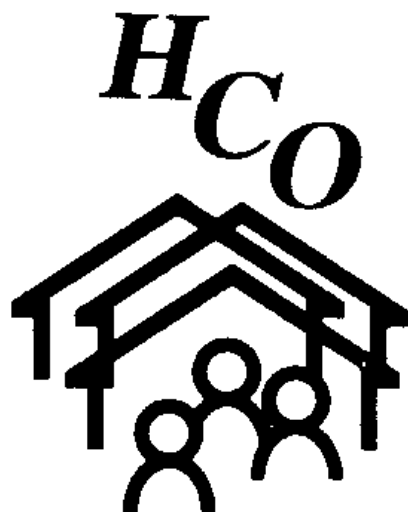


# *Home and Community Options, Inc*

## **Staff Handbook and Personnel Policies**

### **Employee Policies and Procedures**



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**Staff Handbook**  
**Home and Community Options, Inc.**

## **Acknowledgement Form**

This is to certify that I have read, understand and agree to the contents of the **Employee Handbook**, which has been available to me at the program I am working in and/or by going on-line to access it on the computer.

This is also to certify that I have read and understand the HIPAA guidelines that I have been trained in within 72 hours of my employment.

I understand that this handbook contains only general statements or policy guidelines, which may be modified at any time, without prior notice, at the discretion of Home and Community Options, Inc.

I realize that the policies contained in this handbook are not intended to be, and do not constitute a contractual arrangement or agreement between Home and Community Options, Inc. and its employees regarding any of the terms and conditions of employment, including, but not limited to, the duration of the employment relationship with benefits and conditions of employment.

I understand that, except as otherwise provided by law, all employment at Home and Community Options, Inc, is “at-will” and may be terminated by me or by Home and Community Options, Inc. without notice or cause. I realize that no manager, supervisor, or other representative of Home and Community Options, Inc. has the authority to enter into any agreement for employment with an employee for any specified period of time or to make any agreement contrary to this rule without the express written approval of the Board of Directors of Home and Community Options, Inc. I understand that Home and Community Options, Inc. reserves the right to change, withdraw, or add to the regulations and policies at any time, without prior written notice. Home and Community Options, Inc. further reserves the right, at its discretion, to apply any, all or some of the policies and procedures contained in this handbook as appropriate and in accordance with applicable law.

I understand that this handbook and the policies and procedures contained in the handbook supersede and revoke any and all prior or currently existing policies or practices, written or unwritten representatives, or statements regarding the terms and conditions of employment with Home and Community Options, Inc.

\_\_\_\_\_  
Employee Name (typed or printed)

\_\_\_\_\_  
Program

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

This needs to signed and returned to the supervisor upon completion of orientation.

**HOME AND COMMUNITY OPTIONS, INC.**

## **MISSION STATEMENT**

"It is the mission of Home and Community Options, Inc. to provide support and residential services to persons with developmental disabilities in order to enable individuals to live as full members of their communities."

## **VISION STATEMENT:**

The vision of Home and Community Options, Inc. is for all individuals to have opportunities to enjoy life, strive to reach their potential, and be accepted members of the community.

## **CORE VALUES:**

- Respect for all people and their differences.
- Quality services that balance independence with safety and security.
- The ability of all individuals to learn, build relationships and enjoy life.

## History and Overview

Home and Community Options, Inc. ("HCO") is a non-profit organization designed for the purposes of providing support and residential service to persons with developmental disabilities and other related conditions. The organization was incorporated on August 14, 1975 and was designed to promote the general welfare of persons with developmental disabilities of all ages. Originally named Group Homes of Winona, the organization began with its primary initiative of developing community based residential facilities. Later the agency changed its name to Home and Community Options, Inc. to better represent the diverse array of community based services that were initiated.

Since the time of incorporation, HCO has expanded services to become a multi-service agency providing residential and other support services to help individuals with developmental disabilities maintain their community participation within Winona County. HCO serves persons of all ages from early childhood through senior citizens. The services are tailored to the needs of individuals from the Winona County area.

As a provider of services to persons with developmental disabilities and related conditions, Home and Community Options, Inc. upholds to the value of keeping families involved in setting the mission and designing services to meet the needs of the constituents of Winona County. HCO takes responsibility to insure children and adults with developmental disabilities can receive services close to their family and friends and live happily as full citizens of their community.

Home and Community Options, Inc. strives to continuously improve and respond to the changing needs of individuals with developmental disabilities and their families. HCO seeks to improve quality and provide services that are safe and effective as measured by the satisfaction of the people served. HCO has as its core value that all persons are respected and given dignity. Through the Board of Directors, Staff and Volunteers of Home and Community Options, Inc. the organization works diligently to improve the lives of individuals with developmental disabilities.

The tradition continues and we welcome you to our team. We look forward to your contribution as we continue our mission of enabling individuals to live as full members of our community!

## **SUPPORT SERVICES STATEMENT OF PHILOSOPHY**

Home and Community Options, Inc. is dedicated to providing community-based support services that are founded on the belief that people with developmental disabilities have the right to live in the community and be given supports needed for them to live safely and happily. Typically, children with disabilities are best served when they can continue living with their parents. Sometimes adult individuals have a preference to continue living with family and have the right to make decisions regarding their future and to have the support that may be needed to make those decisions. People with developmental disabilities should be allowed to associate with family and peers. They should have the opportunity for learning, continued skills training and social involvement.

## **RESIDENTIAL SERVICES STATEMENT OF PHILOSOPHY**

The primary purpose of residential services for people with developmental disabilities is to support and nurture the mental, physical, emotional and social development of each individual who requires a 24 hr. plan of care. This commitment includes the responsibility to provide experiences that will enable the individual to develop to their maximum potential.

People with developmental disabilities are entitled to be members of the community and should have a home that provides a safe and secure environment. Within this home, each person should be given the opportunity to develop relationships and the skills needed to be an independent member of the community to the greatest extent possible.

# CIVIL RIGHTS COMPLIANCE

## POLICY STATEMENT

Home and Community Options, Inc., makes no distinction on the grounds of race, color, creed, religion, age, sex [\(including sexual harassment\)](#), sexual orientation, national origin, marital status, familial status, status with regard to public assistance, membership or activity in a local human right commission, disability, or any other category prohibited by law in providing service to any individual. Compliance with Title VI of the Civil Rights Act of 1964 as amended is met in all areas regarding the civil rights of individuals within the programs and activities of [HCO](#).

Home and Community Options, Inc. does business in accordance with the Federal Fair Housing Law. No discrimination is made against any person in the rental of housing because of race, color, creed, religion, age, sex [\(including sexual harassment\)](#), sexual orientation, national origin, marital status, familial status, status with regard to public assistance, membership or activity in a local human right commission, disability, or any other category prohibited by law in providing service to any individual.

Further, Home and Community Options, Inc. does not discriminate in any aspects of employment on the grounds of race, color, [creed](#), religion, age, sex [\(including sexual harassment\)](#), sexual [orientation](#), [disability](#), national origin, [marital status, familial status, status with regard to public assistance, membership or activity in a local human right commission](#) or any other category prohibited by law. Compliance is met in all areas of Title VII of the Civil Rights Act of 1964 as amended, the Age Discrimination in Employment Act of 1967, as amended, section 503 of the Rehabilitation Act of 1973 as amended, 38 U.S.C. 2012 of the Vietnam Era Veterans Readjustment Assistance Act, [the](#) Americans with Disabilities Act [and the Minnesota Human Rights Act](#).

# AFFIRMATIVE ACTION PLAN EQUAL EMPLOYMENT OPPORTUNITY

## POLICY STATEMENT

This is to affirm Home and Community Options, Inc.'s policy of providing Equal Opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof, specifically Minnesota Statutes 363A.

Home and Community Options, Inc. will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation or status with regard to public assistance, membership or activity in a local human rights commission, or any other category by law.

Home and Community Options, Inc. will take Affirmative Action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to, the following: [all terms and conditions of employment including](#) hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Home and Community Options, Inc. will use its best efforts to afford minority and female business enterprises with the maximum practicable opportunity to participate in the performance of subcontracts for construction projects that this employer engages in.

Home and Community Options, Inc. will commit the necessary time and resources, both financial and human, to achieve the goals of Equal Employment Opportunity and Affirmative Action.

Home and Community Options, Inc. fully supports incorporation of non-discrimination and Affirmative Action rules and regulations into contracts.

Home and Community Options, Inc. will evaluate the performance of its management and supervisory personnel on the basis of their involvement in achieving these Affirmative Action objectives as well as other established criteria. Any employee of this organization, or subcontractor to this employer, who does not comply with the Equal Employment Opportunity Policies and Procedures as set forth in this Statement and Plan will be subject to disciplinary action. Any subcontractor not complying with all applicable Equal Opportunity/Affirmative Action laws, directives and regulation of the Federal, State and local governing bodies or agencies thereof, specifically Minnesota Statutes 363A will be subject to appropriate legal sanctions.

Home and Community Options, Inc. has appointed Dennis Theede, Executive Director, to manage the Equal Employment Opportunity activities and reporting the effectiveness of the Affirmative Action Program, as required by Federal, State and Local agencies. The Chief Executive Officer of Home and Community Options, Inc. will receive and review reports on the progress of the program. If any employee or applicant for employment believes he/she has been discriminated against, please contact Dennis Theede, 66 East Third Street, Winona, MN 55987-3466, or call (507)\_452-1021 or the President of the Board.

# **AFFIRMATIVE ACTION PLAN FOR PERSONS WITH DISABILITIES**

## **DISABLED INDIVIDUALS' AFFIRMATIVE ACTION CLAUSE**

Home and Community Options, Inc. shall not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. Home and Community Options, Inc. agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled individuals without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship.

Home and Community Options, Inc. agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

Home and Community Options, Inc. agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the commissioner of the Minnesota Department of Human Rights. Such notices shall state Home and Community Options, Inc.'s obligation under the law to take affirmative action to employ and advance employment qualified disabled employees and applicants for employment, and the rights of applicants and employees.

## **DEFINITION OF ADMINISTRATIVE AND ORGANIZATIONAL STRUCTURE**

The governing body of Home and Community Options, Inc. is the Board of Directors and officers thereof. This corporation is non-profit according to Chapter 317A of Minnesota Statutes and functions by and for the purposes as set forth in the Articles of Incorporation and By-Laws.

The Board, in consultation with the Executive Director, assumes responsibility for policy and program development. It is responsible for monitoring the administrative functions of the organizations.

## **ROLE OF THE BOARD OF DIRECTORS**

### **POLICY STATEMENT**

The governing body of Home and Community Options, Inc. is the Board of Directors and officers thereof. This corporation is non-profit according to Chapter 317A of the Minnesota Statutes and functions by and for the purposes set forth in the Articles of Incorporation.

The Board is responsible for monitoring and evaluating the programs of Home and Community Options, Inc. The Board oversees and advises the Executive Director in the implementation of the programs and policies of the organization. The Executive Director represents the various programs and services to the Board and serves as a liaison between program staff and Board. Program staff may be asked to serve on committees of the Board.

The Board also functions to act on the complaints or grievances of clients regarding the services provided. The Human Rights Committee of the Board is responsible for the review of incidents, vulnerable adult and child protection reports filed with the authorities on behalf of clients in the program.

Further, the Board functions to review any employee grievances brought to the Personnel Committee of the Board. The Board of Directors will review the case based on personnel procedures to determine if the proper steps were followed.

# VOLUNTEERS

## POLICY STATEMENT

Recognizing the resources available and the potential for service enhancement, Home and Community Options, Inc. encourages volunteer participation. It is the policy of Home and Community Options, Inc. to recruit, train, evaluate and recognize volunteers.

## PROCEDURES

All volunteers are recruited according to the specific needs of the programs and the needs of individuals receiving services.

Candidates:

1. Are properly screened and interviewed, including completion of a criminal background check, and other reference checks as deemed appropriate by the supervisor;
2. Undergo a health screening if required by the program;
3. Are accepted as a volunteer when their qualifications are found to be appropriate;
4. Receive orientation training appropriate to their position, including but not limited to:
  - a.) Vulnerable Adults Law and Child Protection Laws
  - b.) Data Privacy Laws
  - c.) Client information as applicable to the volunteer's function in the program.
5. Are provided with a description of responsibilities;
6. Participate in periodic feedback and receive recognition for services.

## Employee Right to Know

All employees of Home and Community Options, Inc. will be provided training and awareness of the dangers associated with hazardous substances, harmful physical agents, or infectious agents that they may be exposed to in their workplace. These substances will be identified by HCO and be made available for review by all staff personnel. Training will be made available to all employees affected.

The Safety and Infection Control Committee of Home and Community Options, Inc. is responsible for identifying and listing all hazardous substances that are known to be present in the workplace. A list of hazardous substances will be maintained in the Employee Right to Know Manual and updated as necessary. The manual shall be made available for review in the main business office of the organization and available for review by employees.

The list of hazardous substances maintained by Home and Community Options, Inc. does not include exempted consumer products packaged for distribution and used by the general public assuming employee exposure is not significantly greater than the consumer exposure occurring during principal consumer use of the product. The list of harmful physical agents will be maintained in the Employee Right to Know Program manual. Harmful physical agents that may be encountered in Minnesota include: heat, noise, ionizing radiation, and non-ionizing radiation.

A list of infectious agents will be maintained in the Employee Right to Know Program manual. Infectious agents include bacterial, viral, fungal, parasitic, and rickettsial agents. A list of infectious agents is included in the Employee Right-To-Know standard (Minnesota Rules 5206.0600 subpart 4) and includes the most common infectious agents that may be encountered in Minnesota. All blood or other potentially infectious agents are considered infectious regardless of the perceived status of the source individual.

Material Safety Data Sheets (MSDS's) provide specific information on chemicals. The Employee Right-To-Know manual will contain an MSDS on every substance in the workplace that is on the list of hazardous substances. It will be readily available to any employee in the organization's main office. The MSDS will be a fully completed OSHA Form 174 or equivalent.

The Safety and Infection Control Committee shall keep substance information current, and shall authorize the use of new hazardous substances and ensure appropriate documentation is acquired and available in the manual. Staff will be trained in new products prior to use. The Safety and Infection Control Committee shall ensure that all hazardous chemicals are properly labeled and updated as necessary. Staff must ensure that proper labeling occurs of infectious waste according to the Bloodborne Pathogen Policy.

Staff who are potentially exposed to hazardous substances, harmful physical agents and/or infectious agents will receive initial training at the time of initial assignment and annual retraining. This training will be provided at the cost of Home and Community Options, Inc.

# RIGHTS AND RESPONSIBILITIES OF EMPLOYEES

## I. Statement of Professional Ethics

It is the belief of Home and Community Options, Inc. that staff member's effectiveness in his/her role requires maintaining a standard of professional behavior which includes: objectivity, fairness, honesty, modeling of behavior that is mature, responsible and law abiding and concern above all for the client's welfare. All employees are expected to work cooperatively with other staff and under the direction of their supervisor. It is our contention that in order to maintain an environment that is safe, secure and conducive to the client's personal growth, the approach of all staff members in their relationships with the clients must be consistent with the program philosophy and approach.

All employees are expected to be mature and responsible role models in their interactions with clients while fulfilling the responsibilities of their specific job. The employee's professional status must also prevail in interaction with the clients when not at work.

The employee's interaction with clients must be maintained above reproach in all aspects of the relationship. Sexual interaction between staff and clients, acts of physical or emotional harm, disregard of a client's welfare, use of illegal drugs, excessive alcohol use, misuse of client funds and other unlawful activities are grounds for immediate termination of the employee.

The employee must also carry out professional and respectful interactions with one another. Home and Community Options, Inc. is committed to a workplace that is free from any type of harassment or intimidation. Employee interactions should not interfere with the services being provided to the individuals served by [HCO](#).

