



Dear Employee,

Welcome to Fort Hudson Health System! As a new employee you will be anxious to know about the outstanding organization you have just joined. This handbook is intended to acquaint you with general information on benefits, policies and practices that are of direct interest to all our employees. Read it carefully and keep it for future reference. If you have any further questions you should talk with your department manager or our human resources manager who will be pleased to help you.

At Fort Hudson, our employment philosophy is a simple one. We believe in the people who work for us. We believe in each person's right to individual dignity and respect, as well as to their right to work in an atmosphere of mutual trust and confidence. Within this environment, employees are able to perform at their highest level for the individuals in our care. Our reputation is the result of hard work, dedication and compassion of people like you.

Again, welcome to Fort Hudson! As a leader in providing services to individuals in our surrounding communities, I am confident that you will find your employment here a stimulating, challenging and enjoyable experience.

Sincerely,

Andrew Cruikshank
Chief Executive Officer &
Administrator

Fort Hudson Nursing Center, Inc.
Employee Handbook

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FORT HUDSON HEALTH SYSTEM, INC.
Fort Edward, New York

EMPLOYEE HANDBOOK

About this Handbook

This Handbook has been prepared to help answer some questions that may arise for an employee of Fort Hudson Nursing Center. Please read it carefully and keep it for future use. It is your responsibility to become familiar with the Handbook and other applicable facility and employee policies. If you have additional questions pertaining to this information or other issues not covered within, please see your department manager or the Human Resources manager.

Each employee shall receive a copy of this Handbook and is required to read this Handbook and acknowledge your understanding of the contents of this Handbook by signing the attached Acknowledgement returning it to the Human Resources Office.

None of Fort Hudson's policies or benefit plans, including this Handbook, constitutes, or is intended to constitute, an express or implied contract guaranteeing continued employment for any employee. No manager has the authority to enter into a contract of employment – express or implied – that changes or alters the at-will employment relationship. Only the Chief Executive Officer has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing. . This Handbook supersedes all previously issued handbooks and inconsistent verbal statements. However, this Handbook is an overview only, and is not intended to replace existing Fort Hudson written policy statements. Fort Hudson reserves the right to amend, change, replace, revoke, or discontinue facility policy and any of the terms and provisions of this Handbook at any time and in its sole discretion, with or without notice. Such changes may not be reflected in this Handbook.

MISSION STATEMENT

The mission of Fort Hudson Health System is to provide an array of services supporting the changing needs of individuals, primarily seniors, in our surrounding communities. Our programs will offer exceptional value to those we serve, and will provide a working environment that will attract and retain qualified employees.

ORGANIZATION

Fort Hudson Health System is a non-profit community-based health care and senior service provider. From our inception in 1969 as an eighty bed nursing facility, we are proud to now offer an array of services including:

skilled nursing facility
special care dementia unit
scheduled short term stay
medical adult day care program
social adult day services
independent senior housing (62 units)
licensed home care services agency
service coordination

In addition to our programs noted above, Fort Hudson encompasses the following related corporate entities:

Fort Hudson Health System (parent corporation)
Fort Hudson Nursing Center
Fort Hudson Residences (d.b.a. The Oaks)
Fort Hudson Home Care
Fort Hudson Property Management
Fort Hudson Foundation

The Board of Directors is comprised of civic-minded representatives who volunteer their time and efforts to define the Corporation's objectives and to develop and approve policy.

The Board of Directors assigns responsibilities to the Administration of the Corporation and they, in turn, carry out the day-to-day operation of the facility, which includes all personnel issues, and also directs the department heads/supervisors. Any concerns brought to the attention of any Board Members will be immediately redirected to the administrator for review. The continual cooperation of each team member of the corporate family is essential, for it cannot operate effectively and efficiently unless all employees work well together.

EQUAL EMPLOYMENT OPPORTUNITY

Fort Hudson Nursing Center is an Equal Opportunity Employer. We do not discriminate against our employees or applicants for employment or promotions because of race, color, religion, sex, age, marital status, national origin, disability, military status, sexual orientation, genetic predisposition, domestic violence victim status, or any other legally protected status. All such discrimination is unlawful and all persons involved in the operations of Fort Hudson are prohibited from engaging in this type of conduct. Fort Hudson Nursing Center, Inc. is your employer, regardless of the program or affiliate that you are primarily assigned to.

You should report every instance of unlawful discrimination to your supervisor or the Human Resources Department, regardless of whether you or someone else is the subject of the discrimination. All complaints will be afforded prompt and thorough consideration, which may include an investigation. If Fort Hudson determines that prohibited discrimination or other conduct violative of Fort Hudson policy has occurred, Fort Hudson will take disciplinary action, up to and including termination of employment, against those who engaged in the misconduct. Fort Hudson prohibits any and all retaliation for submitting a report of unlawful discrimination or cooperating in any investigation. *See Anti-Retaliation Policy.*

EMPLOYEE RELATIONS & COMMUNICATIONS

A WORD ABOUT EMPLOYEE RELATIONS

We are committed to providing the best possible climate for maximum development and achievable goals for all employees. Our practice has always been to treat each employee as an individual. We have always sought to develop a spirit of teamwork: individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we have provided a workplace that is comfortable and progressive with competitive wages and benefits. Most importantly, we have a workplace where communications are open and problems can be discussed and resolved in an atmosphere of mutual respect, considering individual circumstances and the individual employee.

SUGGESTION PROGRAM

Suggestion boxes are available in the facility for employees to submit their original ideas about improving services at Fort Hudson. Suggestions are reviewed monthly. This is only one option for discussing your suggestions. Never hesitate to share your ideas with your supervisor or department manager.

EXIT INTERVIEWS

Upon termination from employment, we would like you to participate in an exit interview. This will be conducted by human resources or your department manager. The interview gives you the opportunity to explain why you are leaving and provides the information that can help us improve the working environment and employee relations.

YOUR EMPLOYMENT AT FORT HUDSON

EXPECTATIONS...YOUR AND OURS

You, as an employee, can expect:

- *A productive work environment that encourages job satisfaction, open communication and performance improvement
- *Working conditions that are safe and pleasant
- *Recognition of your performance through an evaluation process
- *Compensation and benefits for work performed

Fort Hudson expects you, as an employee, will:

- *Respect and support our mission
- *Accept instruction and direction provided by supervisory staff
- *Follow guidelines and policies
- *Report work problems and make suggestions for improvement
- *Treat all co-workers, residents, clients and guests with respect and courtesy

Orientation Program

A tour of the entire facility will be given during your first day in order to familiarize you with the facility and its staff. Staff Development will provide orientation regarding the mission and philosophy, policies, and procedures of the facility. This will include information in such areas as Resident Rights, Resident Abuse Laws, Needs of the Elderly, Infection Control, Fire Safety and Disaster, OSHA's Right to Know Law, Bloodborne Pathogen Standards, the Safe Medical Device Act and Unlawful Harassment.

Probationary Period

The first three months of employment will be considered a probationary period during which either the employee may terminate his position or the employer may dismiss the employee. This is a trial period for both to determine suitability and interest in the work and to provide the opportunity for an adjustment period. At the end of your probationary period, your supervisor will evaluate your performance and you will be considered for continued employment. Please understand that completion of the probationary period does not guarantee continued employment and does not change the at-will nature of the employment relationship.

UNIONIZATION

Fort Hudson recognizes the legal rights of employees to form or not to form a collective bargaining unit. In the event a lawfully organized bargaining unit exists, Fort Hudson will negotiate in good faith to achieve a fair and equitable collective bargaining agreement.

Employees who are represented by a union for the purposes of collective bargaining are encouraged to become familiar with the Collective Bargaining Agreement. This Handbook and its terms and provisions are not intended to supercede or contradict any provision of an existing Collective Bargaining Agreement. Articles in the agreement may, in some cases, take precedent over guidelines set forth in this handbook.

JOB CLASSIFICATION

In order to adequately staff Fort Hudson it is necessary to distinguish certain job classifications. If you are not sure of your classification, please consult your supervisor.

- 1. Regular Full Time Employee** – An employee who satisfactorily completes the introductory period and who regularly works at least thirty-seven and one-half (37.5) hours per week or seventy-five (75) hours per pay period. (1.0 FTE)
- 2. Regular Part Time Employee** – An employee who satisfactorily completes the introductory period and who works less than 37.5 hours per week (or 75 per pay period) but at least 15 hours per week, or 30 hours per pay period. (0.4 FTE to 0.9 FTE)
- 3. Per Diem Employee** – An employee who is not regularly scheduled, but works periodically on an as-needed basis. Per Diem employees are not eligible for any benefits afforded to regular full and part time employees, except as required by applicable law. See your department manager or human resources for additional details.
- 4. Temporary Employee** – An employee who is employed for short-term assignments. Temporary employees are not eligible for any benefits afforded to regular full and part time employees, except as required by applicable law.

