days of the conviction.

### **Attendance/Punctuality**

We expect S<sup>D</sup> Associates employees to be reliable and punctual. Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. Employees should report for work on time and as scheduled. If an employee cannot come to work, or will be late for any reason, they must follow their specific call out procedure.

### **Dress Code**

Employees who engage in work that puts them in a position where they meet the public are expected to present a professional appearance. This means good personal grooming habits and the proper attire for their position with S<sup>D</sup> Associates.

Employees will refrain from wearing large dangling earrings or other jewelry, including necklaces, bracelets, rings which protrude from the finger, or other items that could cause injury to a student or to the employee. Ear and facial jewelry should be limited to small studs. Footwear should consist of athletic shoes or other shoes that provide reasonable traction and ankle support for balance. No high heeled (more than ½ inch) boots or shoes, spikes, flip-flops open-toed, or

open- backed shoes will be allowed. Employees are asked to refrain from the use of excessive make-up, strongly fragranced personal hygiene products, perfumes and colognes.

Fingernails must be kept short enough to not leave an impression on the skin.

When working in public school venues, employees will observe building dress codes, customs and norms to the degree practical/possible, given the unique requirements of their job assignment and duties.

Certain situations may require more or less stringent attire. These criteria will be given in writing by the employee's supervisor.

Whenever an employee is with a client (e.g., providing direct service, observing a client, being the BA on-call) it is mandatory that they follow this dress code.

When not working directly with clients, more professional attire is encouraged.

### **Computers, Internet, Email, and Other Resources**

S<sup>D</sup> Associates provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, e-mail, or any other company-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of company computer, phone, or other communication tools. All communications made using company-provided equipment or services including email and Internet activity, are subject to inspection by the company.

Employees should be aware that even if they delete an email, voicemail or other communication, a copy may be archived on the company's systems.

Employee use of company-provided communication systems, including personal e-mail and internet use, that are not job-related have the potential to drain, rather than enhance, productivity and system performance. Employees should also be aware that information transmitted through email and the internet is not completely secure or may contain viruses or malware. Thus, information they transmit and receive could damage the company's systems as well as the reputation and/or competitiveness of the company. To protect against possible problems, employees should delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against company policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on company computers. Violations of this policy may result in termination for a first offense.

Each employee loaned a computer by S<sup>D</sup> will need to sign a S<sup>D</sup> Technology Agreement form and adhere to Information and Security Policies that will be updated on the employee website as they are added to or changed.

## **Cell Phone Usage**

*When on direct service with a client:*

Use is only permitted as described in the Program Quick Reference Sheet for clinical, procedural and safety purposes. Each location has a phone number where all staff can be reached. If staff are working remotely, we have access to school and home numbers for emergencies.

*When on non-direct service without a client:*

When not working with a client or performing administrative work, the employee's cell phone should be kept in the employee's bag, pocket, or otherwise out of sight. If there is an exception to this policy because of the employee's specific job duties, it is the employee's responsibility to get approval of cell phone use from their supervisor who will document the approval in the employee's personnel file.

S<sup>D</sup> is not responsible for any loss or damage done to your personal phone while at work. If you choose to have it with you at the work-site it is your responsibility to keep it safe.

Staff are not to use S<sup>D</sup> Wi-Fi for the use of their personal devices. A cell phone reimbursement is given to cover cost of the use of your phone to access schedules, Paychex and communication.

## **Social Networking**

S<sup>D</sup> Associates recognizes that social media venues in their many growing forms are an integral part of doing business today. The proper professional role of social networking is to convey information about the company, its products and services, search for possible new markets and discuss company activities and events. Only persons authorized to do so may prepare or modify content for the company's official website(s) and/or blogs.

The lines between professional and personal use are frequently blurred and, as such, raise high levels of risk for disclosing protected health information (PHI). Employees who wish to maintain a professional identity on social media should fully separate their personal and professional identities (e.g., maintain a LinkedIn account for professional presence and separate Facebook pages for personal and professional expression).

For professional posting that identifies an employee as an S<sup>D</sup> Associate, employees are expected to comply with the following guidelines:

- Identify themselves by name and position in the company.
- Unless sharing previously posted material, written approval to publish copyrighted information must be obtained in advance. If an employee is using information provided by another person, they must have permission to use it and acknowledge the author's contribution.
- Maintain the highest level of professionalism. Be respectful to all: the company, co-workers, clients and competitors. Remember employees represent the company and will be held responsible for their posts.
- Do not disclose any confidential information about the company (business practices, procedural clinical information, contractual information, etc.) and/or its clients' personal health information (PHI).

- Check their facts before they publish. Honesty is imperative as information can be verified quickly on the internet. False statements will damage both the employee's credibility and that of the company.
- Promptly correct mistakes to avoid misunderstanding and misrepresentation of their position by others.
- Information published on the internet becomes part of a permanent record. Exercise good judgment and common sense. If in doubt, don't post until it can be cleared through the appropriate channels. All social networking activities must be in compliance with the company's policy on electronic communication.
- An employee making negative characterizations about S<sup>D</sup> Associates through social media will be subject to disciplinary action.