## II. Rights of Staff Members:

- A. All employees have the right to and are encouraged to express their ideas regarding the organization, the policies, procedures, programs or management. It is expected that if staff have questions concerning the organization, those questions will be directed to the appropriate supervisor for discussion.
- B. Employees have the right to receive feedback and adequate assessment of their job performance that will be provided by the immediate supervisor. Formal evaluation is scheduled after the first six months of employment and annually thereafter and includes: self-evaluation, evaluation by the supervisor, goal setting and a discussion session. In addition, each employee can expect that regular feedback regarding performance will be provided by the supervisor. Concerns by the supervisor regarding an employee's unsatisfactory performance will be discussed with the employee and a reasonable means of resolution will be determined. Should unsatisfactory performance continue the supervisor will include disciplinary action as outlined in the personnel policies.
- C. Employees have the right to receive an adequate orientation and to be kept informed regarding the policies, procedures, and programs. New information that is relevant to the individual's job position or affects the individual's

employment will be distributed to all staff within a reasonable time. Employees are responsible for reading all assigned orientation materials and all distributed information. It is the responsibility of the staff member to direct any questions regarding this information to the supervisor and an adequate response to the question can be expected. Orientation will include all materials applicable to the specific job and as outlined in the Staff Training and Orientation Policy.

- D. Employees have the right to receive adequate training to ensure that their professional skills are kept abreast of current information and knowledge. It is expected that staff will meet the basic qualifications for their job position when they are hired. Additional training will be provided as appropriate for the specific job responsibilities.

Home and Community Options, Inc., will provide staff members information regarding available conferences, make arrangements for staff to attend during scheduled work time, and cover reasonable expenses that are pre-authorized.

College and technical school courses may also be provided for full time professional staff as authorized by the supervisor. These courses must be job related and will be limited according to budget.

Opportunities to participate in in-service training programs and conferences will be offered and determined by employment status, as well as budget limitations. It is expected that information and skills gained from the opportunities will be shared with other program staff. In-service report forms shall be completed for each session or class attended. It is expected that all portions of workshops, conferences, and classes will be attended when staff are authorized to attend such training experiences.

- E. Employees have a right to work in an environment free from any form harassment or intimidation. Employees are encouraged to express concern regarding any form of harassment to their immediate supervisor or the Executive Director or the President of the Board.

### **III. Responsibilities of Employees:**

Each employee's responsibility is:

- A. To understand and adhere to the philosophy and purpose of Home and Community Options, Inc.; to read and understand all applicable HCO policies and procedures.
- B. To provide the necessary support and supervision to clients they are responsible for.
- C. To respect the resident's/client's right to confidentiality as described in the Staff Policy Regarding Privacy.
- D. To report all incidents, unusual occurrences, emergencies or other concerns to the appropriate supervisor.

- E. To assure the protection of the client's civil rights, as well as the protection of their security and safety.
- F. To work in a spirit of cooperation and support with other staff, family members, consultants, and supervisors and to refrain from negative or harmful statements about HCO, its operations, or its employees. To promote a positive image of the organization both when at work and off duty.
- G. You must complete your time sheet accurately based on the actual time you work. It is a federal crime to provide false information on billings for Medical Assistance payment. Employees must insure that time of service is documented correctly based on client served, service type, and duration of service. Any time recorded that is false with purposeful intent, shall result in immediate termination from employment and notification of authorities who monitor the use of Medical Assistance Funds.
- H. To accurately complete all required tasks, including documentation on reports, notes, and charting in a timely fashion.
- I. To attend and to participate in all required staff meetings.
- J. To keep the household, office, grounds area and vehicles clean and free from hazards. All employees assigned in facilities are expected to help with housekeeping chores as assigned, as well as taking initiative to complete those tasks that need to be done.
- K. To respect the rights of non-smokers, to smoke only in designated smoking areas, and to refrain from smoking upon the request of others.
- L. To follow all household rules and regulations.
- M. To keep informed regarding emergency policies and procedures thus enabling an appropriate response in such situations.
- N. To assure that all clients are free from neglect and/or abuse when working, as well as during times away from the job. Any suspected abuse or neglect is to be reported to your immediate supervisor or when appropriate, directly to Winona County Department of Human Services or Winona County Sheriff's Department. All staff are mandated to make such reports under the Vulnerable Adults Law. Employees are protected by the law from reprimand for reporting in good faith suspected abuse or neglect. The identity of the reporter is kept in confidence.

# STAFF TRAINING AND DEVELOPMENT

## POLICY STATEMENT

1. To achieve program goals, all staff orientation and in-service training will be designed to increase skills for working with clients.
2. At the beginning of orientation, new staff will be given a tour of the residence or program office where they will work.
3. Staff will be informed as to the organization structure of Home and Community Options, Inc.:
  - a. Board of Directors
  - b. Program Services
  - c. Staffing Pattern
  - d. Personnel Policies
4. Within 72 hours of hire, all staff will be informed of the Vulnerable Adults Law/Child Protection Laws and the required reporting procedures. Copies of all materials related to these procedures will be given to each staff member. The date on which this information is given will be recorded on the orientation checklist that is kept in the personnel file.
5. Staff will be informed and trained regarding OSHA standards for bloodborne pathogens and to [HCO](#)'s approved procedures. This training shall be done prior to assignment of direct care duties.
6. Staff will be informed of the federal, state, and local standards that govern the program.
7. Staff will be given an explanation of the philosophy and goals of [HCO](#).
8. Staff will be given information regarding each client. This will include pertinent identifying information.
9. All employees will participate in on-going in-service training.
10. First Aid and CPR training shall be offered to all direct service employees, and mandated in programs with at-risk clients.
11. Regularly scheduled staff meetings will include problem solving and other in-service training.

## STAFF TRAINING AND DEVELOPMENT (Cont.)

Topics may include:

- a.) Fire safety;
- b.) Health and pharmaceutical procedures;
- c.) Developmental programming;
- d.) Advocacy;
- e.) Social and family services;
- f.) Additional training in areas covered in orientation;
- g.) Conducting assessments on community-based functional skill areas, factors that influence a person's behavior; and need for adaptive equipment or environments;
- h.) Developing and writing measurable objectives;
- i.) Analyzing tasks and developing steps to achieve objectives and behavioral changes;
- j.) Using positive instructional procedures and adaptations of equipment or environments;
- k.) Collecting/charting/graphing data and the effectiveness of instructional procedures;
- l.) Analyzing information to evaluate the effectiveness of instructional procedures in achieving goals and objectives of a person's IHP;
- m.) Developing methods and strategies to make service recommendations;
- n.) Protecting and assuring the health, safety, and well-being of persons;
- o.) Passenger restraint and use of tie downs and lifts
- p.) Other areas identified by the designated supervisor or case manager as needed to improve the implementation of the individual habilitation plan.
- q.) Review of risk management plans.
- r.) Data privacy and training on where to find client private health information.

Consultants (nurses, pharmacist, social worker, dietician, psychologist, speech therapist, and/or other appropriate professional staff) will be an integral part of the in-service program. The staff will also be given opportunities to attend workshops that relate to the field of developmental disabilities.

12. There will be orientation training for staff that shall consist of:
  - a.) Basic information on developmental disabilities;
  - b.) Education as to the philosophy, goals, and purpose of the program;
  - c.) Tour of the residence or work site;
  - d.) Information pertaining to the clients' programming, and a review and explanation of the plan files;
  - e.) An explanation of rights of persons and the methods to assure that rights are not violated, including the requirements of data privacy and HIPAA standards;
  - f.) An explanation and discussion of the written policies, procedures, and practices, including those governing initiation, provision, and termination of services;
  - g.) An explanation of the specific job the employee will perform, training in the methods to be used in achieving the goals and objectives of the persons to whom the employees will be providing services;

- h.) An explanation of the requirements of reporting of maltreatment of children and vulnerable adults and the Minnesota Government Data Practices Act;
- i.) An explanation of the requirement governing use of aversive and deprivation procedures, for all individuals who are directly involved in the use of such procedures;
- j.) An overview of the different types of developmental disabilities and their causes, common terms and acronyms, and the principle of normalization;
- k.) An explanation of the procedures used to administer medications and to monitor side effects for all individuals who are responsible to administer or monitor medication; and
- l.) CPR, first aid, health safety and sanitary procedures as required by their position.

# EMPLOYEE HEALTH

## POLICY STATEMENT

The purpose of the employee health policy is to ensure that all persons employed by Home and Community Options, Inc., maintain adequate physical and mental health as needed to provide services to clients.

1. Prior to employment, each new staff member is required to show evidence of freedom from tuberculosis. This is accomplished with a Mantoux test or chest x-ray that is signed by a registered nurse or physician.
2. Home and Community Options, Inc., may also require a physical examination when based on a bona fide occupational qualification.
3. Employees are notified and trained regarding workplace exposure to HEP B and HIV infection.
4. Each employee is required to maintain personal cleanliness. Employees must report to a supervisor any injury or illness that may affect their safety or ability to perform their job. In the case of a communicable disease, serious illness, injury or other condition which may affect an employee's ability to safely perform the essential functions of the job, a physician's statement may be requested documenting the employee's ability to return to work, or continue working.
5. Employees must report on-the-job injuries immediately to a supervisor and file worker's compensation documentation forms. Supervisory staff and human resource personnel are available to assist employees in assuring that medical treatment is provided promptly when necessary.

# REQUEST FOR A REASONABLE ACCOMMODATION

## Policy Statement

Home and Community Options, Inc. will make reasonable accommodations to the physical and mental limitations of an employee or applicant unless such an accommodation would impose an undue hardship on the conduct of the business.

The employee must inform her/his supervisor of the need for an accommodation. The employee or the supervisor will complete the *Request for Reasonable Accommodation* form.

When an accommodation has been requested, the supervisor will, in consultation with the employee:

- discuss the purpose of the job and the essential functions
- determine the precise job-related limitation(s)
- identify potential accommodations and assess the effectiveness of each

The employee will be provided with a determination of their request within 30 days. If an extension is needed beyond the 30 days the employee will be notified in writing.

If you have any questions concerning this policy please see Suzie Horstman, Director of Human Resources or Dennis Theede, Executive Director by calling (507) 452-1021.

## Employee Assistance Program (EAP):

Home and Community Options, [Inc.](#) has an informal EAP available for any HCO employee who may need some extra mental health support in their lives, whether it is a personal or work situation.

We have an agreement with Winona Health Psych and Counseling office. Staff may have up to two sessions of private, personal or family counseling.

The request for the sessions does need to be pre-approved through the employee's Division Director or Human Resource Director. The Director will notify Winona Health Psych and Counseling to inform them of two approved visits for the employee. The Executive Director will be made aware of the approved sessions so the billing of EAP will be approved.

Employees will make their own appointment for the requested EAP Sessions. Information regarding the EAP request and sessions will be kept confidential and Home and Community Options, [Inc.](#) will not receive any reports other than the request for payment for the sessions.

All the billings from the counseling sessions are sent directly to the Executive Director, using no names or identifying information. The cost is paid for by [HCO](#). The employee will be responsible for the cost of any additional counseling services beyond the two sessions provided per occurrence.

# EMPLOYEE SCHEDULES

## POLICY STATEMENT

1. Schedules - Employees' schedules are developed for the specific program to which the employee is assigned. The Coordinator, or other designated supervisor is responsible for determining the work schedule. Schedules are developed according to client needs, the specific requirements of the program, and the particular requirements of the position. When adjustments are necessary to meet the needs of the program, changes in schedules may occur as determined by the supervisor. Employees must recognize that these kinds of changes may be made in their regular schedule of work. In such cases, the supervisor will work with staff to determine the best schedule that will meet client needs and afford the maximum amount of continuity for the staff schedule. The supervisor has the final authority and responsibility for any schedule change. No schedule of hours, or amount of hours, is guaranteed for a staff person.

Changes in scheduled hours of work by an employee must have prior authorization by the supervisor. Employees must document accurately the actual time of work on their time sheet, including approved adjustments to their schedule.

Employment hours begin when the staff person arrives at their designated site of employment. For staff that works in community based services, the employment site may be the client's home or the most proximate location of an HCO service site.

2. Overtime and Compensation Time for Non-Exempt Employees - There are times when an employee may have to stay beyond regular work hours. Such changes in work hours must be reported to the supervisor as soon as possible.

If employees must adjust their work schedules to accommodate a client or at the request of the supervisor, overtime compensation or compensation time may be granted under the following provisions:

- a.) Must have prior authorization by the supervisor;
- b.) Must be for the benefit of the program
- c.) If compensation time is requested it must be used within the same work week;

Exempt employees are not subject to the provisions of overtime as outlined previously. It is understood that exempt employees must work an average of at least forty hours per week or the number of hours as agreed upon. Exempt employees are expected to inform their immediate supervisor of changes in their regular work schedules.

3. Request for Time Off or Personal Leave Days - Employees are expected to inform their supervisor well in advance of intent to take personal time off (PTO) or other personal leave days. Accumulated PTO is not a guaranteed right to take time off work. For extended vacation or leave days of three or more days at a time, except in the case of an emergency or death in the family (see Personnel Policies), the employee must request time off at least two weeks prior to the intended absence. The

Coordinator or Division Director must authorize the vacation or leave days prior to this time being taken. PTO is a designed benefit to help employees through short term medical or personal emergencies and employees are expected to maintain a PTO reserve for such emergency needs.

# EMPLOYEE USE OF SNOW DAYS

## POLICY STATEMENT

Whenever employees are absent from their scheduled work time due to heavy snow and hazardous road conditions, the following procedures will be used in order for the employee to make up the time. It is the responsibility of the employee to notify the supervisor and to make arrangements to reschedule commitments that have been made for that day.

NON-EXEMPT FULL-TIME EMPLOYEES: May use personal time off (PTO), take the time off without pay, or make up the time within the work week, if approved by the supervisor.

PART-TIME HOURLY EMPLOYEES: Will take the time off without pay.

# Prevention of Hepatitis B and HIV Infection in the Workplace

## POLICY STATEMENT

It is the policy of Home and Community Options, Inc., to make every effort to ensure the safety of workers with potential exposure to HEP B/HIV and other bloodborne pathogens.

Each workplace, position, task and procedure with significant risk of occupational exposure to bloodborne pathogens and other infectious materials will be identified through a process of risk factor analysis.

Employees are provided with initial and continuous education to assure familiarity with workplace practices, procedures that reduce risk, and information on chain of infection, prevention techniques including universal precautions, use of personal protective equipment, proper work practices, hazards, and follow-up procedures after a possible exposure incident.

Employees in positions with risk exposure will be offered and encouraged to receive HEP B vaccination series at the cost of HCO. This includes all staff that perform direct care functions.

Protective equipment shall be available to reduce risk of exposure. Staff should inform their supervisor of any specialized equipment needs to reduce risk of exposure.

Records are kept regarding job classification, risk factors, personnel training, personnel immunizations dates and status, exposures and follow-up procedures, and any other related medical documents.

# VEHICLE USE

## POLICY STATEMENT

Home and Community Options, Inc., identifies the need for the staff of the organization to assist many of the individuals we support in accessing the community resources and activities. There is also occasional need to use personal or HCO vehicles to attend training or to perform other business of the organization.

It is the policy of Home and Community Options, Inc., that:

All drivers must have a valid driver's license and be free from serious and/or frequent driving violations. The organization's liability insurance company will screen the employee's driving record at the time of hire and at least annually to determine eligibility for driving HCO vehicles.

The current criteria determined by the Home and Community Options, Inc. insurance carrier identify the following driving record violations for disqualification:

- No major violations within the past five years:  
(DWI, suspension, revocation)
- Not more than three minor violations in the past three years
- Driver's license must be valid
- Not more than three non-moving violations with the past three years

Drivers are subject to automatic motor vehicle record checks annually upon renewal of HCO insurance policy.

2. Many positions within the organization require the employee to be able to drive and transport clients. Those positions requiring an employee to drive will be identified and driving a vehicle noted as an essential job function. A supervisor reserves the right to transfer or terminate employment for those employees who cannot perform this job requirement either by choice or because of disqualification of driving privileges. An employee may use the grievance procedures outlined in the Personnel Policies if they disagree with any decisions related to their driving disqualification.
3. All employees must report any changes in their license status, changes made in their vehicle insurance or any occurrences of traffic violation incidents. Such changes or incidents must be reported immediately to a supervisor. HCO reserves the right to seek driving record information of employees to determine eligibility to drive vehicles while working for HCO.
4. HCO owned vehicles will be used before personal vehicles whenever possible.
5. All drivers who use personal vehicles for HCO business must show evidence of liability coverage on their automobile. In the event of an accident involving a personally owned vehicle used for company business, the individual's insurance shall be the primary coverage. Home and Community Options, Inc., carries non-owned auto insurance to protect the organization and its employees from further liability concerns. Damage to a vehicle directly caused by a client's behavior should be reported and

estimates for repair submitted to HCO supervisor. HCO will cover reasonable costs associated with this repair, after insurance settlement is completed and proper documentation is received.

