

Fort Hudson

Home & Community Based Services

*Fort Hudson Licensed Home Care Service Agency
Fort Hudson Certified Home Health Agency
Fort Hudson Community Companions
Fort Hudson Care Management
Social Adult Day Services*



EMPLOYEE HANDBOOK

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Dear Fort Hudson 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 Program Director or Human Resources 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 can 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, we are confident that you will find your employment here a stimulating, challenging and enjoyable experience.

Sincerely,

Andrew Cruikshank
Chief Executive Officer

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CHAPTER 1 – Introduction

This Handbook has been prepared to help answer some questions that may arise for an employee of our home and community based programs (hereinafter ‘Fort Hudson’). 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 Program Director, Supervisor or Human Resources.

Each employee shall receive, or have readily accessible a copy of this Handbook; is required to read this Handbook; and acknowledge understanding of the contents of this Handbook by signing the attached Acknowledgement and 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 or verbal representations of the contents of the handbook. 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.

CHAPTER 2 - Welcome to Fort Hudson

Every member of our staff welcomes you. We hope that your employment here will be a most rewarding experience and that you will help us maintain our reputation for excellence in client care and service.

Being part of a dynamic and expansive home and community based program and integrated senior care provider cannot be compared to any other kind of working experience. We do not sell a product; we give of ourselves and provide a valuable service.

OUR VISION

To be the community's first choice provider in comprehensive and integrated services for older adults.

OUR MISSION

To provide compassionate care and services to the community's older adults, which support personal independence, meaningful quality of life and individual dignity.

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
licensed home care services agency
certified home health agency
care management*

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 Certified Home Health Agency
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 strategic priorities and 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. Any concerns brought to the attention of any Board Members will be immediately

redirected to the Chief Executive Officer 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.

Employee Relations & Communications

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.

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
- Follow 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

CHAPTER 3 – Nature of Services

Fort Hudson Home and Community Based Services (HCBS) provides the community with a wide variety of programs focused on the individual client who resides in the community. Each program within this umbrella of services addresses the clients needs in the manner most appropriate to the scope of services and licensure of that program. You will be provided specific instruction on the unique nature of the program which you will work with.

CHAPTER 4 – Confidentiality of Information

All individuals engaged in the collection, handling, or dissemination of client information, whether clinical or business-related, have a responsibility to protect the client data. Clients being treated by Fort Hudson have entrusted the individuals and Fort Hudson to use all client information only in a manner consistent with the service which Fort Hudson provides to that client. Review and/or disclosure of any information which is unnecessary or inappropriate for the care and/or service provided to that individual are a violation of this policy.

1. Information, although available to an individual, does not constitute implicit approval by Fort Hudson to access that information, to further disseminate that information or to use that information in any manner inconsistent with its intended purpose.
2. It is the intent of Fort Hudson that only those individuals directly involved in a client's care should access the clinical information regarding the client. Similarly, related information is intended for use by those directly involved with the clinical aspects of the client's care.
3. Violation of the policy can result in disciplinary action including termination of any relationship with Fort Hudson.

CHAPTER 5 – Your Employment

Selection Process

The selection of employees is based on the qualifications of applicants as they apply to the requirements of each position. Steps in the selection process include but not limited to recruitment, completion of an application, a personal interview, criminal background and reference checks from prior employers. **Any incomplete, false or misleading information submitted by you during this process may constitute grounds for immediate dismissal.**

Introductory Period

The first three months of employment will be considered a trial period to learn job duties and responsibilities, get acquainted with Manager(s) and fellow Employees, and familiarize yourself with Fort Hudson in general. At the end of your introductory period, your supervisor will evaluate your performance and you will be considered for continued employment. Please understand that completion of the introductory period does not guarantee continued employment and does not change the at-will nature of the employment relationship, except where an employee's employment is subject to a collective bargaining agreement.

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. **Per Diem Employee** – An employee who does not typically have a regular schedule 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.

2. **Regular Full Time Employee** – An employee who satisfactorily completes the probationary 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). Regular full time employees will have a fixed schedule or fixed number of hours of work.
3. **Regular Part Time Employee** – An employee who satisfactorily completes the probationary period and who works less than 37.5 hours per week (or 75 per pay period) but at least 20 hours per week, or 40 hours per pay period (0.4 FTE to 0.9 FTE). Part time employees will have a fixed schedule or fixed number of hours.