### **Email Communication/CLIQ**

Communication to employees is often done through email and/or Cliq. Employees will be expected to be responsible for information shared by S<sup>D</sup> staff with them through their S<sup>D</sup>-provided email address and/or Cliq announcements. It is expected that all email information shared within a workday will be read that day. Information shared after the end of the workday is expected to be read by noon the following workday.

## **IV. Workplace Safety**

The Occupational Safety and Health Act (OSHA) requires all employers to provide a safe and healthful workplace for their employees. Thus it is important that adequate policies and procedures be developed and followed to ensure safe, efficient operating conditions, thereby safeguarding employees and facilities. Our company will not knowingly permit unsafe conditions to exist, nor will it permit employees to indulge in unsafe acts. Violations of company rules and regulations will result in disciplinary action. The company believes that a meaningful program can best ensure the safety of employees and physical property.

Since the employee on the job is frequently more aware of unsafe conditions than others, employees are encouraged to make recommendations and/or suggestions regarding unsafe conditions to their immediate supervisor and Human Resources so that they may be corrected.

Supervisors are responsible for the working conditions within their department. A supervisor should remain alert at all times to dangerous and unsafe conditions, so that they may recommend corrective action, discipline employees who create or indulge in unsafe practices, assess new or changed situations for inherent dangers, and follow up on employee suggestions for corrective action so that unsafe conditions are not instituted or permitted to continue.

### **Occupational Exposure to Bloodborne Pathogens**

S<sup>D</sup> Associates is committed to providing a safe and healthful work environment for our entire staff. In pursuit of this goal, a bloodborne pathogens exposure control plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29. Please contact Human Resources if you wish to see a copy of this plan. In addition, First Aid kits and eye washing stations are available for all employees in kitchen areas.

### **Universal Precautions**

All employees will receive our Universal Precautions Training. Our preventive all-staff training and mitigation strategies can be found on our website at [sdplus.org](http://sdplus.org).

S<sup>D</sup> Associates have adopted reasonable preventative health measures and standards of behavior to enhance work place safety. Everyone will be required to observe the protocols. Unfortunately, despite our best efforts, safety protocols cannot ensure that infection will never occur. Attendance and/or participation in activities may increase your risk and/or the student's risk of contracting contagious illness. ASSUMPTION OF RISK: By signing this policy you have read and understood the above warning concerning contagious illness and choose to accept the risk of contracting contagious illness and you agree to: I hereby forever release and waive my right to bring suit against S<sup>D</sup> Associates and their employees, directors, agents, administrators or other representatives in connection with exposure, infection, and/or spread of contagious illness. I understand that this waiver means I give up my right to sue for personal injuries, disease, death, or property losses, or any other loss related to contagious illness.

To minimize the spread of contagious illnesses each location has their own sick policy that can be found on our website.

## **CPR & First Aid**

All employees will be trained in First Aid every two years and CPR every year through an online program ICPRI (International CPR Institute) and will be enrolled by S<sup>D</sup> Associates. It is the employee's responsibility to keep their certification up to date by providing certificate of completion to Human Resources.

## **Workplace Violence**

S<sup>D</sup> Associates will not tolerate workplace violence. Any employee who commits an act of violence at work against a person or any property will face disciplinary action up to and including immediate termination. If circumstances warrant, the matter will be referred to legal authorities for prosecution. Workplace violence is violence against an employee(s) and is committed by an employee or persons who either have an employment-related connection with the company or are outsiders, and any or all of the following:

- Physical acts against persons or employer property;
- Verbal threats or vicious statements, which cause alarm, harm or a hostile environment;
- Written threats, vicious cartoons or notes, and other written material that is intended to threaten or create a hostile environment;
- Visual acts which are threatening, alarming or intended to convey hostility or the potential for future harm.

All employees are expected to report any act of violence. Employees should bring their concern directly to the attention of their immediate supervisor. All such reports shall be fully investigated. Any employee who takes any retaliatory action against a person who reports any act of violence or a suspicion of violence shall be subject to immediate discipline, up to and including termination.

## **Workplace Harassment**

We expect every person at S<sup>D</sup> Associates to be treated with fairness, respect, and dignity. This includes clients and vendors as well as employees. Accordingly, any form of harassment based on an individual's race, color, sex, religion, sexual orientation, national origin, age or disability is a violation of this policy and will be treated as a disciplinary matter. The term harassment includes slurs and any other offensive or inappropriate remarks, jokes, graphic material, or other offensive verbal, written, or physical conduct. Unwelcome sexual advances, requests for sexual favors, and any other unwelcome, unbecoming verbal or physical conduct will not be tolerated.

S<sup>D</sup> Associates is committed to maintaining a safe and healthy work environment and takes all appropriate health and safety precautions consistent with current medical knowledge. Employees may not refuse to work with, cooperate with, withhold services from, or otherwise harass, intimidate, degrade or isolate a coworker because of a known or suspected disability or disease, or because of a coworker's association with a person with a disability or disease. Any employee who believes that he or she has been the subject of harassment shall immediately report the conduct to Human Resources. The company will promptly investigate all complaints and will endeavor to handle these matters expeditiously, confidentially, and in a professional manner so as to protect the offended individual and other individuals providing relevant information. Upon



completion of a thorough investigation by Human Resources, prompt and appropriate action will be taken.