POSITION CATEGORIES

Non-exempt: Pay is based upon an hourly rate and the number of hours worked. Employees in these positions are eligible to receive overtime compensation for working more than 37.5 hours in a week. All overtime work must be authorized in advance by your supervisor or department head. Working overtime without prior authorization may result in disciplinary action.

Exempt: Employees in these positions perform work that meet the federal and state requirements for overtime exemption and may be executive, administrative or professional employees. Pay is based on an annual salary. (Refer to policy for specific guidelines)

HOURS OF WORK

The standard work-week is 37.5 hours. Since our need to deliver support services spans 24 hours, 7 days per week, your starting time and days of work will be determined by the department you work in. We retain the right to change your work schedule as necessary.

BREAKS

There are two 15-minute break periods during a 7.5 hour shift which is considered worked time and included in your pay. You may not leave the premises during these times without specific authorization from your supervisor.

LUNCH

A cafeteria is provided for employee use for 3 meals per day. If you work 6 or more hours, you are entitled to a 30-minute unpaid lunch period. Your department supervisor will schedule this break. **YOU MUST TAKE THIS 30-MINUTE BREAK**

You must have supervisory approval to leave the premises any time during your shift, including during your lunch. If approved to leave, you must clock out on the time clock.

Job Description/Training/In-service/Meetings

A description of your position and its critical tasks will be reviewed with you prior to employment. Your job description may change in accordance with Fort Hudson's mission, philosophy and regulatory directives. Your supervisor will be available to answer any questions you may have.

You will receive supervised on-the-job training during and after your orientation period. You will also be required to participate in the ongoing scheduled mandatory inservice education programs that are designed to increase your knowledge and improve your performance.

At the time of employment, each employee should understand that they are required to attend annual mandatory in-services. Which in-services you are required to attend will depend on the nature of your assigned job duties. At the present time, in-services mandated by state and federal laws include:

- Resident Rights and Abuse Law/Discrimination
- Fire and Safety
- Infection Control (includes State mandated HIV)
- Confidentiality and OSHA (HBV and TB requirements)
- Hazardous Materials

Body Mechanics
Quality Assessment and Assurance Program
Harassment/Workplace Violence
Corporate Compliance/HIPAA

Each department may have additional mandatory inservices for their department. A mandatory inservice requires you to give prior notification if unable to attend, and your excuse for not attending must be approved by your immediate supervisor. You must then attend a re-scheduled inservice; the time will be mutually agreed upon by you and Staff Development. If you have not obtained an approved excuse, or if you otherwise fail to comply with in-service requirements you will be subject to disciplinary action, up to and including termination.

Time Clock

1. The principal purpose of the time clock is to maintain an accurate record of hours worked for payroll preparation.
2. Time clock printouts are the official records of each employee's actual hours worked.
Therefore:
 - a) No one may enter another's payroll ID number for any reason.
 - b) No one is to enter his or her payroll ID number until ready to go on duty.
 - c) Employees must record their actual time worked.
 - d) An employee may not enter their payroll ID number more than 7 minutes before he/she is scheduled to report for duty or enter their payroll ID number more than 7 minutes after he/she is scheduled to go off duty without supervisory approval.
3. After reporting for work, each employee is expected to remain at the facility until his/her normal tour of duty is completed, and released by the shift or department supervisor.
4. No one is to leave the facility, except on official Fort Hudson business, without clocking out and with the approval of his or her supervisor.
5. Overtime will be paid for hours worked over 37.5 or 40 (as determined by your department and position) hours in any workweek. All overtime work must be authorized in advance by your supervisor or department head. Working overtime without prior authorization may result in disciplinary action.
6. If an error is made in entering your payroll ID number let your supervisor know immediately for correction.
7. Altering, falsifying and tampering with time records, or recording time under another employee's payroll ID number is prohibited.

8. It is your responsibility to ensure the accuracy of all time recorded. Any errors in your time record should be reported to your supervisor or department head, who will attempt to correct legitimate errors.

Paychecks

Paydays are on a biweekly basis. Attached to your paycheck will be a Statement of Earnings & Deductions. Be sure to detach & retain this statement. If you have any questions about your pay, direct them to your department head or bring them to the Business Office.

Employees on duty after 4pm the Wednesday of pay week may pick up their check at the Guest Services Desk at 4pm. All other employees may pick up their check at the Guest Services Desk on Thursday of pay week beginning at 9 a.m. After 6 pm on Thursdays checks may be picked up on A Wing. Direct Deposit to your bank is available. If Thursday (payday) falls on a recognized holiday, you will receive your paycheck on Wednesday, the day before.

Each employee must pick up his own check; the only time you will be allowed to pick up another's check is when you have written permission from that employee to do so.

Overtime Pay

Our facility is a 7-day, 24-hour operation, which requires continuous staffing. Situations may occur when work in your department cannot be completed during regularly scheduled work hours. Your supervisor may ask you to work overtime. When determined necessary by your supervisor, overtime may be mandated based on facility policy. We expect your cooperation since it is a vital part of your job and essential to Fort Hudson's ability to render quality resident care.

Overtime pay, at the rate of time and one-half of your regular hourly rate of pay, is paid for all hours worked in excess of thirty-seven (37.5) hours per week.

All overtime work must be authorized in advance by your supervisor or department head. Working overtime without prior authorization may result in disciplinary action. Your supervisor will endeavor to assign overtime on an equitable basis among the employees within your department.

Promotions & Transfers

Attendance, attitude, efficiency, educational preparation, work performance and responsibility will contribute greatly toward consideration for promotion. Job openings will be posted on the time clock bulletin board.

Requests for either a transfer to another department or shift should be made in writing to your department head. Transfers are based upon qualifications, work record, reason for

the request, and the requirements of the department and/or shift involved. All interdepartmental transfers must be approved by the Administrator.

Performance Appraisal

The purpose of periodic performance appraisals is to communicate to you your overall contribution to our team effort of providing the best possible resident care.

New employees' performance will be reviewed after 90 days continuous employment prior to the completion of the probationary period and, thereafter, annually in the month of the employee's anniversary date. Performance reviews will be conducted by the employee's supervisor. Such factors as job performance, cooperation, reliability, and other pertinent factors will be considered. Job descriptions will be reviewed at this time and goals will be mutually agreed upon by employee and supervisor.

Your performance will be carefully reviewed by your supervisor and/or department manager. A performance appraisal interview will then be held with you. Your performance will be discussed; you may note written comments on your evaluation forms, which then will become a permanent part of your personnel file. The performance review will also be used to evaluate your potential for promotion. A copy of your written appraisal will be given to you, upon request.

The performance review interview is an excellent time to raise any questions or concerns that you may not have discussed previously with your supervisor. However, please understand that a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment.

Personnel Records

We maintain complete records for each employee. If any change occurs in your status, report it immediately to your department head and Human Resources office so that records can be kept up-to-date. This would involve such information as change in name, address, telephone number, person to notify in case of emergency, and number of dependents for income tax purposes.

Only authorized supervisors and management personnel will have access to your personal file. However, Fort Hudson will cooperate with, and provide access to your personnel file to, law enforcement officials, or local, state, or federal agencies. Current employees may review their personnel file upon request to Human Resources. Confidential health and medical records are maintained in confidential file separate from your personnel file. Personnel files are the property of Fort Hudson.

As a condition of your employment, certain forms will require your signature prior to being filed.

EMPLOYEE HEALTH

Your health and well-being are important to us!

Every Fort Hudson Health employee must be free from any health impairment that would present a risk to a resident that cannot be accommodated, or that might interfere with his or her job performance, including the habituation or addiction to depressants, stimulants, narcotics, alcohol or other drugs or substances that may alter behavior.

In accordance with New York State Department of Health regulations and OSHA regulations:

1. All new employees are subject to a physical examination and documentation of rubella and measles immunization status, post-offer and prior to commencing employment.
2. All current employees are subject to a health reassessment not less than annually, as a condition of continued employment.
3. All employees, except for those who have no clinical or patient care responsibilities and who are located in a building where no patient care services are performed, are required to undergo a tuberculin skin test or an FDA-approved blood assay for detection of tuberculosis, post-offer and prior to commencing employment. If TB test findings are positive, appropriate clinical follow-up is required. If findings are negative, testing must be repeated at least once a year.
4. All employees for whom skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials may reasonably be anticipated to result from the performance of assigned duties, Hepatitis B vaccine will be offered within 10 days of assignment to tasks where occupational exposure may occur.