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 40 hours in a week when worked time is authorized by the department supervisor or manager. Some situations may be exempt from overtime based on existing regulation or law.

Exempt: Employees in these positions may be supervisory or non-supervisory. Pay is based on an annual salary. Exempt employees are generally not eligible for overtime pay. (Refer to policy for specific guidelines).

Identification Tags

Employee photo identification tags, including name and job title, must be carried on all assignments, and displayed to the client. They do not need to be worn during work time in the client's home, but are required when on Fort Hudson property. In the event of an emergency at any Fort Hudson program, your identification tag must be worn for entry on to the organization's property. Lost tags will be replaced by Fort Hudson at a nominal charge to employee. Only facility-approved pins or badges may be attached to the identification tag.

Identification badges are to be returned to your supervisor on your final day of employment.

Job Description/Training/Inservice/Meetings

A description of our 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 on-the-job training during and after your orientation period. You also be required to participate in the ongoing scheduled mandatory in-service 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 complete annual mandatory in-services. Which in-services you are required to complete will depend on the nature of your assigned job duties.

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 service.

New employees' performance will be reviewed after 90 days of 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. A performance appraisal interview will then be held with you. Your performance will be discussed; written comments may be noted by you 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.

Resignation

If you decide to resign your position, 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, professional staff and exempt positions must provide at least four (4) weeks' notice. During your notice period, you are not eligible to use personal time or paid sick time unless otherwise allowed in law. Vacation time, if pre-approved, may be taken but this time is NOT counted towards your notice period. If you resign after having successfully completed at least 6 months of service and provided proper notice as mentioned above, you are eligible to have any accrued but unused vacation time paid out. Any employee who is terminated or did not otherwise meet the conditions above will forfeit accrued but unused vacation time.

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. Requests for former employee's personnel files must be accompanied by a subpoena. 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 client 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 assessment not less than annually, as a condition of continued employment.
3. You may be required to have a pre-employment test for Tuberculosis; depending on your position.
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.
5. The influenza vaccination is offered to all employees annually. Employees who are not immunized are subject to stringent requirements as defined by NYS regulation.

CHAPTER 6 – Payroll, Compensation & Benefits

Payment of Wages

It is the policy of Fort Hudson to pay employees on a regular bi-weekly cycle.

1. Employees are expected to have direct deposit for payroll, established at the time of hire. Pay stubs are available through an on-line employee portal.
2. In the rare event direct deposit is not available, paychecks will be available for distribution on the Thursday following the last day of the pay period at time designated by Fort Hudson. All employees who pick up their checks must do so in person; or with a note signed by the employee authorizing someone other than the employee to pick up their check. It is the responsibility of the employee to make sure that Fort Hudson has the most up-to-date information regarding your correct address. If the check is lost or not received in a reasonable time-period, please contact the payroll office.
3. All wage information is confidential.

Overpayment of Wages and Dispute Resolution Process

In the event you receive one or more inadvertent wage overpayments due to mathematical or other clerical errors, Fort Hudson may use payroll deductions to recover the amount of the overpayment(s). If you wish to contest the overpayment(s) and terms of recovery, and/or to seek a delay in the recovery of this amount, you must follow the procedures contained in the “Overpayment Dispute Resolution Process,” a copy of which Fort Hudson will provide to you before making deductions. You may also obtain a copy of the “Overpayment Dispute Resolution Process” from the Human Resources Office at any time. A summary of the process is below.

- First, you will receive a “Notice of Intent” from Fort Hudson describing the overpayment(s) and terms of recovery.
- Second, you must respond in writing to the Director of Human Resources within seven calendar days of the date that you receive Fort Hudson's overpayment “Notice of Intent.” In that response, you must state clearly the issue(s) you are raising and explain why you are raising each issue.
- Third, Fort Hudson will reply back to you in writing. Fort Hudson will address the issues raised in your response, will clearly explain its position(s), will state whether it agrees or disagrees with your position(s), and will explain why it agrees or disagrees. The reply from Fort Hudson will also include an invitation and seven-calendar-day window for you to meet with the Human Resources Office to discuss any disagreement(s) that remain regarding the deduction(s).