6. HCO shall reimburse employees authorized to use their personal vehicle according to mileage reimbursement rates established each year by Home and Community Options, Inc. This mileage reimbursement is to cover costs associated with the use of an employee's personal vehicle. Thus, any vehicle repair or accident as a result of use during employment is the employee's responsibility. Tickets or fines associated with driving are the driver's personal responsibility, unless associated with a company owned vehicle deficiency.
7. Drivers who use their personal vehicles for HCO business must ensure that their automobile is in safe working condition and that each person in the vehicle has available to them a working seat belt.
8. It shall be the discretion of the driver of a vehicle (company owned or personal) in determining whether to drive during inclement weather conditions.
9. The management staff of Home and Community Options, Inc. reserves the right to cancel appointments, site visits, or client care appointments when it is their opinion that travel conditions pose a safety risk.
10. Drivers involved in an accident when performing HCO business should never leave the scene of an accident without a police report or making an attempt to do so. It is the policy of Home and Community Options, Inc. that a report shall be completed identifying everyone involved in the accident, names, addresses, and insurance carriers of the other parties involved and a complete description of the accident.
11. Client safety: Staff responsible for transporting clients and other staff must use care and good judgment at all times when driving, including the following provisions:
  - All passengers must wear seatbelts
  - Passengers requiring special tie downs and safety restraining devices must be secured properly. Staff must be trained in securing clients using special vehicle safety restraining devices.
  - Clients and staff safety must take precedence over all other matters. Care should be taken not to rush when transporting.
  - First aid kits are available in all HCO vehicles.
  - Staff should perform a general safety check of the vehicle before transporting; any deficiencies shall be reported to a supervisor.
  - Home and Community Options, Inc. endorses as company rules all applicable staff motor vehicle regulations related to driving responsibilities.
  - Employees must attend to vehicle maintenance regarding fluid and oil checks

when on extended trips. Necessary repairs shall be made.

- Cell Phone usage when transporting clients or other staff shall be done when the vehicle is stopped.

**VEHICLE USE POLICY  
EMPLOYEE DOCUMENTATION**

Date: \_\_\_\_\_

Name \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Driver's License: State: \_\_\_\_\_ Number: \_\_\_\_\_

Employee Address: \_\_\_\_\_

Employee's Auto Insurance Carrier:

Agency: \_\_\_\_\_

Company: \_\_\_\_\_

Policy #: \_\_\_\_\_

1. I have received traffic violations within the past five years. \_\_\_\_ YES \_\_\_\_ NO

If YES, please give dates and details of each:

\_\_\_\_\_  
\_\_\_\_\_

2. I have in effect and will continue to have in effect auto liability. (Home and Community Options, Inc. recommends a minimum coverage of \$100,000. /\$300,000. to ensure reasonable protection.) I agree to provide evidence of insurance and I will inform my supervisor of any changes in auto insurance coverage that may occur during my employment with Home and Community Options, Inc.

3. My automobile is in safe working condition to the best of my knowledge and I agree to maintain the vehicle in safe working condition when I use it for HCO business.

4. I agree to inform my supervisor if I receive a traffic violation and keep my supervisor informed of any issues that may impact my ability to safely drive a vehicle. I further authorize the insurance company of Home and Community Options, Inc. to perform annual checks of my motor vehicle violation record.

I agree to the provisions identified above and have supplied accurate and complete information to the best of my knowledge.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

## HCO Network and Internet Usage

### POLICY STATEMENT

Computers, computer files, e-mail, voice mail, and software furnished to employees is the property of Home and Community Options, Inc. These systems are intended for business use.

The Home and Community Options, Inc. internal network is connected to the Internet. Everyone with computer access to the internal network has the ability to access the Internet, including use of electronic mail and the World Wide Web. While the Internet is a great resource for our organization, it is the responsibility of each employee to use this resource responsibly and respectfully. It is assumed that the predominant use of these resources will be for work use, and that any personal use of electronic mail or the World Wide Web will be limited; never a priority over work matters and typically done during breaks and off-duty time. If an employee is found spending excessive time on the personal use of these resources, disciplinary action may be enacted. Home and Community Options, Inc. reserves the right to monitor internet usage of its computers.

- HCO will monitor all Internet uses. Inappropriate activities or excessive personal use shall result in disciplinary action.
- It is important to use the network in a manner that is consistent with the Vision, Mission and Core Values of HCO. Employing the network for personal commercial purposes is unacceptable.
- User ID and password must not be shared with others.
- All use of electronic information must be used in a manner that respects the rights of others.
- All users must remove any materials that are offensive or harmful to others.
- Software may not be placed on any system connected to HCO system without the permission of the Network Administrator.
- Staff should ask a supervisor when unsure about a situation or decision.

#### Misuse of system:

- System users may not harass, insult, or transmit messages intended to harm or degrade others. Swearing, vulgarities or any other inappropriate language will not be tolerated. Concerns of this matter should be directed to their supervisor.
- Accessing, creating or possessing inappropriate materials on or through system resources is strictly prohibited. This includes but is not limited to sites with pornography, profane material and “chat” sites not relevant to HCO business.
- Transmission or use of communication that are fraudulent, or for commercial or personal advertisements, solicitations, promotions, wagering, betting, or any other use for personal gain.

- Vandalizing system resources in any manner including, but not limited to, destruction, theft of hardware, intentional deletion of software resources or intentional spreading computer viruses is prohibited.
- Unauthorized manipulation of HCO forms, policies, and procedures is prohibited.
- Attempting to gain unauthorized access (hacking) into any HCO system; using an HCO resource to attempt to gain access to any other system, or possession of tools usable for such purposes; going beyond their authorized access including logging in or attempting to log in through another user's account or trespassing in others' folders, work or files is strictly prohibited.

#### Illegal Activities:

- Accessing or involvement in any material or activity that is illegal is strictly prohibited.
- Illegal duplication of software and any related documents.

#### Confidentiality:

- System users will not post or transmit personal and/or confidential information about clients, staff, administrators, system administrators or any other person without explicit written permission of client and/or legal representative. Activities involving the use of a recognizable photograph of a client, or transmission of client or staff information using the Internet are strictly prohibited without explicit written permission from subject or subjects' legal representative.
- The internal secure messaging system is the only allowable means of confidential data transmission. If external transmission is necessary such transmissions must comply with HIPAA Standards.
- When working on the computer with confidential information, staff must close/secure files prior to leaving station.
- Use of personal cell phones to take pictures of clients, pictures of other employees, texting confidential client or HCO information or the sharing of any private health information is strictly prohibited.
- Personal texting when at work should only be done during break and off duty time and should never interfere with direct care or other work of HCO.

## **Family or Friend Involvement during Work Time**

To ensure the complete attention and supervision of clients, members of a staff person's family or friends are not allowed to be present or interfere with the direct care responsibilities of Home and Community Options, Inc. employees. In the event special circumstances or emergencies present themselves where a staff person's family or acquaintance must be present during their direct care work, a supervisor must authorize the presence of such guests. Involvement of individuals who have a direct relationship with the client(s) of a program are encouraged to visit, assuming such visits are not interfering with the needs of others and that it is in the best interest of the clients involved.

## **EMPLOYEES AS CLIENT GUARDIANS**

### **POLICY STATEMENT:**

Guardianship is a legally established relationship that provide for a person to make decisions on behalf of an individual who is determined by the court to be unable to act on his or her behalf. It is recognized that from time to time client family members or representatives may request that an employee of Home and Community Options, Inc. become a guardian on behalf of a client. It is the policy of Home and Community Options, Inc. to prohibit employees from becoming guardians when the staff person of Home and Community Options, Inc. has a direct working relationship with the client of Home and Community Options, Inc. Any guardianship relationship between an employee and a client of Home and Community Options, Inc. must be made known to the executive director who will determine if a conflict of interest is present.

## Wellness Promotion Program

Any staff of Home and Community Options, Inc. who complete a formal request and present a valid receipt for an expense associated with a wellness activity related to exercise, dietary, disease prevention or stress reduction will receive a \$20 stipend from Home and Community Options, Inc. to support such wellness activity for every six months. No more than two requests (\$40 total) will be authorized in a year.

**All requests must be submitted to Director of Health Services for review and approval. The request must be in writing on the form provided (attached) and accompanied with a receipt documenting the expense of the wellness activity.**

The Director of Health Services or the Executive Director has the final authority to approve or reject a particular wellness activity eligible for [the HCO](#) stipend. [HCO](#) will approve only activities that will enhance the wellness of the staff person involved. This program does not offer the stipend for such things as recreational equipment, videos, books or participation on sports or recreational teams. Eligible items include such things as:

- Registration for wellness or exercise classes
- Registration to an exercise club or center
- Programs to quit smoking.
- Dietary and weight loss programs
- Yoga
- And other related activities to promote wellness.

**A staff person is allowed only one stipend per six months.** No request will be honored that is older than six months.

# Wellness Promotion Program

Request for \$20 Stipend Reimbursement

Please complete this request form in detail and submit it to Joette Gillette, RN; at Home and Community Options, 66 E. Third St. Winona, MN 55987.

**HCO** reserves the right to deny any request that is determined by **HCO** management not to meet the intent of this program. Only one \$20 stipend is allowed per six month period. Authorization shall be approved or rejected within 30 days. Approved requests will be distributed to the employee.

Name of Employee: \_\_\_\_\_

Date of Request: \_\_\_\_\_

Description of Wellness Program/Activity you are participating in:

Provide a copy of a valid receipt showing your cost for the activity. Requests will be denied without a valid receipt

**DISCLAIMER:**

It is understood with your signature below that Home and Community Options, Inc. is not liable for your participation in this activity. It is further understood that you are completing this wellness activity on your own time and that this activity is not associated with your work activity or job performance.

I request this stipend for the activity described above and agree to the Disclaimer described above:

\_\_\_\_\_  
Signature of Employee:

\_\_\_\_\_  
Date:

Approved \_\_\_\_\_ Rejected \_\_\_\_\_

\_\_\_\_\_  
Director of HCO

\_\_\_\_\_  
Date

# HOME AND COMMUNITY OPTIONS, INC.

CLIENT RIGHTS AND TREATMENT Oct. 2007

## MALTREATMENT OF CLIENTS

Maltreatment, defined as abuse, neglect and financial exploitation, of individuals served by Home and Community Options, Inc. is strictly prohibited. All definitions of maltreatment including abuse, neglect, and exploitation shall be included in the orientation for new staff. Any person who knows or suspects that a client is being maltreated shall report the situation to their immediate supervisor, Division Director, or the Executive Director. Staff, clients, client's legal representatives or advocates are free to also make reports directly to outside agencies if they feel it is necessary.

**HCO** supervisory personnel may assist in making reports of maltreatment and conduct internal investigations. These investigations may require supervisors to take immediate action to insure the protection of the vulnerable individual. Supervisors should never initiate investigative activity that would jeopardize the credibility or integrity of an investigation. These situations should be referred to law enforcement, human services or child protection authorities. The organization's staff must fully cooperate with outside investigations. The Human Rights Committee of Home and Community Options, Inc. shall also review all reports of maltreatment and make recommendations to supervisory staff as necessary.

### POLICY STATEMENT

It is the policy of Home and Community Options, Inc. to assure the protection of all clients by adherence to child protection laws and the Vulnerable Adults Act, State of Minnesota and through the provisions of the Department of Human Services, Minn. Stat. 626.557.

### REPORTING AND INVESTIGATION OF MALTREATMENT:

All reports of known or suspected maltreatment, or an injury which can not be reasonably explained, are to be made promptly either to the common entry point or to an **HCO** supervisor following the internal reporting procedures and follow-up. The supervisor or someone in authority of **HCO** program must be informed to assist in taking immediate action to assure the safety and well being of the client.

The supervisor, in coordination and support of the division director and the executive director, will promptly conduct an internal investigation. Documents of internal investigations shall be recorded in writing and available to the Commissioner upon request. The internal review must include 1.) An evaluation of whether related policies and procedures were followed, 2.) Whether the policies and procedures were adequate, 3.) Whether there is a need for additional staff training, 4.) Whether the reported event is similar to past events with the vulnerable adult, 5.) And whether there is a need for corrective action by the facility/program (license holder) to protect the health and safety of vulnerable adults or children. Based on the results of the review, the facility/program (license holder) must develop, document, and implement a corrective action plan designed to correct current lapses, and prevent future lapses in performance by individuals or the license holder, if any.

When there are known or suspected incidents of maltreatment the staff making the report should be present and assist in making the call to the common entry point or Winona County

Human Service authorities. All information regarding the internal investigation will be documented. In the event that the primary investigator is the alleged perpetrator of the maltreatment, the next immediate supervisor will be appointed as the primary investigator. The Home and Community Options, Inc. Board of Directors will appoint a member to be primary investigator if the perpetrator is the executive director. The Executive Director/primary investigator may refer the report to the Human Rights Committee of Home and Community Options, Inc. The Committee may conduct further investigations and make recommendations concerning additional appropriate actions. All reports that are believed to be incidents of maltreatment, or an injury that cannot be reasonably explained, will be promptly reported to outside agencies. The person initiating the report shall either make the report directly or with the assistance of an [HCO](#) supervisor. Reports that affect children will be reported to the Winona County Department of Human Services (507) 457-6200 or the Winona County Sheriff's Office, (507) 454-6100. Reports that affect Vulnerable Adults (clients eighteen years of age and older) shall be made promptly to the common point of entry, Winona County Human Services (507) 457-6200 during their business hours (8:00 a.m. - 4:30 p.m. Mon. - Fri.) or on off hours or weekends to Winona County Sheriff's Office (507) 454-6100. Staff persons, clients, client's legal representatives or advocates can make reports of known or suspected maltreatment to authorities outside of Home and Community Options, [Inc.](#) at their discretion, and bypass the internal reporting provision described.

#### **Unusual Occurrence Report:**

Any incident which constitutes an occurrence which is non-routine and results, or might have resulted, in harm to a client or to the good will of [HCO](#), must be immediately reported as an unusual occurrence, including, but not limited to, any suspected maltreatment, any unexplained injury, mistake in therapeutic conduct, accident, or inappropriate use of client property. Incidents of client self-abuse, or client to client abuse or injury, shall also be reported as an unusual occurrence. This reporting shall be made regardless of whether it constitutes maltreatment under child protection laws or the Vulnerable Adults Act. The report shall be documented on [HCO](#) Unusual Occurrence Form.

Any serious incidents must be reported to the client's legal representative, caregiver, day program representative and case manager within 24 hours of the occurrence, or within 24 hours of receipt of the information. The following incidents must be reported:

- death of a consumer,
- serious injury including fractures, dislocation, evidence of internal injuries, head injuries with loss of consciousness, lacerations involving injuries to tendons or organs, and those for which complications are present, extensive second degree or third degree burns, and other burns for which complication are present, extensive second degree or third degree frostbite, and others for which complications are present, irreversible mobility or avulsion of teeth, injuries to the eyeball, ingestion of foreign substances, and objects that are harmful, near drowning, heat exhaustion or sunstroke; and all other injuries considered serious by a physician.
- reportable vulnerable adult maltreatment or child protection incidents,
- medical emergencies, unexpected serious illnesses, or accidents which require physician treatment or hospitalization,
- a client's unauthorized absence or,
- any fires or other events that require the relocation of service for more than 24 hours,
- or circumstances involving a law enforcement [agency](#) or fire department related to the health, safety or supervision of a consumer.
- circumstances involving a law enforcement [agency](#).

