



Receipt of Employee Handbook and Employment-At-Will Statement (Revised 12-17)

This is to acknowledge that I have received a copy of the Independent Support Services, Inc. Employee Handbook and I understand that it contains information about the employment policies and practices of the Agency. I agree to read and comply with this Employee Handbook. I understand that the policies outlined in this Employee Handbook are management guidelines only, which in a developing business will require changes from time to time. I understand that the Agency retains the right make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Agency. I understand that this Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

I understand that except for the policy of at-will employment, which can only be changed by the Executive Director of the Agency or designee in a signed written contract, the Agency reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook will be in writing and will be signed by the Executive Director of the Agency. I understand that no oral statements or representations can change the provisions of this Employee Handbook.

I understand that this Employee Handbook is not intended to create contractual obligations with respect to any matters it covers, and that the Employee Handbook does not create a contract guaranteeing that I will be employed for any specific time period.

THIS AGENCY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, THE AGENCY OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE AGENCY IS AUTHORIZED TO ENTER INTO AN AGREEMENT, EXPRESSED OR IMPLIED, WITH ME OR ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT SIGNED BY THE EXECUTIVE DIRECTOR OF THE AGENCY.

I understand that this Employee Handbook refers to current benefit plans maintained by the Agency and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I understand that if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

If I have questions regarding the content or interpretation of this Employee Handbook, I will contact the Human Resources Department. hr@issny.org

NAME _____

DATE _____

SIGNATURE _____



EMPLOYEE HANDBOOK

Self-Direction Self-Hired Direct Support Staff

Revised December 2017

Main Office including Human Resources:

Mailing address: 20 Crystal Street PO Box 1320 Monticello, NY 12701-8320

Phone: 845-794-5218

Long Island Office:

Mailing Address: 390 Rabro Drive 1st Floor Hauppauge New York 11788

Phone: 631-864-2539

Agency Website: www.issny.org **Human Resources email:** hr@issny.org

Corporate Compliance Hotline: 855-734-2401

Incident Reporting Hotline: 845-794-5218 extension 311

Welcome to Independent Support Services!

Starting a new job is exciting, but at times it can be overwhelming. This Employee Handbook has been developed to help you become acquainted with our Agency and answer many of your initial questions.

As an employee of Independent Support Services, the importance of your contribution cannot be overstated. Our goal is to provide the finest quality services to our clients, and to do so more efficiently and economically than our competitors. By satisfying our clients' needs, they will continue to do business with us and they will recommend us to others.

You are an important part of this process because your work directly influences our Agency's reputation.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

A handwritten signature in black ink that reads "Alan Kulchinsky" followed by a horizontal line.

Alan Kulchinsky
Executive Director

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Preface

Deficit Reduction Act of 2005 (ORA)

Medicaid providers, such as Independent Support Services, must meet the requirements of the Deficit Reduction Act of 2005 (ORA). This act requires agencies to have effective Corporate Compliance Training Programs.

The ORA requires health care entities that receive or make \$5 million or more in Medicaid payments during a federal fiscal year (October 1 to September 30) to do the following:

1. Establish written policies and procedures informing and educating their employees, contractors and agents about federal and state false claims acts and whistleblower protections.
2. On or before January 1st of each year, required health care entities are required to certify:
 - a. that it maintains the written policies
 - b. that any employee handbook includes materials, required under the ORA mandate
 - c. that the materials have been properly
 1. adopted and published by the health care entity;
 2. and that the materials have been disseminated to employees, contractors and agents.

False Claims Act Policy

The purpose of this policy is to ensure that Independent Support Services does not engage in conduct that violates the Federal False Claims Act as well as state laws that punish the making of false claims and statements. This is violated if a person knowingly makes use, or causes to be made or use, a false record or statement to get a fraudulent claim paid or approved by the Federal Government. The potential penalties for violations include:

1. damages equal to three times the amount of the false claim(s)
2. civil penalties of up to \$11,000 per claim
3. exclusion from federal health care programs
4. criminal penalties may be imposed by the state

Independent Support Services may be subject to liability under the False Claims Act for:

1. Submitting claims for services not rendered
2. Submitting reports to Medicaid that are inaccurate or incomplete
3. Assisting another health care provider in improperly billing Medicaid for health care services that Independent Support Services is required to pay
4. Any knowing submission of false claims or statements that result in payment by a federal health care program, that we are not entitled to receive.

All employees, contractors and the Board of Directors of Independent Support Services are strictly prohibited from engaging in any conduct that violates the False Claims Act. Employees and contractors must take all steps specified in this policy to protect Independent Support Services from False Claims Act liability. Therefore, Employees are expected to report the preparation or submission to Medicaid or any other federal health care program of any claim or report that appears to violate the False Claims Act. All reports received will be evaluated and investigated as necessary. Employees are encouraged to contact the Corporate Compliance Officer if they have any questions as to whether certain practices violate

the Federal False Claims Act. Independent Support Services provides Corporate Compliance Training to all Employees.

Independent Support Services may avoid paying damages and penalties if it discloses to the relevant health care program any false or fraudulent claims and makes appropriate restitution of any overpayments, within 30 days of discovery of the false claim. Failure to abide by this policy will result in disciplinary action up to and including termination.

Corporate Compliance/Whistleblower Protections

The purpose of this policy is to outline the procedure for employees to report actions that an employee reasonably believes to be in violation of the aforementioned laws, rules or regulations and/or constitutes fraud. This policy applies to employees, consultants, contractors, vendors, Board of Directors, etc.

If an employee has a reasonable belief that another employee has engaged in actions that violate any laws, or rules which constitutes a fraudulent practice, the employee is expected to immediately report such information to the Corporate Compliance Officer.

Independent Support Services encourages its employees and contractors to report instances of fraud, waste and *I* or abuse. Intimidation or retaliation will not be permitted against individuals who participate in the compliance program. Protection will be extended in relation to staff:

1. reporting potential issues
2. investigating issues
3. performing self-evaluations *I* audits
4. remedial actions
5. reporting to appropriate officials

Independent Support Services will not retaliate against an employee who has provided to law enforcement personnel or a court, truthful information relating to the performance or possible performance by Independent Support Services or any of its employees of a violation of any applicable law or regulation.

Any allegations of intimidation or retaliation will be thoroughly investigated. If an allegation of intimidation or retaliation is found substantiated, the target of the investigation (the person who has engaged in intimidation or retaliation) will face disciplinary action, up to and including termination.

HIPAA

Independent Support Services, Inc. complies with the provisions of the Health Insurance Portability and Accountability Act (HIPAA). Communicating protected health information verbally, electronically or sharing documents to anyone without proper authorization as defined in the Act is prohibited. This applies to health information about employees and the people we serve.

Confidentiality

Revealing any information about the participants that you provide support to other than those who have a legitimate right or a need to know is prohibited without authorization. Release of any information is subject to approval by the Executive Director or designee. Self-Hired Direct Support Staff should never discuss information about the participants they support with other service recipients, the employee's own

family and friends, other employees whose work is not related to the individual, or anyone else not directly involved in the person's care and support.

Introduction.

Our Principles and Philosophy:

Vision

Every person with developmental disabilities will lead a self-determined life and achieve success, happiness and love by being empowered to make his/her own path in life.