There will be no retaliation against anyone for stepping forward with a concern regarding any type of harassment. All employees are to cooperate with any investigation into a harassment complaint. False accusations of harassment cause harm to innocent people and such conduct will not be tolerated. The company will take all steps necessary to prevent any form of harassment from occurring. All supervisors and managers are informed of this policy and have been instructed as to what constitutes proper and improper behavior. We are prepared to promptly take steps necessary to enforce this policy. Violations of the company's harassment policy will result in disciplinary action, up to and including termination.

All employees will be expected to complete a yearly workplace harassment training.

### **Workplace Bullying**

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives that we will not *in any instance* tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination. Bullying is defined as repeated, health-harming mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- Threatening, humiliating or intimidating behaviors;
- Work interference/sabotage that prevents work from getting done;
- Verbal abuse.

#### **Examples include:**

S<sup>D</sup> considers the following types of behavior examples of bullying:

- **Verbal bullying.** Slandering, ridiculing or maligning a person or his or her family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying.** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Gesture bullying.** Nonverbal gestures that can convey threatening messages.
- **Exclusion.** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express himself or herself (e.g., ignoring or interrupting).

- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying should report this to their supervisor or to Human Resources before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow S<sup>D</sup> Associates to take appropriate action.

### **Non-Smoking Policy**

It is the policy of S<sup>D</sup> Associates to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette, e-cigarette or pipe of any kind". To that, S<sup>D</sup> adds vaping. Smoking or vaping cannot occur on or close to the school programs property, any worksite, or in the presence of any client regardless of location. Employees who violate this smoking policy will be subject to disciplinary action up to and including immediate discharge. If you have any questions regarding our Non-Smoking Policy, please contact Human Resources.

## **Restraint and Seclusion Program**

All employees who work directly with clients, including those who supervise direct service employees and work in venues in direct contact with clients are trained in Restraint and Seclusion Program as well as techniques that may be specific to a client assignment. Acquisition and mastery of these skills is a job requirement. Employees will follow all rules, regulations and reporting procedures as required by our ethics and the agencies we work with.

Employees upon hire and recertification maybe asked to get an outside physical evaluation if there is a belief that the employee may not be able to physically keep themselves or clients safe.

## **VI. Work Day and Pay**

### **Scope of the Program Year**

Employment at S<sup>D</sup> is year-round. Employees should anticipate working a 52 week year, minus unplanned time off, planned time off, paid holidays, and company closures unless otherwise specified. S<sup>D</sup> Associates' workweek is Sunday through Saturday for each location. See employee website for location specific calendars.

### **Workday**

The workday is set by the each program and can vary. Please see supervisor for more specifics.

### **Assignments**

New employees will be given a training schedule upon hire. Schedules are subject to change and may be amended as necessary or as determined by the program supervisor, consulting behavior analyst or S<sup>D</sup> Associates' owner/agent. Assignments can be changed to match client and/or staff skills at the sole discretion of S<sup>D</sup> Associates.

### **Time Keeping**

Every employee must accurately record time worked. Falsification of time records is grounds for immediate termination. Federal and state laws require S<sup>D</sup> Associates to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Non-Exempt employees must accurately record the time they begin and end their work, and clock in and out for non-work shifts. They must also record the beginning and end time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed if not scheduled. Altering, falsifying, tampering with time records, or recording time on another employee's time record will result in disciplinary action, up to and including termination of employment. If corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record. "Time worked" is defined as all the time non-exempt staff spends performing assigned duties.

Employees have an option to verify their timecard through Paychex. If the employee does not approve their timecard, they will either be paid by the punches that they have made with their supervisor approving it or paid based off of their schedule for any shifts missing. We encourage all employees to approve their timecards by the end of each pay period. Please see payroll calendar for designated days to approve timecards.

Non-Exempt hourly employees will be paid on an hourly basis. Employees will sign in and out of the program upon arriving and leaving each day. Additional work time must be pre-approved by your supervisor.

### **Overtime**

Overtime is not typically scheduled. When overtime work is necessary, equal opportunity for participation will be given among the employees who are capable and trained for performing the work to be done.

There will be no partiality shown to any employee in the distribution of overtime. As a condition of employment, an employee is expected to work overtime and, on any shift, when assigned by their immediate supervisor. In the event an employee has a justifiable excuse and is unable to work overtime, they should notify their immediate supervisor so that another employee may be selected. A supervisor must approve all overtime requests in advance. Overtime will be paid to non-exempt hourly and salaried employees for those hours worked over and above forty hours in a workweek at the rate of time and a half of regular base rate (PTO hours are not considered “hours worked”).

No employees will be asked or required to take time off from their regular work schedule due to their having worked overtime. Because of the nature of the job, an employee’s schedule can change at the discretion of the company.

### **Nursing Mothers in the Workplace**

S<sup>D</sup> Associates complies with the Vermont Department of Labor “Vermont Workplaces Support Nursing Moms” law. We provide up to 2 – 30 minute pumping sessions paid. Any additional time needed to pump will be unpaid but accommodated. Please reach out to Human Resources if you have any additional questions.

[https://labor.vermont.gov/sites/labor/files/doc\\_library/Nursing\\_mothers\\_webfactsheet08.pdf](https://labor.vermont.gov/sites/labor/files/doc_library/Nursing_mothers_webfactsheet08.pdf)

### **Non-Exempt Salary**

Employees that are non-exempt salary means they are getting a consistent salary that meets the federal and state wage requirements while still tracking hours worked, as they will be paid hourly for any time worked over 40 hours per week. The expectation is they are scheduled for 40 hour work week and reflected in their schedule online and readily up to date.