Employee Illness and Injury

Any employee known to have a communicable disease or infected skin lesions are prohibited from direct contact with residents or their food, if direct contact will transmit the disease.

Any employee who becomes injured while on duty must report the injury to his or her supervisor or to the RN Supervisor. First aid equipment and supplies are maintained at various locations in the facility.

Returning to Work

Your work at Fort Hudson is vital to our residents and to us. Should you be absent because of illness, injury, or other medical conditions, we would want you to return to work as soon as possible. However, we do not wish you to jeopardize your own health or

the health of others by a premature return. In the event of hospitalization or extended illness in excess of 3 or more consecutive working days, you are required to submit a release from your attending physician indicating that you are capable of returning to work and will be able to perform essential functions of your job as described in your job description. A release may be required for absence of less than three (3) days if you have had a pattern of unexcused absences.

Accommodation of Individuals with Disabilities

It is Fort Hudson's policy not to discriminate against any qualified employee or applicant with regard to any terms of conditions of employment because of an individual's disability so long as the employee or applicant can perform the essential functions of their jobs as described in their job description, with or without reasonable accommodation. In accordance with this policy, Fort Hudson provide reasonable accommodations to a qualified individual with a disability who has made Fort Hudson aware of his or her disability, unless doing so would create an undue hardship.

Any qualified applicant or employee with a disability who requires a reasonable accommodation in order to perform the essential functions of his or her job should contact the Human Resources Manager and request an accommodation.

EMPLOYEE BENEFITS

Fort Hudson offers excellent working conditions in a modern facility with competitive pay and benefits. It is our policy to provide an excellent combination of supplemental benefits to all. These benefits are among the best provided by health facilities in the surrounding communities. In keeping with this philosophy, each benefit program has been carefully constructed. These benefits include health insurance, pension plan, paid holidays, sick time, personal days, vacations, and many other valuable benefits for you.

We are constantly researching and evaluating our programs and policies to better meet present and future requirements. These policies have developed over the years and we look forward to their continuous growth in keeping with changing times and circumstances.

FULL-TIME EMPLOYEE BENEFITS

Holidays

(6 paid holidays + 1 Floating Holiday*) Check Employee Benefits Summary Schedule for list.

- When eligible: after 30 days continuous employment

- *Floating Holiday – is any other holiday or day of your choice (this could be your Birthday)

- Holiday pay will be for the same number of hours worked on the holiday not to exceed seven and one-half (7.5) hours.
- Holiday pay starts with the 11-7 shift on the holiday eve, and ends with 3-11 shift of the holiday.

Because of the nature of health care, we must schedule 24 hour-a-day, 7 day-a-week coverage. Holiday work is normally scheduled on a rotation and request basis. Scheduling holiday work is the responsibility of the Administrator and Department Heads.

- If a holiday falls during a period in which you are receiving paychecks under the NYS Disability Law, you forfeit the holiday.
- In fairness to your associates, if a holiday falls on your regularly scheduled workday, any unscheduled absence on the day before the holiday, the holiday itself, or the day after holiday, you may be required to provide documentary justification for payment of sick time. In other words, you may be required to obtain a note from your doctor to receive sick time pay. Fort Hudson reserves the right to withhold holiday pay in these circumstances.

Vacations

(Non-exempt staff)

When eligible: Regular full and part time employees are eligible for paid vacation time after 6 months continuous employment.

1. You will accrue vacation from the 1st day of your employment in full-time or part time status and you can start taking this earned vacation time after 6 months of continuous service at which time you will be entitled to one-half of your annual vacation.
2. Vacations are earned as follows for regular full time employees:
 - a) You will accrue approximately 2.88 hours per pay period (10 days per year)
 - b) After 5 years of continuous employment, vacation allowance will be increased by 5 days, up to 15 days per year (accruing approximately 4.33 hours per pay period)
 - c) After 15 years of continuous employment, vacation allowance will be increased by 5 days, up to 20 days per year (accruing approximately 5.76 hours per pay period)
3. Exempt staff may accrue vacation time at a different rate than above, determined at the time of employment

4. Vacations will be limited to two weeks at a time for those who are eligible for more than two weeks.
5. Vacations must be requested in advance, or when mutually agreeable to you and your supervisor.
6. Vacations will be scheduled according to date of request and scheduling needs.
7. You do not accrue vacation credit during a leave of absence.
8. Employees are allowed to “carry over” 37.5 hours, or 50% of your annual accrual (whichever is greater) of vacation time from one year to the next at their anniversary date. Accrued, unused vacation time over this limit will be paid out in the following payroll period.
9. All accruals of vacation time are **prorated for part time employees** who have an FTE status of at least 0.4 (30 hours per pay period).

Other Information on Vacations

1. **Splitting Vacations** – An employee is not required to take his/her vacation all at one time.
2. **Early Receipt of Vacation Pay** – Vacation pay is NOT payable prior to a scheduled vacation.
3. **Payment Upon Termination of Employment** – Employees who separate from employment before their six month anniversary, who resign without adequate notice (as defined under the Resignation and Termination Policy) or who are terminated for any reason forfeit any accrued, unused vacation time.
4. **Payment in Lieu of Vacation** – may be used for any unused days with Dept. Head approval.

UNSCHEDULED BENEFIT TIME

Unscheduled benefit time is available for absences due to personal illness or other reasons, which create an unscheduled absence from work. Department managers reserve the right to set guidelines specific to facility and resident needs regarding use of this time.

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1. All full-time employees are granted 10 paid benefit time days per year, part time employees (of at least a 0.4 status) receive a prorated amount.
2. Temporary or per diem employees (less than 0.4 FTE) do not accrue benefit time.
3. Benefit time begins accruing on the first day of employment, and there is no cap on the amount accumulated.
4. When an employee is unable to work due to the above mentioned reasons, or for any reason which creates an unscheduled absence, unscheduled benefit time will automatically be used. If there is insufficient accrued time, personal or vacation time may be used upon request.
5. At no time will there be time off granted without pay unless approved in advance by management or required by applicable law (e.g.: approved leaves of absences, disability, workers' comp, accommodation of individuals with disabilities, etc.).
6. Unscheduled benefit time must be used during a leave of absence. If an employee is on a leave of absence other than Family and Medical Leave and is receiving state disability or workers' compensation benefits, he or she will receive unscheduled benefit time to supplement these benefits to bring them to no more than 100% of compensation.
7. Employees who separate from employment for any reason forfeit any accrued, unused unscheduled benefit time.

Personal Days

1 Full Year -----	One Personal Day
2 Full Years-----	Two Personal Days
5 Full Years-----	Three Personal Days
10 Full Years-----	Four Personal Days
20 Full Years-----	Five Personal Days

1. Personal time is granted at the beginning of each calendar year to eligible employees, and must be used during that year.
2. Time remaining at the end of the calendar year is forfeited.
3. Personal time must be pre-scheduled with your department supervisor.
4. Part time employees (at least 0.4 FTE) receive a prorated amount of personal time each year.
5. Employees who separate from employment for any reason forfeit any accrued, unused personal time.

Health Insurance

Full time and part time employees are eligible to enroll in any of the available group health insurance plans within 30 days of employment. Coverage begins on the first of the month following the 30 days of continuous employment. Please refer to the summary plan description for more information.

C.O.B.R.A.

Upon loss of group health insurance coverage as a result of a “qualifying event”, such as termination of employment, loss of eligibility due to a reduction in hours of employment, divorce, death, or loss of dependent status, human resources will issue a C.O.B.R.A. letter explaining your rights under State and Federal law pertaining to continuous coverage. You may continue any health or dental coverage you have as an employee subject to paying the premium in full plus a 2% service fee.

If you become divorced, or your child ceases to be a dependent as described in the health plan documents, you must notify us within 30 days or the right to COBRA coverage will be lost.

The C.O.B.R.A. letter specifies your obligations under current law and you must respond within 60 days (current law) in order to continue coverage. The first premium must be paid to the business office within 45 days after signing this election form.

For employees who exhaust their C.O.B.R.A. eligibility, conversion to direct pay policies with the carriers are available.

Continuation of Coverage

You may continue your Group Health Insurance while on an approved leave of absence according to terms under Family Medical Leave Act (FMLA).

Payments must be made to the facility’s Business Office by the 15th of each month which coverage is requested. If payment is not made, your group coverage ends and conversion papers will be issued.