Mission

To provide person-centered, self-directed and individualized supports to people with developmental disabilities to assist them in making choices that will lead them to actualize their dreams

Core Values

- To encourage and empower people with developmental disabilities to self-direct their lives.
- To value and incorporate the opinions of the people we support into our daily activities to allow each person to achieve a successful self-directed life.
- To recognize the rights of all people to mutual respect and the acceptance of others without bias.
- To celebrate the success of achievement while continuing to support and encourage those still on the path to achievement.
- To ensure the person is primary; all else exists to support the person.

Section 1.

THE WAY WE WORK

A Word About This Handbook

This Employee Handbook contains information about the employment policies and practices of the Agency. We expect each employee to read this Employee Handbook carefully, as it is a valuable reference for understanding your job and the Agency. The policies outlined in this Employee Handbook should be regarded as management guidelines only, which in a developing business will require changes from time to time. The Agency retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Agency. This Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

Except for the policy of at-will employment, which can only be changed by the Executive Director of the Agency in a signed written contract, the Agency reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook must be in writing and must be signed by the Executive Director or Designee of the Agency. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific time period.

OUR AGENCY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, EITHER YOU OR THE AGENCY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE AGENCY IS AUTHORIZED TO ENTER INTO AN AGREEMENT EXPRESS OR IMPLIED WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT SIGNED BY THE EXECUTIVE DIRECTOR OR DESIGNEE OF THE AGENCY.

This Employee Handbook refers to current benefit plans maintained by the Agency. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

Likewise, if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

Building for The Future

As with any business, revenues are an absolute necessity for maintaining jobs and building for the future. Rather than look at generating sales and revenue as an "undesirable task", we look at it as a "must" situation. How do we continue to generate revenue to ensure a secure future and continued opportunities for all employees? With teamwork, together we must meet the challenges we face on a daily basis.

At all times, you represent the Agency, and it is up to each one of you to take this responsibility seriously. Our Agency exists with your joint efforts. Don't underestimate your contribution to it. A great many people outside the business who invest their time, money and faith in us are part of that equation. They are our clients who will determine how fast we grow, how many people we will employ, how much service we render and the profit we make. In order to retain these clients, we want to ensure that our good service continues by always giving our clients the best possible value and quality. Working together and working well provides us with a bright future and with the most important commodity, a good reputation.

Total Quality Management

Our Agency is committed to Total Quality Management (TQM). We feel that not only do our participants benefit from this effort but so do our employees. All employees are expected to participate in TQM.

You are encouraged to offer ideas and/or constructive criticism to your supervisors or managers. We also encourage you to take part in project teams, problem-solving teams and/or cost reduction projects. Your participation in continuous improvement is essential to the success of the Agency.

Equal Employment Opportunity

Our Agency is committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: veteran status, uniform service member status, race, color, creed, religion, sex, national origin, age, marital status sexual orientation, physical or mental disability, and predisposing genetic characteristics.

You may discuss equal employment opportunity related questions with the Executive Director, Director of Human Resources or any other member of management.

Americans with Disabilities Act

Our Agency is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities, which may include providing reasonable accommodation where appropriate. In general, it is your responsibility to notify the Human Resources Department of the need for accommodation. Upon doing so, the Director of Human Resources may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals.

Employees occasionally develop serious or life threatening illnesses. Our Agency is committed to supporting such employees' efforts to continue their normal pursuits, including working. When necessary and where required by law, the Agency will provide reasonable accommodations to otherwise qualified individuals with disabilities, including employees with serious or life threatening illnesses. All employees, including employees with serious or life threatening illnesses, must maintain acceptable performance standards.

An employee's medical information is confidential. Disclosure of employee medical information is restricted to limited situations where a manager or supervisor has a job-related reason to know it. Employees who disclose medical information, related to an employee other than themselves, without proper authorization will be subject to disciplinary action, up to and including discharge.

Employees with questions are encouraged to contact the Human Resources Department for information and referral to appropriate services and resources.

A Word About Our Employee Relations Philosophy

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek 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 provide a comfortable and progressive workplace. Most importantly, we have a workplace where communication is open and problems can be discussed and resolved in a mutually respectful atmosphere. We take into account individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

Non-Harassment

We prohibit harassment of one employee by another employee, supervisor or third party for any reason including, but not limited to: veteran status, uniform service member status, race, color, creed, religion, sex, national origin, age, marital status sexual orientation, physical or mental disability, and predisposing genetic characteristics. Harassment of third parties by our employees is also prohibited.

The purpose of this policy is not to regulate the personal morality of employees. It is to ensure that in the workplace, no employee harasses another for any reason.

While it is not easy to define precisely what harassment is, it includes: slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing.

Any employee who feels that he or she is a victim of such harassment should immediately report the matter to one of the following members of management who have been designated to receive such complaints: Director of Human Resources at (845) 794-5218. If an employee makes a report to the designee and the Director of Human Resources either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to the Executive Director.

The Agency will investigate all such reports as confidentially as possible. Adverse action will not be taken against an employee because he or she, in good faith, reports or participates in the investigation of a violation of this policy. Violations of this policy are not permitted and may result in disciplinary action, up to and including discharge.

Sexual Harassment

Any type of sexual harassment is against Agency policy and may be unlawful. We firmly prohibit sexual harassment of any employee by another employee, supervisor or third party. Harassment of third parties by our employees is also prohibited. The purpose of this policy is not to regulate the morality of employees. It is to ensure that in the workplace, no employee is subject to sexual harassment. While it is not easy to define precisely what sexual harassment is, it may include: unwelcome sexual advances, requests for sexual favors, and/or verbal or physical conduct of a sexual nature including, but not limited to, sexually-related drawings, pictures, jokes, teasing, uninvited touching or other sexually related comments.

Sexual harassment of an employee will not be tolerated. Violations of this policy may result in disciplinary action, up to and including discharge. There will be no adverse action taken against employees who report violations of this policy in good faith or participate in the investigation of such violations. Any employee who feels that he or she is a victim of sexual harassment should immediately report such actions in accordance with the following procedure. All complaints will be promptly and thoroughly investigated as confidentially as possible.

1. Any employee who believes that he or she is a victim of sexual harassment or has been retaliated against for complaining of sexual harassment, should report the situation immediately to one of the following members of management who have been designated to receive such complaints: Director of Human Resources at (845) 794-5218. If an employee makes a report to the Director of Human Resources and the Director of Human Resources either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to the Executive Director.
2. The Agency will investigate every reported incident immediately. Any employee, supervisor or agent of the Agency who has been found to have violated this policy may be subject to appropriate disciplinary action, up to and including immediate discharge.
3. The Agency will conduct all investigations in a discreet manner. The Agency recognizes that every investigation requires a determination based on all the facts in the matter. We also recognize the serious impact a false accusation can have. We trust that all employees will continue to act responsibly.
4. The reporting employee and any employee participating in any investigation under this policy have the Agency's assurance that no reprisals will be taken as a result of a sexual harassment complaint. It is our policy to encourage discussion of the matter, to help protect others from being subjected to similar inappropriate behavior.

Standards of Conduct

Each employee has an obligation to observe and follow the Agency's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or discharge. The appropriate disciplinary action imposed will be determined by the Agency. The Agency does not guarantee that one form of action will necessarily precede another.

The following may result in disciplinary action, up to and including termination:

- a. violation of the Agency's policies or safety rules
- b. abuse and or neglect of a participant
- c. insubordination
- d. unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in Agency activities or in Agency vehicles
- e. unauthorized possession, use or sale of weapons, firearms or explosives on work premises
- f. theft or dishonesty
- g. physical harassment; sexual harassment; disrespect toward fellow employees, visitors or other members of the public, performing outside work or use of Agency property, equipment or facilities in connection with outside work while on Agency time
- h. poor attendance or poor performance

These examples are not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

Nothing in this policy is designed to modify our employment-at-will policy.