### **Exempt Salary**

Exempt employees are not granted the protections of the FLSA and are therefore not entitled to overtime pay and have specific job duties that fall in one of the three main categories: executive, professional or administrative. These employees are paid a salaried amount, which is the same per pay period. Time worked does not need to be recorded, but employees have to follow their program specific procedures for the workday. Employees that have billable hours must track their hours and have their schedules available and up to date for their supervisor at all times.

### **Salary Administration**

The salary administration program at S<sup>D</sup> Associates helps us have consistent pay practices, comply with federal and state laws, support our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. We are committed to paying equitable wages that are based on the requirements and responsibilities of each job and that are comparable to the wages paid to employees in similar jobs in other organizations in the area. If you have a question about compensation in your area or for your job, please reach out to Human Resources.

### **Social Security**

The payment for Social Security and Medicare Benefits is made by the employee and S<sup>D</sup> Associates. The company matches contributions to Social Security and Medicare and thereby

pays one-half of the cost of Retirement and Medicare Benefits under the Social Security Act. Social Security provides a variety of benefits, including retirement income, death benefits, disability benefits and monthly income for certain dependent survivors of covered employees. For additional information regarding Social Security eligibility and benefits, go to [www.socialsecurity.gov](http://www.socialsecurity.gov).

## **Unemployment Insurance**

The company pays the entire cost of unemployment insurance. This insurance provides a weekly income for those who may be laid off or who may have lost their job through no fault of their own. The amount of this income varies with the individual and state in which they reside or work because it is based on average earnings. Applicable state law specifies eligibility requirements and the amount of benefits that employees may receive.

## **Workers' Compensation Insurance**

It is our goal to prevent work-related injuries from happening. We are always concerned when one of our employees is injured or falls ill due to a work-related condition. We believe that such absences cost both S<sup>D</sup> Associates and our employees. We want our injured employees to get the best possible medical treatment immediately to ensure the earliest possible recovery and return to work.

S<sup>D</sup> Associates has a workers' compensation program available for employees who have suffered work-related injuries. The program's administrator will determine, based upon their guidelines, whether employees are eligible for wage loss or medical expenses under that program.

S<sup>D</sup> Associates wants to provide meaningful work activity for all employees who become unable to perform all, or portions, of their regular work assignment. Thus, we have implemented a Return to Work program, which includes transitional or light duty work. The Return to Work program is temporary, not to exceed six months.

Employees are provided Workers' Compensation coverage from the day they begin work. The company pays the entire cost of this coverage. Employees are covered by Workers' Compensation if they are incapacitated by injury or illness arising out of their employment. Employees must immediately report all accidents to Human Resources, the behavior analyst on call, and their supervisor, regardless of how minor the accident, and fill out a staff injury form. If a work-related injury requires medical attention by a physician or any other medical facility that produces a bill, Human Resources must make a claim the same day. If the injury causes the person to be away from work beyond three days, this injury must be reported to the state Workers' Compensation Division. The employee's supervisor is responsible for submitting a copy of the staff injury form to Human Resources and they will submit it to the state office. Except in emergency situations, employees must report the injury to their supervisor before seeking medical treatment, in order to be covered under the Workers' Compensation Insurance. Employees are entitled to use physicians of their own choosing to treat work related injuries after their first visit that is designated by the employer. Employees will not be eligible for regular compensation or vacation or holiday pay in addition to any Workers' Compensation received.

All employees are covered by professional and general liability insurance and workers' compensation provided by S<sup>D</sup> Associates when on duty and operating within the scope of their assignments.

If an employee experiences a work-related injury they must report the injury to Human Resources and their supervisor within 12 hours of the time the injury occurred. There is a state requirement that the injury be reported to the carrier within 72 hours. Please report any and all injuries in question. Refer to S<sup>D</sup> procedures for more information.

## **Paydays**

Hourly and salaried employees are paid semi-monthly. All employees are paid based on the pay period calendar which is available on the employee website. Direct deposit is available, and employees are encouraged to utilize this service.

## **Payroll Deductions**

The company is required by law to deduct Federal and State Withholding Tax (where applicable) from your paycheck. An employee's earnings and the number of dependents they claim determine the amount of tax. At year-end all employees will receive a W2 form showing total earnings and the amount of taxes withheld. Deductions for Social Security at the rate established by law are deducted from the employee's paycheck. The company matches contributions to the Social Security tax. Other deductions may include premiums for health, dental, or vision insurance, health savings plan, 401(k)s, Liberty Mutual auto insurance, garnishments, etc. If an employee believes that there has been an error in pay, they should contact Human Resources.

## **On-Call**

FLSA regarding on-call time: An employee who is required to remain on call on the employer's premises is working while "on call". Therefore, those hours are considered worked hours and the employee is compensated for them. These hours are part of the total hours worked for the week in regarding the calculation of overtime for non-exempt employees.

An employee who is required as part of their job responsibilities to remain "on call" at home or not at the work site, is not considered working. Therefore, those hours are not considered work hours and are not compensated. The time taking the call can be recorded as time worked and compensated for non-exempt employees.