- Fourth, seven calendar days from the date of the meeting or expiration of the seven-day opportunity to meet, Fort Hudson will provide a written notice of its Final Determination regarding the deduction(s).

If you have additional questions about these procedures, please contact the Director of Human Resources.

Deductions from Salary

Fort Hudson is committed to complying with the salary basis requirements of the FLSA and New York's Labor Law. Therefore, supervisors are not permitted to make, and Fort Hudson prohibits any improper deductions from the salaries of exempt employees. To ensure that they are paid properly for all time worked and that no improper deductions are made, exempt employees should review their pay stub to make sure it is correct.

If an employee believes that an improper deduction has been made from his/her paycheck, the employee should immediately report this information to Human Resources or Payroll. Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, the employee will be reimbursed promptly for any improper deduction made.

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.
4. **NYS PFL** – NYS only; required by law. Deduction amount is established by NYS each year for all employees that do not meet waiver requirements. To see if you qualify for waiver or would like additional information, see Human Resources.

Overtime Pay

Fort Hudson complies with all provisions of the Fair Labor Standards Act with respect to the payment of overtime. The following is a brief overview of overtime practices; but may not always be applicable to each position.

1. All employees are eligible for payment of overtime except those employees classified as “exempt” under the provisions of the Fair Labor Standards Act.
2. Time and one-half shall be paid for all hours worked beyond forty (40) hours in any week. A week is defined as beginning Sunday at 12 midnight and ending Saturday at 11:59 p.m.
3. Overtime must appear on the weekly time slip covering the work week in which it was earned (if applicable).
4. Employees may not arbitrarily begin work early or remain at work beyond the end of their scheduled worked shift without prior approval from their supervisor. Employees who, after being counseled, work overtime without approval will be subject to disciplinary action for disregarding this policy.

Hours of Work

The following summarize the policies and procedures governing the hours of work for all employees of Fort Hudson. It is the policy of Fort Hudson to establish and maintain “hours of work” which are compatible with Federal and State Law, Fort Hudson Health System standards, and the maintenance of effective and efficient scheduling of the workload. The policy is applicable to all regular full and part time, temporary, interim and per-diem employees.

1. All employees will have hours of work established based on their employment status and needs of Fort Hudson.
2. Hours of work may be daytime, evening and nighttime hours, or any combination thereof based on the terms established at the time of hire (or as amended).
3. An hourly rate is paid for all hours worked by non-exempt employees.
4. Due to the nature of home and community based programs, it may not always be possible to guarantee the hours applicable to the FTE status. Should this occur your supervisor will discuss available options with you.

Employee Benefits

Fort Hudson provides a competitive benefit package to eligible employees. Some benefits are available to full or part time employees and some are available for all employees. Please see Human Resources for specific benefits applicable to you.

Holidays

New Year’s Day

Memorial Day

Independence Day (July 4th)

Labor Day

Thanksgiving Day

Christmas Day

Floating Holiday

Additional Information About Holidays

1. Eligibility - after 30 days continuous employment
2. Floating Holiday – is any other holiday or day of your choice
3. Holiday pay will be for the same number of hours worked on the holiday; not to exceed 7 ½ hours
4. If you do not work your scheduled shift the day before or the day after a holiday, you will forfeit the holiday pay
5. If a holiday falls during a period in which you are receiving paychecks under the NYS Disability Law, you forfeit the holiday.

Vacations

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 accrual.
2. Vacations are earned as follows: (full time)
 - a. Your initial accrual will be determined by your terms of offer; but no less than 2 weeks for full time position
 - b. After 5 years of continuous employment, vacation allowance will be increased by 5 days, up to no less than 15 days per year
 - c. After 15 years of continuous employment, vacation allowance will be increased by 5 days, up to no less than 20 days per year
3. Four weeks is the maximum amount of vacation time to be accrued by any employee
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, at least 30 days prior to the day requested, 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 period of disability or leave of absence.
8. Employees can “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.
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 terminating after completing at least six months of service will receive accrued vacation pay if it is a voluntary resignation, and if adequate notice is given.
4. Payment in Lieu of Vacation – may be used for any unused days with Dept. Head approval.