Code of Conduct

The Agency abides by New York State's Office for People with Developmental Disabilities (OPWDD) Code of Conduct. The Code of Conduct is a framework that helps Self-Hired Support Staff determine how to help people with special needs, live self-directed, meaningful lives in their communities, free from abuse and neglect and protected from harm.

The following are the provisions in the Code of Conduct:

- Person Centered Approach
- Physical, Emotional and Personal Well Being
- Respect Dignity and Choice
- Self – Determination
- Relationships
- Advocacy
- Personal Health Information and Confidentiality
- Non-Discrimination
- Integrity, Responsibility and Professional Competency
- Reporting Requirements

All Self-Hired Support Staff will receive training regarding this as part of the annual mandated training requirement.

Self-Hired Support Staff Code of Ethics

The Agency abides by New York State's Office for People with Developmental Disabilities (OPWDD) Code of Ethics which is adopted from the National Alliance of Direct Support Professional's Code of Ethics. All Self-Hired Support Staff will receive training in this as part of the annual mandated training requirement.

Conflict of Interest/ Code of Ethics in the Workplace

An Agency's reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and employees. Therefore, employees must never use their positions with the Agency, or any of its clients, for private gain, to advance personal interests, or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

The Agency adheres to the highest legal and ethical standards applicable in our business. The Agency's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance. Employees of the Agency shall conduct their personal affairs such that their duties and responsibilities to the Agency are not jeopardized and/or legal questions do not arise with respect to their association or work with the Agency.

It is expected that all employees conduct themselves in a professional, respectful and courteous manner, respecting confidentiality and privacy in all interaction with participants, families, other service related staff and co-workers. All paperwork required should be recorded in a timely and accurate manner.

All federal, state and agency regulations, policies and procedures are expected to be followed. Non-compliance with regulations, policies or procedures should be reported if observed, discovered or found. Cooperation is expected in all inquiries and investigations. Failure to do so could lead to disciplinary action up to and including termination.

Progressive Discipline

The agency has established a Progressive Discipline Policy and Procedure to provide a structured corrective action process to improve and prevent the occurrence of unprofessional behavior and/or performance issues. It has been designed with our agency values, HR best practices and employment laws.

Procedure: Best Practices dictate progressive steps in dealing with Disciplinary issues: those steps include but are not limited to; verbal warning, written warning, suspension and or final warning and termination.

Independent Support Services reserves the right to combine and skip steps depending upon the circumstance and nature of the offense. Employees may be terminated without prior notice or disciplinary action.

Independent Support Services is an "At-Will" employer and nothing in our progressive discipline policy provides contractual rights regarding employee discipline or counseling.

Appeal Process:

Self-Hired Support Staff have the right to appeal the disciplinary action that their supervisor used. The purpose is to provide insight into any extenuating circumstances that may have contributed to the performance and/or conduct issues while allowing for an equitable solution.

If the employee does not present, this information during any of the step meetings he or she will have three business days to present the information to the Director of HR for review.

Categories of Employment

Full-Time Employees: A hired staff person, 18 years of age and older, that regularly works at least 30 hours per week.

Part-Time Employees: A hired staff member, 18 years of age and older, that regularly works less than 29 hours each week.

Non-Exempt Employees: are staff members who are paid on an hourly basis and are, therefore, entitled to overtime pay as required by applicable federal and state law.

Self-Direction, Self-Hired Staff: For Direct Support Professionals, a High School Diploma or GED is NOT required. However, you will be required to attend and successfully complete initial and ongoing job specific trainings, offered through ISS, to develop and maintain required skills and competencies required for Direct Support Professional.

Upon hire, the Human Resources Office will notify you of your employment classification.

Anniversary Date

The first day you report to work will be recorded in Agency records as your anniversary date. This date may be used to calculate many different Agency benefits. If you have any questions regarding your anniversary date, please contact Human Resources.

Driver's License/Driving Record

Employees in positions where the operation of a motor vehicle is an essential duty of that position must present and maintain a valid driver's license, and acceptable driving record to our insurer. Changes in your driving record must be reported to the Human Resources Department immediately. Violations of this policy may result in disciplinary action up to and including termination.

Certification, Licensing and Other Requirements

You will be informed by the Human Resources Department if there are any licensing, certifications or testing requirements for your job. Failure to qualify or to maintain a certification or license may be sufficient cause for termination.

Immigration Reform and Control Act

In compliance with the Federal Immigration Reform and Control Act of 1986 (IRCA), as amended, our Agency is committed to employing only individuals who are authorized to work in the United States.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form 1-9 and present documentation establishing identity and employment eligibility.

If an employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the Agency.

Background Check Requirements

Upon clearance to work, all Self-Hired staff are required to go through the following background checks, Medicaid and Medicare fraud, criminal background history, abuse and neglect checks, statewide central child abuse registry and driving record check. In addition to the checks required at the time of application subsequent checks will be made as required by regulation. As subsequent background checks are completed, any notifications that require further action such as pending criminal charges or exclusions for fraud will result in a review of the charges/exclusions, a safety assessment will be completed and suspension from work may occur.

To clear a suspension, pending charges must be adjudicated and a notice from the court must be provided. After review of the adjudication, the Self-Hired staff will be contacted regarding the decision on whether to be allowed to return to work or regarding termination, depending on the adjudication.

New Employee Orientation

Upon joining our Agency, you were given this copy of our Employee Handbook. After reading this Employee Handbook please sign the receipt page and return it to the Human Resources Department. You will be asked to complete personnel and payroll forms as well.

If you lose your Employee Handbook or if it becomes damaged in any way, please notify the Human Resources Department as soon as possible to obtain a replacement copy.

Mandatory Training

Per state regulations all Self-Hired support staff are required to take annual mandated training courses in a variety of topics to include but not limited to; Incident Abuse Reporting, HIPAA, Corporate Compliance, Code of Ethics, and several other trainings. These trainings are available as self-study training through Independent Support Services Training Software. Failure to do so can result in disciplinary action or termination of employment. There are also required videos created by the State of New York's OPWDD that are mandated as well. These videos are also available through Independent Support Services Training Software. Completion of these courses are required annually to maintain employment.

For Job Developers and Job Coaches additional training is required through OPWDD's Pathways to Employment training curriculum. Completion of the Pathways to Employment training is mandatory to maintain employment. Contact the Human Resources Department for further information.

Talk to Us

We encourage you to bring your questions, suggestions and complaints to our attention. We will carefully consider each of these in our continuing effort to improve operations.

If you feel you have a problem, present the situation to the Human Resources Department so that the problem can be settled by examination and discussion. If you still have questions or would like further clarification on the matter, request a meeting with the Director of Human Resources. The HR Director will review the issues and meet with you to discuss possible solutions.

Your suggestions and comments on any subject are important, and we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure.

Section 2.

YOUR PAY AND PROGRESS

Recording Time (Timesheets)

Self-Direction, Self-Hired employees must record their hours on time sheets and mail the originals to our office by the date indicated on the Payroll Schedule which can be obtained from the Human Resources or Payroll Departments.

Instructions for how to complete the timesheets correctly can be found in the Employee Clearance Packet, or on our website at www.issny.org or you can contact the Payroll or Human Resources Department for a copy.