PAYROLL DEDUCTIONS

The required standard deductions will be taken from your paycheck. These include:

1. **Income Tax** – Your deduction will depend on the W-4 authorization you signed at the time of your employment. Changes in your family, marital status, or dependents will affect the amount of tax withheld, so such changes in deductions must be reported promptly to the office by completing a new W-4 form.
2. **F.I.C.A.** – This is the Social Security Tax. This tax is deducted from the employee’s gross pay and transferred with an equal amount given by the Fort Hudson towards the employee’s Social Security account with the Federal Govt. This provides financial assistance at retirement for the employee.
3. **Disability Insurance** – (NY State only, required by law) See payroll deduction section. Fort Hudson pays the major portion of the premiums. Full-time high school students are exempt. Up to \$.60 per week deduction (depending on amount of pay) is used to help pay for the cost of insurance that will pay for a weekly benefit if you are away from work due to non-work related injury or illness. In order to receive benefits, your disability must exceed 7 days from date of disability.

OTHER BENEFITS PAID BY FORT HUDSON

1. **Unemployment Insurance** – Fort Hudson participates in the New York State Unemployment Insurance Tax Fund. If you qualify for unemployment benefits you will be paid directly by the New York State Dept. of Labor.

2. **Workers' Compensation Insurance Coverage** – For your protection, we provide Workers' Compensation Insurance coverage for each employee. If you are disabled or die as the result of an injury or illness, which is work-related, you (or your beneficiary in the event of death) may receive cash payments and medical and hospital expense benefits. To qualify for Workers' Compensation benefits, you must report any work-related injury to your supervisor immediately, seek medical treatment and follow-up care as required and complete a written claim form and return it to Human Resources.

Benefits and conditions are established by State Law and applicable insurance contracts. The entire cost of Workers' Compensation Insurance is paid by Fort Hudson.

3. Retirement Plan

a. All employees are eligible to contribute tax-deferred income through payroll deduction to qualified 403(b) accounts.

b. Bargaining unit employees may be eligible for participation in their union pension plan, to which Fort Hudson contributes on the employee's behalf.

c. Non-bargaining unit: Fort Hudson contributes to a 401(k) plan on the employee's behalf. Eligible employees may contribute tax deferred income to this plan as well.

Please refer to the summary plan descriptions for more information.

4. **Bereavement Time** – If you should suffer a death in your family, you may be eligible to receive up to three CONSECUTIVE days off with pay to arrange for or attend applicable memorial services. Employees on days off, leave of absence, or vacation are not eligible for bereavement leave.

*Up to 3 days granted for immediate family (spouse, domestic partner, children, parents, siblings).

*One day granted for extended family (grandparents, in-laws, or other close relatives)

*Per diem and temporary employees do not receive this benefit.

*Benefit available after 30 days continuous employment

5. **Jury Duty** – Fort Hudson believes that everyone should meet his/her civic responsibilities.

If you are subpoenaed for jury duty, Fort Hudson will pay your regularly scheduled salary or wages. Any payment from the County for serving on Jury Duty must be remitted to the Business Office.

Since someone must do your work while you're absent, please notify your supervisor as far in advance as possible for the days that you expect to serve. Once you are dismissed from Jury Duty, you are expected to return to work your scheduled shift.

6. Blood Donation Leave

Employees are entitled to three (3) hours of unpaid leave per calendar year for the purpose of donating blood. Employees are permitted to use accumulated paid time off in order to receive pay for these hours. Employees must provide three (3) working days notice of the need for blood donation leave. Employees are required to show sufficient proof of blood donations.

7. Time Off To Vote

On days when elections for public office are scheduled throughout the state, county, city or town in which the employee works, schedules will be changed as needed to ensure that work either starts at least four hours after the polls open or ends at least four hours before the polls close.

Employees living in other localities or states will need to inform the Human Resources Manager at least two days in advance if they expect any conflict between their work schedule and the exercise of voting rights in any election for any public office. The Human Resources Manager will find out when the polls are open and adjust employees' schedules as needed to ensure that they will have the opportunity to vote.

If adjustment to an employee's schedule is not feasible, Fort Hudson will pay you for up to the first two hours of absence from regularly scheduled work that is necessary to vote in a public election. Any additional time off for this purpose will be without pay.

No employee will be penalized or retaliated against for requested time off to vote.

8. Leave of Absence (LOA)

A) DISABILITY

Qualified individuals with disabilities who require a leave of absence to accommodate their disability should contact the Human Resources Manager to request an unpaid leave of absence. *See Accommodation of Individuals with Disabilities Policy* above. Fort Hudson may request a certification from a health care provider verifying your need for a leave of absence and expected date of return to work.

Every effort will be made to offer the same shift/position you were on previous to LOA unless doing so would impose an undue hardship.

You do not accrue benefits during a leave of absence.

B) NON-MEDICAL LEAVE OF ABSENCE

To be eligible for a non-medical leave of absence, an employee must have completed at least 1 year of service.

Except in emergency situations, requests for leave of absence must be submitted in writing to the department manager 3 weeks prior to the requested starting date of the leave. Each request will be considered on the basis of the reason given, your service record, and our residents' needs.

An employee who has been granted a leave of absence shall not be permitted to accept other work during the leave. Failure to abide by these requirements will be considered a voluntary resignation as of the first day of your leave.

An employee who does not report back to work at the expiration of a leave of absence will be considered terminated and, therefore, must re-apply for work as a new employee.

Every effort will be made to offer you the same shift/position you were previous to LOA. However, if this shift/position is filled, you will be offered a position on another shift until a position becomes available on your preferred shift.

You do not accrue benefits during a leave of absence.

You have the option of being paid accrued benefit time (scheduled and unscheduled) during your leave.

A leave of absence shall not ordinarily exceed 90 days. If you return after 90 days, the date of return will be your new anniversary date. Leave of absence may extend 90 days with administrative approval

C) FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA)

1. **Eligibility** – You must be employed at least twelve months (which need not be consecutive) and have at least 1250 hours of service during the previous twelve-month period.

2. **Reasons for Leave**

Basic Leave Entitlement

In accordance with the FMLA, Fort Hudson will provide up to 12 weeks of unpaid, job protected leave to eligible employees for the following reasons:

- a. Birth and care of your child.
- b. Adoption or foster care placement and care of your child.
- c. Care for your spouse, son or daughter or parent who has a serious health condition.
- d. A serious health condition that would not allow you to perform the functions of your position.

A “serious health condition” is an injury, illness, impairment, or physical or mental condition that involves patient care or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Military Family Leave Entitlements

Eligible employees may receive up to twelve (12) weeks of job-protected FMLA leave to address certain qualifying exigencies when a spouse, son, daughter, or parent is on active duty or called to active duty in the Armed Forces, National Guard or Reserves in support of a contingency operation. Qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial or legal arrangements, attending certain counseling sessions, or attending post-deployment reintegration briefings.

The FMLA also allows eligible employees to take up to 26 weeks in a single 12-month period to care for a covered servicemember (“military caregiver leave”). A covered servicemember is a spouse, son, daughter, parent, or next of kin who serves as a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty or that existed prior to the beginning of active duty and was aggravated by service in the line of duty on active duty, that may render the servicemember medically unfit to perform his or her duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list.

A covered servicemember also includes veterans who are undergoing medical treatment, recuperation or therapy for a serious injury or illness that occurred in the line of duty while on active duty or that existed prior to the beginning of active duty and was aggravated by service in the line of duty on active duty, and who were members of the Armed Forces, including the National Guard or Reserves at any time during the five years preceding the date of treatment, recuperation, or therapy.

3. **Notice of Leave** – The FMLA requires that you give your supervisor and Human Resources at least 30 days' written notice, or as much notice as is practicable (within 2 business days of learning of the need for leave). When the need for leave is not foreseeable, you must provide notice as soon as practicable and generally must comply with Fort Hudson's normal call-in procedures.
4. **Length of Leave** – The Act entitles you to twelve workweeks of unpaid leave during a twelve (12)-month period for the reasons set forth above. The 12-month period is a rolling 12-month period measured backward from the date an employee uses any FMLA leave. For the 26 weeks of military caregiver leave, Fort Hudson will measure the 12-month period as a rolling 12-month period measured forward.

FMLA leave may be taken intermittently or on a reduced leave schedule when medically necessary because of one's own serious health condition, to care for a spouse, child or parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness. If an employee needs intermittent leave or leave on a reduced leave schedule under such circumstances, your supervisor may temporarily transfer you to another position that would not be affected by your absences. Leave due to a qualifying exigency may also be taken on an intermittent or reduced-leave schedule basis.