## **Cell Phone Reimbursement**

All full time employees receive \$10.50 per pay period for cell phone reimbursement. This reimbursement ensures that staff are compensated for using your cell phone data for certain aspects of your job, although it is not required and all platforms can be assessed by the web, and company computers are available for use if and when needed. Access to company WiFi on your personal devices is not permitted.

## **Final Paycheck**

The company follows state regulations regarding deadlines for employees to receive their final paycheck.

An employee who voluntarily leaves employment shall be paid on the last regular payday, or if there is no regular payday, on the following Friday. An employee who is terminated shall be paid within 72 hours of the termination.



## **VII. Types of Leave**

### **Family and Medical Leave Act\***

S<sup>D</sup> Associates complies with the federal Family and Medical Leave Act (FMLA) and will comply with the requirements of the act. Under the provisions of the FMLA, eligible employees are entitled to take a leave for the following reasons:

#### Parental Leave:

- Birth of a child or in order to care for a child (must be taken within twelve months of the birth);
- The adoption or foster care of a child (must be taken within twelve months of the adoption or placement in foster care).

#### Medical Leave:

- The need to care for an employee's spouse, son\*, daughter\*, or parent who has a serious health condition;
- or-
- The employee's own serious health condition.

\*Children must be either under the age of eighteen, or if older they must be "incapable of self-care" because of a mental or physical disability.

**Criteria:** The employee must have been employed with the company for 12 months. The employee must have worked at least 1,250 hours during the 12 months prior to the start of FMLA leave. The employee is required to give reasonable written notice of intent to take family or medical leave, including the anticipated dates that the leave will start and end.

An employee is entitled to a total of twelve weeks of FMLA-covered leave within a rolling twelve-month period, measured backward from the date of the most recent request for a covered leave of absence. This means that each time an employee requests a leave under the provisions of this policy, the available time for a leave of absence will be the balance of the total twelve weeks that has not been used during the twelve-month period immediately preceding the commencement of leave.

Employees on approved FMLA leave must use all of their accrued PTO and FMLA time to supplement their leave before going unpaid. During your leave, you will receive pay for your location's paid closures. The company and employee may mutually agree to supplement workers' compensation or other disability benefits with any other form of paid time off benefits the employee may be entitled to, if state law permits.

An employee away from work due to FMLA leave may continue medical insurance coverage while on leave by timely payment of their portion of the monthly insurance premium on the same day such payment would be required if payment were made by payroll deduction. Where the need for family leave of absence is foreseeable, the employee will be asked to sign an agreement before the leave of absence begins that: discloses the amount that the employee must remit on a timely basis to retain the coverage, and indicates that the employee understands their insurance

premium payment obligations. If the FMLA leave is not foreseeable, this agreement must be signed as soon as possible after the leave begins. An employee's failure to pay premiums within thirty days of the due date for such premiums will result in the loss of their insurance coverage. If an employee does not return to work at the end of an approved FMLA leave, they may be required to repay the company for the insurance premiums it paid.

To learn more about eligibility, notice requirements, certification of the need for leave, intermittent leave, or spouse aggregation please visit the federal website:  
<https://www.dol.gov/agencies/whd/fmla/faq>

FMLA will be documented in Paychex by the employer.

### **Short-Term Family Leave\***

Employees are entitled to short-term leave of up to 4 hours in any 30-day period (but not more than 24 hours in any 12-month period) of unpaid leave. This short-term family leave is available for employees to participate in preschool or school activities directly related to the academic advancement of the worker's child, stepchild, foster child, or ward who lives with the worker; to attend or to accompany the worker's child, stepchild, foster child, or ward who lives with the worker or the worker's parent, spouse, or parent in-law to routine medical or dental appointments; to accompany the worker's parent, spouse, or parent in-law to other appointments for professional services related to their care and well-being; to respond to a medical emergency involving the employee's child, stepchild, foster child or ward who lives with the worker or the employee's parent, spouse or parent in-law.

The employee is required to give reasonable written notice of intent to take family or medical leave, including the anticipated dates that the leave will start and end. For short-term family leave, the employee must give notice as early as possible - at least seven days before the leave is needed to be taken - unless waiting seven days could have a significant adverse impact on the employee's family member. Employees are welcome to use PTO for this time, but it is not mandatory. Exempt employees may be able to have this leave paid, with approval of their supervisor. This needs to be requested by the employee through their supervisor and Human Resources.

For more information visit: Parental, Family Leave - Vermont Department of Labor.

[https://labor.vermont.gov/sites/labor/files/doc\\_library/Parental%20and%20Family%20Leave%20Poster.pdf](https://labor.vermont.gov/sites/labor/files/doc_library/Parental%20and%20Family%20Leave%20Poster.pdf)

### **Pregnancy Leave\***

If a pregnant employee is temporarily unable to perform her job because of pregnancy she will be treated the same as any other temporarily disabled employee. Pregnant employees are permitted to work as long as they are able to perform their jobs. If an employee has been absent from work as a result of a pregnancy related condition and recovers, she will be able to return to work. We will hold the position open for a pregnancy-related absence the same lengths of time jobs are held open for employees on sick or disability leave.