All employees subject to this policy are required to accurately record all time worked. The work week starts on Monday and ends on Sunday.

Payday

In Self-Direction you will be paid bi-weekly on Friday for the period that ends on the Sunday two weeks prior. When our payday is a holiday, normally you will be paid on the last working day before the holiday.

Please review your paycheck for errors. If you find a mistake, report it to the Payroll Department immediately. They will assist you in taking the necessary steps to correct the error.

Paycheck Deductions

The Agency is required by law to make certain deductions from your paycheck each pay period. Such deductions typically include federal, state and, as applicable, local taxes and Social Security (FICA) taxes. Depending on the State in which you are employed and the benefits you choose, there may be additional deductions. All deductions and the amount of the deductions are listed on your pay stub. These deductions are totaled each year for you on your Form W-2, Wage and Tax Statement.

If you have questions or concerns about any pay deductions arise, employees may discuss and resolve them with the Payroll Department.

Garnishment/Child Support

When an employee's wages are garnished by a court order, our Agency is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. Our Agency will, however, honor federal and applicable state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

Direct Deposit

You have the option of receiving your pay in a payroll check or having your pay deposited into your bank account through our direct deposit program.

Performance Reviews

Your performance is important to our Agency. Your job progress within our Agency will be reviewed at least annually and at the time raises are being requested. The Participant/Circle of Support will help you set new job performance plans.

Our performance review program mandated by New York State Office for People with Developmental Disabilities provides the basis for better understanding between you and the Participant/Circle of Support director with respect to your job performance, potential and development within the Agency.

Job Descriptions

The Agency maintains a job description for each Self-Hired Direct Support Staff position in the Agency. The job description outlines the essential duties and responsibilities of the position. When the duties and/or responsibilities of a position change the job description is revised to reflect those changes. Job Descriptions are given at the time of hire. If you have any questions or wish to obtain a copy of your position's job description, please contact the Human Resources Department.

Overtime

There may be times when you will need to work overtime to meet the health and safety needs of our clients. Although you will be given advance notice when feasible, this is not always possible. **Self-Hired Direct Support staff must have all overtime approved in advance by the Executive Director, Associate Executive Director or the Assistant Executive Director.** Failure to obtain appropriate advance approval may result in disciplinary action up to and including dismissal.

Non-exempt employees will be paid at a rate of time and one-half their regular hourly rate for hours worked in excess of 40 hours in a work week, unless state law provides a greater benefit in which case, we will comply with the state law.

Only actual hours worked count toward computing weekly overtime. If you have any questions concerning overtime pay, contact the Human Resources Department.

Overlapping Time Recorded

Medicaid does not allow multiple staff to work at the same time with the same participant. Upon submission of timesheets, if an overlap is discovered you will be notified and asked to explain the reason for the overlap. If repeated overlaps occur without reasonable explanation disciplinary action could occur.

Reporting Time Pay

The Agency/Participant/Circle of Support will make every effort to notify employees in advance when it is not necessary to report to work. These circumstances may include inclement weather, fire, flood, power outage, lack of work, etc. In the event you report for work without being notified in advance that your services are not needed, you will be compensated for four hours of pay per the New York State Law.

Section 3.

TIME AWAY FROM WORK AND OTHER BENEFITS

Employee Benefits

Our Agency has developed a comprehensive employee benefit programs to supplement our employees' regular wages. Our benefits represent a hidden value of additional income to our employees.

This Employee Handbook describes the current benefits plan maintained by the Agency. If you have specific questions regarding the benefit plan, refer to the plan documents and summary plan descriptions. Those documents are controlling.

The Agency reserves the right to modify its benefits at any time. We will keep you informed of any changes.

Holidays

All Self- Hired Direct Support Staff (Community Habilitation, Supported Employment and Respite) that work twenty or more regularly scheduled hours per week in total are **granted 7 paid holidays per year.**

The following is the schedule of Holidays:

- New Year's Day
- Martin Luther King Jr Day**
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

The above Holidays are granted per calendar year. Staff must work 30 days before they are granted Holiday time.

If a Self- Hired Support Staff as designated above who works twenty or more regularly scheduled hours per week in total is needed to work a holiday they will be paid for the hours worked on the holiday and will accrue those same hours to use at a later date as holiday time.

No more than one accrued holiday can be carried over into the next calendar year. The carried over holiday accrual must be used by January 31st of the year following the year the holiday time was accrued.

Paid Time Off

Purpose of Paid Time Off (PTO)

The purpose of Paid Time Off (PTO) is to provide Self-Hired Direct Support staff designated as Community Habilitation, Supported Employment or Respite staff with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments and other activities at the employee's discretion. This policy will meet all applicable laws regarding paid sick time.

Guidelines for PTO Use

Employees may use time from their PTO bank in hourly increments. Time off that is not covered by the PTO policy, and for which separate guidelines and policies exist include company paid holidays, bereavement time off, required jury duty and military service leave.

PTO requires three days of notice to your supervisor unless the PTO is used for legitimate, unexpected illness or emergencies. However, as much notice as possible given is appreciated. In all instances, PTO must be approved by the employee's supervisor in advance.

Paid Time Off (PTO) Exceptions

Employees who miss more than three consecutive unscheduled days, may be required to present a doctor's note that permits them to return to work.

PTO taken in excess of the PTO accrued can result in progressive disciplinary action up to and including employment termination. This time taken will be unpaid. The only possible exception to this policy must be granted by the Executive Director or Director of Human Resources.

Any employee who misses three consecutive days of work without providing notice to their supervisor may be considered to have voluntarily quit their job.

Specific Eligibility for Paid Time Off (PTO)

Full-Time and Part-Time Self-Hired Support Staff working 30 or more regularly scheduled hours per week in total

Beginning January 1, 2016 and for each subsequent year, Full-Time and Part-Time Self-Hired Support staff designated as Community Habilitation, Supported Employment or Self-Directed Respite staff are eligible to accrue Paid Time Off. Paid Time off is accrued on a calendar year basis at the rate of .04615 times the amount of hours worked each pay period. Only three accrued days (24 Hours) will be allowed to roll over into the new calendar year following the year in which the time was accrued. Self-Hired Support staff will not be eligible to use accrued time until they have worked for 60 days.

Jury Duty

Employees summoned for jury duty will receive up to three paid days of jury duty with proof of service for jury duty. If jury duty requires more than three days the State will pay the jury fee of up to \$40 depending on NYS regulations. This applies to NYS courts and Town and Village courts.

Voting Leave

Our Agency believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him or her four consecutive hours to vote while polls are open will be granted up to two paid hours off in order to vote. Any additional time off will be without pay. We reserve the right to select the hours you are excused to vote.

Military Leave

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid.

Accrued paid time off may be used for this leave if the employee chooses. Military orders should be presented to the Human Resources Department and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the Agency unless military necessity makes this impossible. You must notify the Human Resources Department of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

Family Military Leave

Eligible employees who are 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 theatre or combat zone may take up to ten days of unpaid family military leave during the military service member's leave or deployment.

To be eligible for family military leave, employees must work an average of twenty hours or more per week. Contact the Human Resources Department for more information.