- any sexual activity between consumers involving force or coercion as defined under section 609.341, subdivision 3.
- physical aggression by a consumer against another consumer that causes physical pain, injury, or persistent emotional distress, including but not limited to, hitting, slapping, kicking, scratching, pinching, biting, pushing, and spitting.  
(Persistent Emotional Distress is defined as behavioral or emotional/psychological change observed in the consumer that is not brief in duration and persists so that the consumer is not restored to his/her previous state after intervention by staff persons or after 24 hours if there is no intervention. Indications of persistent emotional distress will vary depending upon whether the consumer communicates with words or is non-verbal.)

Death or serious injury of a client must also be reported to the Ombudsman's office and the Department of Human Services Licensing Division within 24 hours of the serious injury or death. Forms are provided and the typical process of transmitting this information is to fax the information. Seek consultation from a supervisor for assistance.

Records of reported maltreatment, or those [HCO](#) has knowledge of the report being made to outside authorities, shall be documented in a confidential report log. The log shall indicate the action taken on the report, and in cases where no report to the common point of entry or outside authorities was made, any reasons for a decision that a report to outside authorities was not required by law. In addition, the common point of entry or outside authority's response shall be documented. The Human Rights Committee shall review Unusual Occurrence reports, and any other incident report documentation, on a quarterly basis.

#### Cooperation:

At the time of an investigation by authorities, all staff will cooperate and assure information pertinent to the report is provided. Home and Community Options, Inc. must document and make internal reviews accessible to the Commissioner upon the Commissioner's request. The documentation provided to the Commissioner by the license holder may consist of a completed checklist that verifies completion of each of the requirements of the review.

#### Orientation to Policy:

Orientation is provided to all clients and their representatives at the time of admission (within 24 hours) regarding their protection under the Vulnerable Adult Laws and the internal reporting procedures of [HCO](#). If clients are not able to comprehend, the representative will be informed on their behalf.

All staff, Board of Directors, contracting agents and volunteers will be informed regarding their responsibilities as mandated reporters and the internal reporting procedures at the time of their initial orientation and within 72 hours of hire. In addition, staff will receive annual in-service training regarding these policies and procedures.

An individual risk management assessment is developed for each client by the interdisciplinary team and reviewed annually in accordance with the guidelines as set forth in Department of Human Services HSLA (245A.65).

# HOME AND COMMUNITY OPTIONS, INC.

## INTERNAL WRITTEN REPORTING POLICY AND PROCEDURE

Internal Reporting: In the event that any **HCO** personnel become aware that a client may have been maltreated, or that a client sustained an injury which is not reasonably explained, he/she shall report his/her suspicions immediately to a supervisor, Division Director, or the Executive Director. Every attempt will be made to make the report to the common entry point with the reporting staff person present. A completed Unusual Occurrence Form shall accompany all internal reports. The supervisor will submit the incident report form to the common entry point in a timely manner after the verbal report has been made. Staff persons of Home and Community Options, Inc. are mandated reporters by law and must take responsibility to insure that any known or suspected maltreatment of a child or adult is reported to outside authorities. The internal reporting procedure is recommended to assist in appropriate **HCO** action; however staff can make reports directly to outside authorities at their discretion.

The internal review must be documented in writing and must include 1.) An evaluation of whether related policies and procedures were followed, 2.) Whether the policies and procedures were adequate, 3.) Whether there is a need for additional staff training, 4.) And whether there is a need for further action to be taken by the facility/program to protect the health and safety of vulnerable adults or children.

External Reporting: All **HCO** personnel are free to report directly to outside authorities. For children, the report should be made to Winona County Human Services (507)457-6200 or the Winona County's Sheriff's Office at (507) 454-6100. Reports that effect Vulnerable Adults (clients eighteen years of age and older) shall be made promptly to the common point of entry, Winona County Human Services (507) 457-6200 during their business hours (8:00 a.m.-4:30 p.m. Mon. - Fri.) or on off hours/weekends to Winona County Sheriff's Office (507)454-6100.

Internal Reporting Procedures: If a report is properly made to outside authorities, no inside internal report is required by law; however, staff are encouraged to file the report internally, so **HCO** can take steps to address any problem.

1. Reporting to Outside Authorities: Once an internal report is received, the supervisor, division director, or executive director will determine whether a report is required. A report is required whenever there is reason to believe maltreatment has occurred or the client has sustained an injury not reasonably explained. If a report is required, the report must be made immediately. "Immediately" means as soon as possible but no longer than 24 hours from the time initial knowledge of the incident is received. (It appears that the state will count the 24-hour period as running from the time that the person is making the internal report came into possession of the information). Every attempt will be made to make the report in the presence of the reporting staff.
2. Written Notice to Internal Reporter. Home and Community Options, Inc. will give notice to the internal reporter indicating whether **HCO** reported the incident to outside

authorities (Confidential Notice of Status Report of Suspected Maltreatment). The written notice will:

- a. be provided to the reporter within two working days;
- b. be provided in a manner that protects the confidentiality of the reporter (mailing the notice to the reporter at his/her home address will be the preferred method of providing notice, but discretion should be exercised);
- c. state that if the reporter is not satisfied with the action taken by HCO on whether to report the incident to outside authorities, then the reporter may report externally; and
- d. explain that HCO is prohibited from taking any retaliatory measures against the mandated reporter for making an external report in good faith.

No Retaliation. No retaliatory measures shall be taken against any person who reports suspected maltreatment in good faith pursuant to the Vulnerable Adult Law, or against a client with respect to whom a report is made, because of the report. The law imposes a rebuttable presumption that any adverse action taken within 90 days of report is retaliatory. Adverse action includes, but is not limited to:

1. Discharge or transfer from HCO;
2. Discharge or termination of employment;
3. Demotion or reduction in remuneration for service;
4. Restriction or prohibition of access to HCO or its clients; or
5. Any restriction of rights set forth in section 144.651 of the law.

Minn. Stat. § 626.557, subd. 17.

## Personal and Data Privacy:

Home and Community Options, Inc. operates under mandates of the Minnesota Data Privacy Act (MN Stat. [Ch. 13](#)) and the Federal HIPAA standards. The corporation sets forth the following policies and procedures regarding the collection, classification and dissemination of information.

Home and Community Options, Inc. collects, uses and disseminates data in order to provide services to clients according to state and federal regulations. Individual data is collected with the individual's or legal guardian's consent prior to admission in order to determine program eligibility, appropriateness of need for the program and to provide background data which will help to determine how best to serve the individual.

1. All data on individuals collected, maintained, used, or disseminated by Home and Community Options, Inc. is classified as private unless a federal or state statute provides a different classification. Private data is not accessible to the general public but is accessible to the individual involved.

Private Data on individuals includes but is not limited to the following:

- a. Identifying information: name, age, S.S. #, DOB, family.
  - b. Personal financial information.
  - c. Records of: vocational, school or other training and rehabilitation services, medical history and treatment (except that which has been classified as confidential).
  - d. Information gathered prior to admission, including psychological, medical, dental, psychosocial, and court records (except that which has been classified as confidential).
  - e. Client progress reports including assessment of the individual's progress and response to the program, assessment of the individual's current status and discharge potential.
  - f. All medical progress notes including physician's orders, nursing plans and progress notes, medication administration records, physical examinations, and psychological reports.
2. The individual is entitled to access to all records maintained on him/her except data, which has been classified, confidential. Access shall be provided at the request of the individual client or legal guardian with interpretation provided by the client's Coordinator, the Division Director or the Executive Director. The client can request that statements be added, deleted, or modified in his/her personal record. Each client shall be informed orally and in writing of the right to access personal records and the right to place statements therein.
  3. Summary and evaluation reports completed by Home and Community Options, Inc. staff may be disseminated to the client, guardian or other designated family members, day program supervisors and to the referring agency upon written consent of the client and/or guardian. Any other dissemination of reports will require prior authorization signed by the client and/or guardian and will include designee, reasons for release, and the time period to be covered. All client records are open to examination by the

properly identified and designated persons of required licensing and governmental agencies in order to determine compliance with federal and state rules and regulations regarding the operation of the program.

4. All collection of data shall be done with the individual's consent. Notice shall include the following:
  - a. Information being collected.
  - b. Purpose of the collection.
  - c. Who will see the information.
  - d. How the information will be used.
  - e. Consequences of compliance or non-compliance.
  
5. It is recognized that any information, written or otherwise, is not to be informally shared with persons outside of HCO. All staff are expected to respect the privacy and integrity of the clients, their individual programs, background information and activities.

Any violation by a staff member of these rights to privacy is subject to reprimand or dismissal.

6. All employees of Home and Community Options, Inc. shall be orientated to the HIPAA policies and procedures.

## Financial Procedures Review of Client Accounts

A Money Management Agreement will be completed for all clients who as part of their service agreement, have Home and Community Options, Inc. assist in managing their funds. The Money Management must clearly describe the accounts and the oversight procedures for safe keeping of the clients financial resources assigned. This Money Management Agreement must be approved by the client, their legal representative(s), county case manager, and Home and Community Options, Inc. representative.

The funds entrusted to be supervised by Home and Community Options, Inc. remains the property of the client and no ownership can be assumed by the organization or its staff.

### Checking Accounts:

Signatures on checking accounts are determined by the agreed upon individuals specified in the Money Management Agreement. Legal Representatives may also be joint signers. If Home and Community Options, Inc. employees are asked to be a signer on an account, they must be established as a "Power of Attorney", giving them authority only to oversee the account and not to be a joint owner. Only Director, Coordinator or Primary Counselor can become a Power of Attorney on a client account.

The checking account shall be kept secure at the program site to afford access by the client.

Client checkbooks or check cards are used to pay the following:

- Cost of care or rent.
- Personal needs not provided by HCO
- Clothing
- Personal recreation
- Other as determined by client and/or their Legal Representative.

The Money Management Agreement defines parameters of account balances, expenditures etc.

Balancing of statements is done by HCO staff at site and overseen by Coordinator. The process must ensure that two different staff review the statements.

Bank statements are stored/filed at the program site.

All transactions must be recorded on an original register and no duplicate registers should be developed.

All funds from checks received must be direct deposited or deposited into checking account, unless otherwise noted in Money Management Agreement. If defined differently in Money Management Agreement, a transaction receipt must be filed along with the check register, expenditure statement and other receipts to account for all funds.

Expenditure statements are completed monthly and reviewed. Expenditure statements/copy of check register come with receipts, bank statements and a print-out of cancelled checks.

Account documentation is reviewed by HCO Accounting/Bookkeeping Staff monthly.

Guardians or families receive expenditure statements as requested per Money Management Agreement. Staff who become Power of Attorney on client accounts are immediately removed upon employment termination.

### **Cash on Hand:**

The Money Management Agreement will define if a client has a Cash on Hand (COH) account kept secure at a program site.

The COH is replenished from the person's checking account (usually weekly). A limit is put on the amount kept in COH, as defined in the person's Money Management Agreement. The replenishment is only up to the limit after reconciling previous expenditure. Receipts or documentation vouchers (when receipts are not available for a transaction) accompany the transaction recording.

Funds unaccounted for because of being lost or undocumented transactions, become the liability of Home and Community Options.

Copies of Cash on Hand ledgers, with receipts are submitted to the central office and are audited by Accounting/ Bookkeeping Staff monthly.

All cash received (tips, birthday money etc.) will be deposited in COH unless other arrangements are defined in Money Management Agreement

Clients (who are able) must sign a withdrawal of cash when money is taken out of COH. Staff assisting with the withdrawal will also sign the withdrawal slip.

The Money Management Agreement must define how much the client can carry on their person.

# Program Financial Management Procedures

The funds, materials, supplies and property entrusted to be supervised by the staff of Home and Community Options, Inc. remain the property of Home and Community Options, Inc. and no ownership or right of personal use can be assumed by any employee.

## **Program Checking Account:**

A checking account or check card system will be established for programs that require normal transactions to purchase necessary items for program operations. Authorization to establish an account must be approved by the Director/ Executive Director.

Check books and check cards shall be kept secure at the program site and supervised by the Coordinator.

Program Checking accounts require two signature of the Director or Coordinator. Checks should normally be transacted by full time staff, but when necessary the Director or Coordinator can authorize another staff to make a checking account transaction. Check cards shall only be used by employees authorized.

Large item purchases should include documentation of the serial number on the receipt.

Check register and original receipts are submitted monthly to the accounting office for review. The statement will be balanced and audited using the submitted documentation and cancelled checks. Periodically checking account transactions shall be reviewed for authenticity of purchase for program need.

No checks should be transacted for cash unless specific authorization is approved by a Director, Coordinator or Accounting staff.

Any merchandise returns are documented and cash returns are immediately deposited back into the checking account.

## **Program Petty Cash:**

A petty cash account will be established for programs that require small transactions regularly to purchase items for program operations. Authorization to establish a petty cash account for a pre-determined amount must be approved by the Director/Executive Director.

Petty cash shall be used to pay for program expenses that **HCO** is responsible to provide including but not limited to small supply items, staff activity expense, parking, fees, etc.

Petty cash is replenished every two weeks up to the maximum amount authorized, based on the receipts documenting the expenses taken from the petty cash account balance.

Program staff must maintain and submit a petty cash report with documented receipts monthly.

## Charge Accounts:

Charging **HCO** expenses shall be only allowed for those employees authorized to charge **HCO** expenses. At no time should an employee charge items for personal use or benefit.

The organization will establish procedures for charging on accounts to include such things as authorization cards, fleet cards or other safeguard procedures.

## Workplace Safety

The safety of Home and Community Options, Inc. employees, clients, volunteers, associates and visitors is an important concern for the organization.

Employees must comply with safety procedures and recommendations. Horseplay and careless behavior is prohibited. Careful judgment and planning are required to avoid potential hazards or injury of self or others. Employees must comply with any medical restrictions and return to work recommendations.

Home and Community Options, Inc. values its employees and will make every effort to assist employees who are injured in return to work plans and assist employees in accommodating restrictions whenever possible. Alternative duty activities will be provided when it is feasible and appropriate.

There are policies and procedures in place to address work injuries and it is critical for employees to report all work related injuries and accidents to a supervisor immediately. Home and Community Options, Inc. has human resource staff that will assist employees with injury management, reporting and return to work plans.

Home and Community Options, Inc. has a safety committee that meets quarterly to review the history of **HCO** accidents and injuries and identify potential work related hazards. This committee is composed of management and program staff who will make necessary changes in improving **HCO** safety.

Home and Community Options, Inc. prohibits disrupting, interfering, or preventing normal function or activities; making physical or verbal threats; or endangering the health or safety of any individual.

Threats, threatening behavior, or acts of violence against employees, clients, volunteers, associates or visitors while on Home and Community Options, Inc. property, conducting business or receiving services from Home and Community Options, Inc., won't be tolerated. Violations to this policy will lead to disciplinary action, dismissal, termination of service and/or criminal prosecution as appropriate.

Any person who engages in violent or threatening behavior on Home and Community Options, Inc. property or who uses any electronic means to make a threat against a staff member, volunteer, associate or consumer shall be removed from the premises and remain off the premises pending the outcome of an investigation. The Executive Director shall coordinate the investigation and take appropriate action based on the results of the investigation.

# Personnel Policies

## Home and Community Options, Inc.

### I. PURPOSE:

The personnel policies and practices of Home and Community Options, Inc. are the communication vehicle through which employee and employer can achieve mutual understanding of their respective roles and obligations and carry out HCO's mission. Home and Community Options, Inc., a non-profit corporation in Winona County, provides a diverse array of support and residential services to persons with developmental disabilities and related conditions in order to enable individuals to live as full members of their community. Through these policies and procedures Home and Community Options, Inc. strives to establish an atmosphere that maximizes the opportunity of providing the highest quality service to individuals with developmental disabilities while ensuring a positive work environment for all employees.

These policies are developed in joint effort with the management staff and Board of Directors of Home and Community Options, Inc. They serve as guidelines and are subject to regular review and change as necessary. The Executive Director is responsible to carry out and implement these policies.

This policy handbook is provided for informational purposes only, and is not intended to create an employment contract, nor any express or implied covenant of good faith and fair dealing. Home and Community Options, Inc. and its employees have an employment relationship, which is known as employment at-will. That means that an employee is not required to work for HCO for any set period of time, and that HCO is not required to employ an individual for any set period of time. This personnel policy handbook does not limit or modify the employment at-will relationship.