Sick Time

As of January 1, 2021, employees will accrue and may use sick leave in accordance with the Fort Hudson Health System policy (# 00-200-03 Paid Sick Leave NYS). The following is a summary of this policy and complies with NYS Paid Sick Leave Law (PSL) effective January 1, 2021.

Accrual of Leave

Under NYS Paid Sick Leave, employees will accrue 1 hour of paid sick leave for every 30 hours worked and capped at 56 hours in a calendar year. Fort Hudson's current sick leave accrual calculations may be higher or lower than this rate; employee sick leave calculations will be whichever is greater.

For purposes of NYS PSL, time will begin to accrue on the later of September 30, 2020 or the first day of hire.

Full-Time Employees

Fort Hudson will use the greater of 2.88 hours of sick time per pay period or 1 hour of sick time for every 30 hours worked. The total annual accrual of sick time will not exceed 75 hours per calendar year.

Part-Time Employees

Part time and Per Diem employees will accrue 1 hour of sick time for every 30 hours worked, or a prorated number of hours per pay period based on their FTE status (which does not apply to Per Diem); whichever is greater. The total annual accrual of sick time will not exceed 56 hours per calendar year.

Rate of Pay

Leave will be paid at the employee's regular rate of pay.

Paid Sick Leave Balance

PSL time accrued in excess of existing Fort Hudson accrual rates will be calculated and maintained by Payroll. Employees may request a balance accounting at any time; Fort Hudson will provide such calculation in no more than 3 workdays (Monday – Friday).

Reasons for Leave

Sick leave under PSL is available to employees under a variety of conditions; including all situations allowed previously. See referenced policy or Human Resources for additional detail.

Notice Requirements

Fort Hudson requires notice of the need for sick leave as soon as possible, but in all cases, notice must be given prior to taking sick leave. Notice can be given orally or in writing. Employees should contact their department supervisor at the contact numbers provided to you, or the facility (518-747-2811) if they need to use leave.

Separation from Employment

An employee will not be paid for accrued, unused sick leave upon an employee's separation from employment. Time taken during any notice period will not be considered 'work time' for purposes of good standing.

Retaliation

Fort Hudson will not impose any retaliatory or disciplinary measures against employees who use accrued time under NYS PSL law when used for allowable purposes and when in compliance with policy. Fort Hudson reserves the right to advise an employee of the impact of excessive sick time on care and services, as determined appropriate for employee educational and development purposes. Time used in excess of 56 hours in a calendar year (maximum PSL accrual) will be subject to existing Fort Hudson sick leave requirements and limitations, including disciplinary actions where appropriate.

If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to Human Resources.

Previous Unscheduled Benefit Time

Consistent with Fort Hudson's previous Unscheduled Benefit Time policy, employees who have Unscheduled Benefit Time remaining may use such time in accordance with Fort Hudson's previous Unscheduled Benefit Time policy. As of January 1, 2021, employees will no longer accrue Unscheduled Benefit Time and instead will accrue sick time in accordance with this policy.

Personal Days

Fort Hudson provides Personal Days for eligible employees at the completion of the year of services, as follows:

- 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.

Continuation of Group Health Coverage (COBRA)

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 within 45 days after signing this election form.

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).

OTHER BENEFITS PAID BY FORT HUDSON

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.

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.

Retirement Plan

1. All employees are eligible to contribute pre-tax or post-tax income through payroll deduction to qualified 401(k) accounts.
2. Please refer to the summary plan descriptions for more information.

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.

1. Up to 3 days granted for immediate family (spouse, domestic partner, same sex committed partner, children, parents, siblings).
2. One day granted for extended family (grandparents, spouse's or same sex committed partner's parents, or other close relatives)
3. Per diem and temporary employees do not receive this benefit.
4. Benefit available after 30 days continuous employment
5. For purposes of this policy, "same sex committed partner" refers to those who are financially and emotionally interdependent in a manner commonly presumed of spouses.

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

1. 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.
2. 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.

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.

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.

CHAPTER 7- Employee Attendance

Unscheduled Absence and Tardiness

All employees must notify Fort Hudson of unexpected absences or if anticipate arriving later than your assigned time at least 4 hours before the start of your case.