Paid Family Leave

New York State's Paid Family Leave Program provides wage replacement to an employee to help them bond with a child or to care for a close relative with a serious health condition or help relieve family pressures when someone is called to active military duty. This new benefit takes effect January 2018. Every full-time or part-time employee. Employees with a regular schedule of 20 or more hours per week are eligible after 26 weeks of employment. Employees with a regular schedule of less than 20 hours per week are eligible after 175 days worked. Employees do not have to take all of their sick leave and/or vacation before using paid family leave. Employees that meet the eligibility criteria will be able to return to their job and continue their health insurance. The premium will be funded by employees through payroll deductions and the coverage will be included under the disability policy that ISS must carry. This paid leave runs concurrently with FMLA. Employees on Paid Family Leave will not earn paid time off while on leave. For more complete information please call the Human Resources Department or visit our website at www.issny.org.

Witness Leave

Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with state law. We ask that you notify the Executive Director of the need to take witness leave as far in advance as is possible.

Bone Marrow

Employees who work an average of 20 hours or more each week are eligible to receive up to 24 hours of **unpaid leave** to donate bone marrow. Please provide the Human Resources Department with written physician verification of the purpose and length of each leave. For more information regarding this leave, please contact the Human Resources Department.

Bereavement Leave

Full-time employees are eligible immediately upon hire for three paid days to prepare for and attend funeral services for the death of an immediate family member. Members of the immediate family include spouses, domestic partners, parents, brothers, sisters, children, children of domestic partners, grandchildren, grandparents, parents-in-law and parents of domestic partners.

Full-time employees, are eligible immediately upon hire for one paid day to attend the funeral of aunts, uncles, nieces and nephews.

Requests for bereavement leave should be made to the participant/Circle of Support.

Leave of Absence

Under special circumstances, full-time employees, immediately upon hire, may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of the Executive Director/Designee.

Leaves may not exceed two weeks.

We will make reasonable efforts to return you to the same or similar job you held prior to the leave of absence, subject to our staffing and business requirements.

Victims of Crime Leave

The Agency will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime to attend or participate in legal proceedings pertaining to the crime. Affected employees must give the Agency reasonable notice that leave under this policy is required.

Medical Insurance

Self-Direction, Self-Hired Staff:

Self-Hired Direct Support Full-Time staff (30 regularly scheduled hours per week) medical insurance must be included as part of the state approved budget. Eligibility for medical insurance is first of the month following 60 days of full-time employment. For questions or to find out if you meet eligibility requirements please contact the Human Resources Department.

Upon termination you and your covered dependents will have the opportunity to continue your medical benefits once the Human Resources Department is notified your employment is terminating, if applicable you will be sent information on how to continue your medical insurance.

Dental and Vision Insurance

Dental and Vision Insurance is available for Self-Hired Direct Support full-time staff (30 regularly scheduled hour per week). Eligibility is the first of the month following 60 days of full-time employment. Questions or to find out if you meet eligibility requirements please contact the Human Resources Department.

Upon termination you and your covered dependents will have the opportunity to continue your medical benefits once the Human Resources Department is notified your employment is terminating if applicable you will be sent information on how to continue your medical insurance.

Continued Health, Dental and Vision Insurance

You and your covered dependents will have the opportunity to continue medical benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical coverage for you and your covered dependents would otherwise end due to your death or because:

- your employment terminates, for a reason other than gross misconduct; or
- your employment status changes due to a reduction in hours; or
- your child ceases to be a "dependent child" under the terms of the medical plan; or
- you become divorced or legally separated; or
- you become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within 60 days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect continued medical, dental and or vision coverage.

For more information regarding continuation of you medical, dental or vision coverage you may contact the Human Resources Department.

Family Medical Leave Act

We are required to comply with the Federal Family Medical Leave Act (FMLA). The Agency reserves the right to designate FMLA leave as needed to any eligible employee and to require employees to use first all available paid time off as qualifying FMLA time toward the 12-week limit. The FMLA entitles eligible employees to take up to 12 weeks of paid or unpaid, job-protected leave in a 12-month period based on the employee's anniversary hire date for:

- The birth or placement of a child for adoption or foster care.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition.
- To take medical leave when the employee is unable to work because of his/her own serious health condition.

Eligible Employees

To be eligible for FMLA, an employee must have worked for the Company for at least one year and have completed 1,250 hours over the 12 months prior to the commencement of the leave. The 12 month period during which an eligible employee may take up to 12 weeks of unpaid leave will be calculated using the eligible employee's service anniversary date.

Procedure:

An eligible employee who wishes to take FMLA must provide his or her supervisor and Human Resources with 30 days advance notice when the leave is foreseeable. At the time of the request, the employee will receive from Human Resources the Notice of Eligibility and Rights Form along with the

applicable Certification form to be completed by a Health Care Provider or in the case of Military Exigency the Military Exigency form.

The employee will have 15 days to have the form completed and returned. Upon the return of the Notice of Eligibility and Rights form. Once FMLA is requested or designated by the Agency, the employee will receive an information packet containing the full policy, forms, rights and duties of the FMLA for both the employee and the Agency.

In most cases, the eligible employee must submit medical certification to support a request for leave. Health, dental and vision benefits will continue during the FMLA provided the employee makes his or her regular, monthly contributions to the plan. Failure to pay premiums may result in lapse of coverage. Contact the Human Resources Department for specific details on continuing benefits while on leave.

Employees returning from FMLA within the 12 week period will be restored to their original job, or to an equivalent job with equivalent pay and benefits.

Employees returning from a medical FMLA may be required to present medical certification of fitness for duty. Failure to provide a medical certificate of fitness for duty may result in a denial of job reinstatement until medical certificate release is provided.

FMLA may be taken in increments as small as one hour.

Employees may not earn paid time off while on FMLA.

Contact Human Resources for the complete policy on the Family and Medical Leave Act and for a full explanation of your rights. FMLA will always begin with paid time off until all available paid time is used. After exhausting paid FMLA leave, non-paid FMLA leave will continue until the conclusion of the protected 12-week time limit. Following the conclusion of protected leave, the employer will decide whether non-FMLA leave should apply.

The Medical Certification of Health Care Provider serves as a "doctor note" to certify the reason and expected duration of the extended medical leave in writing. All requests for medical leaves must be accompanied by a doctor's statement verifying your total disability and your estimated date of return to work. Further, the Company requires written medical verification of your ability to resume work and a list of restrictions that would directly relate to your ability to perform your job.

Service Member FMLA Leave

In 2008 and 2009, the FMLA was amended and now entitles eligible employees to take leave for a covered family member's service in the Armed Forces.

Leave Eligibility and Duration

Eligible employees may take Service member leave for either (or both) of the following reasons:

A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces

Leave Duration: Up to 12 workweeks of leave during any 12-month period

To care for a covered family member (“next of kin”) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member’s office, grade, rank or rating.

Leave Duration: Up to 26 workweeks of leave during a single 12 month period. (Leave may not exceed 26 weeks in a single 12-month period when it is combined with other FMLA-qualifying leave).

Veterans: The 2009 amendments extends military caregiver leave to close family members of veterans who were members of the Armed Forces (including the National Guard or Reserves) at any point in time within five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

Important!

Service member FMLA runs concurrent with other leave entitlements provided under federal, state and local law.

When you are able to return to work, give us at least one week's advance written notice. Include a doctor's certificate stating that you are medically able to return to your normal duties.

We will return you to the same or similar position you held prior to the disability leave, subject to our staffing and business requirements. Your continued absence from work beyond your disability (as determined by your physician) will be deemed a voluntary termination of your employment.

This leave may run concurrently with any other leave where permitted by state and federal law.