The policies and procedures described in this manual are implemented at the discretion of HCO. Any changes will be in writing and will be distributed to current employees and incorporated into the handbook. No one employed by or representing HCO is authorized to waive, modify, or add to any of the provisions of this handbook, except in a written document approved by the Board of Directors. Any decision by HCO as to the interpretation or application of these policies will be final and binding upon all employees. These policies and procedures revoke all prior inconsistent policies and procedures. Further, no other memo, written statement, or oral statement should be construed to limit the at-will relationship.

## **II. EMPLOYMENT PROCEDURES:**

### **A. Fair Employment Practices:**

An application form is given to anyone seeking employment. It must be completed in detail. The Director or designee will screen applicants according to their work ability, education, training, work experience, and other factors which relate to the needs of the position applied for.

The employment, promotion, retention of employees to positions, and the compensation of employees shall be without consideration of race, color, creed, religion, national origin, sex, age, sexual orientation, marital status, familial status, membership or activity in a local human rights commission, status with regard to public assistance, disability, or any other category where discrimination is prohibited by law. Home and Community Options, Inc. is an equal opportunity employer and complies with its Affirmative Action Plan approved by the Minnesota Department of Human Rights.

### **B. Employment Requirements:**

Due to the nature of the service provided by Home and Community Options, Inc. and the organization's commitment of insuring the safety of children and adults with disabilities, HCO strictly adheres to Minnesota law requiring that all employees complete a criminal background check. Employees may not work direct care without continuous direct supervision until a background study is completed. In the event an employee is absent from service for 45 days a new background study must be completed. Any study that indicates more time is needed or a study that is under reconsideration will be referred to a supervisor to determine status of that employee in performing direct service. Employment may be denied, or employment may be terminated immediately if there is a record of criminal activity constituting a disqualification including a history of Medicaid Fraud. State or county officials have the responsibility to determine if the individual is to be disqualified from working within the programs of HCO.

### **C. Access to Grievance Procedure:**

Any employee who perceives that a decision or practice of HCO violates the organization's nondiscrimination policy may utilize the grievance policy defined in this handbook.

### **D. I-9 Documentation:**

As required by the United States Immigration Reform and Control Act, only individuals who are American Citizens and aliens who are authorized to work in the U.S. will be hired. All new employees must complete form I-9 and show proper documentation of citizenship before the beginning date of employment.

### **E. Employee Categories:**

Home and Community Options, Inc. identifies categories of regular and temporary employment.

- 1) Regular Employees: Regular employees are hired to fill positions needed for extended periods of time. Regular employees may work on a full or part time basis.
  - A.) Regular Full-Time Employees: Regular full-time employees are scheduled to work thirty-eight hours or more per week and anticipated for an extended period of time. Regular full-time employees are eligible to receive the benefit package of

this organization according to policy.

- B.) Regular Part-Time Employees: Regular part-time employees are scheduled to work less than thirty-eight hours per week. The scheduling of hours worked is based on the staffing pattern and needs of the program. Because of program needs, a supervisor may be required to vary the amount of hours worked or the times of work schedules. For this reason there are no assurances of a typical work schedule.
- 2) Temporary Employees: Temporary employees are all employees who are hired for a definite time-limited period or currently work within the Employer of Record Program. Temporary employees are eligible for all benefits required by law but not eligible for any of the voluntary benefits through the organization.
- 3) Internship: An individual selected as an intern through an approved student placement program will serve typically without compensation. The internship shall have a predetermined beginning and ending date. All internships will be arranged through the Division Director and the student's advisor. Placements shall be approved by the Executive Director.

#### **F. Employee Status:**

Home and Community Options, Inc. has the following status levels of employees:

- 1) Exempt Employees: Exempt employees are salaried employees who meet the criteria of executive, administrative, or professional employees as defined in the Fair Labor Standards Act, as amended. The overtime and minimum wage provision of the Act do not apply to exempt employees. Exempt employees are expected to work the number of hours as agreed upon and are not compensated for time over this amount.
- 2) Nonexempt Employees: Nonexempt employees are those employees who do not meet the criteria for exemption as an executive, administrative, or professional employee as defined in the Fair Labor Standards Act, as amended. These employees are eligible for overtime compensation and must be paid the minimum wage. Specific information about nonexempt status employees can be obtained by contacting the Executive Director.

#### **G. Appointments:**

Employment appointments or promotions will be made in writing, stating the position, starting salary, starting date and termination date if the position is temporary.

#### **H. Employee Health and Safety**

Home and Community Options, Inc. may require a physical examination when based on a bona fide occupational qualification. The organization will reimburse the applicant for an employment examination when requested by [HCO](#) administration. The results of the exam may be subject to review by a physician selected by Home and Community Options, Inc.

A Mantoux Tuberculin test is required of every new employee prior to employment. When a Mantoux test is not recommended by a physician because of an individual's health status, the person may be required to obtain a chest x-ray. Cost of the Mantoux test or chest x-ray, if required, shall be paid by Home and Community Options, Inc. In the case of communicable disease, serious illness, injury, or other condition which may affect an

employee's ability to safely perform the essential functions of the job, a physician's statement may be requested documenting the employee's ability to return to work.

Employees must be aware of safety at all times. Care and planning is necessary when performing all duties that have the potential of accident and injury. Employees must report accidents and injuries immediately to their direct supervisor. Employees who are injured will be assisted with return to work programs and accommodations with medical restrictions when feasible. Employees who demonstrate careless behavior, fail to comply with medical restrictions related to a work injury or misrepresent a work injury will be disciplined.

**I. Promotion and Position Change:**

Home and Community Options, Inc. gives consideration to the qualifications of its existing employees who wish to change positions or pursue positions of greater responsibility by posting such positions internally. The employee must meet the qualifications of the position and be recommended by their supervisor in order to be considered. It is at the supervisor's discretion, and their responsibility, to pursue outside applicants as necessary.

When a current employee is assigned a position change within **HCO**, this position change shall become the date used for performance evaluation. A staff appointment change from Part-time Counselor to Night Attendant or a Direct Support Trainee to Night Attendant Trainee is not considered a change of status for the purposes of this policy.

**J. Selection Process:**

Screening of job applicants are performed through a preliminary interview and screening process by the Human Resource Director. Screening includes criminal background checks, motor vehicle checks, references and assessment of general qualifications. Qualified candidates are referred for further employment considerations.

Selection of final candidates is accomplished by an equitable process that is designed to provide an objective review of all candidates. The Division Director, or their designated supervisor, screens all applications submitted for program positions and selects all technically qualified candidates for review. The Division Director, or designated supervisor, selects candidates to be interviewed. The Division Director, or designated supervisor, interviews and ranks each candidate and makes the final selection.

The Executive Director uses the same procedures to hire Division Directors. The Board of Directors uses these procedures to hire the **Executive Director**.

**K. Reference Verification:**

Reference checks shall be completed on all position finalists. Finalists of management or professional positions shall verify their degree or licensure.

**L. Employment Letter:**

Employment letters shall be prepared for all employees. The letter shall include title of position, effective date of hire, employee status, wage or salary, working hours, explanation of fringe benefits, and any other special terms of employment.

**III. CONDITIONS OF EMPLOYMENT:**

**A. Orientation:**

The first six months of employment in all positions shall be defined as an orientation/training period. This is a time in which the new employee can learn the requirements and responsibilities of their job. It is also a time when the supervisor can provide additional guidance and support. Employees remain at-will employees during the term of and following the orientation/training period.

Employees who are promoted to a position of greater authority may again be subject to an orientation/training period if deemed appropriate by their supervisor.

#### **B. Employee Attendance:**

Each employee is expected to be on the job as scheduled. The employee must contact their supervisor as soon as possible before their scheduled start time on each day of absence if unable to report for work because of illness or for any other reason. Employees must contact their supervisor immediately if unable to complete a scheduled shift for any reason, or if arrangements to trade hours are made with other employees. You must complete your time sheet accurately based on the actual time you work. It is a federal crime to provide false information on billings for Medical Assistance payment. Employees must insure that time of service is documented correctly based on client served, service type, and duration of service. Any time recorded that is false with purposeful intent, will result in immediate termination from employment and notification of authorities who monitor the use of Medical Assistance Funds.

#### **C. Pay Period:**

Home and Community Options, Inc.'s pay periods shall be two weeks in duration beginning on Saturday and ending on Friday. New employees will be paid on the Friday following the end of each pay period with funds electronically transferred into the employee's bank account of choice. For current employees who have not chosen direct deposit, checks shall be mailed out to the employee's address on the Thursday following the end of the pay period.

All time sheets must be accurately completed and approved by a supervisor. Time sheets are due to be provided to the supervisor as determined by the supervisor following the pay period. The supervisor shall process time sheets and submit them to Central Office.

#### **D. Separation from Employment:**

Home and Community Options, Inc. and its employees have an employment relationship that is known as employment at-will. The employment at-will relationship means that an employee may be terminated at any time for any reason, including, but not limited to, violation of HCO policy or unacceptable work performance. In the event of a resignation or dismissal from employment, records pertaining to the separation shall become a part of the employee's personnel file except as required by law. Employees will receive their final paycheck corresponding to the pay period cycle. The final check will include payment for the cash value of any accrued PTO time. Eligible employees who resign or are dismissed from employment will also be notified of their eligibility to continue HCO's group health insurance plan according to COBRA Laws.

1.) Resignation: Home and Community Options, Inc. requests all departing employees who wish to resign in good standing give ample notice to Home and Community Options, Inc. A nonexempt employee shall give written notice to their supervisor at least 14 calendar days before their anticipated separation date. Exempt employees shall give at least 30 calendar days notice. Employees resigning from Home and Community Options, Inc. will be asked to

voluntarily complete an exit interview form.

2.) Suspension: Suspension is an investigative action taken when a supervisor knows or suspects a serious work performance action or deficiency. Suspension is defined as a mandated absence from work. Suspensions shall be presented to the employee in writing and shall continue until a thorough investigation is complete. Payment for scheduled lost time during a suspension shall be determined by the Executive Director. The Division Director or Executive Director will notify the employee of their future employment status upon completion of the investigation. The outcome could include reinstatement, reinstatement with warning, or termination from employment. Employees who are suspended may appeal a suspension by using the grievance procedures outlined in this policy.

3.) Termination: Termination from employment may result as a consequence of a violation of HCO policy or unacceptable work performance. Typically, the employee will be given advance warning of unacceptable work behavior; however no notice is required, depending on the seriousness of the behavior, in HCO's complete discretion. Written notice may in HCO's complete discretion be given to the employee specifying the work performance deficiency or policy violation, history of previous warnings, date of termination and information specifying how final payment shall be handled.

#### **E. Reduction in Force:**

If Home and Community Options, Inc. experiences significant changes in funding or service allocation, it may become necessary to reduce the size of its work force. Every effort will be made to find alternative positions within HCO. In the event of a layoff, Home and Community Options, Inc. will give as much notice to the employee as possible. The determination of what employees shall be laid off shall be made by the Division Director and the Executive Director using job performance and length of employment as the two criteria.

#### **F. Employment At Will:**

The provisions of this section are intended to provide information to employees. They are not intended to create a contract of employment. HCO reserves the right to decide in all cases whether to continue employment. A partial list of actions that may lead to employee termination include:

- Work performance
- Gross misconduct
- Client/Family incompatibility
- Falsification of time worked
- Maltreatment

Termination may result from the first incident if HCO believes that such action is warranted under the circumstances. Employment remains at all times "at will". This means employees are free to resign their employment with HCO at any time and for any reason, and HCO retains the same right regarding discontinuance of employment.

### **IV. STANDARDS OF CONDUCT:**

All employees must perform according to appropriate standards of conduct. Home and Community Options, Inc. and its employees have an employment relationship known as employment at-will. In order to uphold HCO's mission and ensure community trust certain

standards of conduct by [HCO](#) employees must be maintained.

**A. Job Description:**

Job Descriptions are prepared and maintained for each position within [HCO](#). The job description shall identify essential job functions and basic functions of responsibility. All employees are expected to perform the responsibilities of the position assigned.

**B. Performance Evaluation:**

The performance standard of each employee shall be reviewed within the first six months of employment and annually thereafter on or around the anniversary date of the position assignment. For employees who change positions within [HCO](#) (except for a change from Part-time Counselor to Night Attendant or a Direct Support Trainee to Night Attendant Trainee), the assignment date of their new position shall be considered their new evaluation date. The supervisor shall evaluate the work performance of the employee compared to expectations and give the employee feedback related to competency. If necessary, deficiencies in performance will also be discussed. It is an opportunity to review progress of previous performance goals and establish new performance goals. It also is a time for the employee to give feedback in respect to the operations of [HCO](#) as it relates to their responsibilities.

**For positions with levels, the evaluation date is the date used to determine eligibility for advancement to the next level. Criteria for advancement are defined in each job description.**

**C. Periodic Evaluations and Feedback:**

In addition to formal performance reviews, regular interaction shall take place between the employee and their supervisor. The process of evaluation is program specific and can include such activities as direct observation and feedback, peer review, group discussion at staff meetings and other mechanisms that will improve the performance of the employee and enhance the quality of services provided by Home and Community Options, Inc.

**D. Sexual Harassment and Other Forms of Workplace Harassment:**

Home and Community Options, Inc. will not tolerate sexual harassment or other forms of harassment or violence in the work place. Harassment on the basis of a protected classification (race, creed, color, religion, sex, sexual orientation, national origin, marital status, [familial status](#), status with regard to public assistance, membership or activity in a local human rights commission, disability or age, including sexual harassment) is prohibited. Such harassment violates the law.

All forms of harassment or violence in the workplace [have the potential to](#) create an offensive working environment, affects positive working relationships and tarnishes the image of the organization and everybody associated with it. Such behavior will not be tolerated by employees or others associated with the organization.

No employee of Home and Community Options, [Inc.](#) may engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual associated in the work place including all protected classes defined in this policy, and including that of the person's relatives, friends or associates, if the conduct:

- 1.) has the purpose or effect of unreasonably interfering with the person's work performance; or

2.) Otherwise adversely affects that person's employment opportunities.  
Such behavior will lead to disciplinary action and potential dismissal from employment.

Examples of prohibited harassment or violence include epithets, slurs and negative stereotypes; intimidating or hostile acts; written or graphic material that denigrates or shows hostility or aversion to persons and that is posted or circulated on Home and Community Options, Inc. property.

One form of prohibited harassment is sexual harassment. Sexual harassment is defined as:

- 1.) Making unwelcome sexual advances to requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee obtaining employment or continuing employment; or
- 2.) Making submission to or rejection of such conduct the basis for employment decision affecting an employee; or
- 3.) Creating an intimidating, hostile or offensive working environment or otherwise substantially interfering with an individual's employment by such conduct; or
- 4.) Retaliating against an employee for complaining about such conduct.

Some examples of sexual harassment include, but are not limited to, unwelcome sexual flirtations, proposition, and invitations to social events; offensive physical conduct or physical closeness; use of words of a sexual nature describing body parts, or sexual acts, telling "suggestive" jokes or stories. Displaying in the workplace sexually suggestive objects, pictures or representations that are perceived offensive; sabotaging an employee's character, reputation, work effects or property because of sex; direct and indirect suggestion that an employee's job security, job assignment, condition of employment, or opportunities for advancement depend on the granting of sexual favors or relations.

If you have questions about whether conduct is permissible under this policy, you should discuss this matter with your immediate supervisor.

Home and Community Options, Inc. recognizes that consensual relationships sometime exist between employees that are, or have the potential of becoming, sexual in nature. Home and Community Options, Inc. strongly discourages such relationships, particularly those between a supervisor and subordinate and those in which differences in age, background, or other characteristic of the two individuals compromise the ability of either one to make an informed decision about participating in the relationship.

If the employee feels that he/she is a victim of any form of harassment, the supervisor, Division Director, Director of Human Resources or Executive Director or Board President is to be contacted. The employee presenting the complaint will be asked to share the facts surrounding the offensive conduct or communication to the HCO supervisor investigating the matter. The employee may be asked to document matters of their complaint in writing. Every effort will be made to keep reported information confidential, though this cannot be guaranteed in all circumstances. All known complaints or suspected sexual harassment incidents will be investigated by HCO and action taken as deemed appropriate by administrative staff.