1. During regular office hours call the office and advise the Supervisor or schedule coordinator of the call-out or lateness.
2. During non-office hours and on holidays and weekends, you must contact the on-call supervisor. Failure to make contact with the supervisor regarding a call-out may result in termination.
3. Excessive lateness and absenteeism is a disservice to your client(s), Fort Hudson and can result in negative client outcomes.

Emergency Days

Fort Hudson acknowledges that natural and man-made disasters may prevent the normal daily activities of the agency from occurring. Under these circumstances, Fort Hudson must direct efforts to ensure that the health care needs of the client's are met. In this policy, disasters shall mean extreme weather conditions (hurricanes, blizzards, floods, earthquakes, etc.), or other conditions that are of a wide-spread nature and prevent or hinder normal business and/or community function.

1. The Program Coordinator is responsible for administering this policy and will make the decision to declare an emergency situation.

2. During the disaster or emergency condition, Fort Hudson will work to provide care for those clients in greatest need.
3. If the emergency occurs during business hours, the Supervisor or Schedule Coordinator will make every effort to contact every employee currently working or scheduled to work for the duration of the emergency.

CHAPTER 8 – Staff Treatment of Clients & Rules of Work

Fort Hudson prohibits mistreatment, neglect or abuse of clients or misappropriation of their 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 or Home Care Registry concerning abuse, neglect or mistreatment of residents/clients 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 staff to the New York State Nurse Aide or Home Care 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 Program Coordinator when required by law or regulation, and to the Public Authorities as indicated.

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 Chief Executive Officer 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.

Dress Code

You represent Fort Hudson when you are on assignment and should always present a professional, neat and clean appearance while on duty. Your Program Director or Supervisor will provide you with dress code standards.

Telephone Usage

Proper phone usage while in the client's home is essential. Therefore, Fort Hudson has established and will enforce reasonable guidelines for the use of telephones while on assignment. Hourly or live-out employees should not place or receive calls while on assignment except in emergencies.

The following policy applies to all employees.

1. Employees should limit their use of the client's phone, in terms of placing and receiving calls, to emergencies only. They should never provide the client's phone number to family, friends, etc. **Use of client phone for electronic visit verification (EVV) is allowed when approved by your supervisor.**
2. Employee must obtain permission from the client before placing any calls on the client's phone. Employees are responsible for all phone charges made on a client's phone. They are expected to be paid in full and promptly to the client.
3. All phone calls should be kept to a minimum. Phone usage for personal reasons is forbidden.
4. An employee may use the client's telephone, with the client's permission, to contact Fort Hudson's office for reasons pertinent to the client and/or other Fort Hudson business.

Smoke-Free Environment

Fort Hudson provides a work environment that is healthy, comfortable, and smoke-free for all employees and clients. Smoking is prohibited in all clients' homes, as well as all areas of the Fort Hudson property, except as approved as Employee smoking area.

Employees may only smoke outside of a client's home if they receive prior permission from the client, and only where smoking does not interfere with the responsibilities of the employee.

Conduct - Disciplinary Action

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 unprofessional 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, being under the influence of or being unable 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, or otherwise observed to be in an altered state is considered to be under the influence.

5. Insubordination (refusal to follow instructions of supervisor), threatening, intimidating, disrespectful or assaulting a manager/supervisor, coworker, customer, guest or vendor.
6. Making maliciously false statements about Fort Hudson.
7. Inefficiency, inability and negligence in the performance of assigned duties.
8. Repeated absenteeism or tardiness.
9. Violation of confidential information.
10. Violation of safety rules and regulations.
11. Destroying, defacing, or stealing property from the facility, residents, another employee, or visitors.
12. Use of facility property, equipment or resources for non-facility purposes without supervisory approval.
13. Intimidation or interference with the rights of any resident or employee.
14. Absence for 2 consecutive working days without personally notifying the facility per Fort Hudson Policy and Procedure.
15. Performing personal work on company time without the express permission of your supervisor or the Administrator.
16. Taking more than the specified time for meals and rest periods or leaving the building without permission.
17. Improper use of keys.
18. Loafing or sleeping during work hours.
19. Unauthorized possession, use, or copying of any Fort Hudson records and reports.
20. Soliciting, borrowing money, or accepting tips or gratuities from resident/families or any customer of Fort Hudson programs.
21. Unauthorized posting of notices or removing notices in the facility.
22. Distribution of literature during work hours or in resident care or other work areas.