### **Pregnancy Leave Return\***

The employee's supervisor and Human Resources will have a meeting with the employee returning from FMLA within four weeks of their return date to talk about their return. Based on company need a fade back plan to full time status can be designed with Human Resources and employee and discuss at your return check in.

### **Military Leave\***

S<sup>D</sup> Associates will grant a military leave of absence if an employee is absent from work because they are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees must give the Human Resources Department advance notice of upcoming military service, unless military necessity prevents advance notice, or it is otherwise impossible or unreasonable. Employees will not be paid for military leave. However, employees may use any available accrued PTO to help pay for the leave. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which employees are otherwise eligible. If an employee is on military leave for up to 30 days, they must return to work on the first regularly scheduled work period after their service ends (allowing for reasonable travel time). If an employee is on military leave for more than 30 days, they must apply for reinstatement in accordance with USERRA and applicable state laws. When an employee returns from military leave (depending on the length of the military service in accordance with USERRA), they will be placed either in the position they would have attained if they had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, an employee will be treated as if she/he had been continuously employed. Questions about military leave should be directed to Human Resources.

### **Military Family Leave\***

Our company complies with the Military Family Leave entitlements under the Family and Medical Leave Act (FMLA). Eligibility requirements are identical to those required under FMLA: employees must have completed twelve months of employment; employment need not be consecutive; however employment prior to a continuous break in service of 7 years or more will not be counted unless the break is due to employee's fulfillment of military obligations; employee must have worked for 1,250 hours over the previous 12 months; employer must have 50 employees within 75 miles.

For more information regarding Military Family Leave, please visit the federal website: Military Family Leave.

[https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/FMLA\\_Military\\_Guide\\_ENGLISH.pdf](https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/FMLA_Military_Guide_ENGLISH.pdf)

*\*For all of the above leaves, PTO is still accrued during the leave. Insurance benefits can continue with the understanding that the employee is responsible for paying their deductions.*

## **Professional Leave**

S<sup>D</sup> Associates offers professional leave to all employees that can be requested through Human Resources for continuing education.

## **Leave of Absence**

In an effort to recognize the need of employees who require time off in addition to other types of leave, S<sup>D</sup> Associates may consider an unpaid personal leave of absence. All regular employees employed by S<sup>D</sup> Associates for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism, and client/program needs will all be considered before a request is approved.

## **Jury Duty**

S<sup>D</sup> Associates encourages its employees to fulfill civic responsibilities by serving jury duty when required. If an employee receives a jury duty summons, it should be shown to the immediate supervisor as soon as possible so that arrangements can be made to accommodate possible absence from work.

Employees may not be terminated or penalized because of jury duty service. The company will not pay the regular wages, however the employee may keep any fees received from the court for jury duty.

## **VIII. Employee Benefits**

### **Unplanned Time Off (UPTO) / Sick Time**

Employees are allotted Unplanned Time Off to use for events that cannot plan for such as sickness or last minute emergencies. Any time off that occurs after your monthly schedule is out is considered unplanned. Due to the nature of our business, often unplanned time off can be very disruptive to the clients and programs. It is understood that there are some situations that cannot be avoided and, therefore, employees will have a separate bank for UPTO. These employees will be allotted 6 days a year of UPTO at the beginning of the calendar year. These hours are allotted at the beginning of the year but accrued and earned at 4 hours per month. A prorated amount for those that begin employment during the year will be allotted upon start date.

### **Unplanned Time Off Guidelines**

UPTO can be used in 4-hour or 8-hour increments. Any unused UPTO at the end of the calendar year can be converted to PTO 100% or to FMLA at 125%. Upon departure from the company, any time used but not accrued/earned will have to be paid back to the company. Employees will also be paid any accrued/earned time that was not used on their final paycheck. It is the employee's responsibility to keep track of their usage. It is expected that staff use no more than 48 hours of UPTO in a calendar year. If this is not possible because of an extraordinary circumstance PTO can be converted to UPTO by providing documentation to Human Resources.

### **Planned Time Off (PTO)**

S<sup>D</sup> Associates provides Planned Time Off to all employees. Planned Time Off is an allotted bank of hours that employees can use for vacation time or time to deal with personal matters. Allotments will depend on employees' employment status. Part-Time staff that work an average of 18 hours per week or more will be granted/accrued PTO at 4 hours per month.

### **Planned Time Off Guidelines**

PTO Allotments commence upon the employee's start date and are renewed upon their anniversary date. PTO is allotted based on service years and is accrued at the end of each month. All PTO requests are given in full days (8 hours) or half days (4 hours) at the discretion of the employee's supervisor if it doesn't impede client programming. A full day is more time needed than 4 hours. A half day is when the employee needs more than 1.5 hours and less than 4 hours. If the employee needs 1.5 hours or less off from work hours, they should talk to their supervisor and this may be arranged through scheduling or taken unpaid.

An employee's PTO balance is available on Paychex and on their electronic paystub. Planned time off is requested through Paychex and approved by the employees supervisor.

Up to 20 days (160 hours) of PTO can be rollover each year. At the end of the calendar year any PTO over 20 days (160 hours) will be paid out at \$25.00 a hour or added to your FMLA bank.