5. **Job Reinstatement** – Upon return from the leave, you must be reinstated to the position held prior to the leave or that of equivalent status.
6. **Certification From Health Care Providers** – Fort Hudson is entitled to require certification from a health care provider in the case of leave taken for a serious health condition or a covered servicemember's serious injury or illness. Human Resources will provide you with the applicable certification form. If Fort Hudson has reasonable doubt regarding the validity of your health care provider certification, Fort Hudson may at its own expense require a second and third opinion.

When leave is requested because of a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, Fort Hudson may require you to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation and the dates of the covered military member's active duty service.

It is your responsibility to provide Fort Hudson with sufficient information so that it may determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. You must also inform Fort Hudson if the requested leave is for a reason for which FMLA leave was previously taken

or certified. You may also be required to provide periodic recertification supporting the need for leave.

7. **Employee Pay and Benefits** – FMLA provides eligible employees with up to 12 or 26 weeks of unpaid leave. If an employee has accrued paid time off (sick, vacation and personal), the employee may substitute paid time off for unpaid FMLA leave in accordance with this policy. FMLA will run concurrently with workers' compensation or disability benefits, as well as any accrued paid time off. Employees who are receiving workers' compensation or disability benefits may elect to use accrued paid time off to bring them to no more than 100% of compensation. All other employees are required to substitute accrued paid time off for unpaid FMLA leave. The remainder of the 12 or 26 weeks of leave, if any, will be unpaid FMLA leave. The substitution of paid leave for unpaid leave does not extend the 12 or 26 week leave period.

During FMLA leave, pre-existing health benefits must be maintained by Fort Hudson at the level as if you continued employment. If you do not report back to work at the expiration of your leave of absence, you will be considered terminated and therefore must re-apply as if you were a new employee, unless you did not return to work because of continuation, recurrence or onset of serious illness, or circumstances beyond your control. Employees who are returning from FMLA leave taken for their own serious health condition, but who are unable to perform the essential functions of their job because of a disability, should notify Human Resources and request an accommodation. *See Accommodation of Individuals with Disabilities Policy*, above.

Benefits will not be accrued during a leave of absence.

8. **Fort Hudson Notifications**
Fort Hudson will notify employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, Fort Hudson will provide a reason for the ineligibility. Fort Hudson will also notify the employee that leave has been designated as FMLA leave and the amount of leave counted against the employee's leave entitlement. If Fort Hudson determines the leave is not FMLA-protected, it will notify the employee.

Fort Hudson and applicable law prohibit any interference with, restraint, or denial of any right provided under FMLA and prohibit discrimination against any person for opposing any practice made unlawful by FMLA or for involvement in any proceedings under or relating to FMLA. If you believe your rights under the FMLA have been violated, you should notify Human Resources immediately. You may also file a complaint with the U.S. Department of Labor or file a suit against the Hospital. For further information or clarification about FMLA leave, please contact Human Resources.

D) RIGHTS OF NURSING MOTHERS

Female employees who are returning to work following the birth of a child are entitled to take reasonable unpaid break time or use paid break time each day for the purpose of expressing breast milk. Fort Hudson will make available a location where an employee may express breast milk in privacy. This location will not be a restroom. Generally, these breaks should be twenty to thirty minutes in duration, once every three hours. A particular employee may require a different break schedule and, if so, she should notify the Human Resources Manager, who will work with her to accommodate her needs. If appropriate coverage is unavailable, an employee may be required to postpone a scheduled breast milk expression break for up to thirty minutes.

Any employee who is nursing is eligible for unpaid break time for the expression of breast milk for up to three (3) years following the birth of a child. Employees wishing to express milk in the workplace must provide the Human Resources Manager with advance notice so that proper arrangements may be made. Such notice is expected to be provided prior to the employee's return to work following the birth of the child.

Employees may not be retaliated or discriminated against if she chooses to express breast milk pursuant to this policy. Any employee who believes she has experienced discrimination or retaliation should notify the Human Resources Manager.

E) MILITARY LEAVE

Fort Hudson will give a military leave of absence to employees who are absent from work due to service in the National Guard or U.S. Uniformed Services. Fort Hudson will comply with the requirements of the New York Civil Relief Act (N.Y. Mil. Law § 317) and Uniformed Services Employment and Re-employment Rights Act ("USERRA"). You must provide advanced notice of military service, unless military needs prevent this notice.

The leave will be unpaid. You may use any accrued benefit, personal or vacation time available. Provided the absence does not exceed applicable statutory limitations, you will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. For further information about a military leave of absence, please see Human Resources.

F) MILITARY SPOUSE LEAVE

An employee, who is the spouse of a member of the armed forces of the United States, National Guard or reserves who has been deployed during a period of military conflict, to a combat theater or combat zone of operations, is eligible for ten days unpaid leave.

This leave shall only be used when the employee's spouse is on leave from the armed forces of the United States, National Guard or reserves while deployed during a period of

military conflict to a combat theater or combat zone of operations. To be eligible for this leave, an employee must work an average of twenty or more hours per week. Eligible employees may be entitled to additional unpaid leave under the FMLA.

SUMMARY OF EMPLOYEE BENEFITS

This is a summary only, and not meant to be all-inclusive or guaranteed.

(See Full-time and Part-time Qualifications on Benefit Summary Schedule)

Social Security
Unemployment Insurance
Worker's Compensation
Disability Insurance
Paid Vacation Time
Paid Sick Time
Paid Holiday Time
Time and one-half for Worked Holidays
Health Insurance Plan
Paid Bereavement Time
Paid Personal Days
Retirement Plan
Paid Jury Duty
Paid Rest Breaks
Free of charge Pre-Employment and periodic Physical Exam
Direct Deposit
Staff Recognition Banquet
Tax Deferred Annuities (401k, 403b)
Dependent Care Account
Competitive Pay
Paid Educational Programs (mandatory inservice meetings)
Designated Free Holiday Meals
Tuition Reimbursement and Loan Forgiveness (limits may apply)
Shift and Weekend Differentials

ATTENDANCE/ABSENCE/TARDINESS

1. **Attendance**

The work that each of you do fits in with the work done by one or more of your fellow employees, and with our concern for resident care. It is, therefore, important that you report for work each day and be at your area ready for work at your starting time.

You must notify the facility if you will be absent from work. You must speak directly to your immediate supervisor (when available), or RN Supervisor and provide specific information regarding your absence at least two (2) hours before

your scheduled shift's starting time. Departments and shifts may have more stringent guidelines regarding advance notice for unscheduled absence. Each department establishes policy on what is considered "excessive" absenteeism. Employees with excessive absenteeism are subject to disciplinary measures up to and including termination.

Fort Hudson appreciates the efforts of all its employees who try to maintain a perfect attendance, but because of illness or emergencies are unable to do so. Your efforts however, are not overlooked. Reliability is an important condition in evaluating your performance.

2. **Tardiness**

- a. All employees are expected to be punctual in reporting for work. You are deemed late if you are not at your assigned work area at scheduled time.
- b. Being tardy two or more times in one pay period will be considered excessive and will require a counseling sheet which will include reason with plan of correction.
- c. Continued excessive tardiness may result in disciplinary action up to and including termination.

3. **Excessive lateness and absenteeism** cannot be tolerated. It penalizes the resident and your fellow employees, since it causes others to be delayed in their assignments and directly affect resident care.

If two unexcused absences occur in any 30-day period or an absentee pattern is noted, it will be considered excessive and will require a counseling sheet. If this continues, further disciplinary action, including discharge, will occur.

Failure to notify the facility of an absence prior to the start of you assigned shift is considered a "no-call no-show". One episode will require a letter of reprimand. Two consecutive episodes will be considered a voluntary resignation.

4. **Perfect Attendance Policy/Bonus** (implementation at the discretion of Fort Hudson and not guaranteed)

- a. All regular full and part (0.5 FTE) employees with 12 consecutive months with perfect attendance may receive a cash bonus (amount to be determined each year). The amount will be based on your FTE status, with part time employees prorated.
- b. Qualifications include: no use of unscheduled benefit time, no lateness without prior notification and approval from supervisor, no absences due to disability or compensation and no leaving early without prior notification and approval from your supervisor.
- c. Department heads must initial your time sheet for lateness or leaving early when prior notifications with approval have been granted.

APPEARANCE/GROOMING

Personal appearance is regarded as an important aspect of your overall effectiveness. You are expected to keep yourself neat, clean, and well groomed at all times. Your appearance is also an important part of public relations. To the residents, family, and visitors alike, you are are Fort Hudson. The following specific regulations are to be observed regarding personal appearance.