23. Smoking within the facility or anywhere on Fort Hudson property, as defined in policy.
24. Misrepresenting reasons when applying for a leave of absence or for other time off from work.
25. 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.
26. Prohibited harassment, workplace violence or threats
27. 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.
28. 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 clients and visitors.

1. Whenever an employee commits an offense warranting disciplinary action, the Supervisor shall institute discipline in the following order:
2. At the first offense, if not serious enough in itself to warrant more serious disciplinary action, the employee shall be given a verbal warning. Documentation of the verbal warning shall be noted in the employee's personnel file.
3. At the second offense, or for more serious violations, but not yet serious enough to warrant discharge, the employee shall be given a written counseling. Additional infractions will result in immediate discharge.
4. At the third offense, or at any other time the violation is independently deemed sufficiently serious, the employee shall receive a formal letter of reprimand and discharge.
5. Discipline may begin at any step in this procedure, depending upon the seriousness of the infraction.
6. At the discretion of the Supervisor, any step in the disciplinary procedure may be repeated.
7. In each case of misconduct, the appropriate disciplinary or counseling action will be determined, at Fort Hudson's sole discretion, on the basis of the particular facts and circumstances. This discipline and counseling procedure sets forth factors and procedures that Fort Hudson believes are generally appropriate concerning employee conduct. Provisions of this procedure are not, however, absolute rules, nor do they constitute a contract or agreement to provide progressive discipline.

If the employee feels that he/she has been unjustly disciplined, he/she has the right to submit the question or concern to the Supervisor. The following Resolution Process steps have been established in an attempt to fairly resolve concerns for all staff who have completed their probationary period:

1. Discuss your concern first with your immediate Supervisor or utilize the chain of command as needed.
2. If the issue cannot, or is not resolved to your satisfaction, discuss the issue with the human resources manager or Chief Executive Officer. The first response at this level may be to redirect it to your immediate Supervisor if that has not already been done
3. At this point 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. At all times, every effort will be made to maintain the confidentiality of the situation to the extent practical.
4. In the even that the situation is not rectified, the CEO or his/her designee reserves the right to make a final determination that is binding, taking into consideration whatever variables are pertinent.

CHAPTER 9 – Leave of Absence

Family And Medical Leave Act Of 1993 (FMLA)

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.

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:

1. Birth and care of your child.
2. Adoption or foster care placement and care of your child.
3. Care for your spouse, son or daughter or parent who has a serious health condition.
4. 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 service member (“military caregiver leave”). A covered service member 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 service member medically unfit to perform his or her duties and for which the service member is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list.

A covered service member 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.

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.

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 service member 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.

Job Reinstatement – Upon return from the leave, you must be reinstated to the position held prior to the leave or that of equivalent status.

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 service member'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.

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.

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.

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.

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.

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.

NEW YORK PAID FAMILY LEAVE

In accordance with the New York State Paid Family Leave Benefits Law, effective January 1, 2018, Fort Hudson will provide employees based in New York State with time off to care for family members under certain circumstances. Employees on paid family leave (PFL) will receive partial pay through an insurance policy funded by a small weekly post-tax payroll deduction (set in accordance with state law). Payroll deductions begin on January 1, 2018, or the employee's first day of employment, whichever is later. Pursuant to state law, participation in the PFL program is mandatory for all employees, except for those eligible for a waiver. Human Resources can provide additional information on request.

CHAPTER 10 – Miscellaneous

Equal Opportunity Employer

Fort Hudson 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.*

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 Education

As an employee of Fort Hudson, it is your responsibility to maintain education requirements annually to maintain all current certification(s), currently 6 hours/year for PCA and 12 hours/year for HHA. In addition there is annual mandatory training per agency policy. Fort Hudson provides education and training and provides materials to assist with meeting education needs. Caregivers are responsible with letting agency supervisor know of any education needs.

Drug Testing

Fort Hudson reserves the right to implement employee drug testing policies which are compliant with existing laws, rules and regulations.

Solicitation/Distribution

The following solicitation/distribution policies are in effect. Violations of these standards will lead to progressive disciplinary action.