Determination of whether prohibited harassment occurred will be made on a case-by-case basis, depending upon the circumstances of the matter, including the type of harassment alleged, the context in which the alleged harassment occurred and any other facts deemed

relevant. The employee making the complaint will be advised of the final disposition of the matter.

Employees shall not be subject to retaliation for making good faith complaints regarding harassment. However, employees who willfully make false claims regarding complaints of harassment will be subject to disciplinary action, up to and including discharge. Employees committing acts of sexual harassment or other forms of harassment are subject to disciplinary action, up to and including discharge.

#### **E. Whistleblower Policy:**

Home and Community Options, Inc. expects its Board of Directors, managers, supervisors, employees and contractors to act ethically and uphold the law. The organization enacts a whistleblower policy to protect employees who:

- In good faith report a violation of a federal or state law or regulation.
- Participate in a governmental investigation, hearing or inquiry.
- Refuse an employers order to perform an action that the employee objectively believes violate the law or a regulation.
- In good faith report a situation in which the quality of health care services provided by [HCO](#) violates a state or federal law or a professionally recognized standard that puts clients or the public in general at risk of harm.
- In good faith communicates concerns about unethical behavior, fraud or violations of the organizations code of conduct.

This policy prohibits Home and Community Options, Inc. from taking any adverse personnel action against such employees who make a whistleblower complaint in good faith.

Employees may make a complaint regarding alleged unlawful conduct to his or her direct supervisor, or to one of the directors, executive director or board president of [HCO](#). The complaint shall be made verbally and documented in writing.

#### **F. Confidentiality of Client Records:**

All employees of Home and Community Options, Inc. shall regard information about clients as confidential. Information regarding individual clients must never be communicated to anyone outside [HCO](#) without prior written consent. Information shared within [HCO](#) about clients must be shared with only those persons who require such information. Requests for information must be handled according to [HCO](#) policy regarding confidentiality and client records. Use of personal cell phones to take photographs of clients or texting private health information is prohibited. Facebook should not be used to disclose client information without authorization and if authorized, only for professional purposes.

#### **G. Confidentiality of Employee Records:**

Information requested about employees of Home and Community Options, Inc. shall not be disclosed without the consent of that employee. Requests for employee reference letters of

recommendation requested from HCO shall be directed to the Division Director.

#### **H. Prohibition Involving Client Transactions:**

Employees shall not borrow money from clients, purchase items from a client, or sell merchandise to a client. It is also prohibited for a staff person to charge a client for personal services.

#### **I. Right to Review Personnel Records:**

Employees have the right to review their personnel record and obtain copies of such records. Employees shall make the request for the review of their personnel file in writing to their immediate supervisor. After review, the employee can make a request for a copy of records in their personnel file. The employee has a right to dispute information contained in their personnel file by discussing the matter with their supervisor. If a dispute arises about the contents that cannot be resolved with a meeting with the immediate supervisor, the employee shall be referred to the grievance process for further action. The Employee shall have the right to submit a written response to the disputed information, not to exceed five pages. Employees will not be retaliated against for making these requests or asserting these rights.

Under Minnesota Law, the remedies available for violation of the above rights, include the right to compel compliance, the right to recover actual damages plus costs, and, in cases of retaliation for asserting one's rights, the right to recover back pay, reinstatement, other make-whole and equitable relief, and attorney fees.

#### **J. Employee Acceptance of Gifts:**

Employees of Home and Community Options, Inc. shall not accept gifts directed to them personally as a result of their work with the organization. It is permissible to receive gifts directed to HCO or gifts of appreciation directed at an entire group of staff working in a particular program. Employees shall direct the giver to a supervisor when there may be a question about receiving a gift.

#### **K. Use of Alcohol and Illegal Use of Drugs:**

Home and Community Options, Inc. prohibits the use, possession, transfer and sale of alcohol and illegal drugs while working, while on all premises owned or operated by the Company, and while operating any vehicle, machinery, or equipment while on duty. It also prohibits reporting for work anywhere on the behalf of Home and Community Options, Inc. under the influence of alcohol or illegal drugs. This policy applies to all official or unofficial break and meal periods, and all other times during working time in which an employee has reported for work, including unpaid breaks.

"Illegal drugs" means inhalants and controlled substances, and includes medications which contain a controlled substance which are used for a purpose, in an amount, or by a person for which they were not prescribed or intended.

The use and possession of properly prescribed drugs or medications is permitted provided that it does not interfere with the employee's job performance or pose a direct threat to the health or safety of the employee and/or others.

The only exception to this policy is the responsible use of alcohol at official company

sponsored social or business events at which alcoholic beverages are served and staff are not directly responsible for the direct care of clients.

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

#### **L. Smoking**

The intent of this policy is to recognize the importance of maintaining smoke free environments within the settings of Home and Community Options, Inc. These policies are intended to respect the rights of non-smokers and at the same time allow areas of permitted smoking by clients of program services.

Smoking by employees and guests inside homes and buildings owned, leased or controlled by Home and Community Options, Inc. is prohibited. Smoking by clients or tenants of Home and Community, Inc. shall be in designated smoking areas that meet the criteria of the Minnesota Clean Air Act (10-01-2007). If designated smoking areas are necessary for clients or tenants, the designated area will be determined, based on the structure of the building, and requirements defined in the Minnesota Clean Air Act. Smoking must be at least 30 feet away from entries of program and business offices of the organization. Management staff will designate outside smoking areas accessible to smokers that assure the greatest degree of fire safety, protection from second hand smoke and be sensitive to community image issues. Each site shall have only one designated area, except Iverson Court apartments. Tenants of the Iverson Court apartments can allow smoking at their discretion, however all common and public areas of the Iverson Court complex are smoke free.

In evaluating the designated smoking area at a site each area must assure proper safety and ventilation. Each designated smoking area must be identified and not be the living area of the homes, shared office areas, or anywhere it is determined that the smoke would expose non-smokers to the effects of second hand smoke. All smokers, including staff, clients and guests/visitors are to smoke only in the designated area.

Staff must refrain from smoking when directly responsible for clients when out in the community.

Smoking in **HCO** vehicles is prohibited and smoking is also prohibited in personal vehicles when nonsmoking clients or staff are present.

#### **M. Breaks:**

Staff are entitled to paid break times of 15 minutes for every four hours worked. Breaks can be taken flexibly to accommodate the supervision needs within the program service and considering the preference of the staff person. Those staff who smoke must utilize break time to do so and go to designated smoking areas. Employees working eight hours or more shall be given adequate time to eat a meal. Time to eat a meal can be paid or unpaid time, depending on the position worked. Nursing mothers shall be provided reasonable unpaid break time and facilities to express breast milk for their infant children.

#### **N. Accidents and Unusual Occurrences:**

All staff must inform supervisors and document any accidents or injuries that occur to clients, staff, or others who have been associated with a client or staff person. Staff must take necessary action to protect the safety and welfare of all persons involved and follows the prescribed emergency procedures. Serious property or equipment damage must also be

reported. When serious incidents occur, supervisory staff should be called immediately to assist and help those involved by assessing and stabilizing the situation. Staff involved in the accident should refrain from comments or be influenced by others to claim any fault or wrong doing.

**O. Public Image of Organization:**

All staff of Home and Community Options, Inc. are to support, uphold and promote a positive image of **HCO** and its clients and employees when associating in the community. Communicating information that damages the organization is subject to disciplinary action. Any concerns that staff might have should be directed to their supervisor for resolution.

**P. Client Interactions:**

Staff are expected to interact with clients in ways that foster positive relationships and build trust. Staff should facilitate normal opportunities to interact and be involved in home, family and community activities. Clients should be called by their first names unless nicknames are otherwise noted as appropriate. Implementation of aversive or controlled procedures without authorization and training is strictly prohibited. Employees will be trained in the implementation of appropriate interaction patterns and the reporting requirements related to abuse and neglect.

**Q. Meals:**

An employee who is responsible for assisting the clients with mealtime activities will be provided the same meal as the clients. No meal is provided when staff work providing services in an individual's private home. When assigned responsibility for assisting clients with meal activities, staff shall assist and interact with individuals in ways that foster normalization, as documented in the individual's plan of care. When assisting a client while eating out in the community, the staff should limit their cost of meals to a maximum of \$10 for breakfast, \$12 for lunch and, \$15 for dinner. If a person chooses a more expensive meal, those costs must be paid by the individual staff person unless prior authorization is given by a supervisor to account for a special event.

**R. Clean Hotel:**

Home and Community Options supports community initiatives that promote mental health/wellness and the prevention of abuse and exploitation. When traveling for matters related to employment with Home and Community Options, Inc. employees will be expected to seek lodging in hotels that do not offer adult pay-per-view pornography in their sleeping rooms. Exceptions to this policy must be reviewed and approved by an agency supervisor at times when there are no practical alternative lodging options available for the out of town business activity.

**S. Use of Telephone, Cell Phones, and Internet:**

Employee's use of phone, cell phones, Internet or other personal communication devices for private use shall be limited to calls/contacts during breaks and for emergencies. Except in emergency situations employees who make long distance calls shall use a personal phone, a credit calling card or reverse charges. Personal cell phones must be turned off during work time unless there is an emergency or the employee has permission approved by a supervisor to use the cell phone during work time. Cell phones shall not be used when working and driving a vehicle. Cameras and cell phone cameras shall never be used to photograph

clients or staff of the organization unless specific authorization has been given and releases have been completed.

#### **T. Employee Discipline:**

Poor work performance and violations of HCO's policies and procedures are unacceptable and must be corrected. Employees will normally be advised by their supervisor of unacceptable work performance or other problems affecting their work. HCO will normally use reasonable efforts to assist the employee in correcting poor performance before formal disciplinary action is required, however this is not required in all cases. Despite these efforts formal disciplinary action may be required and will be directed by the Division Director upon consultation with the employee's immediate supervisor. The level of disciplinary action will be determined by the Division Director in his or her complete discretion and may be based on the severity of the problem, history of prior discipline, past work record, and other pertinent factors. Employees may use HCO's grievance process when they disagree with the disciplinary process.

While a progressive disciplinary approach may be utilized where feasible, HCO reserves the right to decide in all cases whether and to what extent disciplinary action will be imposed. The decision as to the form of discipline, which is at the sole discretion of HCO, will be based upon the nature and severity of the conduct, the employee's work record and all other relevant circumstances. Termination may result from the first incident if HCO believes that such action is warranted under the circumstances. Nothing in this provision requires HCO to take any particular form of disciplinary action or to take action in any particular order. Nor is this provision intended to create a contract of employment. Employment remains at all times "at will". Employees are free to resign their employment with HCO at any time and for any reason, and HCO retains the same right regarding discontinuance of employment.

The following disciplinary actions will be considered:

1. Verbal Warning: Verbal warnings are often the first step of a formal disciplinary action. Employees are informed of the performance deficiency or violation. They are informed of steps to take in order to correct the problem. The verbal warning shall identify the work violation or performance deficiency(s), list history of previous intervention and/or training, identify a plan of correction to resolve the deficiency(s), consequences of repeated action and the length of time the verbal warning shall be in place. The employee will be asked to sign the warning and a copy of the warning will be included in the employees personnel file. The conference shall be documented in the employee's personnel file.

2. Written Warning: Written warnings are considered as an appropriate and permissible disciplinary step if performance continues to be unacceptable after a verbal warning or for behavior which is more serious in nature. A conference may be held with the employee, the immediate supervisor, and the Division Director. The written warning should normally identify the work violation or performance deficiency(s), list history of previous intervention and warnings, identify a plan of correction to resolve the deficiency(s), consequences of repeated action and the length of time the written warning shall be in place. The employee may be asked to sign the warning and a copy of the warning will be included in the employees personnel file. A copy may also be submitted to the Director of Human Resources.

3. Suspension: Suspension is an investigative action taken when a supervisor

knows or suspects a serious work performance action or deficiency. Suspension is defined as a mandated absence from work. Suspensions shall be presented to the employee in writing and shall continue until a thorough investigation is complete. Payment for scheduled lost time during a suspension shall be determined by the Executive Director. The Division Director or Executive Director will notify the employee of their future employment status upon completion of the investigation. The outcome could include reinstatement, reinstatement with warning, or termination from employment.

4. Dismissal: Dismissal of an employee will occur when serious work behavior incidents are substantiated or when performance deficiencies are not corrected after warnings. The Division Director and the immediate supervisor, in consultation with the Director of Human Resources shall determine cause for dismissal after review of an incident, previous warning history and other pertinent circumstances. A dismissal letter will be presented to the employee and a copy maintained in the employees personnel file. The dismissal letter will document the violation or work performance deficiency (s), history of previous interventions and other specific matters related to the dismissal. A copy of HCO grievance policy will be presented to the employee.

## **V. EMPLOYEE GRIEVANCES:**

The Employee Grievance Policy of Home and Community Options, Inc. is intended to be a mechanism in which job related problems between an employee and HCO can be resolved promptly. All employees have recourse to the grievance procedure. Employee access to the grievance procedure shall be without discrimination or retaliation of any kind.

A grievance is defined as a job-related problem that an employee believes could and should be corrected by the organization's management. This grievance procedure provides a formal mechanism for implementing this policy. A grievance must be filed within 10 calendar days after the incident giving rise to the grievance.

### 1. Step One:

Employees who have a complaint or problem that has not been resolved by interaction with their immediate supervisor may request a meeting with the Division Director to informally discuss their grievance and attempt to resolve their problem. If the employee does not pursue the matter to the next step, it is considered resolved and no further action will be taken.

### 2. Step Two:

If the problem or complaint is not resolved through the informal meeting with the Division Director, the employee shall make a written request to the Executive Director expressing the complaint and requesting a meeting. This meeting shall normally be held within five working days after receiving the request. The meeting shall include the employee, the Division Director and the Executive Director. The Executive Director shall respond with a decision and submit this to the employee within five working days from the meeting. Copies of this correspondence shall be placed in the employee's personnel file. If the employee does not pursue the matter to the next step, it is considered resolved and no further action will be taken.

### 3. Step Three:

If the employee disagrees with the decision of the Executive Director he or she may request

a hearing before the Personnel Committee of the Home and Community Options, Inc. Board of Directors. The employee must submit the request for a hearing to the Executive Director within five working days of receipt of the written decision by the Executive Director. If the notice requesting the hearing is not received within five working days, the decision made by the Executive Director shall be final. The Executive Director shall call a meeting of the Personnel Committee to convene a hearing within fifteen days of receipt of the hearing request. The hearing shall be held to include the employee, Executive Director and other supervisors as determined by the Personnel Committee Chairperson and other members of the Personnel Committee. The employee will present his or her grievance and the Executive Director or other designated supervisor shall present the position of management related to the grievance. After review of all pertinent information the Personnel Committee shall deliberate and within five days of the hearing shall make written recommendations on the disposition of the grievance to the full Board of Directors. The Board will convene within fifteen days from receipt of the Personnel Committee's report and render a decision in its complete discretion. Within five days of the Board's decision a letter will be sent to the employee and the Executive Director explaining their decision. A copy will also be filed in the employee's personnel file.

**VI. EMPLOYEE BENEFITS:**

**A. Personal Time Off (PTO):**

The purpose of Personal Time Off (PTO) is to allow employees to take responsibility for managing leave time away from work for their personal use. PTO includes vacation, sick time and other instances where time off would be needed. PTO is designed for employees to use to take necessary breaks from work and to afford flexibility to the employee.

Accrual System:

All exempt employees, Primary Counselors, and support position employees shall accrue PTO per the following schedule:

	<u>Rate Per Hours Worked</u>	<u>Monthly (40 hr. Employee)</u>	<u>Projected Annual (accumulation of 40 hr./wk employee)</u>
1-2 years	0.0615	10.66	127.90
3-5 years	0.0807	13.99	167.88
6-9 years	0.0999	17.31	207.72
10-14 years	0.1038	17.99	215.88
15-19 years	0.1076	18.65	223.8
20-24 years	0.1115	19.32	231.84
25+ years	0.1153	19.98	239.76

All other employees who work regularly at least 30 hours/ week.