Short-Term Disability Insurance

Employees are eligible for short-term disability insurance after four consecutive weeks of full-time employment or 25 days of regular part-time employment in accordance with state law. Other employees may also be eligible for this insurance, depending on the employee’s previous employer. This insurance is designed to provide income for you when you are absent from work for more than seven calendar days due to non - occupational illness, injury or pregnancy-related disability.

The benefits are calculated as a percentage of your salary up to a maximum each week, as specified by law, for up to 26 weeks.

The cost of this insurance is shared between the Agency and the employee.

Provide written notice including a doctor's certificate stating the nature of the disability and your expected date of return to work. Disability insurance information may be obtained from the Human Resources Department. This leave may run concurrently with any other leave where permitted by state and federal law.

Employees on Disability will not earn paid time off.

Social Security

During your employment, you and the Agency both contribute funds to the federal government to support the Social Security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

Unemployment Insurance

Upon separation from employment, you may be entitled to state and federal unemployment insurance benefits. Information about unemployment insurance can be obtained from the Human Resources Department.

Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to the Human Resources Department. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

Retirement Plan

Our Agency provides eligible employees with a Simplified Employee Pension Plan. This plan is intended to be used in combination with your Social Security benefits and personal resources to provide you with supplemental income upon retirement.

You can obtain a copy of the Summary Plan Description which contains the details of the plan including eligibility and benefit provisions from the executive director. In the event of any conflict in the description of any plan, the official plan documents, which are available for your review, shall govern. If you have any questions regarding this plan, contact the Human Resources Department.

Section 4.

ON THE JOB

Discussions with Participants

When working on an assignment in a participant's home setting, you may be asked to offer specific suggestions or comments regarding his or her practices. Please seek guidance from the Circle of Support before implementing any suggestions or comments.

Attendance and Punctuality

Attendance and punctuality are important factors for your success within our Agency. We work as a team and this requires that each person be in the right place at the right time.

If you are going to be late for work or absent, notify The Participant/Circle of Support as far in advance as is feasible under the circumstances, but before the start of your workday.

Personal issues requiring time away from your work, such as doctor's appointments or other matters, should be scheduled during your nonworking hours if possible.

If you are absent for three days without notifying the Agency, it is assumed that you have voluntarily abandoned your position with the Agency, and you will be removed from the payroll.

Business Hours

Because of the nature of our business, your work schedule may vary depending on your job and the needs of the Participant. Your schedule will be determined by the Participant/Circle of Support.

The Agency's Administrative office's normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Work Assignments

Work assignments are given by the Participant or the Circle of Support.

Meal Reimbursement

The Agency does not provide reimbursement for any meals taken while in the company of a Participant whether on the clock or not. Any meal provisions allowed will be strictly at the discretion and expense of the family if they choose to pick up the meal tab.

Access to Personnel Files

Upon request, you may inspect your own personnel file. Inspections will be held on Agency premises in the presence of an Agency official. Contact the Human Resources Department to arrange a time to view these records. You will be permitted to review records related to your qualification for employment, compensation and disciplinary action. You are not permitted access to any letter of reference maintained by the Agency. If you disagree with the accuracy of any statement in the records and no correction can be agreed upon, you may submit an explanatory statement, which will be attached to the records.

Client and Public Relations

Our Agency's reputation is built on excellent service and quality work. To maintain this reputation requires the active participation of every employee.

The opinions and attitudes that clients have toward our Agency may be determined for a long period of time by the actions of one employee. It is sometimes easy to take a Participant for granted, but if we do we run the risk of losing not only that Participant, but his or her associates, friends or family who may also be participants or prospective participants.

Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

Any requests for interviewing by the new media or other media agencies must go through the Executive Director/Designee.

Solicitation and Distribution

To avoid unnecessary annoyances and work interruptions, solicitation by an employee of another employee is prohibited while either person is on working time.

Employee distribution of literature, including handbills, in work areas is prohibited at all times.

Trespassing, soliciting or distribution of literature by non-employees on these premises is prohibited at all times.

Changes in Personal Data

To aid you and/or your family in matters of personal emergency, we need to maintain up-to-date information.

Changes in name, address, email address, telephone number, and marital status, number of dependents or changes in next of kin and/or beneficiaries should be given to the Human Resources Department promptly.

Severe Weather

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours. Time taken off due to poor weather conditions while the business remains open is to be used as a Paid Time Off day.

Natural Disasters

Natural disasters, including earthquakes, hurricanes, mudslides, floods and fires are to be expected from time to time. Although driving may be difficult in some areas due to damaged freeways and streets, when caution is exercised the roads are normally passable or alternate routes are available. Except in severe cases, we are all expected to work our regular hours. Time taken off due to natural disasters while the business remains open is to be used as a Paid Time Off day.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Personal Telephone Calls /Cell Phones/ Texting/PDA Usage

Employees should keep personal telephone calls to a minimum. Employees should ask that friends and family call them at work only in emergencies. As a guideline, no employee should make more than one personal phone call per shift.

If you need to make an emergency personal phone call or need to be reached while at work, the telephone at the residence of the Participant or any other work site telephone is to be used. If an emergency arises and a cell phone is the only option, common sense will apply.

Charging personal long distance or collect phone calls to Participant phones is strictly prohibited. Employees who do so will face disciplinary action.

If you are responsible for the care of the participant you are working with, use of personal cell phones/PDA devices while on duty is prohibited. If you bring your cell phone/PDA device to your work site, it must be turned off when you begin your shift. Camera-enabled device usage is prohibited.

Texting or the use of cell phones/PDA devices that contains any information about clients, business activities, management and company employees, transmitted by, received from, or stored in that system may be retrieved by Independent Support Services, Inc. In accordance with the law, the use of a cell phone including texting while operating a motor vehicle is forbidden.

The Confidentiality policy and Regulatory policies apply to texts. Employees should have no expectation of privacy in connection with the use of texting with the transmission, receipt, or storage of company information. The unauthorized use of personal cell phones and texting will be dealt with through the established progressive disciplinary procedures up to and including termination.

ISS's policy prohibiting harassment, in its entirety, applies to texting/cell phones/ PDA devices. No one may text in a manner that may be construed by others as harassment or offensive based on veteran status, uniform service member status, race, color, creed, religion, sex, national origin, age, marital status sexual orientation, physical or mental disability, and predisposing genetic characteristics or any other protected characteristic as established by federal and state law.

The Confidentiality policy applies to texts. Employees should have no expectation of privacy in connection with the use of texting in transmission, receipt, or storage of ISS information.

Social Networking Policy

Independent Support Services, Inc. takes no position on your decision to start or maintain a blog or participate in other social networking activities. However, it is the right and duty of ISS to protect itself from unauthorized disclosure of information. As such, ISS's social networking policy includes rules and guidelines for ISS authorized social networking and personal social networking and applies to all management and staff.

Blogging or other forms of social media or technology include but are not limited to video or wiki postings, sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with ISS.

Unless specifically instructed, employees are not authorized and therefore are restricted to speak on behalf of ISS. Employees may not publicly discuss participants whether confidential or not, outside ISS authorized communications. Employees may not communicate with individuals receiving services or their families using social networks until the Participant is no longer in the care of Independent Support Services, Inc. for a period of one year.

Employees are expected to protect the privacy of ISS and its employees and participants and are prohibited from disclosing personal employee and non-employee information and any other proprietary and non-public information to which employees have access. Such information includes but is not limited to Participant information, trade secrets, financial information and strategic business plans.