1. Solicitation by an employee of another employee is prohibited while either person is on working time.
2. 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.

3. Solicitation, distribution of literature or trespassing by non-employees is prohibited on Fort Hudson premises.
4. 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.
5. This policy extends to solicitation and distribution via Fort Hudson's email and telephone systems.
6. 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.
7. Violations of this policy should be reported to your supervisor or Human Resources Manager who will take action to insure uniform enforcement and compliance.

Confidentiality

In the process of performing your work, you may observe or overhear information regarding clients and their families, all of which must be considered confidential. You are directed not to discuss or disclose any information concerning clients or their families at any time. In work settings, information concerning clients 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.

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 client or employee issues. All inquiries are to be directed to the Director or CEO or his/her designee.

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

Unauthorized Advice

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

Use of Logos, Copyrights and Trademarks

Employees are expected to respect all copyright and other intellectual property laws. For Fort Hudson's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks,

and other intellectual property, including Fort Hudson's own copyrights, trademarks, and brands, including its logo.

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 client or employer equipment and property.

Language and Decorum

Boisterous or profane language is always out of place in the work setting and client home. 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.

Social Media and Public Messaging

Fort Hudson has developed specific policies regarding the use of Social Media web sites, which include LinkedIn, Facebook, Twitter, Instagram and Vine 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. Note, however, that nothing in these policies will be interpreted to limit or interfere with employee rights under Section 7 of the National Labor Relations Act or other applicable labor laws or regulations.

CHAPTER 11 – 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:

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. The corporate compliance officer is the Associate Administrator. Employees who have any questions regarding corporate compliance 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 developed a Corporate Compliance Manual 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 Associate Administrator. Reports to the Corporate Compliance Officer, which may be anonymous, may be made in writing, by phone to (518) 747-9047 ext 261, or online by using an online reporting form “Click and Report” at www.forthudson.com.

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 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 detailed information on detection and prevention of fraud and abuse in federal health care programs and employee whistleblower protection rights, please refer to Fort Hudson’s Corporate Compliance Manual available at www.forthudson.com.

A summary of all relevant state and federal laws is also available online at http://www.omig.state.ny.us/data/images/stories/relevant_fca_statutes_122209.pdf

CHAPTER 12 - Prohibited Harassment

Workplace Violence And Threats

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:

1. Verbal conduct such as threats, epithets, derogatory comments, or slurs;
2. 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
3. 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:

1. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually-explicit jokes or comments about an employee's body or dress.
2. 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.
3. 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. You may access Fort Hudson's policy and complaint form on Sexual Harassment on the Fort Hudson website; policy #00-200-05.

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:

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.

CHAPTER 13 - 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.

Please Retain This Booklet

ATTESTATION A
Direct Hire Limitation

It is against Fort Hudson Health System policy for a client to directly hire a Fort Hudson employee. It is also against Fort Hudson's policy for an employee to solicit a client into hiring the employee direct.

1. This policy applies to all Fort Hudson Health System, Inc. employees.
2. A client cannot hire any employee either directly or indirectly, introduced to them by Fort Hudson while the employee is in the employ of Fort Hudson, or for a period of 1 year thereafter. If this agreement is broken, the employee will pay Fort Hudson a placement fee of \$3,000.00.

Employee Signature _____ Date: _____

ATTESTATION B
Confidentiality Agreement

It is the utmost concern to Fort Hudson Home Care, Inc. that all employees and individuals affiliated with the organization understand this policy and abide by its terms as follows:

1. I understand that it is my responsibility to maintain confidentiality of all information that is entrusted to me.
2. I specifically understand that information regarding clients, employees and individuals affiliated with Fort Hudson Home Care, Inc. is not to be disseminated to individuals who have no need to know.
3. I understand that any violation of this policy may result in disciplinary action or immediate dismissal.

Your signature below acknowledges your strict cooperation with this policy of Fort Hudson's Home Care, Inc. adherence to the agreement.

Employee Signature _____ Date: _____

FORT HUDSON
Home and Community Base Services

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 supervisor, human resource manager, or chief executive officer 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. 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.

This handbook is not an employee-employer contract, is not meant to be contractual in nature and is not to be construed in that manner.

Employee Signature: _____ Date: _____