	<u>Rate Per Hours Worked</u>	<u>Monthly (40 hr. Employee)</u>	<u>Projected Annual (accumulation of 40 hr./wk employee)</u>
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1-3 years	0.0615	10.66	127.89
4-6 years	0.073	12.65	151.8
7-9 years	0.0807	13.99	167.88
10-14 years	0.0845	14.64	175.68
15-19 years	0.0884	15.32	183.84
20-24 years	0.0922	15.98	191.76
25+ years	0.0961	16.65	199.8

Employees who work in regular positions scheduled less than 38 hours per week or, employees in temporary positions and employees in the employer of record program, are not eligible for the PTO benefits.

Accrual Maximum:

Employees can accrue a maximum of 540 hours of PTO

Carry Over:

PTO can be carried over and accrued, but will be adjusted annually when it exceeds 540 hours. At the time of the first pay date in November of each year, the accrued amount will be adjusted down to a maximum balance of 540 hours.

Policy:

- When an employee has used up all of his/her PTO, the time off will be unpaid. Unless under special arrangement and approved by a director, employees cannot choose to take unpaid time if they have PTO available.
- Employees cannot “borrow” time against future accruals and do not accrue PTO while on unpaid leave times.
- Accumulated PTO is not a guaranteed right to take time off. While managers and supervisors will do their best to accommodate requests for PTO, the staffing needs of **HCO** will take precedence. When ever possible, PTO should be scheduled and approved in advance by an employee’s supervisor. For unscheduled time off, in the case of personal or family illness or emergencies, employees should notify their supervisor in accordance with the program procedures.
- PTO is a designed benefit to help employees through short term medical or personal emergencies and employees are expected to maintain a PTO reserve for such emergency needs.
- Holiday and Leave of Absence for Family Death will be kept separate from the PTO policy.
- Paid time off will be based on your rate of pay at the time it is taken. Employees will not be granted pay in lieu of paid time off. At the time of resignation/termination PTO will be issued as a cash pay out to the employee, calculated by multiplying the number of accrued and unused hours times the employee’s rate of pay.

**B. Family and Medical Leave (FMLA):**

Home and Community Options, Inc. will comply with the Family and Medical Leave Act implementing Regulations as revised effective January 16, 2009. Home and Community Options, Inc. posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act in Minnesota.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Director of Human Resources (or if unavailable the Executive Director) in writing.

**1) General Provisions:** Under this policy, Home and Community Options, Inc. will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

**2) Eligibility:** To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

A) The employee must have worked for Home and Community Options, Inc. for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

B) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

C) The employee must work in a worksite where 50 or more employees are employed by Home and Community Options, Inc. within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

**3) Type of Leave Covered:** To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

A) The birth of a child and in order to care for that child.

B) The placement of a child for adoption or foster care and to care for the newly

placed child.

C) To care for a spouse, child or parent with a serious health condition (described below).

D) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under Home and Community Options, Inc.'s sick leave policy are encouraged to consult with the Human Resource Manager.

If an employee takes paid time off for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, Home and Community Options, Inc. may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

E) Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-

month period.

F) *Military caregiver leave (also known as covered servicemember leave) to care for an ill or injured servicemember.*

This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered servicemember with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering servicemember.

**4) Amount of Leave:** An eligible employee can take up to 12 weeks for the FMLA circumstances (A) through (E) above under this policy during any 12-month period. Home and Community Options, Inc. uses 12-month period measured forward from the date any employee's first FMLA leave begins. Each time an employee takes leave, Home and Community Options, Inc. will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (F) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, Home and Community Options, Inc. will measure forward from the date any employee's first FMLA leave begins. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for Home and Community Options, Inc. and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for Home and Community Options, Inc. and each wishes to take leave to care for a covered injured or ill servicemember, the husband and wife may only take a combined total of 26 weeks of leave.

**5. Employee Status and Benefits During Leave:** While an employee is on leave, Home and Community Options, Inc. will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Home and Community Options, Inc. will require the employee to reimburse Home and Community Options, Inc. the amount it paid for the employee's health insurance premium during the leave period.

Under current company policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Business Office by the Friday of each pay period. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

**6. Employee Status After Leave:** An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

**7) Use of Paid and Unpaid Leave:** An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member shall use PTO prior to being eligible for unpaid leave unless prior arrangements have been approved by the Division Director.

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child shall use PTO prior to being eligible for unpaid leave unless prior arrangements have been approved by the Division Director.

An employee who is using military FMLA leave for a qualifying exigency shall use PTO prior to being eligible for unpaid leave unless prior arrangements have been approved by the Division Director. An employee using FMLA military caregiver leave shall also use PTO prior to being eligible for unpaid leave unless prior arrangements have been approved by the Division Director.

**8) Intermittent Leave or a Reduced Work Schedule:** The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill servicemember over a 12-month period).

Home and Community Options, Inc. may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment,

including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, Home and Community Options, Inc. and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with Home and Community Options, Inc. before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

**9) Certification for the Employee's Serious Health Condition:** Home and Community Options, Inc. will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition (<http://www.dol.gov/esa/whd/forms/WH-380-E.pdf> ).

Home and Community Options, Inc. may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Home and Community Options, Inc. will not use the employee's direct supervisor for this contact. Before Home and Community Options, Inc. makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, Home and Community Options, Inc. will obtain the employee's permission for clarification of individually identifiable health information.

Home and Community Options, Inc. has the right to ask for a second opinion if it has reason to doubt the certification. Home and Community Options, Inc. will pay for the employee to get a certification from a second doctor, which Home and Community Options, Inc. will select. Home and Community Options, Inc. may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, Home and Community Options, Inc. will require the opinion of a third doctor. Home and Community Options, Inc. and the employee will mutually select the third doctor, and Home and Community Options, Inc. will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

**10) Certification for the Family Member's Serious Health Condition:** Home and Community Options, Inc. will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition (<http://www.dol.gov/esa/whd/forms/WH-380-F.pdf> ).

Home and Community Options, Inc. may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. Home and Community Options, Inc. will not use the employee's direct supervisor for this contact. Before Home and Community Options, Inc. makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, Home and Community Options, Inc. will obtain the employee's family member's permission for clarification of individually identifiable health information.

Home and Community Options, Inc. has the right to ask for a second opinion if it has reason to doubt the certification. Home and Community Options, Inc. will pay for the employee's family member to get a certification from a second doctor, which Home and Community Options, Inc. will select. Home and Community Options, Inc. may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, Home and Community Options, Inc. will require the opinion of a third doctor. Home and Community Options, Inc. and the employee will mutually select the third doctor, and Home and Community Options, Inc. will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

**11) Certification of Qualifying Exigency for Military Family Leave:** Home and Community Options, Inc. will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave (<http://www.dol.gov/esa/whd/forms/WH-384.pdf> ).

**12) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave:** Home and Community Options, Inc. will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember (<http://www.dol.gov/esa/whd/forms/WH-385.pdf> ).

**13) Recertification:** Home and Community Options, Inc. may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, Home and Community Options, Inc. may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. Home and Community Options, Inc. may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

**14) Procedure for Requesting FMLA Leave:** All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR manager. Within five business days after the employee has provided this notice, the HR manager will complete and provide the employee with the DOL Notice of Eligibility and Rights (<http://www.dol.gov/esa/whd/fmla/finalrule/WH381.pdf>).

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with Home and Community Options, Inc.'s usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

**15) Designation of FMLA Leave:** Within five business days after the employee has submitted the appropriate certification form, the HR manager will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice (<http://www.dol.gov/esa/whd/forms/WH-382.pdf>).

**16) Intent to Return to Work from FMLA Leave:** On a basis that does not discriminate against employees on FMLA leave, Home and Community Options, Inc. may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

#### **C. School Leave:**

Any employee is eligible for up to 16 hours of unpaid leave during any school year for the purposes of attending school conferences or classroom activities related to the employee's child. The employee does have the option of using any earned PTO time for this purpose. Employees shall provide reasonable notice when requesting this leave and make every effort to schedule times that are not disruptive to services and operations of the organization.

#### **D. Election Voting:**

On officially designated election days, for state primary or general elections, national general elections or elections of members of U.S. or state Congress, employees will be allowed reasonable paid time off to vote. Up to two hours maximum will be allowed however, employees are encouraged to vote before or after normal work hours when possible. Prior arrangements for this time off shall be made with the supervisor.

#### **E. Leave of Absence for Family Death:**

Employees who are hired in regular positions that require them to work 38 hours or more per week shall be eligible for up to three days off with pay in the event of death in the employee's immediate family and those who live with the employee. Immediate family members include father (in-law), mother (in-law), spouse, children, brother (in-law), sister (in-law), and grandparents. PTO may be used when authorized, for the death of others significant to the employee.

#### **F. Military Training Leave:**

Military leaves of absence will be permitted in accordance within applicable law. If you have questions about military leaves, please contact the Executive Director.

### **G. Jury Duty and Court Appearances Leave:**

Employees can be excused for jury duty and required court appearances upon the presentation of a summons or subpoena to a supervisor. Employees will be paid for any work time missed as a result of their required time in court subtracting any jury duty pay received for the time of scheduled **HCO** work hours up to a maximum of two weeks.

### **H. Bone Marrow Leave.**

Employees shall be entitled to up to forty hours of paid leave for donating bone marrow, subject to the requirements of Minnesota law.

### **I. Other Leave of Absences:**

Requests for other leave of absences can be submitted in writing to the Division Director for consideration. They shall be unpaid and approved based on the merits of the request and the impact on the program. **HCO** deems no obligation other than as may be required by law to grant a leave of absence to part time employees.

Any paid or unpaid leave requests for more than two weeks shall be approved by the Division Director. Leaves that are not emergencies should be submitted thirty days prior to the requested start date.

### **J. Holidays:**

The following holidays shall be observed: New Years Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

1. Regular Full-time Employees: Regular full-time employees who work 38 hours or more per week are granted these holidays off with pay. For holidays falling on a weekend a compensatory day around the holiday shall be designated by the employee. If it becomes necessary for a full-time employee to work a holiday, a compensatory day off will be granted.

Regular full-time employees (38 hours or more per week) shall be granted one floating holiday at the beginning of each six-month period of the calendar year. Floating holidays cannot be carried over to the next year nor do they have cash value upon termination of employment. Requests for a floating holiday shall be made with at least one week notice to the supervisor.

2. Regular Part-time and Temporary Employees: Part-time employee (employees working regularly less than thirty-eight hours per week) and temporary employees who work the actual holiday shall be granted pay at time and one half. Employees who work from 3:00 p.m. to midnight on Christmas Eve and New Year's Eve shall be paid time and one half (these are not considered designated holidays).

### **K. Employee Mileage and Expenses:**

Employees shall be assigned designated work sites and are expected to get to these sites at their own expense. For in home services the supervisor will determine the designated work site that is either the service site or the most proximate **HCO** program location site. For

employees who are asked to work at sites away from those designated, or travel for HCO business purposes an HCO vehicle will be made available, or mileage will be paid to use a personal vehicle at the designated reimbursement rate \$.10 below the reported IRS allowance. All expenses submitted for reimbursement must be submitted with receipts.

Reimbursement for meals when traveling away from the area for HCO business can be submitted to HCO for reimbursement of actual documented costs not to exceed \$10 for breakfast, \$12 for lunch and \$15 for dinner. Lodging expenses shall be prior approved by the Division Director. Staff will be compensated for damages to personal property caused by client behavior. Reimbursement will be based on reasonable value of replacement. Staff must refrain from wearing expensive clothing or jewelry. Such items would not be reimbursed by HCO.

**L. Orientation and In-service Training:**

All employees will be required to participate in orientation and in-service training as designated by the supervisor. Training regarding the Vulnerable Adult Law, Child Protection, Infection Control, Emergency Procedures, and other specified training areas are required at the time of hire and updated annually. These training areas and other training related to HCO services will be offered to staff at HCO's expense. Typically, training costs associated with formal schooling, professional development or licensure shall be the responsibility of the employee, however this training can be acknowledged and considered for advancement.

Employees who begin service for the organization in a direct care role are encouraged to engage in the organization's competency based training curriculum to further enhance skills in providing consumer directed services. For Direct Support Trainee positions, the completion of this curriculum, mastery of corresponding competencies, and meeting the criteria for the advanced position may lead to position advancement with an increased level of pay.

**M. Employee Group Health Benefits:**

An employee's eligibility to participate in any benefit plan is based on the eligibility requirements identified within the applicable plan document. The benefit plan provisions shall prevail in the event of any conflict with the provisions of this policy manual.

1. Group Health Insurance: All regular employees who work a minimum of 38 hours per week shall be offered group health insurance. Specifications of coverage, costs of premiums and deductibles shall be available for staff.

It is the responsibility of new employees to apply for coverage promptly at the time of hire into a full time position. Late applications may require an employee to answer health questions and potentially disqualify the person from group coverage. There shall be a thirty-day waiting period from the date of hire before coverage begins. The group health plan premium cost will be shared with the employee and Home and Community Options, Inc. based on a schedule reviewed and approved by the Board of Directors annually.

2. Term Life Insurance: Term life insurance for regular full time employees shall be offered and paid for by HCO. Dependent life insurance coverage is available for purchase at the employee's expense.

3. Dental Insurance and Other Health Benefits: All regular employees who work a minimum of 38 hours per week shall be offered an allowance to purchase HCO's group dental insurance or other related health insurance benefit products. The allowance authorized shall be determined annually by the Board of Directors. HCO's contribution cannot be used as a wage or cash bonus. Part-time employees may request enrollment on these plans (other than the group dental) at their expense by requesting information from the HCO Business Office.

4. Long Term Disability Insurance: All regular employees who work a minimum of 38 hours per week shall be provided with long term disability insurance paid by HCO. Specifications of coverage are available for employees.

#### N. Retirement Benefits:

Employees may work until any age, as long as they can meet essential job functions of their Position.

Employees eligible according to HCO qualified retirement plan shall receive retirement benefits. Home and Community Options, Inc. offers a profit sharing and (401k) plan.

The Board of Directors shall determine the amount of the annual contribution and matching plan to the profit sharing and (401k) plan. In addition, at the Board of Directors discretion, additional contributions may be deposited into each eligible employee's account. The Board of Directors may elect not to fund the plan for any given year based on funding limitations or as it deems such action appropriate. Employees will be informed at any time the Board of Directors makes a change in the contribution and matching allocation.

Eligibility:		Minimum age of 21
Months of Service:		12
Hours required for eligibility:		1,000
Plan Entry:		Quarterly entry dates beginning 01/01. The first day of the next successive 3 month periods.
Vesting:	0%:	First and Second Year
	100%:	Third Year

**O. Worker's Compensation:**

All employees of Home and Community Options, Inc. are covered by Worker's Compensation Insurance paid by **HCO** as required by Minnesota Law. Any job related injury must be reported immediately to a supervisor. An incident report and other documentation of the injury must be completed by the employee as soon as possible following the injury. In the event that an injury causes an employee to miss work the employee will be paid for the entire scheduled shift on the day of the injury. If subsequent days of work are missed, the employee may use accrued benefit time until which time the employee would be eligible for the worker's compensation insurance benefit.

**P. Other Benefits:**

1. FICA:

Home and Community Options, Inc. pays the employer's portion of Social Security (FICA) taxes for all employees.

2. Unemployment Tax:

Home and Community Options, Inc. provides unemployment insurance to all its employees.

3. Professional Liability Insurance:

Professional liability insurance is carried by **HCO** to protect the actions of its employees who are working within the scope of their duty and with the direction of their supervisor.

**Q. Salary Administration:**

It is the goal of Home and Community Options, Inc. to provide competitive salaries and wages to its employees. The Board of Directors shall authorize an annual salary administration plan and the Executive Director and Division Directors shall administrate salary increases based on the plan. Employees whose job is classified by levels shall also have the opportunity to advance to the next level based on criteria set forth in the job level descriptions. Level advancement is considered at the time of performance evaluation.