1. **Dress**

You are expected to use good taste in selecting clothes you wear on the job, avoiding extreme styles. All personnel who are required to wear uniforms will be expected to wear acceptable uniform-type clothing as specified by your Department Head. Blue jeans are not acceptable to wear (except on dress down days and special occasions) by any employee during the hours of work.

2. **Cosmetics**

Use cosmetics moderately.

3. **Hair**

Hairstyles of employees are expected to be conservative, clean and well kept. Mustaches, beards and sideburns are to be kept clean and well trimmed at all times. Hairnets or caps must be worn by Dietary staff and must cover all of your hair. Hair must be worn off the collar and pulled back during resident care.

4. **Jewelry**

The wearing of excessive jewelry is not allowed.

5. **Uniforms**

Uniforms are your responsibility and should be kept neat and clean.

6. **Shoes**

Shoes should be clean and polished. Safety, comfort, and appearance are the main considerations for acceptable footwear. See your department manager for specific footwear requirements in your work area.

7. **Identification Tags**

Employee identification tags, including name and job title, must be worn at all times while on duty. Only facility-approved pins may be attached to the identification tag. Name badges are to be returned to your supervisor on your final day of employment.

GENERAL POLICIES

1. Parking

If you drive your car to work, Fort Hudson has provided designated parking facilities for your convenience. Employee parking areas are located in the upper lot behind the facility buildings. (Exception – the 11pm-7am shift may park in front parking lot.) There is limited parking in the front, and should be reserved for visitors whenever possible. Parking is prohibited in the Shipping and receiving area; only designated marked areas are to be used. Lower back parking lot is reserved for designated employees only. Your supervisor will clarify the parking rules. Drivers waiting to pick up employees must wait in the upper back parking lot.

2. Off Duty Access

In order to avoid work interruptions, you are asked to leave the premises as soon as you complete your shift. There will be no unauthorized off-duty access to the interior areas of the facility or on facility grounds. Please notify your family or friends not to visit you during working hours.

3. Solicitation/Distribution

In the interest of resident care, the following solicitation/distribution policies are in effect. Violations of these standards will lead to progressive disciplinary action.

- a. Solicitation by an employee of another employee is prohibited while either person is on working time.
- b. Employees are not permitted to distribute advertising materials, handbills, printed or written literature of any kind in work areas at any time, during his or her working time, or during the working time of the employee or employees at whom the activity is directed.
- c. Solicitation, distribution of literature, or trespassing by non-employees is prohibited on any Fort Hudson premises.
- d. The bulletin board by the time clock is designated for staff communications. Anyone wishing to post information must submit to administration or human resource for prior approval.
- e. This policy extends to solicitation and distribution via Fort Hudson's email and telephone systems.
- f. This policy does not restrict Fort Hudson-sponsored and administered activities, for example, United Way, and other Fort Hudson-sponsored and administered events or initiatives.

- g. Violations of this policy should be reported to your supervisor or Human Resources Manager who will take action to insure uniform enforcement and compliance.

4. Confidentiality

In the process of performing work in the facility, you may observe or overhear information regarding residents and their families, all of which must be considered confidential. You are directed not to discuss or disclose any information concerning residents or their families outside the facility. Within the facility, information concerning residents is to be discussed only to the extent required as a necessary part of your job. When discussing resident information with other employees in the course of performing your job duties, you must always be very careful that the conversation cannot be overheard by others. This standard applies to all situations, including all forms of social media (Facebook, MySpace, etc.) Failure to maintain confidential information will be grounds for corrective action, up to and including dismissal.

5. Public Relations/Media

Employees are strictly prohibited from responding to media inquiries of any kind if they relate to the business of the organization, including resident or employee issues. All inquiries are to be directed to the administrator or his/her designee.

It is the responsibility of all employees to project a positive image of Fort Hudson to the community.

6. Unauthorized Advice:

Residents may sometimes seek advice from an employee concerning health matters or other personal matters. It is important for you to remember that a resident's care plan is the responsibility of his/her physicians, nurses and other professional staff only. Offering advice to a resident outside the scope of your assigned duties can endanger the resident and subject you to disciplinary action.

7. Smoking Policy:

Fort Hudson is a health care facility and employee smoking is not permitted within the facility or on the grounds other than the designated smoking areas. Your supervisor will clarify the designated smoking areas to you. Visitors are not permitted to smoke anywhere on the grounds or in the facility.

8. Personal Telephone Calls:

Pay telephones are located in the C Wing corridor to accommodate your personal telephone calls during your designated meal and rest periods. No personal calls will be put through to you. The Guest Services Coordinator will take a message, unless an emergency and you may return your call on the pay phones during your break.

9. Lockers:

Lockers are available on a limited basis. Fort Hudson is not responsible for the safety of your belongings. It is suggested a lock be purchased for security. Lockers are available on a first-come, first-serve basis. Lockers are the property of Fort Hudson, and Fort Hudson reserves the right to assign lockers, revoke use of, or enter lockers at any time.

10. Equipment Use

To avoid damaging equipment, caution and care should be used at all times. Employees will be disciplined for mischievous, malicious, or willful damage or destruction of facility equipment and property.

11. Language and Decorum:

Boisterous or profane language is always out of place in a health care facility. Employees are expected to use good taste in their topics of conversation. Those who are unable to cooperate with this policy will be subject to disciplinary action.

12. Social Media and Public Messaging:

Fort Hudson has developed specific policies regarding the use of Social Media web sites, which include Facebook, MySpace, and other similar sites. With growing use of these sites as the preferred method of communication, Employees must take special precaution in assuring they do not violate organizational policies related to confidentiality, harassment of others, etc. Fort Hudson retains the right to monitor publicly available information and take disciplinary action when policies are violated.

13. Resident Respect/Dignity:

Address residents as Miss, Mrs., or Mr. unless the resident requests otherwise. All Staff must knock on residents' doors (wait for acknowledgement) prior to entering their room; explanations must be given prior to any resident treatment or procedure. Residents may refuse treatments after having been fully informed and understanding the probable consequences of such action. Inservices regarding Resident's Rights are given upon employment and annually.

14. Staff Celebrations:

All employee parties and internal collections must be pre-approved by Administration. This includes showers, birthdays, farewells, etc. An internal collection shall be conducted only through notification indicating a designated person to whom a contribution may be made, if desired. No envelopes with cash may be circulated.

PROHIBITED HARASSMENT – WORKPLACE VIOLENCE AND THREATS POLICIES AND PROCEDURES

To provide you and all Fort Hudson employees with a productive work environment, it is our policy that we will not tolerate verbal or physical actions by an employee which harasses, disrupts or interferes with another's work performance or who creates an intimidating, offensive or hostile environment. Such harassment is not limited to those actions occurring on facility property only, and includes actions that may be taken at other locations, or via social networking internet sites. Violations of this policy will not be tolerated, and may result in progressive discipline up to and including termination.

If you believe the actions or words of a manager or fellow employee constitutes harassment, you have a responsibility to report or complain as soon as possible to your manager or to the human resources manager if the complaint involves your manager.

Prohibited Harassment

Harassment directed at an employee because of his/her protected status ("Prohibited Harassment"), including sexual harassment, is prohibited by federal and state laws. This Policy prohibits such harassment and Fort Hudson will take prompt, appropriate action to address violations of this policy. Prohibited harassment is unlawful whether it involves coworker harassment, harassment by a supervisor, or harassment by a resident, a visitor, or persons doing business with or for Fort Hudson.

Prohibited Harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, age, religion, disability status, genetic predisposition or carrier status, gender, sexual orientation, military or marital status or other status protected by applicable law.

Examples of Prohibited Harassment include:

- a. Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- b. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures, e-mail content, file transfers and postings on personal websites, social networks, weblogs and similar forms of electronic expression; and
- c. Physical conduct such as assault, unwanted touching, or blocking normal movement.

Sexual Harassment:

Sexual harassment in any form is prohibited under this policy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as

the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with, or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may take different forms. Examples of conduct that may constitute sexual harassment are:

a. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually-explicit jokes or comments about an employee's body or dress.

b. Visual conduct such as distributing, displaying, or discussing written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex, suggestive or insulting sounds; leering, making sexual gestures or e-mail or postings on personal websites, social networks, weblogs and similar forms of electronic expression that are sexual in nature.

c. Physical conduct such as touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault.