## Full Time Employees PTO Allotment Chart

Service Year 1	Service Year 2	Service Year 3	Service Year 4	Service Year 5	Service Year 6	Service Year 7
12 PTO Days/yr. 8 hrs. per month	13 PTO Days/yr. 8.67 hrs. per month	14 PTO Days/yr. 9.33 hrs. per month	15 PTO Days/yr. 10 hrs. per month	16 PTO Days/yr. 10.67 hrs. per month	17 PTO Days/yr. 11.33 hrs. per month	18 PTO Days/yr. 12 hrs. per month
Service Year 8	Service Year 9	Service Year 10	Service Year 11	Service Year 12	Service Year 13	Service Year 14
19 PTO Days/yr. 12.67 hrs. per month	20 PTO Days/yr. 13.33 hrs. per month	21 PTO Days/yr. 14 hrs. per month	22 PTO Days/yr. 14.67 hrs. per month	23 PTO Days/yr. 15.33 hrs. per month	24 PTO Days/yr. 16 hrs. per month	25 PTO Days/yr. 16.67 hrs. per month

### PTO at Termination of Employment

All allotted PTO over 160 hours will be paid out in the employee's final paycheck. If minimally a 20 program day notice is given and fulfilled all other allotted PTO can be considered earned and therefore cashed out.

### Bereavement Time Off

S<sup>D</sup> Associates provides three paid days per calendar year (January 1 – December 31) for the death or impending death of a loved one. If more days are needed, the employee is permitted to use PTO or unpaid time with the approval of your supervisor.

Bereavement is to be taken in half or full days.

### Holidays Time Off

All full-time employees will be paid for 10 holidays/designated days off per year. Typically they are:

- January 1
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Three additional Holidays – determined by the location

If one of the above holidays falls on a weekend it will be designated as a paid day some other week day in the calendar year.

Hourly employees may be asked to work a week day paid closure. If so, they will get the paid closure pay for that day and hourly rate for time worked.

Please consult the location program calendar, or other program/assignment specific calendars, for holidays and designated days off paid and unpaid the company provides.

### **Family Sick**

S<sup>D</sup> Associates provides four paid days per calendar year (January 1 – December 31) for the use to care of an individual that an employee is a legal guardian to who is ill or to supplement the employee's paycheck while on approved FMLA. These days are not accrued. At the end of the year any unused family sick days will be converted to FMLA days at 50%. These days have no cash value.

### **FMLA Days**

S<sup>D</sup> Associates provides 1 day of paid FMLA per each completed year of employment. These days can be used to supplement the employee's paycheck while on approved FMLA. These days have no cash value.

### **SVT Weather/Closure Days**

S<sup>D</sup> Associates provides SVT employees up to 4 paid days per calendar year should Foundations need to close due to weather or other uncontrollable circumstances.

### **Insurances**

All full-time employees after working 30 days are eligible to purchase health, dental, and vision insurances through S<sup>D</sup> Associates. Upon hire, employees will be provided with the appropriate paperwork and may elect to either purchase or decline enrollment, as allowed and/or required by law.

### **Health Insurance**

Health insurance is offered to all full-time employees who have completed 30 days of work. Should employees have a qualifying event with health insurance and need a change in health insurance, they should contact Human Resources for assistance.

Health insurance is offered for full-time employees and open enrollment is from December 1-15 for a January 1 effective date. S<sup>D</sup> Associates pays a set amount for each employee per month no less than 50% of the monthly premium for the single plan.

### **Dental & Vision Insurances**

Delta Dental and VSP Vision Insurances are offered to all full-time employees who have completed 30 days of work. These benefits are offered company-wide yearly during open enrollment from December 1-15 for a January 1 effective date. Questions should be directed to Human Resources for assistance. S<sup>D</sup> Associates gets a group rate discount though the Chamber of Commerce and pays 50% of the premium.

### **401(k) Retirement Plan**

S<sup>D</sup> Associates provides retirement benefits to its eligible employees. See plan document for eligibility.

As with all company benefits, this retirement benefit is provided at the sole discretion of the company, and the company has the right to change, modify, or delete any of the benefits provided, or the Company's contribution toward such benefits, and to do so unilaterally, at any time, and without prior notification.

The details of each type of retirement benefit provided are set forth in and governed by the plan documents; each employee is responsible for being familiar with and complying with the conditions of coverage. The plan document is available on the employee website.

Please see Human Resources for enrollment dates, forms, and more detailed information. If any employee should leave S<sup>D</sup> Associates, they should contact Newport Group Participant Service Center directly at 866-817-7234, option 3 to discuss their options for their funds.

### **Health Savings Account (HSA)**

Health Savings Account (HSA), a special account used to pay for current and future medical expenses while providing tax advantages to the owner. An HSA is a tax-advantaged product that works with the employee's high deductible health plan. Similar to IRAs, HSAs are established with a trustee or custodian by an eligible individual. You can open a HSA account at any participating bank and provide Human Resources with your account information to add your preferred deduction to each paycheck.

### **Benefit Continuation-COBRA**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) was enacted to ensure that employees and their dependents could continue their health insurance once they are no longer eligible under our health plan. There are strict rules about when employees are eligible for COBRA benefits. COBRA allows an eligible employee and/or dependent to choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance. An employee who continues insurance under COBRA, will pay the full cost of the insurance at S<sup>D</sup> Associates' group rates plus an administration fee. When employees are eligible for our health insurance plan, they will receive a written notice describing their COBRA rights. This notice contains important information about rights and what to do if an employee needs COBRA; therefore, it is important that employees read it carefully and keep it with their insurance documents. Any questions regarding COBRA should be directed to Human Resources.