# **Terms and Definitions**

## **I. PROGRAM DEFINITIONS**

**CADI WAIVER:** Community Alternatives for Disabled Individuals Waiver: Medicaid funded service for children living at home that can supplement Personal Care Attendant Services.

**Consolidated Standards Rule:** The Dept. of Human Services Rule governing program regulations for services residential and support services licensed by the State of Minnesota.

**Consumer Directed Services:** Services that are authorized by a County Case Manager through the Medicaid Waiver and are arranged and managed by the individual with developmental disability, their family or guardian and are individually tailored to their needs. Home and Community Options may provide augmentative or support services to help the family manage this services. Some support services may include staff training, payroll services or other consultative supports.

**DHS:** Department of Human Services (State of Minnesota)

**DHS RULE 10:** Department of Human Services rule which regulates the administration of the Vulnerable Adults Law which requires reporting of abuse or neglect of a vulnerable adult by mandated reporters, such as board or staff members.

**DHS RULE 40:** Department of Human Services rule which regulates the use of aversive and deprivation procedures.

**DHS RULE 185:** Department of Human Service rule which regulates the coordination of services between the various governmental and private agencies that serve developmentally disabled people. Designates the County Case Manager (an employee of the County Social Services agency) as the primary source for determining services.

**DHS RULE PARTS 9555-5105-6265:** Department of Human Service rule that regulates Adult Foster Care services for up to four residents.

**HUD - 202 PROGRAM:** Provides low interest federal loans for housing projects (elderly and handicapped) through U.S. Department of Housing and Urban Development. Loan program for Iverson Court apartment project.

**IHP:** Individual Habilitation Plan developed with the client and the interdisciplinary team and includes goals and objectives for all service providers.

**ISP:** Individual Service Plan that is developed by the Case Manager which includes all services required, and the plan for obtaining services.

## **Terms and Definitions**

### **Page 2 (Cont.)**

ICF/MR: Intermediate Care Facility for Mentally Retarded. Federal regulations determine eligibility as an ICF/MR facility and eligibility to receive Title XIX funding. Home and Community Options does not provide this service any longer.

MEDICAL ASSISTANCE: (M.A.) The State of Minnesota source of Title XIX funds and funds for individual medical care.

MEDICAL ASSISTANCE DETERMINATION FORMULA: The basis which determines the amount of unearned and earned income each resident pays for cost of care in our group home programs.

MDH: Minnesota Department of Health. State agency that licenses ICF/MR's and SLF's.

MHFA: Minnesota Housing and Finance Agency. State operated agency that provides low interest loans for various building and housing projects. Mortgage loan program for our 252 W. Wabasha residence.

PER DIEM RATE: The amount of reimbursement that we receive each day for each resident being served in a residential program.

PCA: Personal Care Attendant. A program that we provide to individuals who live in their own homes (children and adults). Physical and medical assistance is given in order to assist in maintaining the home living situation.

SCREENING TEAM: The team required by State statutes, which determines an individual's needs for services and the services for which the person is eligible.

SECTION 8 SUBSIDIES: Provides federally funded rent subsidies to low income individuals and families through HUD. Section 8 subsidies are the main funding source for the Iverson Court project. In addition, residents pay a third of their own income for earned and unearned sources for their own portion of the rent.

SILS: Semi Independent Living Services. Services to clients who are living outside of group home facilities, on their own, with families or in other alternatives. The goal of SILS services is to gain and maintain independent living. Our Community Living Services (CLS) program is a SILS program.

SSA: Social Security Administration.

SLF: Supervised Living Facility. Minnesota Board of Health license that regulates construction, equipment, maintenance and operation procedures related to safety and sanitation of residential homes with more than four residents.

## **Terms and Definitions**

### **Page 3 (Cont.)**

SSI: Supplemental Security Income. A type of Social Security income which persons who are permanently disabled may receive. The extent of the person's disability determines eligibility for SSI benefits.

TITLE XIX FUNDS: Medical Assistance funds which have their source in Federal, State, and County levels. Title XIX funds are used to pay for ICF/MR and Waivered Services.

UNEARNED INCOME: The amount of SSI, social security disability insurance, railroad retirement benefits, veteran's pension benefits or other government benefits or private insurance which the client may regularly receive. These funds are generally used to pay for cost of care expenses in our group homes. These resources are applied against the reimbursement from MSA or ICF/MR funds.

WAIVERED SERVICES: Medicaid funded services for adults and children in their own homes or in their family home; or for individuals who live in small residential service arrangements called SLS (Supervised Living Services).

## **II. RELATED SERVICE ORGANIZATIONS AND AGENCIES**

AAMR: American Association on Mental Retardation. A national organization of medical and other professionals which deals with issues, services and research concerned with mental retardation and related disabilities.

ANCOR: American Network of Community Options and Resources. Provides information and regular communication concerning private residential resources and advocates for legislation on a national level.

Arc: Association for Retarded Citizens. An organization of parents, professionals and consumers who are concerned with mental retardation and related disabilities. Its main purpose is advocacy for developmentally disabled citizens. It functions on regional, state and national levels.

ARRM: Association of Residential Resources in Minnesota. An organization of private residential services providers that provides communication concerning residential services in Minnesota; provides workshops and seminars for personnel, resident living staff and administrative staff training.

DRS: Department of Rehabilitation Services. Provides counseling services for vocational planning and provides funding that augments the client's employability.

DAC: Winona Developmental Achievement Center. Provides personal adjustment training and work activities for individuals who are developmentally disabled.

## **Terms and Definitions**

### **Page 4 (Cont.)**

**Providers Network, Inc.** A networking group of Southeastern Minnesota provider agencies, who meet regularly to share ideas, problem solve and provide training resources for direct care staff. Providers Network, Inc sponsors an annual conference in October along with the "Good Neighbor Awards banquet.

**HVMHC:** Hiawatha Valley Mental Health Center. Provides counseling and psychiatric services to area residents. Specializes in mental illness, mental retardation and chemical dependency.

**LEC:** Winona Law Enforcement Center

**WORC:** Winona Occupational Rehabilitation Center. Provides sheltered employment, work adjustment training and competitive employment placement and supported employment services. Many of our clients are employed at ORC.

**RSS:** Regional Services Specialist, hired by DHS to oversee the provision of services in the region. The RSS makes decisions regarding placement into ICF/MR programs and Waivered Services and is available for resource management.

**RTC:** Regional Treatment Center: State operating institutions which provide treatment to persons with mental retardation and mental illness.

**SEMCIL:** Southeast Minnesota Center for Independent Living.

**TASH:** The Association for Persons with Severe Handicaps. A national advocacy organization that is made up of consumers, professionals and family members who are interested in self-advocacy, integration and inclusion of people with severe disabilities into all aspects of community life.

**UNITED WAY:** Local fund raising organization that funds our Community Living Services activity program.

**WINONA COUNTY DEPARTMENT OF HUMAN SERVICES:** The local human service agency which has responsibility for case management and provides welfare funding for services to developmentally disabled and other needy persons.

### **III. RELATED TERMS AND DEFINITIONS**

**AMBULATORY:** Able to walk independently and negotiate barriers such as ramps, stairs, corridors, doors, etc.

**CEREBRAL PALSY:** (CP) A disorder of movement and posture due to a non-progressive defect of the immature brain.

## **Terms and Definitions**

### **Page 5 (Cont.)**

PIA: Training system designed to teach how to handle and avert a crisis situation before it requires physical intervention. Safe physical intervention techniques are also taught, including restraint holds, blocks and escapes.

DATA PRIVACY ACT: Minnesota Government law requiring Chapter 328 (1979) regulates the collection, storage and dissemination of private and confidential data on individuals. Data and information regarding our residents and clients is classified as private.

DD: Developmental Disabilities. A severe chronic disability of a person which:

- a. is attributable to mental or physical impairment or combination of mental and physical impairments;
- b. is manifested before the person attains the age twenty-two;
- c. is likely to continue indefinitely;
- d. results in substantial functional limitations in three or more of the following areas of major life activity: (i) self care, (ii) receptive and expressive language, (iii) learning, (iv) mobility, (v) self direction, (vii) economic self-sufficiency; and
- e. reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

INTERDISCIPLINARY TEAM: (I.D. Team) Persons representing professions, disciplines or service areas relevant in each particular client's case, including parents of the client, case manager, and other individualized programs to meet the needs and periodically reviews the person's response to the plan.

LEAST RESTRICTIVE ALTERNATE: A doctrine which comes out of the legal system and relates to treatment rights of mentally retarded persons. The least restrictive alternative doctrine involves balancing the restrictiveness and the amount of freedom that a client needs for growth and mental health. It involves each individual having a full range of choices that are available to other people in the community.

MENTAL ILLNESS: (MI) A disability that can manifest itself at any age in which the individual has deficits in adaptive behavior (performing daily activities).

MENTAL RETARDATION: Significant sub-average intellectual functioning existing concurrently with demonstrated deficits in adaptive behavior and manifested during the developmental period.

NON-AMBULATORY: Unable to walk independently without assistance.

NON-MOBILE: Unable to move independently from place to place.

## **Terms and Definitions**

## **Page 6 (Cont.)**

**NORMALIZATION PRINCIPLE:** The utilization of culturally valued means in order to establish and/or maintain personal behaviors, experiences, and characteristics that is culturally normative and valued.

**PTC:** Part-time Counselor

**PSYCHOTROPIC DRUGS:** Anti-Psychotic Drugs. Drugs which are used therapeutically along with other therapies and which control behavior, lessening the psychotic process and allowing the individual to behave more normally.

**QMRP:** Qualified Mental Retardation Professional. A person who meets specific professional qualifications based on education and experience. It is required that a QMRP oversee the programming for services to people with developmental disabilities.

**Region 10 Quality Assurance project:** An alternative licensing process that includes extensive interviews with the individual and their support team to determine if services are being provided according to the individuals needs. The review is completed by professionals and volunteers who are trained in implementing these reviews.

**SELF-INJURIOUS BEHAVIOR:** (SIB) A behavior a person displays in which there is intention to harm oneself.

**TARDIVE DYSKINESIA:** Side effects from psychotropic medications, which can have permanent, disabling effects. Screening procedures are required for monitoring all psychotropic medications.

**TBI:** Traumatic Brain Injury

**VOICE Review Process “Value of Individual Choices and Experiences”:** An assessment tool utilized with the Quality Assurance Review process that assesses quality of life factors important to the happiness and well being of individuals who need support.

**VULNERABLE ADULT REPORT:** (VA Report) A report of an incident of known or suspected abuse or neglect of a vulnerable adult.

**VULNERABLE ADULTS LAW:** 1980 State of Minnesota law requiring reporting of abuse and neglect of vulnerable adults and requiring facilities to establish prevention abuse plans. Persons who are mentally retarded are considered vulnerable adults.

# ACRONYMS

FOR GLOSSARY OF TERMS: [http://www.dhs.state.mn.us/id\\_029131](http://www.dhs.state.mn.us/id_029131)

Note 1: not all the acronyms listed here are in the above glossary

Note 2: The term “mental retardation” was replaced by the term “developmental disability” by Minnesota legislation.

ABA	Applied Behavioral Analysis
ABI	Acquired Brain Injury
AC	Alternative Care
ACT	Assertive Community Treatment
ADA	Americans with Disabilities Act
ADC	Adult Day Care
ADL's	Activities of Daily Living
AFC	Adult Foster Care
AL	Assisted Living
ARMHS	Adult Rehabilitative Mental Health Services
AT	Assisted Technology
BI	Brain Injury
CAC	Community Alternative Care (waiver)
CADI	Community Alternatives for Disabled Individuals (waiver)
CBHH	Community Behavioral Health Hospital
CCT	CAC, CADI, TBI
CDCS	Consumer Directed Community Supports
CFC	Corporate Foster Care
CFR	County of financial responsibility
CIL	Center for Independent Living
CM	Case Manager
CMS	Centers for Medicare and Medicaid Services
COLA	Cost of Living Adjustment
COMPASS	Comprehensive Assessment
COR	County of Residence
COS	County of Service
CSG	Consumer Support Grant
CSP	Consumer Support Plan
CSS	Community Support Services (state operated)
CTSS	Children's Therapeutic Services & Supports
DD	Developmental Disabilities
DD/RC	Developmental Disabilities/Related Conditions
DEED	Department of Employment & Economic Development
DHS	Department of Human Services

DLL	Disability Linkage Line
DME	Durable Medical Equipment
DSD	Disability Services Division (DHS)
DRG	Diagnostic Related Group
DSPM	Disability Services Program Manual
DT&H	Day Training and Habilitation
EBD	Emotional Behavioral Disturbance
EE	Extended Employment
ED	Emotional Disturbance
EPD	Employment of Persons with Disabilities
EVS	Eligibility Verification System
EW	Elderly waiver
FFP	Federal financial participation
FPG	Federal Poverty Guidelines
FFS	Fee for service
FSGP	Family Support Grant Program
FY	Fiscal Year
GAMC	General Assistance – Medical Care
GRH	Group Residential Housing
HCBS	Home and Community Based Services
HHA	Home Health Aide
HIPAA	Health Insurance Portability and Accountability Act
ICD-9	International Classification of Diseases
ICF/DD	Intermediate Care Facility for persons with developmental disabilities
IDEA	Individuals with Disabilities Education Act
IFSP	Individual Family Support Plan
IHFS	In Home Family Support
IIIP	Individual Interagency Intervention Plan
ILS	Independent Living Services
IRTS	Intensive Residential Treatment Services
ISP	Individual Service Plan
LLA	Local Lead Agency

LOC	Level of care
LSNP	Local Systems Need Plan
LTCC	Long Term Care Consultation
MA	Medical Assistance
MA-EPD	Medical Assistance – Employed Persons with Disabilities
MCSHN	Minnesota Children with Special Health Needs (MN Dept of Health)
MCO	Managed Care Organization
MDH	Minnesota Department of Health
METO	Minnesota Extended Treatment Options
MH	Mental Health
MHCP	Minnesota Health Care Programs
MMIS	Medicaid Management Information System
MNDHO	Minnesota Disability Health Options
MnSHO	Minnesota Senior Health Options
MSA	Minnesota Supplemental Aid
MSOCS	Minnesota State Operated Community Services
MSOS	Minnesota State Operated Services
NB	Neuro-Behavioral
NBH	Neuro-Behavioral Hospital
NF	Nursing Facility
NPI	National Provider Identifier
OBRA	Omnibus Budget Reconciliation Act
PAS	Pre-Admission Screening
PCA	Personal Care Assistant
PDN	Private Duty Nursing
PCP	Person Centered Planning
PCPO	Personal Care Provider Organization
PDD	Pervasive Developmental Disorder
PHN	Public Health Nurse
PMAP	Prepaid Medical Assistance Program
PMIN	Personal Master Index Number
PTE	Pathways To Employment
QA	Quality Assurance
QMRP	Qualified Mental Retardation Professional
QP	Qualified Professional
RC	Related condition
RFP	Request for Proposal
RMP	Risk management plan
RP	Responsible Party
RRS	Regional Resource Specialist
RSC	Relocation Service Coordination
RSDI	Retirement, Survivors & Disability

	Insurance
RTC	Regional Treatment Center
RUGS	Resource Utilization Groups (NF rates)
SA	Service Agreement
SD	Screening Document
SE	Supported Employment
SED	Serious Emotional Disturbance
SILS	Semi-Independent Living Services
SIRS	Surveillance & Integrity Review
SLF	Supervised Living Facility
SLS	Supported Living Services
SMRT	State Medical Review Team
SNBC	Special Needs Basic Care
SNV	Skilled Nursing visit
SOS	State Operated Services
SPMI	Serious & Persistent Mental Illness
SSDI	Social Security Disability Insurance
SSI	Supplemental Security Income
SSIS	Social Services Information System
TBI	Traumatic Brain Injury
TBI-NB	Traumatic Brain Injury – Neurobehavioral level of care
TBI-NF	Traumatic Brain Injury – Nursing Facility level of care
TCM	Targeted Case Management
TEFRA	Tax Equity & Fiscal Responsibility Act
TPL	Third Party Liability
VA	Veterans Administration
VA	Vulnerable Adult
VR	Vocational Rehabilitation
WMS	Waiver Management System

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