Remember: If your behavior or comments are of a sexual nature and someone indicates that it is offensive, you need to STOP doing what you were doing whether you agree or not as the person with the lowest threshold of sensitivity establishes the standard for the entire work group. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

Social Media and Networking

Although Fort Hudson respects the right of employees to access and use personal websites, social networking sites and similar forms of electronic expression during non-working hours and off Fort Hudson premises, any use of such forms of electronic expression to harass or discriminate is unlawful and prohibited by this Policy.

Complaint Procedure

It is the responsibility of every employee at Fort Hudson to see that no other employee is subjected to any form of prohibited harassment or workplace violence and threats. Should a supervisor or any member of management become aware of the occurrence of prohibited harassment or workplace violence or threats, irrespective of whether the affected employee files a written complaint, it is the responsibility of the supervisor or administration to see that appropriate action is taken to eliminate such harassment or workplace violence or threats and rectify the situation.

The following procedure must be followed when there is any indication that prohibited harassment or workplace violence and threats is taking place:

Fort Hudson Nursing Center, Inc.
Employee Handbook

1. Any employee who believes that he or she is or may be subjected to objectionable conduct or who witnesses such behavior must report it immediately to his or her supervisor. If your supervisor is not available, if you are not comfortable reporting the complaint to your supervisor, or if your supervisor is engaging in the objectionable conduct, you should report the conduct to your department head or Human Resources Manager.
2. Upon receipt of any complaint of prohibited harassment, workplace violence or threat, supervisors must report the complaint immediately to the Administrator.
3. In the event a supervisor is aware of an occurrence of prohibited harassment, workplace violence or threat but discovers that the affected employee has filed no complaint and that the employee is unwilling to file a complaint, the supervisor should immediately notify the Administrator.
4. Each complaint or known occurrence will be afforded prompt and thorough consideration, which may include an investigation.
5. If Fort Hudson determines that prohibited harassment or other conduct violative of Fort Hudson policy has occurred, Fort Hudson will take disciplinary action, up to and including termination of employment, against those who engaged in the misconduct.
6. The affected employee will be advised by the Administrator in the presence of the employee's supervisor and/or department head, as to the final disposition of the investigation.
7. Fort Hudson prohibits any and all retaliation for submitting a report of unlawful discrimination or cooperating in any investigation. *See Anti-Retaliation Policy.*

If you have any questions about this corporate policy or the procedure for investigating possible workplace harassment, violence or threats please contact your Department Head or Administration.

ANTI-RETALIATION

Fort Hudson policy and applicable law prohibit retaliation against any employee for opposing a discriminatory practice, for filing a complaint of discrimination or harassment pursuant to Fort Hudson's complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Retaliation includes any conduct, whether or not workplace or employment-related, directed at someone because he or she opposed a discriminatory practice, made a complaint of discrimination or harassment, or participated in such an investigation, which might deter a reasonable worker from making

or supporting a charge of discrimination or harassment. If you believe you have been subjected to retaliation, you should notify the Administrator immediately. Any individual found to have engaged in retaliation will be disciplined, up to and including termination of employment.

STAFF TREATMENT OF RESIDENTS

Fort Hudson prohibits mistreatment, neglect or abuse of residents or misappropriation of resident property.

Fort Hudson shall:

1. Not use, or permit, verbal, mental, sexual or physical abuse, including corporal punishment, or involuntary seclusion of residents; and
2. Not employ individuals who have:
 - a. Been found guilty of abusing, neglecting or mistreating individuals by a court of law; or
 - b. Had a finding entered into the New York State Nurse Aide Registry concerning abuse, neglect or mistreatment of residents or misappropriation of their property;
3. Report any knowledge it has of actions by a court of law against an employee which would indicate unfitness for service as a nurse aide or other facility staff to the New York State Nurse Aide Registry or to appropriate licensing authorities.

Fort Hudson shall ensure that alleged violations involving mistreatment, neglect or abuse including injuries of unknown source, are reported immediately to the Administrator when required by law or regulation, to the Department of Health in accordance with section 2803-d of the Public Health Law through established procedures.

Fort Hudson shall document that all alleged violations are thoroughly investigated and shall prevent further potential abuse while the investigation is in progress.

The results of all investigations shall be reported to the Administrator or his or her designated representative or to other officials in accordance with State law and if the alleged violation is verified, effective corrective action shall be taken.

USE OF INFORMATION TECHNOLOGY RESOURCES

Fort Hudson's Information Technology ("IT") resources include its computer systems, telecommunications equipment, fax machines, Internet, intranet, e-mail, voice mail, and other electronic equipment or media ("IT Resources") are provided to employees in order to conduct business on behalf of Fort Hudson. All IT Resources and the data, information and communications created by and or stored therein are the property of Fort Hudson. As a result, they are to be used for job-related communications only. Fort Hudson reserves the right to monitor its IT Resources and intercept e-mail, voice mail,

publicly available internet postings, and other electronic communication.. Use of Fort Hudson's IT Resources constitutes consent by the user to the terms and conditions of this policy, as well as consent to Fort Hudson's accessing, interception, and monitoring of employee use of Fort Hudson's IT Resources.

Fort Hudson prohibits discriminatory e-mail and file transfers of any type, and any use of Fort Hudson's IT Resources to harass or discriminate is unlawful and prohibited by Fort Hudson's policy on harassment. Sexually explicit material, ethnic or racial slurs, or anything that could be reasonably interpreted as disparaging of others based on race, color, creed, sex, age, national origin, disability, religion, sexual orientation, veteran status, marital status, genetic predisposition, domestic violence victim status or any other basis protected by applicable law are all examples of conduct that is prohibited.

Fort Hudson's IT Resources may not be used for personal gain or the advancement of individual views. Employees who wish to express personal opinions on the Internet may do so by obtaining a personal account with a commercial Internet provider and accessing the Internet outside of work. Employees who do so, however, must comply with the Fort Hudson's Social Media policy.

Employees must only access the libraries, files, data, programs, and directories that are related to their work duties. Unauthorized access, review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other unauthorized access of Fort Hudson's IT Resources and the information they contain, or improper use of information obtained by unauthorized means, is prohibited.

Employees may not download copy or distributed copyrighted material (*e.g.*, software, database files, documentation, articles, graphics files, and downloaded information) through e-mail, the Internet, or by any other means without advance approval from the Human Resources Manager. Downloaded software shall be used only under the terms of its license.

Fort Hudson's IT Resources must not be used to violate the laws and regulations of the United States or any other sovereign nation, or the laws of any state, city, province or other local jurisdiction in any material way. Use of Fort Hudson's IT Resources for illegal activity is grounds for immediate dismissal, and we will cooperate fully with any legitimate law enforcement agency.

Violations of this policy may result in discipline, up to and including termination.

DISCIPLINARY PROCEDURES

In the interest of fairness to our employees, the following disciplinary steps may be taken depending on the circumstances:

- Employee Counseling (Verbal, but documented)
- First Notice Warning
- Second Notice Warning
- Third Notice and Termination

Two documents are recognized by Fort Hudson to be used for progressive discipline:

Employee Counseling Form
Formal Letter of Reprimand

These procedures are only guidelines, are not all-inclusive and are not intended to apply to every situation. Appropriate discipline will be issued based on its own facts. In the case of certain acts of misconduct, immediate suspension or termination may result. These guidelines are not meant to change, and do not change, the employment-at-will relationship.

All infractions of policy will be discussed with employee by the supervisor and a written signed notice placed in the employee's file. The discussion of an infraction with your supervisor should be a time to recognize and discuss specific problem areas and to mutually develop a plan for improvement.

EMPLOYEE CONDUCT

Every organization must have certain rules in order to operate in an orderly and efficient manner, to make cooperation with other employees easier, and to assist in properly respecting the rights and interest of each employee. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of rules of conduct that may result in disciplinary action, including immediate suspension without pay or discharge.

1. The falsification of any documents, forms, or records completed in the performance of your duties that are subject to state and federal laws and Fort Hudson Policies and Procedures.
2. Abusive language or inconsiderate treatment of residents, visitors, or staff including verbal, psychological and physical abuse.
3. Disorderly, immoral, indecent behavior or fighting, or any acts that jeopardize the safety of others.
4. Distribution, sale, purchase or consumption of illegal substances or alcohol while at the workplace or while performing in a work related capacity and inability to perform his/her job due to use of alcohol, a controlled substance, an illegal substance or a prescribed medication. Having an odor of alcohol or other illegal substance on your person or breath is considered to be under the influence.
5. Insubordination (refusal to follow instructions of supervisor).