Vermont offers plans with 2-19 employees the ability to qualify for 6 months of COBRA.

### **Employee Assistance Program (EAP)**

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees, and their family members, in dealing with issues that affect their lives and the quality of their job performance. S<sup>D</sup> Associates wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges in the areas of:

- Family/Relationships
- Workplace Conflict
- Financial/Legal Problems
- Alcohol and Drug Use
- Childcare and Eldercare
- Depression/Anxiety
- Grief and Loss
- Stress/Work-Life Balance

S<sup>D</sup> Associates encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the company, nor is the company given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the Human Resources department. A call to Invest EAP puts the employee in immediate touch with master's or doctoral level counselors, 24 hours a day. Call Toll-Free: 1-866-660-9533 or visit [www.investeap.org](http://www.investeap.org) PW: SDAssoc.

### **Professional Development for Salary Staff**

Professional development refers to continuing education and career training to help develop new skills, stay up-to-date on current trends, and advance in a career. Salary staff are now granted professional development days as followed:

- All salary staff – 1 day a calendar year
- RBT Certified Staff – 2 days a calendar year
- Licensed Staff – 3 days a calendar year

This needs to be approved by the immediate supervisor.

### **Transporting a Client Reimbursement**

Mileage reimbursement is available for employees transporting clients in the employee's car. This reimbursement is paid out at \$.63 per mile. Employees who want to be reimbursed for mileage need to submit mileage data through client-specific mileage logs on 'Jane'. To ensure accuracy in reporting, it is expected that employees complete the mileage log within 24 hours of transporting the client. This mileage report needs to be up to date at all times for billing

purposes. Mileage is due on the first of the month and is paid out in the mid-month paycheck. If employees do not submit their mileage on time, S<sup>D</sup> Associates will not be able to bill clients for that mileage nor pay the employee for their late-reported mileage.

### **Driving Bonus Reimbursement**

Employees can submit a driving bonus through Jane for reimbursement. Staff can submit a driving bonus for reimbursement (at \$0.25 cents a mile) whenever assigned by their supervisor to drive outside their commute to/from work/home anytime throughout the day and always without a client in the car. By the end of each day, staff enter their miles into Jane. Driving bonuses must be submitted monthly by the 5<sup>th</sup> of the month for the previous month and will not be accepted once closed. Staff will receive driving bonuses in paychecks dated closest to the 15<sup>th</sup> of the month. If the procedure is not followed driving bonus may not get paid. Exempt salaried employees are asked to limit in workday commutes to, on average, 1 hour per day.

### **WeCU Savings Account**

S<sup>D</sup> Associates provides this savings account for you to spend on a ten services/items that will add more meaningful experiences to your life. These ten services/items were selected by a committee made up of your colleagues and relooked at each year and posted on the employee website. After 1 year of service, you will receive \$750 for the calendar year. After 2 years of services, you will receive \$1,500 for the calendar year. After 3 years +, you will receive \$2,000 for the calendar year. Staff will receive a prorated amount based on their service year. So for example you are in service year 1 at the start of this year but move to service year 2 in March. You would get 3 months of the prorated service year 1 and 9 months of the prorated of service year 2. ( $62.50 \times 3 + \$125 \times 9$ ). By January 15<sup>th</sup> of each year you will receive a letter indicating your allotted funds for the calendar year.

There is no cash out value or rollover of these funds. Funds will be requested for reimbursement through the employee website and paid out in your paycheck for tax purposes. Some tuition reimbursements may not be taxable.

If an employee is involuntarily terminated, this reimbursement will be forfeited and deducted from final paycheck/s. If staff voluntarily terminates the funds will be prorated (number of days worked/260 \* WeCU yearly allotment) and deducted from final paycheck. If minimally a 20 program day notice is given and fulfilled all funds can be considered earned and therefore no pay back is needed upon termination.

### **Wellness**

S<sup>D</sup> supports a healthy work/life balance that includes opportunities for sustaining physical wellbeing. To that end, S<sup>D</sup> will provide access to optional wellness activities on a location basis throughout the course of the year.

### **Paychex**

Paychex is the main platform for time keeping and the employee's electronic employee file. Paychex will be used to complete required trainings and acknowledge & sign documentation. It is the employee's responsibility to review and complete their Task List in their Paychex account.

### **Employee Website**

Our employee website is a platform used to access our policy manual, forms, and other important company information.

All staff need to be aware of and follow the Foundation Upper Valley Welcome Packet/Handbook.

### ***Yearly Trainings:***

Workplace/Sexual Harassment (found in Paychex task list)

Safety: Bloodborne Pathogens (found in Paychex task list)

Restraint and Seclusion Training

4500 Paperwork Training

Confidentiality (found in Paychex task list)

Mandated Reporters (found in Paychex task list)

Cultural Humility Training (found in Paychex task list)

Universal Precautions training (found in Paychex task list)

CPR (every year) icpri.com

### ***Additional Trainings:***

First Aid (every two years) icpri.com

### ***Forms:***

Telecommuting (on Employee Website)

401k Plan Document (on Employee Website)