Employees are cautioned that they should have no expectation of privacy while using the Internet. Your postings can be reviewed by anyone, including Independent Support Services, Inc. which reserves the right to monitor comments or discussions about ISS, its employees, Participants and the industry, including products and competitors, posted on the Internet by anyone, including employees and non-employees. ISS may use blog-search tools and software to monitor forums such as blogs and other types of personal journals, diaries, personal and business discussion forums, and social networking sites.

Employees are cautioned that they should have no expectation of privacy while using ISS equipment or facilities for any purpose, including authorized blogging. ISS reserves the right to use content management tools to monitor, review or block content on and all potential ISS blogs that violate current blogging rules and guidelines.

Independent Support Services, Inc. requests and strongly urges employees to report any violations or possible or perceived violations to supervisors, managers or the Executive Director. Violations include discussions of ISS and its employees and clients, any discussion of proprietary information and any unlawful activity related to blogging or social networking.

This policy is not intended to restrict an employee's right to discuss wages and working conditions with co-workers or in any way limit employees' rights under the National Labor Relations Act.

Dress Policy/Personal Hygiene

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times. A daily regimen of good grooming and hygiene is expected of everyone. Please ensure that you maintain good personal hygiene habits. While at work, you are required to be clean, dressed appropriately and well groomed.

Our client's satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct client contact, you represent the Agency with your appearance as well as your actions. The properly attired individual helps to create a favorable image for the Agency, to the public and fellow employees.

Reference Checks

Our Agency will not honor any oral requests for references. All requests must be in writing and on Agency letterhead. Generally, we will only confirm our employees dates of employment, salary history and job title.

Under no circumstances should an employee provide another individual with information regarding current or former employees of our Agency. If you receive a request for reference information, please forward it to the Executive Director.

Protecting Agency Confidentiality

Protecting our Agency's information is the responsibility of every employee, and we all share a common interest in making sure information is not improperly or accidentally disclosed. Do not discuss the Agency's confidential business with anyone who does not work for us.

All telephone calls regarding a current or former employees position and/or compensation with our Agency must be forwarded to the Human Resources Department.

The Agency's address shall not be used for the receipt of personal mail.

If You Must Leave Us

Should you decide to leave your employment with us, we ask that you provide your supervisor with at least two weeks' advance written notice. Your thoughtfulness is appreciated and it will be noted favorably should you ever wish to reapply for employment with the Agency.

Generally, we will confirm upon request our employees dates of employment, salary history and job title.

Additionally, all resigning employees should complete a brief exit interview prior to leaving. All Agency property including the employee ID badge must be returned upon termination. Otherwise, the Agency may take action to recoup any replacement costs and/or seek the return of Agency property through appropriate legal recourse.

You should notify the Agency if your address changes during the calendar year in which termination occurs so that your tax information will be sent to the proper address.

Section 5.

SAFETY IN THE WORKPLACE

Each Employee's Responsibility

Safety can only be achieved through teamwork at our Agency. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Please observe the following precautions:

1. Notify the Participant/Circle of Support of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform the Participant/Circle of Support and the Human Resources Department.
2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances while working with the Participant is strictly and on any Agency property is forbidden.
3. Use, adjust and repair machines and equipment only if you are trained and qualified.
4. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
5. Understand your job fully and follow instructions. If you are not sure of the safe

procedure, don't guess; just ask the Participant/Circle of Support.

6. Know the locations, contents and use of first aid and firefighting equipment.

A violation of a safety precaution is in itself an unsafe act and may lead to disciplinary action, up to and including discharge.

Workplace Violence

Violence by an employee or anyone else against an employee, supervisor or member of management will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to Agency property in the event someone, for whatever reason, may be unhappy with an Agency decision or action by an employee or member of management.

If you receive or overhear any threatening communications from an employee or outside third party, report it to the Executive Director at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or visitor to our premises, contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence. Violations of this policy, including your failure to report or fully cooperate in the Agency's investigation, may result in disciplinary action, up to and including discharge.

Workplace Searches

To protect the property and to ensure the safety of all employees, clients and the Agency, the Agency reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, brief cases, lunch boxes or any other possessions or articles carried to and from the Agency's property. In addition, the Agency reserves the right to search any employee's office, desk, files, locker, equipment or any other area or article on our premises. In this regard, it should be noted that all offices, desks, files, lockers, equipment, etc. are the property of the Agency, and are issued for the use of employees only during their employment. Inspection may be conducted at any time at the discretion of the Agency.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal substances, will be subject to disciplinary action, up to and including discharge, if upon investigation they are found to be in violation of the Agency's security procedures or any other Agency rules and regulations.

Hazard Communication

Our Agency may use some chemicals (e.g. cleaning compounds, inks, etc.) in some of its operations. You should receive training and be familiar with the handling, use, storage and control measures relating to these substances if you will use or likely be exposed to them. Material Safety Data Sheets (MSDS) are available

for inspections in your work area. You must follow all labeling requirements.

Please consult with the designated safety coordinator prior to purchasing chemicals for the Agency or bringing them on to our premises. For additional information, please refer to our Agency's written Hazard Communication Program. If you have any questions, ask the Executive Director or the safety coordinator.

Smoking in the Workplace

Our Agency is committed to providing a safe and healthy environment for employees and visitors. Smoking including e-cigarettes is not permitted.

Violations of this policy may result in disciplinary action, up to and including discharge.

Concealed Weapons

Possession, use or sale of weapons, firearms or explosives on work premises, while operating Agency machinery, equipment or vehicles for work-related purposes or while engaged in Agency business off premises is forbidden except where expressly authorized by the Agency and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

Employees who are aware of violations or threats of violations of this policy are required to report such violations or threats of violations to the Executive Director immediately.

Violations of this policy will result in disciplinary action, up to and including discharge.

In an Emergency

The Executive Director and or Human Resources should be notified immediately when an emergency occurs. Emergencies include all accidents, medical situations, bomb threats, other threats of violence, and the smell of smoke.

Should an emergency result in the need to communicate information to employees outside of business hours, the Human Resources Department will contact you. Therefore, it is important that employees keep their personal emergency contact information up to date. Notify the Human Resources Department when this information changes.

Please direct any questions you may have about the Agency's emergency procedures to the executive director.

Drug and Alcohol Free Workplace

The Agency has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and clients we serve. The unlawful or improper use of controlled substances or alcohol in the workplace presents a danger to everyone.

In addition, as a federal grantee we have a duty to comply with the requirement of the Drug-Free Workplace Act of 1988. For these reasons, we have established as a condition of employment and continued employment with the Agency the following drug and alcohol free workplace policy.

Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work, or working when the employee uses any drugs, except when the use is pursuant to a doctor's orders and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. Employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods. This does not include the authorized use of alcohol at Agency sponsored functions or activities.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufactured, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including; on Agency paid time, on Agency premises, in Agency vehicles or while engaged in Agency activities.

In accordance with the Drug-Free Workplace Act of 1988, employees must notify the Executive Director of any criminal drug statute conviction for a violation occurring within the workplace within five days of such conviction.

Your employment or continued employment with the Agency is conditioned upon your full compliance with the foregoing drug and alcohol free workplace policy. Any violation of this policy may result in disciplinary action, up to and including discharge. Furthermore, any employee who violates this policy who is subject to termination, may be permitted in lieu of termination, at the Agency's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws.

Consistent with its fair employment policy, the Agency maintains a policy of nondiscrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others. The Agency will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures, consistent with the Agency's policies and applicable federal, state or local laws.