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6. Inefficiency, inability and negligence in the performance of assigned duties.
7. Repeated absenteeism or tardiness.
8. Violation of confidential information.
9. Violation of safety rules and regulations.
10. Destroying, defacing, or stealing property from the facility, residents, another employee, or visitors.
11. Use of facility property, equipment or resources for non-facility purposes without supervisory approval.
12. Intimidation or interference with the rights of any resident or employee.
13. Absence for 2 consecutive working days without personally notifying the facility per Fort Hudson Policy and Procedure.
14. Performing personal work on company time without the express permission of your supervisor or the Administrator.
15. Taking more than the specified time for meals and rest periods or leaving the building without permission.
16. Improper use of keys.
17. Loafing or sleeping during work hours.
18. Unauthorized possession, use, or copying of any Fort Hudson records and reports.
19. Soliciting, borrowing money, or accepting tips or gratuities from resident/families or any customer of Fort Hudson programs.
20. Unauthorized posting of notices or removing notices in the facility.
21. Distribution of literature during work hours or in work areas.
22. Smoking within the facility or its grounds except designated areas.
23. Misrepresenting reasons when applying for a leave of absence or for other time off from work.
24. Leaving your work area without permission jeopardizing the safety of residents/employees, or at times when your presence is required in your work area as determined by your supervisor.

25. Prohibited harassment, workplace violence or threats
26. Engaging in Medicare, Medicaid or other payor fraud or abuse, or noncompliance with the payors' legal and program requirements, or failing to meet the obligations set forth in the FHHS Medicaid, Medicare and other payor Compliance Program, including the obligation to report instances of payor fraud and abuse.
27. Failing to comply with established standards under HIPAA (Health Insurance Portability and Accountability Act) as they relate to the security and privacy of resident health information.

The above list of specified conduct is not all inclusive and Fort Hudson reserves the right to discipline for other conduct, which it believes is not in the best interests of other employees, the corporation or its residents and visitors.

Resolution Process

From time to time you may have questions or concerns related to your employment at Fort Hudson. You are encouraged to bring any work-related concerns promptly to the attention of your immediate supervisor. We would hope that you would never feel that voicing a concern would adversely affect your job.

The following Resolution Process steps have been established in an attempt to fairly resolve concerns for all employees who have completed their probationary period:

1. Discuss your concern first with your immediate supervisor or utilize the chain of command as needed. (See your department's organizational chart)
2. If your concern is related to your supervisor, direct the issue to the department manager (or whoever is next on the reporting structure).
3. If the issue cannot, or is not resolved to your satisfaction, discuss the issue with the administrator or human resources manager. The first response at this level may be to redirect it to your department manager or supervisor if that has not already been done.
4. At this (and prior) points in the process, problem solving will be done via collection of all relevant information, identifying all aspects of the situation, and working with the involved individuals for a common resolution. Since each situation is different, there is no standard procedure, other than to be as timely, accurate and fair in all resolutions. At all times, every effort will be made to maintain the confidentiality of the situation to the extent practical.
5. In the event that the situation is not rectified, the administrator reserves the right to make a final determination that is binding, taking into consideration whatever variables are pertinent.
6. A grievance procedure is normally established in a collective bargaining agreement for unionized employees.

REINSTATEMENT

If you voluntarily resign your employment with Fort Hudson, you may be reinstated without breaking your length of continuous employment, provided you reapply and are reinstated within 30 days of your termination date and an appropriate position is available.

For the time interval between the date of resignation and the date of re-employment, you will be considered to have been on a personal leave of absence, and your anniversary date adjusted accordingly.

If you are reinstated after a 30-day period, your length of continuous employment will be broken and you will be considered a new employee.

TERMINATION PROCEDURES

If you decide to resign your position at Fort Hudson, you must advise in writing indicating your reason for leaving, and your last day of work. Appropriate advance notice is required, which in most cases is two (2) weeks. Managers and any exempt staff must provide at least four (4) weeks notice. Your cooperation in this matter will be noted favorably should you ever wish to seek re-employment with Fort Hudson.

During your notice period, you are not eligible to use personal time or paid sick time. Vacation time, if pre-approved, may be taken but this time is NOT counted towards your notice period. If you leave, you are eligible to have any outstanding vacation time paid out if you have successfully completed at least 6 months of service and have provided proper notice as mentioned above. Any employee who is terminated or did not meet the conditions above forfeits any accrued, unused vacation time. Employees who separate from employment for any reason forfeit any accrued, unused unscheduled benefit time or personal time.

To assist the administration in its continuous effort to improve personnel policies, benefits, working conditions, and employee morale, it would be appreciated when you terminate employment with Fort Hudson that you be available for an exit conference with the Department Head and/or the Administrator.

CORPORATE COMPLIANCE

The Board of Directors of Fort Hudson Health System, Inc. has adopted a formal plan to ensure compliance with laws, regulations and standards relating to Medicare, Medicaid and other payors for healthcare services. The Compliance Program imposes specific obligations on board members, managers, employees, medical staff members and contractors. In general, employees are obligated:

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1. To know applicable Medicare, Medicaid and other payor requirements, the laws against Medicare and Medicaid fraud and abuse, and their responsibilities under the Compliance Program.
2. To understand the requirements set forth to ensure the security of, and privacy of resident (or other customer) health related information.
3. To comply with those requirements; and
4. To report instances on noncompliance to a hotline, supervisor or a compliance officer. No reprisals will be made against an employee for following this policy.

The Board of Directors has designated a Corporate Compliance Officer who is responsible for promoting an environment that supports corporate integrity, and for thoroughly investigating occurrences of suspected noncompliant actions. Employees who have any questions regarding this policy or its application to specific situations should contact the Corporate Compliance Officer or the CEO.

Fort Hudson Health System and its affiliates (Fort Hudson) are committed to complying with all of the federal, state and local laws and regulations that govern our operations. Corporate Compliance is a formal program that reflects that commitment and defines a code of conduct that all Fort Hudson employees must follow.

As part of the Corporate Compliance program, Fort Hudson has adopted policies and procedures to comply with the federal and state laws that prohibit fraud, waste, and abuse in Medicare, Medicaid, and other federal health care programs. Examples of prohibited conduct include billing for services that were not actually performed; billing for more costly services than were actually performed (“upcoding”); or falsifying a diagnosis to justify a procedure that is not medically necessary.

Any Fort Hudson employee who becomes aware of a potential non-compliance concern, such as improper coding or billing by an employee, contractor, or agent of Fort Hudson, must report the concern promptly to his or her supervisor or to the Corporate Compliance Officer. Reports to the Compliance Officer, which may be anonymous, may be made in writing, email through our web site (www.forthudson.com) or by phone to 747-2811 ext 261.

Under New York law, employees who report certain kinds of illegal or improper activities to a supervisor or to a government authority, or who refuse to participate in illegal activity of the employer, are protected under certain circumstances against retaliatory personnel actions such as discharge.

Several federal and state laws enable the government to impose administrative remedies, civil sanctions, and criminal penalties for false claims and statements made in connection with federal health care programs. For example, the federal False Claims Act allows the United States government or a private citizen to sue an individual or an entity for knowingly making certain false claims in connection with government business, such as knowingly submitting improper bills to a federal health care program. New York State

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has also enacted a False Claims Act. Under some circumstances, a private citizen who initiates an action under the federal or state False Claims Act may be entitled to a portion of the court award or settlement that is recovered by the government. An employee who brings or participates in a False Claims Act suit is protected by law from certain retaliatory actions by the employer.

For further information on Fort Hudson's Corporate Compliance program, and for detailed information on federal and state laws concerning the detection and prevention of fraud and abuse in federal health care programs and employee whistleblower protection rights, please refer to the Corporate Compliance policies. A copy of policies is available in administrative policy manual and on the facility intranet under Policies.

PLEASE RETAIN THIS BOOKLET

FORT HUDSON HEALTH SYSTEM, INC.
Fort Edward, New York

ACKNOWLEDGMENT

I have received this handbook, and understand that it is my responsibility to review its contents in their entirety. I have been instructed to see my department manager, human resource manager, or administrator if I have any questions pertaining to its content or meaning.

I understand that this handbook is not a policy manual, but a general guide to policies, practices and my employment at Fort Hudson Nursing Center, Inc. I acknowledge that, except for the policy of at-will employment, Fort Hudson reserves the right to amend, change, replace, revoke or discontinue facility policy and any of the terms and provisions of this Handbook at any time in its sole discretion with or without notice.

I also acknowledge that my employment with Fort Hudson is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by Fort Hudson. I understand and agree that this policy of at-will employment may be revised, deleted or superseded only by a written employment agreement signed by the Chief Executive Officer that expressly revises, modifies, deletes or supersedes the policy of at-will employment.

Employee Signature

Date