The Agency further reserves the right to take any and all appropriate and lawful actions necessary to enforce this drug and alcohol free workplace policy including, but not limited to, the inspection of Agency issued lockers, desks or other suspected areas of concealment

This policy represents management guidelines. For more information, please speak to the Executive Director.

Drug and Alcohol Free Awareness Program

In order to maintain a drug and alcohol free workplace, the Agency has established a drug and alcohol free awareness program to educate employees on 1) the danger of drug abuse and alcohol in the workplace; 2) the Agency's drug and alcohol free workplace policy; 3) the availability of any drug and alcohol counseling, rehabilitation, and employee assistance programs; and 4) the penalties that may be imposed upon employees for drug abuse and alcohol violations, and violations of the Agency's drug and alcohol free workplace. Such education includes: the distribution of our drug and alcohol free workplace policy at the employment interview and inclusion of the company's drug and alcohol free workplace policy in the Employee

Handbook and any other personnel policy publications.

Incident/Accident/ Abuse Reporting

Independent Support Services (ISS) adheres to the 14 NYCRR Part 624/625 regulations which requires all employees of ISS to report any situation that may endanger a person's well-being. Part 624 applies to all services in the OPWDD system and therefore applies to ISS. Part 624 applies only to incidents that occur "under the auspices of the agency" meaning they happen during the provision of Self-Directed services to a Program Participant involving the Self-Directed services staff person. Part 625 applies to incidents that occur that are "not under the auspices of the agency" such as incidents that may occur while a Program Participant is in a hospital setting, a school, a day program, etc.

ALL ISS employees are required to complete the Incident/Abuse Identification, Reporting and Processing Training upon hire and fully understand the definitions of Reportable Incidents: Abuse/Neglect; Reportable Incidents: Significant Incident; and Notable Occurrences: Minor and Serious Notable Occurrences under Part 624; and Events and Situations under Part 625.

Part 624 is a regulation designed to protect people receiving OPWDD services. It is the intent of Part 624 to require ISS to establish a process whereby events or situations that endanger a person's well-being (reportable incidents or notable occurrences) while receiving services from ISS, are reported, investigated, and reviewed. Also protective, corrective, and remedial actions are taken as necessary. It is the responsibility of all ISS employees to:

- (1) Recognize and stop all forms of abuse immediately.
- (2) Protect the person from further danger or harm, seeking medical attention if necessary.
- (3) Report incidents as soon as they occur or are discovered.

It is the **responsibility** of ISS Self-Directed Support employees to ensure the safety and welfare of the people they are supporting. By accepting a Self-Directed Support position with ISS, you have **pledged to prevent abuse, neglect, or harm toward any person with special needs.**

YOUR RESPONSIBILITIES AS AN ISS EMPLOYEE REGARDING INCIDENTS:

All ISS employees, interns, volunteers, consultants, and contractors are **required to report** any event or situation that meets the criteria of a reportable incident or notable occurrence **IMMEDIATELY**, but no later than 24 hours after its occurrence.

- If you learn of, or witness, any incident of abuse, neglect or harm toward any program participant, you will **first offer immediate assistance**. Upon the occurrence or discovery of an incident, you, as an ISS employee will **first ensure that the person is safe**. You will assist the program participant and **remain with the program participant** until further assistance is obtained, if necessary. If the program participant requires medical treatment, you will **assist the person to obtain that medical treatment**. If necessary, you should **call 9-1-1** to obtain the medical assistance required. Similarly, if the program participant's safety is in question, you can call **9-1-1** to seek the assistance of the police, especially in the case of a potential criminal act.
- Next, you as an ISS employee will **notify the family/circle of support** to ensure the program participant's parents and/or guardians are aware of the current situation and can potentially assist or arrive at the scene and/or provide needed consent for treatment, etc. if applicable.

- Once the person is safe, necessary emergency services have been obtained and the family/guardian has been notified, you will then contact Independent Support Services by calling the Corporate Compliance at 845-794-5218, ext. 334. You will provide ISS with as many of the details known regarding the incident and what has been done to date. ISS may request further information from you once the situation has settled down and will provide you with further direction. **Failure to notify ISS** and the family of Incidents can result in termination and further action as deemed appropriate.
- If you are unsure if a situation is actually an incident, call the ISS Corporate Compliance at (845) 794-5218, ext. 334 for direction right away.
When in doubt, please call. It is in the best interests of the person you work with to call rather than to ignore the situation. Also, do not worry about how to categorize the incident, the management at ISS will take care of where the potential incident may fit. ***You just need to make sure the person you work with is safe and that you make the call to report the incident.***
- Corporate Compliance will immediately **initiate an investigation** into the incident/occurrence that you reported. You **MUST** fully cooperate during all incident investigations and provide requested statements and interviews in the form and manner and within the timelines given to you by the Corporate Compliance Investigator. **Failure to cooperate** during an investigation will result in disciplinary action by ISS up to and including termination.
- **For every allegation of abuse or neglect, ISS will make a finding.** A finding will be based on a preponderance of the evidence and will indicate whether the alleged abuse or neglect is:
 - **Substantiated** because it is determined that the incident occurred and the target of the report was responsible or, if no target can be identified and an incident occurred, and ISS was responsible; or
 - **Unsubstantiated** because it is determined not to have occurred or the target of the report was not responsible, or because it cannot be determined that the incident occurred or that the target of the report was responsible.
- If you are the **target of an investigation**, you will be **suspended** from working with any ISS Program Participants until the completion of the investigation. If the allegation is determined to be **Unsubstantiated**, you will be able to return to work and you will be paid for the days that you were scheduled to work, but asked not to work. If the allegation is determined to be **Substantiated**, you will receive disciplinary action up to and including termination and you will **NOT** be paid for the days that you were suspended.
- Be aware that some incidents involving abuse, theft, financial exploitation, deaths, etc. could rise to the level of a **criminal case** as ISS is required by regulation to notify the authorities of any incidents that may involve criminal activity.

Responsibility When an Incident is Witnessed or Discovered in Other Programs:

The obligation of ISS employees (also mandated reporters) to report incidents to ISS is not limited to incidents occurring as part of the work responsibilities at ISS. If an ISS employee becomes aware that an ISS program participant has been subjected to a reportable incident at a different facility or program certified or operated by OPWDD, the ISS employee is also required to report the incident to the management at ISS. Facilities and programs may include day programs, specified residential schools, hospitals, clinics, summer camps for children with developmental disabilities, etc.

JUSTICE CENTER

ISS is not considered a “certified” program under OPWDD, and is not a state operated program, therefore ISS is not required to report to the Vulnerable Persons’ Central Register (VPCR), but is required to report incidents to OPWDD.

CONFIDENTIALITY

ISS employees must **avoid breaching confidentiality** by refraining from discussing the incident with co-workers, friends or people outside of work. Even a casual mention in a text message, in the parking lot, or on Facebook or other social media, **must be avoided**.

Jonathan’s Law was put into place to govern the way in which information and reports of investigations are shared, and with whom. You may be asked for information by family members or advocates about the investigation progress or your involvement. You should refer the person requesting information to the ISS Director of Quality Assurance so that only the appropriate people share information.

REMEMBER!!

- ✓ If something makes you feel uncomfortable, there may be good reason for the feeling - bring the situation to the attention of ISS!
- ✓ Reporting must be timely!
- ✓ Be honest and truthful while reporting!
- ✓ Cooperate fully with all ISS investigations!
- ✓ Always maintain strict confidentiality!